

FIRST AMENDMENT TO AGREEMENT

Tulare County Agreement Number 23749 is amended on _____, between the **COUNTY OF TULARE**, hereinafter referred to as "COUNTY" and **EARLIMART SCHOOL DISTRICT**, hereinafter referred to as "CONTRACTOR" with reference to the following:

A. The COUNTY and CONTRACTOR entered into Agreement No. 23749, on September 23, 2008 to establish a means of claiming Title XIX Federal Financial participation (FFP) for administrative cost necessary for the proper efficient administration of the Medi-Cal program as set forth in Welfare and Institutions Code section 14132.47.

B. The COUNTY and CONTRACTOR agree to amend Agreement No. 23749 to extend the date of termination to June 30, 2012 and to extend the date allowed for the provision of services to June 30, 2012.

C. This amendment shall become effective July 1, 2008.

ACCORDINGLY, IT IS AGREED:

I. Effective July 1, 2008 paragraph 1 entitled Term in the original Agreement is hereby revised to identify the new termination date of June 30, 2012.

II. Effective July 1, 2008 Paragraph 4 entitled Availability of Funds in the original Agreement is hereby amended to read as follows:

AVAILABILITY OF FUNDS

A. Independent of any other right to terminate set forth in the Agreement, because this Agreement is entered into with the anticipation that certain state or federal funds will be available to carry out this Agreement that which funds are in addition to COUNTY'S own funds, if such outside funding, for any reason, is no longer available, the COUNTY may terminate this Agreement by giving written notice of immediate termination, or otherwise specifying the effective date of termination.

B. CONTRACTOR will be compensated for services provided until June 30, 2012. CONTRACTOR will provide County with complete invoice and expenditure information to include in its summary MAA claim no later than twelve (12) months after the end of the quarter for which the claim is being submitted. Services provided after June 30, 2012 will not be compensated.

C. If COUNTY receives prior notice of termination of funding, the COUNTY shall notify CONTRACTOR within five days of COUNTY receiving notice, in which case this agreement may be immediately terminated upon such notice. If the COUNTY does not provide such notice within the five days COUNTY received notice, CONTRACTOR shall have the option to continue the agreement for up to 30 days after the date of which the COUNTY gives actual notice.

III. Except as provided above, all other terms and conditions of Agreement No. 23749 shall remain in full force and effect.

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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

Date: _____

BY _____
Chairman, Board of Supervisors

ATTEST: JEAN ROUSSEAU
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By _____
Deputy Clerk

Date: _____

EARLIMART SCHOOL DISTRICT
By Marcella H. Smith
TITLE Superintendent

Date: _____

By _____
TITLE _____

APPROVED OCT 06 2009

Approved as to Form
County Counsel

By [Signature]
Deputy

Date 9/4/09

Approved as to Form
School Team

By [Signature]
Deputy

Date 9/4/09

