

**Third Amendment to Agreement
Between the County of San Mateo and Pacific Foot Care Podiatry Group Inc. for
Podiatry Services**

THIS THIRD AMENDMENT TO THE AGREEMENT, entered into this _____ day of _____ 2024, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and **Pacific Foot Care Podiatry Group Inc.**, hereinafter called "Contractor";

W I T N E S S E T H:

WHEREAS, pursuant to Government Code Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, the parties entered into an agreement for podiatry services on January 25, 2022 for the term of March 1, 2022 through February 28, 2025 in an amount not to exceed \$ 1,550,000 (the "Agreement"); and

WHEREAS, the parties first amended the Agreement on February 3, 2022 to change the term from March 1 2022 through February 28, 2025 to December 1, 2021 through November 30, 2024 ; and

WHEREAS, the amendment was consistent with the Stark Act's "set in advance" requirement because the formula for compensation was objectively determined on or before November 18, 2021; and

WHEREAS, the parties entered into a second amendment to the Agreement effective May 1, 2022 to remove Dr. Victor Lee from the Agreement, proportionately lower the FTE from 1.5 FTE to .9 FTE, proportionately reduce the RVU target from 6,720 to 3,549 and reduce the "not to exceed" amount from \$ 1,550,000 to \$950,000; and

WHEREAS, the amount payable under the Agreement must be increased by \$ 100,000.00 to accommodate the increase in services provided with no change in the Agreement's compensation formula;

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

- 1. **EXHIBIT B1 (Rev. May 2022)** (entitled **PAYMENTS**) Section IV. is amended to read as follows:

Total payment for services under this Agreement will not exceed ONE MILLION FIFTY THOUSAND DOLLARS (\$1,050,000.00).

- 2. **All other terms and conditions of the Agreement shall remain in full force and effect.**

In witness of and in agreement with this Agreement’s terms, the parties, by their duly authorized representatives, affix their respective signatures:

For Contractor: **Pacific Foot Care Podiatry Group, Inc.**



08-22-2024

Richard Woo, DPM

Contractor Signature

Date

Contractor Name (please print)

COUNTY OF SAN MATEO

By:

President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By:

Clerk of Said Board