

AMENDMENT NUMBER ~~FIVE-SIX~~

TO

CONTRACT MA-060-14010447

BETWEEN THE

COUNTY OF ORANGE

AND

~~YORBA REGIONAL ANIMAL HOSPITAL AND PET RESORT, INC.~~ VCA YORBA
REGIONAL ANIMAL HOSPITAL, INC. (FORMERLY YORBA REGIONAL ANIMAL
HOSPITAL AND PET RESORT, INC.)

This AMENDMENT NUMBER ~~FIVE SIX~~ to Contract number MA-060-14010447 (hereinafter “AMENDMENT NUMBER FIVE”) between the County of Orange, a political subdivision of the State of California (hereinafter “COUNTY”) and ~~Yorba Regional Animal Hospital and Pet Resort Inc.~~ VCA Yorba Regional Animal Hospital, Inc., Formerly Yorba Regional Animal Hospital and Pet Resort, Inc., (hereinafter “CONTRACTOR”) with a business address of ~~8290 E. Crystal Drive, Anaheim, CA 92807~~ 12401 West Olympic Blvd, Los Angeles, CA 90064, is made and entered upon execution of all necessary signatures.

RECITALS

WHEREAS, COUNTY and CONTRACTOR executed a Contract for Veterinary and Boarding Services for Police Canines on December 20, 2013 as Contract Number MA-060-14010447 (hereinafter “ORIGINAL CONTRACT”), for a one-year term of December 20, 2013 through and including December 19, 2014, renewable for four (4) additional one-year terms; and

WHEREAS, COUNTY and CONTRACTOR amended the ORIGINAL CONTRACT on July 14, 2014 to add RNSP Unit 1498 as an additional ordering location and increase the Contract amount by \$5,000 for a new not to exceed amount of \$86,000 (hereinafter “AMENDMENT NUMBER ONE”);

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on November 25, 2014, as Contract Number MA-060-15010645 (hereinafter “AMENDMENT NUMBER TWO”) for a one (1) year term of December 20, 2014 through and including December 19, 2015 and added the Narcotics Division as an additional ordering location and increased the Contract amount by \$40,000.00 for a new not to exceed amount of \$126,000.00; (~~hereinafter “AMENDMENT NUMBER TWO”~~);

WHEREAS, COUNTY and CONTRACTOR amended the ORIGINAL CONTRACT on August 11, 2015, to add the Intake Release Center as an additional ordering location ~~with budget of \$5,000.00 and increased the budget for James A. Musick Facility by \$4,000.00 and increased the Contract by \$9,000.00~~ for a new not to exceed Contract amount of \$135,000.00 (hereinafter “AMENDMENT NUMBER THREE”)

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on October 27, 2015, as Contract Number MA-060-16010463 (~~hereinafter “AMENDMENT NUMBER FOUR”~~) ~~for a one (1) year term of December 20, 2015 through and including December 19, 2016 with a not to exceed Contract amount of \$135,000.00; for a one~~

(1) year term of December 20, 2015 through and including December 19, 2016 with a not to exceed Contract amount of \$135,000.00 (hereinafter “AMENDMENT NUMBER FOUR”);

WHEREAS, COUNTY ~~desires to amend the ORIGINAL CONTRACT to add K9 Unit 1488 with a budget of \$40,000.00 and remove North Patrol Unit 1411 with a budget amount of \$35,000.00, as well as to renew the ORIGINAL CONTRACT as Contract Number MA-060-17010204 for a one (1) year term of December 20, 2016 through and including December 19, 2017 with a new not to exceed contract amount of \$145,000.00 and the CONTRACTOR agrees to provide these goods/services at the rates set forth in the ORIGINAL CONTRACT;~~ and CONTRACTOR amended the ORIGINAL CONTRACT on October 25, 2016 to add K9 Unit 1488 with a budget of \$40,000.00 and remove North Patrol Unit 1411 with a budget amount of \$35,000.00, and renewed the ORIGINAL CONTRACT as Contract Number MA-060-17010204 for a one (1) year term of December 20, 2016 through and including December 19, 2017 with a new not to exceed contract amount of \$145,000.00 (hereinafter “AMENDMENT NUMBER FIVE”);

WHEREAS, CONTRACTOR informed COUNTY that on November 29, 2016 Yorba Regional Animal Hospital and Pet Resort, Inc., was successfully acquired by VCA Yorba Regional Animal Hospital, Inc.; and

WHEREAS CONTRACTOR indicated its desire to be assigned ORIGINAL CONTRACT, as amended, effective as of November 29, 2016; and

WHEREAS, CONTRACTOR agreed in an Assignment, Novation and Consent Agreement to be bound by all of the terms and conditions of ORIGINAL CONTRACT, as amended, just as if it had been an original signatory to ORIGINAL CONTRACT and COUNTY consented to said Assignment, Novation and Consent Agreement on November 14, 2017 which assigned ORIGINAL CONTRACT from Yorba Regional Animal Hospital and Pet Resort, Inc. to CONTRACTOR; and

WHEREAS, COUNTY desires to amend the ORIGINAL CONTRACT to add the Bomb Squad Unit 1401 with a budget amount of \$20,000.00, as well as to renew the ORIGINAL CONTRACT as Contract Number MA-060-18010542 for a one (1) year term of of December 20, 2017 through and including December 19, 2018 with a new not to exceed contract amount of \$165,000.00, and the CONTRACTOR agrees to provide these goods/services at the rates set forth in the ORIGINAL CONTRACT;

NOW THEREFORE, in consideration of the mutual obligations set forth herein, both COUNTY and CONTRACTOR agree as follows:

1. **ACQUISITION OF CONTRACT**

Effective November 29, 2016:

- a. The parties agree that wherever “Yorba Regional Animal Hospital and Pet Resort, Inc.” appears in the ORIGINAL CONTRACT, as amended, is hereby amended to be replaced by “VCA Yorba Regional Animal Hospital, Inc.”

1. **ARTICLES**

- a. ~~Attachment B, Pricing, Contract Not to Exceed Amount of the ORIGINAL CONTRACT is amended to read as follows:~~

~~Contract Dollar amount shall not exceed: \$145,000.00 for the term of 12/20/15 to 12/19/16.~~ a. Attachment B, Pricing, Contract Not to Exceed Amount of the ORIGINAL CONTRACT is amended to read as follows:

Contract Dollar amount shall not exceed: \$165,000.00.

- b. Attachment B, Section 2 Ordering Locations, of the ORIGINAL CONTRACT is amended in its entirety as follows:

Sheriff-Coroner Department
Reserves
1900 W. Katella Ave.
Orange, CA 92867
Attn: Karen Waters

Sheriff-Coroner Department
Theo Lacy
501 The City Drive
Orange, CA 92868
Attn: ~~CST Avila~~ David Ybarra

Sheriff-Coroner Department
Musick Facility
13502 Musick Dr.
Irvine, CA 92618
Attn: CST Hunter

Sheriff-Coroner Department
RNSP
2651 Hotel Terrace
Santa Ana, CA 92705
Attn: ~~Office Manager~~ Tami Kiltz

Sheriff-Coroner Department
Narcotics Division
550 N. Flower St. 2nd Floor

Santa Ana, CA 92705
Attn: Tracy Harvell

Sheriff-Coroner Department
IRC
550 N. Flower St.
Santa Ana, CA 92705
Attn: Alex Kazalbash

Sheriff-Coroner Department
K9 Unit
550 N. Flower Street
Santa Ana, CA 92705
Attn: Candice Aubuchon
~~714-647-1850~~

Sheriff-Coroner Department
Training Facility
1900 W Katella Ave.
Orange, CA 92867
Attn: Stephanie Beyer

- c. Attachment C, Compensation and Pricing Provisions, Section 3 Invoicing Instructions is amended in its entirety as follows:

Sheriff-Coroner Department
Reserves
1900 W. Katella Ave.
Orange, CA 92867
Attn: Karen Waters

Sheriff-Coroner Department
Theo Lacy
501 The City Drive
Orange, CA 92868
Attn: ~~CST-Avila~~ David Ybarra

Sheriff-Coroner Department
Musick Facility
13502 Musick Dr.
Irvine, CA 92618
Attn: CST Hunter

Sheriff-Coroner Department
RNSP
2651 Hotel Terrace

Santa Ana, CA 92705
Attn: ~~Office Manager~~ Tami Kiltz

Sheriff-Coroner Department
Narcotics Division
550 N. Flower St. 2nd Floor
Santa Ana, CA 92705
Attn: Tracy Harvell

Sheriff-Coroner Department
IRC
550 N. Flower St.
Santa Ana, CA 92705
Attn: Alex Kazalbash

Sheriff-Coroner Department
K9 Unit
550 N. Flower Street
Santa Ana, CA 92705
Attn: Candice Aubuchon
~~714-647-1850~~

Sheriff-Coroner Department
Training Facility
1900 W Katella Ave.
Orange, CA 92867
Attn: Stephanie Beyer

- d. Additional Terms & Conditions, Section Term of Contract, of the ORIGINAL CONTRACT is amended to read in its entirety as follows:

2. Term of Contract:

This Contract shall commence upon execution of all necessary signatures, and continue in effect from 12/20/13 through and including 12/19/17, unless otherwise terminated by the COUNTY. The period of 12/20/13 through and including 12/19/14 shall be known as Contract Number MA-060-14010447. The period of 12/20/14 through and including 12/19/15 shall be known as Contract Number MA-060-15010645. The period of 12/20/15 through and including 12/19/16 shall be known as Contract Number MA-060-16010463. The period of 12/20/16 through and including 12/19/17 shall be known as Contract Number MA-060-17010204. ~~This Contract may be renewed for one (1) additional one-year term by mutual agreement of both parties. The County is not under any obligation to provide Contractor with a reason should it elect not to renew this Contract, nor is the County obligated to provide any prior notice to Contractor of~~

~~its intent not to renew the Contract.~~ The period of 12/20/17 through and including 12/19/18 shall be known as Contract Number MA-060-18010542. This Contract is non-renewable.

2. A true and correct copy of the ORIGINAL CONTRACT (Contract Number MA-060-14010447) is attached hereto as Exhibit A and incorporated by this reference.
3. A true and correct copy of AMENDMENT NUMBER ONE (Contract Number MA-060-14010447) is attached hereto as Exhibit B and incorporated by this reference.
4. A true and correct copy of AMENDMENT NUMBER TWO (Contract Number MA-060-15010645) is attached hereto as Exhibit C and incorporated by this reference.
5. A true and correct copy of AMENDMENT NUMBER THREE (Contract Number MA-060-15010645) is attached hereto as Exhibit D and incorporated by this reference.
6. A true and correct copy of AMENDMENT NUMBER FOUR (Contract Number MA-060-16010463) is attached hereto as Exhibit E and incorporated by this reference.
7. A true and correct copy of AMENDMENT NUMBER FIVE (Contract Number MA-060-17010204) is attached hereto as Exhibit F and incorporated by this reference.
8. All other provisions of the ORIGINAL CONTRACT and AMENDMENT NUMBERS ONE through ~~FOUR~~ FIVE, except as amended herein and to the extent they are not inconsistent with this AMENDMENT NUMBER ~~FIVE~~ SIX, remain unchanged and in full force and effect.

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IN WITNESS WHERE OF, the Parties have executed AMENDMENT NUMBER FIVE to Contract number MA-060-14010447.

***Contractor:** ~~Yorba Regional Animal Hospital and Pet Resort Inc.~~ VCA Yorba Regional Animal Hospital, Inc.

By: _____ Title: _____

Print Name: _____ Date: _____

***Contractor:** ~~Yorba Regional Animal Hospital and Pet Resort Inc.~~ VCA Yorba Regional Animal Hospital, Inc.

By: _____ Title: _____

Print Name: _____ Date: _____

**If the contracting party is a corporation, (2) two signatures are required: (1) signature by the Chairman of the Board, the President or any Vice President; and one (1) signature by the Secretary, any Assistant Secretary, the Chief Financial Officer or any Assistant Treasurer. The signature of one person alone is sufficient to bind a corporation, as long as he or she holds corporate offices in each of the two categories described above. For County purposes, proof of such dual office holding will be satisfied by having the individual sign the instrument twice, each time indicating his or her office that qualifies under the above described provision.*

In the alternative, a single corporate signature is acceptable when accompanied by a corporate resolution demonstrating the legal authority of the signature to bind the company.

County Of Orange

A political subdivision of the State of California



Sheriff-Coroner Department

By: _____ Title: _____

Date: _____

Approved by the Board of Supervisors: _____

Approved as to Form

Office of the County Counsel
Orange County, California

by _____
Deputy

EXHIBIT A

ORIGINAL CONTRACT (Contract Number MA-060-14010447)

EXHIBIT B

AMENDMENT NUMBER ONE (Contract Number MA-060-14010447)

EXHIBIT C

AMENDMENT NUMBER TWO (Contract Number MA-060-15010645)

EXHIBIT D

AMENDMENT NUMBER THREE (Contract Number MA-060-15010645)

EXHIBIT E

AMENDMENT NUMBER FOUR (Contract Number MA-060-16010463)

EXHIBIT F

AMENDMENT NUMBER FIVE (Contract Number MA-060-17010204)