

[FIRST] AMENDMENT FY 16-[17]

TO AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR

This is an amendment (hereafter referred to as the “[First] Amended Contract”) to the Agreement for Services of Independent Contractor, referenced as number **BC _____**, by and between the **County of Santa Barbara** (County) and **[Name of Provider]** (Contractor), wherein Contractor agrees to provide and County agrees to accept the services specified herein.

Whereas, this [First] Amended Contract incorporates the terms and conditions set forth in the contract approved by the County Board of Supervisors in [June 2016], except as modified by this [First] Amended Contract;

Whereas, the County is updating Exhibit A to enhance language in Exhibit A, Alcohol and Drug Program (ADP) Statement of Work, State Compliance Section of the Agreement to comply with State requirements, for ADP services to be rendered under this Agreement through June 30, [2017];

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

I. In Exhibit A - Alcohol and Drug Program (ADP) Statement of Work, Section [15] - State Contract Compliance, delete Section [I], Nondiscrimination and Institutional Safeguards for Religious Providers and replace with the following,

I. Nondiscrimination and Institutional Safeguards for Religious Providers

In order to comply with the provisions of Title 42, USC, Section 300x-65 and Title 42 CFR Part 54, Contractor is required to submit to the County ADP Program Manager, the “Survey on Ensuring Equal Opportunity for Applicants” form, available from ADP Program Director, to identify if the organization is a religious provider. Contractor shall not use funds provided through this contract for inherently religious activities, such as worship, religious instruction, or proselytization. If Contractor conducts such activities, it must offer them separately, in time or location, from the programs or services for which it receives funds from the Department. Contractor may not discriminate against a client or prospective client on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice. Contractors identifying as religious organizations shall establish a referral process to a reasonably accessible alternative program for clients who may object to the religious nature of the Contractor’s program. Referrals that were made due to the religious nature of the Contractor’s program shall be submitted within three (3) days to the County.

II. In Exhibit A - Alcohol and Drug Program (ADP) Statement of Work, Section [15] - State Contract Compliance, delete Section [N], Trafficking Victims Protection Act of 2000 (TVPA) and replace with the following:

N. Trafficking Victims Protection Act of 2000 (TVPA)

Contractor shall comply with Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. Section 7104(g), as amended by Section 1702). The County has the authority to terminate the agreement without penalty within thirty (30) days or to take any other remedial action authorized under 22 U.S.C. Section 7104b(c), if the Contractor: (a) Engages in severe forms of trafficking in persons during the period of time that the contract is in effect; (b) Procures a commercial sex act during the period of time that the contract is in

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effect; or (c) Uses forced labor in the performance of the contract or subcontracts under the contract, in accordance with TVPA of 2000 and in accordance with Behavioral Wellness Policy and Procedure found at <http://www.countyofsb.org/behavioral-wellness/policies>. Contractor must inform County immediately of any information Contractor receives from any source alleging a violation of a prohibition in this paragraph. For full text of the award term, go to: <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title22-section7104d&num=0&edition=prelim>

III. All others Terms and Conditions remain in full force and effect.

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SIGNATURE PAGE

[First] Amendment to Agreement for Services of Independent Contractor between the County of Santa Barbara and [NAME OF PROVIDER].

IN WITNESS WHEREOF, the parties have executed this [First] Amendment to be effective on the date executed by County.

COUNTY OF SANTA BARBARA:

By: _____
ALICE GLEGHORN, PH.D.,
DIRECTOR
DEPARTMENT OF BEHAVIORAL
WELLNESS

Date: _____

**CONTRACTOR:
[NAME OF PROVIDER]**

By: _____
Authorized Representative

Name: _____

Title: _____

Date: _____

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
THEODORE A. FALLATI, CPA
AUDITOR-CONTROLLER

By: _____
Deputy County Counsel

By: _____
Deputy

APPROVED AS TO INSURANCE FORM:
RAY AROMATORIO
RISK MANAGEMENT

By: _____
Risk Management