

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number
21-489 A-1

SAP Number
4400017105

Children and Family Services

Department Contract Representative	<u>Amanda Figueroa</u>
Telephone Number	<u>(909) 386-8146</u>
Contractor	<u>Professional Tutors of America, Inc.</u>
Contractor Representative	<u>Robert Gordon</u>
Telephone Number	<u>(714) 784-3454</u>
Contract Term	<u>July 1, 2021 through June 30, 2026</u>
Original Contract Amount	<u>\$525,000 Aggregate</u>
Amendment Amount	<u>\$350,000</u>
Total Contract Amount	<u>\$875,000 Aggregate</u>
Cost Center	<u>5017031000</u>

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 1:

it is hereby agreed to amend Contract No. 21-489, effective January 9, 2024, as follows:

V. FISCAL PROVISIONS

Amend Section V., Paragraph A to read as follows:

- A. The aggregate amount of payment under this Contract is a combined total for all Tutoring Services Contractors identified in the corresponding Board Agenda item and together shall not exceed \$875,000, with an annual aggregate of \$175,000, and shall be subject to the availability of funds to the County. The consideration to be paid to Contractor, as provided herein, shall be in full payment for Contractor’s services and expenses incurred in the performance hereof, including travel and per diem.

VIII. TERM

Amend Section VIII to read as follows:

This Contract is effective as of July 1, 2021, and is extended from its original expiration of June 30, 2024, to expire on June 30, 2026, but may be terminated earlier in accordance with provisions of Section IX of the Contract.

X. GENERAL PROVISIONS

A Section X, Paragraphs Q and R to read as follows:

- Q. On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>), as well as any sanctions imposed under state law (<https://www.dgs.ca.gov/OLS/Ukraine-Russia>). The EO directs state agencies and their contractors (including by agreement or receipt of a grant) to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should it be determined that Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. Contractor shall be provided advance written notice of such termination, allowing Contractor at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the County.
- R. Contractor has disclosed to the County using Attachment D - Campaign Contribution Disclosure Senate Bill 1439, whether it has made any campaign contributions of more than \$250 to any member of the Board of Supervisors or County elected officer [Sheriff, Assessor-Recorder-Clerk, Auditor-Controller/Treasurer/Tax Collector and the District Attorney] within the earlier of: (1) the date of the submission of Contractor's proposal to the County, or (2) 12 months before the date this Contract was approved by the Purchasing Department. Contractor acknowledges that under Government Code section 84308, Contractor is prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or County elected officer for 12 months after the County's consideration of the Contract.

In the event of a proposed amendment to this Contract, the Contractor will provide the County a written statement disclosing any campaign contribution(s) of more than \$250 to any member of the Board of Supervisors or other County elected officer within the preceding 12 months of the date of the proposed amendment.

Campaign contributions include those made by any agent/person/entity on behalf of the Contractor or by a parent, subsidiary, or otherwise related business entity of Contractor.

ATTACHMENTS

Add Attachment D – Campaign Contribution Disclosure (SB 1439).

All other terms and conditions of Contract No. 21-489 remain in full force and effect.

This Amendment may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Amendment. The parties shall be entitled to sign and transmit an electronic signature of this Amendment (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Amendment upon request.

SAN BERNARDINO COUNTY

▶ *Dawn Rowe*
Dawn Rowe, Chair, Board of Supervisors

Dated: DEC 19 2023

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

By *Lynna Monell*
Lynna Monell
Clerk of the Board of Supervisors
of San Bernardino County
Deputy



PROFESSIONAL TUTORS OF AMERICA, INC.
(Print or type name of corporation, company, contractor, etc.)

By ▶ *Robert Gordon*
(Authorized signature - sign in blue ink)

Name Robert Gordon
(Print or type name of person signing contract)

Title Chief Executive Officer
(Print or Type)

Dated: 11/7/2023

Address 3350 E. Birch St., Suite 201
Brea, CA 92821

FOR COUNTY USE ONLY

Approved as to Legal Form
▶ *Kaleigh Ragon*
Kaleigh Ragon, Deputy County Counsel
Date 11/13/2023

Reviewed for Contract Compliance
▶ *Patty Steven*
Patty Steven, HS Contracts
Date 11/13/2023

Reviewed/Approved by Department
▶ *Jeany Zepeda*
Jeany Zepeda, Director
Date 11/13/2023



ATTACHMENT D

Campaign Contribution Disclosure

(SB 1439)

DEFINITIONS

Actively supporting the matter: (a) Communicate directly with a member of the Board of Supervisors or other County elected officer [Sheriff, Assessor-Recorder-Clerk, District Attorney, Auditor-Controller/Treasurer/Tax Collector] for the purpose of influencing the decision on the matter; or (b) testifies or makes an oral statement before the County in a proceeding on the matter for the purpose of influencing the County's decision on the matter; or (c) communicates with County employees, for the purpose of influencing the County's decision on the matter; or (d) when the person/company's agent lobbies in person, testifies in person or otherwise communicates with the Board or County employees for purposes of influencing the County's decision in a matter.

Agent: A third-party individual or firm who, for compensation, is representing a party or a participant in the matter submitted to the Board of Supervisors. If an agent is an employee or member of a third-party law, architectural, engineering or consulting firm, or a similar entity, both the entity and the individual are considered agents.

Otherwise related entity: An otherwise related entity is any for-profit organization/company which does not have a parent-subsidary relationship but meets one of the following criteria:

- (1) One business entity has a controlling ownership interest in the other business entity;
- (2) there is shared management and control between the entities; or
- (3) a controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.

For purposes of (2), "shared management and control" can be found when the same person or substantially the same persons own and manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a regular and close working relationship between the entities.

Parent-Subsidiary Relationship: A parent-subsidiary relationship exists when one corporation has more than 50 percent of the voting power of another corporation.

Contractors must respond to the questions on the following page. If a question does not apply respond N/A or Not Applicable.

1. Name of Contractor: Professional Tutors of America, Inc

2. Name of Principal (i.e., CEO/President) of Contractor, if the individual actively supports the matter and has a financial interest in the decision:

Roobert and Ron Harraka

3. Name of agent of Contractor:

Company Name	Agent(s)
N/a	N/a

4. Name of any known lobbyist(s) who actively supports or opposes this matter:

Company Name	Contact
N/a	N/a

5. Name of Subcontractor(s) (including Principal and Agent(s)) that will be providing services/work under the awarded contract if the subcontractor (1) actively supports the matter and (2) has a financial interest in the decision and (3) will be possibly identified in the contract with the County or board governed special district.

Company Name	Subcontractor(s):	Principal and//or Agent(s):
N/a	N/a	N/a

6. Is the entity listed in Question No.1 a nonprofit organization under Internal Revenue Code section 501(c)(3)?

Yes No

7. Name of any known individuals/companies who are not listed in Questions 1-5, but who may (1) actively support or oppose the matter submitted to the Board and (2) have a financial interest in the outcome of the decision:

Company Name	Individual(s) Name
N/a	N/a

8. Was a campaign contribution, of more than \$250, made to any member of the San Bernardino County Board of Supervisors or other County elected officer on or after January 1, 2023, by any of the individuals or entities

listed in Question Nos. 1-7?

No If **no**, please skip Question No. 9 and sign and date this form.

Yes If **yes**, please continue to complete this form.

9. Name of Board of Supervisor Member or other County elected officer: N/a

Name of Contributor: N/a

Date(s) of Contribution(s): N/a

Amount(s): 0.00

Please add an additional sheet(s) to identify additional Board Members or other County elected officers to whom anyone listed made campaign contributions.

By signing the Contract, Contractor certifies that the statements made herein are true and correct. Contractor understands that the individuals and entities listed in Question Nos. 1-7 are prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer while award of this Contract is being considered and for 12 months after a final decision by the County.