

**FIRST AMENDMENT TO AGREEMENT
FOR Physical Activity/Nutrition (PAN) Collaborative
Oregon State University Extension – Yamhill County**

THIS FIRST AMENDMENT TO AGREEMENT (Amendment #1) is made effective June 1, 2018 between Yamhill County, a political subdivision of the State of Oregon acting by and through its Board of Commissioners and its Health and Human Services Department, Behavioral Health Programs (“County”) and Oregon State University for its Oregon State University Extension – Yamhill County (“Contractor”), 2050 NE Lafayette Avenue, McMinnville, OR 97129.

RECITALS:

A. County and Contractor are parties to that certain agreement dated February 24, 2017 (the “Underlying Agreement”), pursuant to which Contractor provides prevention services. The Underlying Agreement is memorialized in Yamhill County records as Board Order 17-55. County and Contractor now desire to further amend the Underlying Agreement upon the terms and conditions as more particularly set forth herein below.

B. Capitalized terms not defined herein shall have the meanings attributed to such terms in the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein below and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, County and Contractor, intending legally to be bound, hereby agree as follows:

1. Section 1 “Term” of the Underlying Agreement is hereby amended to extend the agreement through June 30, 2018.
2. The balance of Section 1 of the Underlying Agreement remains unchanged.
3. Section 6 “Payment” of the Underlying Agreement is hereby amended to include the following: “As compensation for performing the Services, Contractor shall receive an additional lump sum payment of \$6,877.00. The maximum not to exceed amount for Services under this agreement is \$43,571.00.”
4. The balance of Section 6 of the Underlying Agreement remains unchanged.
5. The balance of the Underlying Agreement remains unchanged.
6. Ratification. Except as otherwise expressly modified by the terms of this Amendment #1, the Underlying Agreement shall remain unchanged and continue in full force and effect. All terms, covenants and conditions of the Underlying Agreement not expressly modified herein are hereby confirmed and ratified and remain in full force and effect, and, as further amended hereby, constitute valid and binding obligations of Contractor enforceable according to the terms thereof.

7. Authority. County and Contractor and each of the persons executing this Amendment #2 on behalf of County and Contractor hereby covenants and warrants that: (i) such party has full right and authority to enter into this Amendment #1 and has taken all action required to authorize such party (and each person executing this Amendment #1 on behalf of such party) to enter into this Amendment #1, and (ii) the person signing on behalf of such party is authorized to do so on behalf of such entity.

8. Binding Effect. All of the covenants contained in this Amendment #1 shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives and permitted successors and assigns.

9. Counterparts. This Amendment #1 may be executed in multiple counterparts, each of which shall be an original, but all of which shall constitute one and the same Amendment #1.

10. Recitals. The foregoing recitals are intended to be a material part of this Amendment #1 and are incorporated herein by this reference.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed on the date indicated by their duly authorized officials, this Amendment #1 in duplicate, each of which shall be deemed an original on the date executed by all parties.

DONE the last date set forth adjacent to the signatures of the parties below.

OREGON STATE UNIVERSITY

By: Mike Knutz
(signature)
Date: 5/23/2018

Mike Knutz, County Leader
OSU Extension Service, Yamhill County

(printed name)

(title)

By: Mindy Berger
(signature)
Date: 6/18/18

Mindy Berger
Contracts and Operations Specialist

(title)

OSU # 195126
Amendment to # 186883

YAMHILL COUNTY, OREGON

Mary Starrett
MARY STARRETT, Chair
Board of Commissioners
Date: 5/31/18

Silas Halloran-Steiner
SILAS HALLORAN-STEINER, Director
Department of Health & Human Services
Date: 5/24/18

FORM APPROVED BY:

Christian Boenisch
CHRISTIAN BOENISCH
County Counsel
Date: 5/31/18

Accepted by Yamhill County
Board of Commissioners on
5-31-18 by Board Order
18-165