



# County of Monterey

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

## Legislation Details (With Board Report)

<b>File #:</b>	A 18-097	<b>Name:</b>	Nixon Peabody LLP Amendment No. 5
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Consent Agenda
<b>File created:</b>	4/3/2018	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	4/24/2018	<b>Final action:</b>	
<b>Title:</b>	Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement No. (A-12242/MYA503) with Nixon Peabody LLP for Legal Services at NMC, extending the Agreement an additional three (3) year period (July 1, 2018 through June 30, 2021) for a revised term of October 10, 2011 to June 30, 2021 and at no additional cost, for a revised total Agreement amount not to exceed \$300,000.		

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Board Report, 2. Nixon Peabody LLP Original Agreement.pdf, 3. Nixon Peabody LLP Amendment No. 1.pdf, 4. Nixon Peabody LLP Renewal and Amendment No. 2.pdf, 5. Nixon Peabody LLP Amendment No. 3.pdf, 6. Nixon Peabody LLP Amendment 4.pdf, 7. Nixon Peabody LLP Amendment No. 5.pdf, 8. Completed Board Order

Date	Ver.	Action By	Action	Result
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Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement No. (A-12242/MYA503) with Nixon Peabody LLP for Legal Services at NMC, extending the Agreement an additional three (3) year period (July 1, 2018 through June 30, 2021) for a revised term of October 10, 2011 to June 30, 2021 and at no additional cost, for a revised total Agreement amount not to exceed \$300,000.

### RECOMMENDATION:

#### **It is recommended the Board of Supervisors:**

Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement No. (A-12242/MYA503) with Nixon Peabody LLP for Legal Services at NMC, extending the Agreement an additional three (3) year period (July 1, 2018 through June 30, 2021) for a revised term of October 10, 2011 to June 30, 2021 and at no additional cost, for a total Agreement amount not to exceed \$300,000.

### SUMMARY/DISCUSSION:

Nixon Peabody LLP is a Global 100 law firm that has represented the County with respect to matters of public finance and governance of public hospitals, including the County's consideration of a hospital authority. In light of continued need for Nixon's advice and consultation on finance and governance. NMC seeks Board approval of a no-cost three-year extension that does not increase the maximum contract liability of \$300,000.

### OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this Amendment No. 5 as to legal form and the Auditor-Controller

has reviewed and approved this Amendment No. 5 as to payment provisions. The Amendment No. 5 has also been reviewed and approved by Natividad Medical Center's Finance Committee April 2, 2018 and Board of Trustees April 6, 2018

**FINANCING:**

There are no additional dollars added for this Amendment No. 5. of which the remaining funds from previous years will rollover into Fiscal Year 18-2019 Adopted Budget. Amounts for remaining years of the Agreement will be included in those budgets as appropriate.

Prepared by: Daniel Leon, Chief Financial Officer, 783-2561

Approved by: Gary Gray, DO, Interim Chief Executive Officer, 783-2553

**Attachments:**

Nixon Peabody LLP Original Agreement

Nixon Peabody LLP Amendment No. 1

Nixon Peabody LLP Renewal and Amendment No. 2

Nixon Peabody LLP Amendment No. 3

Nixon Peabody LLP Amendment No. 4

Nixon Peabody LLP Amendment No. 5

Attachments on file with the Clerk to the Board's Office