

**FIRST AMENDMENT TO AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR FOR
WORKFORCE OPTIMIZATION AND VERBAL ATTESTATION**

Santa Barbara County
Department of Social Services

First Amendment

This is a *First* (*First Amendment to the Agreement*) to the Agreement for Services of Independent Contractor, number BC#18-180 (Agreement) by and between the **County of Santa Barbara** (COUNTY) and **NEC CORPORATION OF AMERICA dba NEC (NEW) Corporation of America** (CONTRACTOR).

WHEREAS, on March 13, 2018, COUNTY approved the Agreement with CONTRACTOR for the provision of Workforce Optimization and Verbal Attestation;

WHEREAS, the initial term of the Agreement commenced on March 13, 2018 through December 31, 2018; and

WHEREAS, the parties now desire to amend the Agreement to extend the contract term from March 13, 2018 through *April 30, 2019*, unless otherwise directed by COUNTY or unless earlier terminated.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, COUNTY and CONTRACTOR agree as follows.

The Agreement is amended as follows:

1. Section 4, TERM, of the Agreement is amended to state in its entirety:

CONTRACTOR shall commence performance on March 13, 2018 and end performance upon completion, but no later than *April 30, 2019* unless otherwise directed by COUNTY or unless earlier terminated.

2. Add Sections 39 and 40 to the Agreement:

39. PROCUREMENT OF RECOVERED MATERIALS

CONTRACTOR shall comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

40. DRUG-FREE WORKPLACE

CONTRACTOR must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 382, which adopts the Governmentwide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701-707).

In all other respects, the Agreement remains unchanged and shall remain in full effect.

//
//

First Amendment to the Agreement between the **County of Santa Barbara** and NEC.

IN WITNESS WHEREOF, the parties have executed this First Amendment to the Agreement to be effective on the date executed by COUNTY.

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

COUNTY OF SANTA BARBARA:

By: _____
Deputy Clerk

By: _____
Das Williams
Chair, Board of Supervisors

Date: _____

RECOMMENDED FOR APPROVAL:

Social Services

CONTRACTOR:

NEC Corporation of America dba NEC (NEW)
Corporation of America

By: _____
Department Head

By: _____
Authorized Representative

Name: _____

Title: _____

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 FORM:

Risk Management

By: _____
Risk Management