



## Monterey County Board of Supervisors

### Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066  
www.co.monterey.ca.us

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to:

**Agreement No.: A-15366; Amendment No.: 2**

- a. Approve and authorize the Director of the Department of Social Services to sign Amendment #2 to the agreement with TMD Creative for marketing services for the Child Abuse Prevention Council (CAPC) by adding \$25,000 for a total contract amount of \$140,500 with no change to the contract term of July 1, 2020 through June 30, 2021; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this Agreement where the total amendments do not exceed 10% (\$14,050) of the contract amount, and do not significantly change the scope of work.

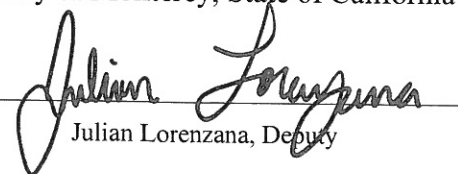
PASSED AND ADOPTED on this 22<sup>nd</sup> day of June 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams  
NOES: None  
ABSENT: None  
(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting June 22, 2021.

Dated: June 24, 2021  
File ID: A 21-326  
Agenda Item No.: 61

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

  
Julian Lorenzana, Deputy

**COUNTY OF MONTEREY**  
**AMENDMENT #2 to Agreement #5010-30**  
**TMD Creative**

This Amendment #2 is made and entered into by and between the County of Monterey Department of Social Services, Family and Children's Services (hereinafter "COUNTY"), and TMD Creative (hereinafter "CONTRACTOR").

WHEREAS, This Agreement provides marketing, branding, and website maintenance services for the period of July 1, 2020 through June 30, 2021 for a total agreement amount of \$110,500 (hereinafter "Original Agreement").

WHEREAS, The Parties amended the Agreement via Amendment #1 to revise the scope of services to include marketing and branding for the Child Abuse Prevention Council (CAPC) and add \$5,000 with no change to the term for a total agreement amount of \$115,500.

WHEREAS, The Parties currently wish to amend the Agreement to add \$25,000 to allow for additional CAPC marketing with no change to the scope or term for a total agreement amount of \$140,500.

**AGREEMENT**

Now Therefore, the parties agree to amend the Agreement as follows:

This Agreement is hereby amended on the terms and conditions as set forth in the original Agreement and in Amendment #1 incorporated herein by this reference, except as specifically set forth below.

1. **Section 2, Paragraph titled "2.0 PAYMENT PROVISIONS" is amended to read as follows:**

County shall pay CONTRACTOR in accordance with the payment provisions set forth in Exhibit AAA, subject to the limitations set forth in this agreement. The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$140,500.

2. Exhibit AAA reflects the new contract total.
3. Exhibits CCC and DDD reflect the \$25,000 being added to the Agreement.
4. Except as provided herein, all remaining terms, conditions and provisions of the original Agreement are unchanged and unaffected by this Amendment #2 and shall continue in full force and effect as set forth in the original Agreement and in Amendment #1.
5. A copy of this Amendment #2 shall be attached to the Original Agreement.

**COUNTY OF MONTEREY**  
**AMENDMENT #2 to Agreement #5010-30**  
**TMD Creative**

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IN WITNESS HEREOF, the parties hereby execute this amendment as follows:

**COUNTY OF MONTEREY:**

By: *Lori A. Medina*  
Lori A. Medina  
DSS Director

Date: 6/25/2021

**CONTRACTOR:**

TMD Creative

By: *Nicholas Pasculli, CEO*  
DocuSigned by:  
476457D725864F5...  
(Chair, President, Vice-President)

\_\_\_\_\_  
(Print Name & Title)

Date: 6/7/2021 | 10:34 AM PDT

By: *Debra Pascasio*  
DocuSigned by:  
CCC5B858508E457...  
(Secretary, CFO, Treasurer)

\_\_\_\_\_  
(Print Name and Title)

Date: 6/7/2021 | 11:16 AM PDT

**Approved as to Form:**

*Anne Brenton, County Counsel*  
DocuSigned by:  
07025E3AA36B4A4...  
Deputy County Counsel

Date: 6/7/2021 | 5:04 PM PDT

**Approved as to Fiscal Provisions:**

*Joey Nolasco*  
DocuSigned by:  
F80C442ED05B437...  
Auditor-Controller's Office

Date: 6/8/2021 | 7:43 AM PDT

EXHIBIT AAA

**TMD Creative**  
**Scope of Services/Payment Provisions • Family to Family**

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*July 1, 2020 – June 30, 2021*

**I. CONTACT INFORMATION**

**Contractor:**

**Nicholas Pasculli, President**  
**TMD Creative**  
90 West Alisal  
Salinas, CA 93901  
Phone: (831) 758-6425  
Fax: (831) 758-3949

**County:**

**Patricia L. Hernandez, J.D., Management Analyst**  
**Monterey County DSS**  
1000 South Main Street, Ste. 206  
Salinas, CA 93901  
Phone: (831) 759-6768  
Fax: (831) 784-2123  
[hernandezpl@co.monterey.ca.us](mailto:hernandezpl@co.monterey.ca.us)

**CAPC:**

**Ginger Pierce, CAPC Director**  
[piercevr@co.monterey.ca.us](mailto:piercevr@co.monterey.ca.us)

**III. SCOPE OF WORK**

**CONTRACTOR** shall provide ongoing technical marketing assistance and web-site development/maintenance for the Family-to-Family website. This includes support, maintenance and continued development of materials for Family-to-Family efforts aimed at recruiting Foster Care/Adoptive caregivers. Activities may include but are not limited to:

- Web support for Family-to-Family
- Social Media Integration, monthly maintenance and support for Family-to-Family;
- Coordination, development and purchasing of television, radio and print ads that promote Family-to-Family. All ads and purchasing to be coordinated with Department of Social Services (FCS) point of contact;
- Development of two (2) 30 second commercials (English and Spanish) to be aired December 2019 and May 2020
- Marketing design to update existing materials and to develop new outreach and recruitment tools; and
- Printing of new materials.

**EXHIBIT AAA**

- **Marketing, Social Media Marketing, and Branding updates for the County's Child Abuse Prevention Council (CAPC)**

**III. PAYMENT PROVISIONS**

COUNTY shall pay CONTRACTOR according to the terms set forth in Section 6, Payment Conditions, of this Agreement. This Agreement is based on a not-to-exceed amount per deliverable as identified in **Exhibit CCC, Budget**. CONTRACTOR shall submit an invoice to COUNTY no later than the 10<sup>th</sup> day of the month for services rendered in the previous month in the form set forth in **Exhibit DDD, Invoice**.

The maximum amount payable by COUNTY to CONTRACTOR under this Agreement shall not exceed **one hundred and forty thousand, five hundred dollars (\$140,500.00)**.

*(Remainder of this page intentionally left blank)*

TMD Creative  
July 1, 2020 - June 30, 2021  
BUDGET

EXHIBIT CCC

Name Of Agency: TMD Creative

CATEGORY	FAMILY-TO-FAMILY
Social Media Marketing and Development	\$6,500
Website Maintenance	2,000
Website Expansion	3,000
Print Material Design	5,000
Television Placement	40,000
Radio Placement	14,000
Newspaper Placement	17,000
Media Production	7,000
Miscellaneous	2,000
CAPC Marketing and Branding	30,000
Subtotal	126,500
Sales Tax 9.25%	9,000
<b>TOTAL</b>	<b>\$135,500</b>

TMD Creative  
July 1, 2020 - June 30, 2021  
**Billing Summary/Claim**

Exhibit DDD

Invoice Number: \_\_\_\_\_

Name Of Agency: TMD Creative

CATEGORY	TOTAL BUDGET	TOTAL EXPENSES	BALANCE CONTRACT FUNDS
Social Media Marketing and Development	\$6,500		
Website Maintenance	\$ 2,000		
Website Expansion	\$ 3,000		
Print Material Design	\$ 5,000		
Television Placement	\$ 40,000		
Radio Placement	\$ 14,000		
Newspaper Placement	\$ 17,000		
Media Production	\$ 7,000		
Miscellaneous	\$ 2,000		
<b>CAPC Marketing and Branding</b>	<b>\$ 30,000</b>		
Subtotal	\$ 126,500		
Sales Tax 9.25%	\$ 9,000		
<b>TOTAL</b>	<b>\$135,500</b>		

I hereby certify that this report is correct and complete to the best of my knowledge.

Authorized signature \_\_\_\_\_

Title \_\_\_\_\_

Phone Number \_\_\_\_\_

Date \_\_\_\_\_

Monterey County DSS Authorized Signature

Date