

AMENDMENT

TO THE AGREEMENT BETWEEN THE COUNTY OF TEHAMA AND BENNET OMALU PATHOLOGY

This Amendment to Agreement Number 2018-65, dated March 1, 2018, as amended by Amendment 2020-45 dated February 11, 2020, by and between the County of Tehama, through its Sheriff's Office (County) and Bennet Omalu Pathology (Contractor) for the purpose of providing forensic pathology services.

Page 3, Article 3 shall be amended as follows:

Section 3.1 of the Original Agreement is hereby amended to read as follows:

3.1 Compensation. COUNTY shall pay CONTRACTOR for services performed in accordance with Exhibit B, attached hereto and incorporated herein by this reference. Maximum compensation payable under this agreement shall not exceed \$80,000.00 per year except that the maximum compensation payable for the contract year ending in March 1, 2024 shall not exceed \$210,000.00. Inasmuch as CONTRACTOR is provided services as an independent contractor, there shall be no deductions by COUNTY from the payment for taxes, benefits, or other types of withholdings. Fees specified herein shall not be subject to change during the term of this Agreement, unless mutually agreed, in writing, by both Parties.

IN WITNESS WHEREOF, County and Contractor have executed this agreement on the day and year set forth below.

Date: 01/17/2024

COUNTY OF TEHAMA



Dave Kain, Sheriff-Coroner

Date: 01/30/2024

COUNTY OF TEHAMA



Chairman, Board of Supervisors

Date: 01/17/2023



Bennet Omalu, M.D.











Updated Verbiage with AMENDMENT TO BENNET OMALU

Final Audit Report

2024-01-17

Created:	2024-01-17
By:	Nickoli Brummond (nbrummond@tehamaso.org)
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"Updated Verbiage with AMENDMENT TO BENNET OMALU" History

-  Document created by Nickoli Brummond (nbrummond@tehamaso.org)
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-  Document emailed to bennetomalu@bennetomalu.com for signature
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-  Email viewed by bennetomalu@bennetomalu.com
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-  Signer bennetomalu@bennetomalu.com entered name at signing as Bennet Omalu
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-  Document e-signed by Bennet Omalu (bennetomalu@bennetomalu.com)
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-  Document emailed to dkain@tehamaso.org for signature
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-  Signer dkain@tehamaso.org entered name at signing as Dave Kain
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-  Document e-signed by Dave Kain (dkain@tehamaso.org)
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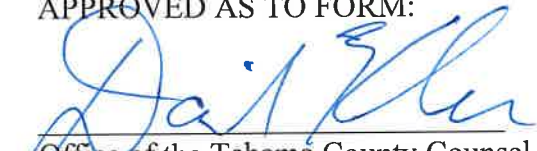
E-Contract Review
Approval as to Form

Department Name: TCSO

Vendor Name: Bennet Omalu Pathology

Resolution Description: 2nd Amendment to agreement for forensic pathology services
increasing compensation and extending termination date

APPROVED AS TO FORM:


Office of the Tehama County Counsel
Daniel B. Klausner, Senior Deputy County Counsel

Date: 1/17/24



Tehama County

Minutes Certification

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File Number: 24-047

Enactment Number: MISC. AGR 2024-034

SHERIFF'S OFFICE - Sheriff Dave Kain

- a) **AGREEMENT** - Approval and authorization for the Chairman to sign the Amendment #2 to the Agreement with Bennet Omalu Pathology (Misc. Agree. #2018-65 as amended by Misc. Agree. #2020-45) for the provision of providing forensic pathology services not to exceed \$80,000 per year except that the maximum compensation payable for the contract year ending 3/1/24 shall not exceed \$210,000, effective thru 2/28/25 (*subject to receipt of required insurance documentation*) Sheriff Dave Kain said fentanyl deaths have increased the department costs.

Supervisor Hansen discussed where the grant funds were going and questioned if the money had already been spent.

Mr. Kain stated this shortfall was due to budget cuts and added he was thankful for the grant funds or the department would be on the hook for this increased cost. this. Mr. Kain added the autopsies run between \$3,000 and \$5,000 each.

Supervisor Hansen said this did not go through the RFP process and we are now giving him an additional \$130,000.

Mr. Kain clarified that all fentanyl deaths were autopsied last year because the doctor would not sign off on the death certificate without the autopsy.

Supervisor Hansen asked how much the Sheriff paid for the contract last year and added proper procurement process should be followed.

John Prinz said he supports the Sheriff and added the deaths will quadruple next year and the Board needs to find the Sheriff money.

Michael Kain said Supervisor Hansen fights with the Sheriff and District attorney.

Supervisor Hansen stated the Sheriff needs to follow the same rules as everyone else.

Mr. Kain stated the Board knew in October 2023, the department was going to have a budget shortfall in services.

Martha Kleykamp asked what the Sheriff is supposed to do if there is a requirement to do an autopsy.

Kathy Nelson asked the Board why they favor certain departments and take it out on others.

Liz Merry said she doesn't think the Board has a choice if the department has to have an autopsy.

Supervisor Carlson said she wants to see a policy that requires an RFP.

Supervisor Moule stated it was hard to follow the as there was no way to track where the money was coming from.

Mr. Kain said the department has a lot of new people in positions that are not doing their regular job and they are trying to move these contracts forward. Mr. Kain added he has due diligence to safeguard public trust and public finance and has done so.

Discussion took place regarding the signature dates on the agreements.

RESULT: APPROVE

MOVER: William Moule

SECONDER: Pati Nolen

AYES: Supervisor Carlson, Chairperson Leach, Vice Chair Hansen,
Supervisor Nolen, and Supervisor Moule

I, JENNIFER VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an order adopted by said Board of Supervisors on 1/30/2024.

Attest:



February 7, 2024

Date Certified