

**FIRST AMENDMENT TO COOPERATIVE PROCUREMENT CONTRACT BETWEEN
THE CITY OF SAN DIEGO AND ANTHEM BLUE CROSS
FOR EMPLOYEE ASSISTANCE COUNSELING SERVICES**

This First Amendment to the Cooperative Procurement Contract between the City of San Diego and Anthem Blue Cross for Employee Assistance Counseling Services (First Amendment) is made and entered into by and between the City of San Diego (City) and Anthem Blue Cross (Contractor), and collectively referred to as the "Parties".

RECITALS

1. On July 1, 2015, based on the results of a competitive process, the County of San Diego (County) awarded and executed a contract with Contractor titled "Agreement with Anthem Blue Cross for Employee Assistance Counseling Services", identified as County Contract No. 551684, which was amended on February 1, 2016; July 1, 2016; June 26, 2017; and May 3, 2018, which are cumulatively referred to herein as the "Agency Agreement".

2. On September 24, 2019, the City and Contractor entered into a cooperative procurement contract titled "Cooperative Procurement Contract between the City of San Diego and Anthem Blue Cross for Employee Assistance Counseling Services", which is comprised of the Agency Agreement, and the City's cooperative procurement contract and its exhibits, which are cumulatively referred to herein as the "Contract" and incorporated herein by reference.

3. The County and Contractor subsequently amended the Agency Agreement and extended its term to December 31, 2020. A copy of the amendment extending the term of the Agency Agreement is attached hereto and titled, "County of San Diego – Department of Purchasing and Contracting Contract No. 551684 Amendment No. 5".

4. The Contract may be amended by written agreement executed by duly authorized representatives of both Parties.

5. The Parties wish to amend the Contract and extend its term to December 31, 2020, which is consistent with the term of the Agency Agreement, while otherwise keeping intact the same terms and conditions of the Contract.

TERMS

1. Section C of the "Recitals" section of the Contract is revised in part to read as follows:

"On July 1, 2015, based on the results of the competitive process, the County awarded a contract with Contractor and executed a contract titled "Agreement with Anthem Blue Cross for Employee Assistance Counseling Services", identified as County Contract No. 551684, which was subsequently amended on February 1, 2016; July 1, 2016; June 26, 2017; May 3, 2018; and September 1, 2019, cumulatively referred to as the "Agency Agreement", attached as Exhibit 1; and".

2. Section 2 of the "General Provisions" section of the Contract is revised in part to read as follows:

"Effective Date. This Contract is effective on the last date that this Contract is signed by City and Contractor and approved by the City Attorney through December 31, 2020."

3. Section 1 of the "Contract" section of the Contract is revised in part to read as follows:

"This contract consists of this Contract and its Exhibits, the County's Request for Proposal No. 6793, the Contractor's response to RFP No. 6793, County Contract No. 551684, and Count Contract No. 551684 Amendments No. 1, 2, 3, 4, and 5, which are attached as Exhibits hereto and incorporated by reference (collectively, "Contract Documents"). These documents together contain all the terms and conditions of the Contract between City and Contractor."

4. This First Amendment will be effective when signed by both Parties and approved by the City Attorney in accordance with San Diego Charter section 40.

5. All provisions of the Contract not addressed in this First Amendment remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment is executed by City and Contractor acting by and through their authorized officers.

Anthem/Blue/Cross

By: _____

Name: _____

Title: _____

Date: _____

Jeff Spahr

JEFF SPAHR

VP, SPECIALTY BUSINESSES

01/28/2020

City of San Diego

By: _____

Name: _____

Title: _____

Date: _____

Kristina Peralta

Kristina Peralta

Director

Purchasing & Contracting

13 FEB 2020

Approved as to form this 19 day of

Feb., 20 20.

MARA W. ELLIOTT, City Attorney

By: _____

Deputy City Attorney

Print Name

Miguel Merrell

Miguel Merrell

EXHIBIT

**COUNTY OF SAN DIEGO – DEPARTMENT OF PURCHASING AND CONTRACTING
CONTRACT NO. 551684 AMENDMENT NO. 5**

Anthem Blue Cross ("Contractor") and the County of San Diego ("County") enter into this amendment ("Amendment") to amend the above-referenced contract ("Contract") as described herein.

Title of Contract: Employee Assistance Counseling Inc. Amendment Effective Date: September 1, 2019

Description of Contract Change(s):

1. Pursuant to the "Options To Extend For One To Six Additional Months At End of Agreement" provision in the contract, The County of San Diego is exercising the option to extend the contract for six (6) additional months, from July 1, 2020 through December 31, 2020.

The Contract dollar amount and term remains unchanged.

All other terms and conditions of the Contract shall remain in effect.

IN WITNESS WHEREOF, County and Contractor have executed this Amendment effective as of the date set forth above. This Amendment is not valid unless signed by Contractor and the County Department of Purchasing and Contracting.

CONTRACTOR:

By: Jeff Spahr

Name: Jeff Spahr

Title: VP, Specialty Business Development

Date: 09/04/2019

COUNTY:

Department Review and Recommended Approval:

By: Elaine Pitpit
Elaine Pitpit, Human Resources Service Manager

Date: 8-20-19

By: John M. Pellegrino
JOHN M. PELLEGRINO, Director
Department of Purchasing and Contracting

Date: 9/10/2019