

**AMENDMENT NO. 5  
TO SERVICES AGREEMENT  
BETWEEN TOTAL RENAL CARE, INC. AND  
THE COUNTY OF MONTEREY ON BEHALF OF NATIVIDAD MEDICAL CENTER  
FOR  
ACUTE DIALYSIS SERVICES**

This Amendment No. 5 to the Services Agreement (“Agreement”) which was effective on July 1, 2019 is entered into by and between the County of Monterey, on behalf of Natividad Medical Center (“NMC”), and Total Renal Care, Inc. (“CONTRACTOR”); **From this point forward, the party referenced previously as “NMC” shall be referenced as “COUNTY” and collectively, COUNTY and CONTRACTOR are referred to as the “Parties” to this Agreement, with respect to the following:**

**RECITALS**

**WHEREAS**, the Agreement was executed for Acute Dialysis Services with a term July 1, 2019 through June 30, 2021 and a total Agreement amount not to exceed \$1,349,734; and

**WHEREAS**, COUNTY and CONTRACTOR amended the Agreement via Amendment No. 1 to extend the term for an additional two-year period through June 30, 2023 to allow for services to continue with revisions to Exhibit D: Fee Schedule and to add Transition Smart Program Services at no cost to Natividad nor to Natividad’s patients for these additional services and to add an additional \$1,000,000, thereby increasing the total Agreement amount to \$2,349,734;

**WHEREAS**, COUNTY and CONTRACTOR amended the Agreement via Amendment No. 2 with no change to the term (July 1, 2019 through June 30, 2023) or scope of work and to add an additional \$2,426,223, thereby increasing the total Agreement amount to \$4,775,957;

**WHEREAS**, COUNTY and CONTRACTOR amended the Agreement via Amendment No. 3 to extend the term for an additional one-year period through June 30, 2024 to allow for services to continue with revisions to Exhibit D-3 as Per Amendment No. 3 Fee Schedule and no cost to Natividad for a total amount Agreement amount of \$4,775,957;

**WHEREAS**, COUNTY and CONTRACTOR amended the Agreement via Amendment No. 4 with no change to the term (July 1, 2019 through June 30, 2024) or scope of work and to add an additional \$900,000, thereby increasing the total Agreement amount to \$5,675,957.

**WHEREAS**, COUNTY and CONTRACTOR currently wish to amend the Agreement via Amendment No. 5 to extend the term for an additional three (3) months through September 30, 2024 for a revised full Agreement term of July 1, 2019 through September 30, 2024 to allow for services to continue with no changes to the scope of work, billing rates, and not to exceed amount of \$5,675,957.

**AGREEMENT**

**NOW, THEREFORE**, the Parties agree to amend the Agreement as follows:

The Agreement is hereby renewed on the terms and conditions as set forth in the Original Agreement, Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4 and in this Amendment No. 5 incorporated herein by this reference, except as specifically set forth below.

1. The first sentence of Section 3 /Paragraph titled; “TERM OF AGREEMENT” shall be amended to the following:  
***“The term of this Agreement is from July 1, 2019 through September 30, 2024 unless sooner terminated pursuant to the terms of this Agreement.”***

***The remainder of this page was intentionally left blank.***

2. Except as provided herein, all remaining terms, conditions and provisions of the Agreement are unchanged and unaffected by this Amendment No. 5 and shall continue in full force and effect as set forth in the Agreement.
3. A copy of this Amendment No. 5 shall be attached to the Agreement.
4. This Amendment No. 5 shall be effective July 1, 2024.

***The remainder of this page was intentionally left blank.***

***~ Signature page to follow ~***

IN WITNESS WHEREOF, the Parties hereto are in agreement with this Amendment No. 5 on the basis set forth in this document and have executed this Amendment No. 5 on the day and year set forth herein.

**COUNTY OF MONTEREY on behalf of  
NATIVIDAD MEDICAL CENTER**

By: DocuSigned by:  
Charles Harris  
4E1F837D204E481  
Charles R. Harris, CEO

Date: 6/25/2024 | 5:41 PM PDT

**APPROVED AS TO LEGAL PROVISIONS**

By: DocuSigned by:  
Stacy Saetta  
99021040C4510  
Monterey County Deputy County Counsel

Date: 6/25/2024 | 10:24 AM PDT

**APPROVED AS TO FISCAL PROVISIONS**

By: DocuSigned by:  
Jennifer Forsyth  
4E1E0979754544E  
Monterey County Deputy Auditor/Controller

Date: 6/25/2024 | 2:30 PM PDT

**CONTRACTOR**

Total Renal Care, Inc.  
**CONTRACTOR's Business Name**  
\*\*\*See instructions below\*\*\*

By: DocuSigned by:  
Tim Souza  
1DBF375D968140F  
(Signature of: Chair, President, or Vice-President)

Tim Souza Division Vice President  
Name and Title

Date: June 24, 2024

By: DocuSigned by:  
Stephanie Berberich  
27240CA00D3440C  
(Signature of: Secretary, Asst. Secretary, CFO,  
Treasurer, or Asst. Treasurer)

Stephanie Berberich Secretary  
Name and Title

Date: June 25, 2024

**\*\*\*Instructions\*\*\***

**If CONTRACTOR** is a corporation; including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers (two signatures required).

**If CONTRACTOR** is a partnership; the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership (two signatures required).

**If CONTRACTOR** is contracting in an individual capacity, the individual shall set forth the name of the business, if any and shall personally sign the Agreement (one signature required).