



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

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**File #:** A 12-057, **Version:** 1

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Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Nixon Peabody LLP for Legal Services at NMC in an amount not to exceed \$300,000 (an increase of \$200,000) increasing the scope of services, and extending the Agreement to June 30, 2013.

### **RECOMMENDATION:**

It is recommended the Board of Supervisors authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Nixon Peabody LLP for Legal Services at NMC in an amount not to exceed \$300,000 (an increase of \$200,000) increasing the scope of services, and extending the Agreement to June 30, 2013.

### **SUMMARY/DISCUSSION:**

Nixon Peabody LLP is a Global 100 law firm that has represented the County with respect to public finance matters. On October 10, 2011, the County entered into an agreement for up to \$100,000 to provide legal assistance and advice on various financing matters, including issues regarding changes in hospital structure and governance with respect to Natividad Medical Center. The County continues to require the Nixon firm's counsel with respect to the performance of due diligence regarding the Salinas Valley Memorial Healthcare System affiliation and financing issues related to the structure and governance of Natividad Medical Center. Accordingly, the parties wish to extend its agreement to increase the scope of services, to increase the maximum liability by \$200,000 for a total contract amount of \$300,000 and to extend the term to June 30, 2013.

### **OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed and approved this Amendment as to legal form and risk provisions. Auditor-Controller has reviewed and approved this Amendment as to fiscal provisions. The Amendment has also been reviewed and approved by Natividad Medical Center's Board of Trustees.

### **FINANCING:**

The cost of this Amendment No. 1 is \$200,000. \$20,000 is included in the Fiscal Year 2011/12 Budget and \$180,000 is included in the Fiscal Year 2012/13 Recommended Budget. There is no impact to the General Fund.

Prepared by: Stacy Saetta, Deputy County Counsel, 755-5333  
Approved by: Harry Weis, Chief Executive Officer, 783-2553

Attachments: Agreement, Amendment No. 1