

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


**Contract Number**  
 19-732 A-1

**SAP Number**  
 4400012929

## Department of Public Health

<b>Department Contract Representative</b>	John Greswit
<b>Telephone Number</b>	(909) 388-0255
<b>Contractor</b>	UpToDate, Inc.
<b>Contractor Representative</b>	Luke Driscoll
<b>Telephone Number</b>	(312) 618-1038
<b>Contract Term</b>	12/01/19 through 11/30/21
<b>Original Contract Amount</b>	\$9,085
<b>Amendment Amount</b>	\$9,875
<b>Total Contract Amount</b>	\$18,960
<b>Cost Center</b>	9300051000

**Briefly describe the general nature of the contract:** Amendment No. 1 to Subscription Agreement with UpToDate, Inc., for use of UpToDate Anywhere, an evidence-based, physician-authored clinical decision support resource, increasing the total Contract amount by \$9,875, from \$9,085 to \$18,960, for period of December 1, 2019 through November 30, 2021.

**FOR COUNTY USE ONLY**

Approved as to Legal Form

► *Bonnie Uphold*  
 Bonnie Uphold, Deputy County Counsel

 Date 9-28-20

Reviewed for Contract Compliance

► *Jennifer Mulhall-Daudel*

Jennifer Mulhall-Daudel, HS Contracts

 Date September 28, 2020

Reviewed/Approved by Department

► *Corwin Porter*

Corwin Porter, Director

 Date September 28, 2020

Contract No.: 00013278

**AMENDMENT TO AGREEMENT**

This Amendment to Agreement (this "Amendment") is made as of the date last set forth on the signature page hereto ("Amendment Effective Date") by and between UpToDate, Inc., with its principle business location at 230 3<sup>rd</sup> Avenue, Waltham, MA 02451 ("UpToDate"), and County Of San Bernardino, on behalf of its Department Of Public Health, with its principle business location at 172 W 3rd St, San Bernardino, California 92415, United States, (the "Customer", and together with UpToDate, the "Parties").

**RECITALS**

- A. UpToDate and Customer are parties to that certain Agreement dated October 23, 2019, Contract No. 000005679 (the "Agreement"), pursuant to which Customer has subscribed for the *UpToDate Anywhere* license.
- B. UpToDate and Customer wish to amend the Agreement to extend the term of the Agreement in exchange for Customers payment of the Subscription Fees (as defined below) as set forth in this Amendment.
- C. Capitalized terms used but not defined in this Amendment shall have the meaning given to them in the Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

- 1. **Subscription Fees**. Customer shall pay to UpToDate the additional Subscription Fee of \$9,875.00 USD (plus tax where applicable) for the extension of the term of the Agreement (the "Term") by one year, in accordance with the terms applicable to fees set forth in the Agreement. The payment of the additional subscription Fee shall be paid within thirty (30) days of the Amendment Effective Date.
- 2. **Term**. The Term is hereby extended for one year, beginning December 1, 2020 and ending November 30, 2021.
- 3. **Confirmation of Your Information**. The statistics on which UpToDate based the additional Subscription Fee for the extension of the Term are as follows:

Institution	Clinicians
County of San Bernardino Department of Public Health	25
Total	25

Customer represents and warrants that these statistics (the "Operating Statistics") are accurate and complete figures as of the execution date of this amendment.

The *Designated Sites* are deleted in their entirety and replaced as follows:

County of San Bernardino Department of  
Public Health  
172 W 3rd St  
San Bernardino, California 92415  
United States

Ontario Health Center  
150 E Holt Blvd Fl 2  
Ontario, California 91761  
United States

Adelanto Health Center  
11336 Bartlett Ave, Ste 11  
Adelanto, California 92301  
United States

Needles Public Health Clinic  
1406 Bailey Ave Ste D  
Needles, California 92363  
United States

Hesperia Health Center  
16453 Bear Valley Rd  
Hesperia, California 92345  
United States

San Bernardino Health Center  
606 E Mill St  
San Bernardino, California 92415  
United States

The *IP Addresses* are deleted in their entirety and replaced as follows:

UpToDate, Inc Security Agent(s)

4. Except as explicitly amended or modified hereby, the terms of the Agreement shall remain in full force and effect.
5. This Amendment may be executed and delivered by fax or PDF file and in counterparts, each of which shall be deemed to be an original but both of which together shall constitute one and the same instrument.

**In Witness Whereof**, the Parties hereto have executed this Amendment as of the Amendment Effective Date.

UpToDate, Inc.

By: 

Printed Name: John Phelan

Title: Contract Manager

Date: 9-23-20

County of San Bernardino Department of Public Health

By: 

Printed Name: Curt Hagman

Title: Chairman, Board of Supervisors

Date: OCT 06 2020

SIGNED AND CERTIFIED THAT A COPY OF  
THIS DOCUMENT HAS BEEN DELIVERED  
TO THE CHAIRMAN OF THE BOARD  
LYNNA MONELL  
Clerk of the Board of Supervisors  
of the County of San Bernardino

By: 

Deputy