

**AMENDMENT NO. 2 TO
AGREEMENT FOR DIETICIAN SERVICES FOR OLDER CALIFORNIANS
NUTRITION GRANT
WITH CONSULTING HEALTH AND NUTRITION SERVICES, INC.**

This Amendment No. 2 to the Agreement for dietician services for Older Californians Nutrition Grant is made and entered into as of July 1, 2024 (“Effective Date”) by and between the City of San Bernardino, a charter city and municipal corporation (“City”) and Consulting Health and Nutrition Services, Inc., a sole proprietorship (“Consultant”). City and Consultant are sometimes referred to herein individually as a “Party” and collectively as “Parties.”

RECITALS

A. WHEREAS, the City and the Consultant have entered into an agreement, dated July 1, 2022, for the purpose of providing dietitian services for the Elderly Nutrition Program – Older Americans Act, Title IIIC Funds (now referred to as the Older Californians Nutrition Grant) (the “Master Agreement”).

B. WHEREAS, the Parties now desire to amend the Master Agreement in order to extend the term of the Master Agreement for an additional term of one year, and to include additional funds for the continued performance of the services in accordance with the compensation provisions of the Master Agreement.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, conditions, and promises contained in this Amendment No. 2 and the Master Agreement, the Parties mutually agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.

2. Term. The term of the Master Agreement shall be extended for an additional term of one year through June 30, 2025, unless earlier terminated.

3. Compensation.

There is no change to the total not to exceed compensation of the Master Agreement.

4. Full Force. Except as amended by this Amendment No. 2, all provisions of the Master Agreement, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the Parties under this Amendment No. 2.

5. Electronic Transmission. A manually signed copy of this Amendment No. 2, which is transmitted by facsimile, email or other means of electronic transmission shall

be deemed to have the same legal effect as delivery of an original executed copy of this Amendment No. 2 for all purposes. This Amendment No. 2 may be signed using an electronic signature.

6. Counterparts. This Amendment No. 2 may be signed in counterparts, each of which shall constitute an original.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR
AMENDMENT NO. 2 TO THE DIETICIAN SERVICES FOR OLDER CALIFORNIANS
NUTRITION GRANT AGREEMENT
WITH CONSULTING HEALTH AND NUTRITION SERVICES, INC.**

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 on the Effective Date first herein above written.

CITY OF SAN BERNARDINO

CONSULTANT

APPROVED BY:

Consulting Health and Nutrition Services,
Inc.

Rochelle Clayton
Acting City Manager

Signature

APPROVED AS TO FORM:

Name

Best Best & Krieger LLP
City Attorney

Title