

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 SECOND AMENDMENT TO AGREEMENT NO. 31490

2 **31490**

3 THIS SECOND AMENDMENT TO AGREEMENT NO. 31490 is made and  
4 entered, in duplicate, as of November 18, 2011 for reference purposes only, pursuant to  
5 a minute order adopted by the City Council of the City of Long Beach at its meeting held  
6 on November 17, 2009, by and between FORENSIC NURSING SPECIALISTS, INC.,  
7 doing business as FORENSIC NURSE SPECIALISTS ("Contractor"), with a place of  
8 business at 3435 Cerritos Avenue, Los Alamitos, California 90720, and the CITY OF  
9 LONG BEACH, a municipal corporation ("City").

10 WHEREAS, the City requires assistance to provide medical examinations,  
11 evidence collection, and appropriate treatment with respect to victims of sexual assault;  
12 and

13 WHEREAS, the parties executed Agreement No. 31490 in January of 2010  
14 wherein Contractor agreed to provide medical services required by the City at a  
15 reasonable cost for a term of one (1) year; and

16 WHEREAS, the parties executed the First Amendment on November 19,  
17 2010 to extend the term; and

18 WHEREAS, now the parties desire to extend the term for an additional  
19 year;

20 NOW, THEREFORE, in consideration of the mutual terms, covenants and  
21 conditions herein, the parties agree as follows:

22 1. Section 1(C) of Agreement No. 31490 is hereby amended and  
23 deleted in its entirety to read as follows:

24 "C. The equipment, materials and services with respect to each  
25 victim of sexual assault or child sexual abuse as per the Medical Protocol for  
26 Examination of Sexual Assault and Child Sexual Abuse Victims identified in Exhibit  
27 "A" attached hereto and incorporated herein by this reference, at costs in  
28 accordance with Exhibit "B" attached hereto and incorporated herein by this

1 reference. A copy of Exhibit "A" is on file in the office of the Director of the  
2 Department of Health and Human Services and a copy will be provided to  
3 Contractor upon request."

4 2. Section 2 of Agreement No. 31490 is hereby amended and deleted  
5 in its entirety to read as follows:

6 "2. The term of this Agreement shall commence at midnight on  
7 November 1, 2009 and shall terminate at 11:59 p.m. on October 30, 2012."

8 3. Except as expressly stated herein, all of the terms, covenants, and  
9 conditions of Agreement No. 31490 are ratified and confirmed and shall remain in full  
10 force and effect.

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1 IN WITNESS WHEREOF, the parties have caused this document to be duly  
2 executed with all formalities required by law as of the date first stated above.

3  
4 FORENSIC NURSING SPECIALISTS, INC.,  
5 doing business as FORENSIC NURSE  
6 SPECIALISTS

7 12-9, 2011

8 By Malinda Wheeler  
9 President  
10 Malinda Wheeler  
11 Type or Print Name

12 12-9, 2011

13 By Malinda Wheeler  
14 Secretary  
15 Malinda Wheeler  
16 Type or Print Name

17 "Contractor"

18 CITY OF LONG BEACH, a municipal  
19 corporation

20 10, ~~2011~~  
21 2012

22 By [Signature] **Assistant City Manager**  
23 City Manager  
24 EXECUTED PURSUANT  
25 TO SECTION 301 OF  
26 THE CITY CHARTER.

27 "City"

28 This Second Amendment is approved as to form on December 28, 2011.

ROBERT E. SHANNON, City Attorney

By: [Signature]  
Deputy

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# EXHIBIT B

## Contractor Fee Schedule

<u>Item or Service Provided</u>	<u>Cost Per Unit</u>
Victim sexual assault examinations evidence collection and treatment <sup>(1)</sup>	\$650.00
Suspect sexual assault examinations and evidence collection	\$300.00
Follow-up examination	\$100.00
Expert witness testimony <sup>(2)</sup>	\$350.00
Touch DNA examinations / swabs <sup>(3)</sup>	\$375.00
Laboratory tests per Exhibit C	

(1) Sexual assault examinations include ANY call out response requested of the Sexual Assault Nurse Examiner by the Long Beach Police Department.

(2) Expert witness testimony will be billed at \$100.00 per hour, to a maximum daily limit of \$350.00 per day per case.

(3) This is a pilot program. After the first five examinations, the cost will be negotiated and mutually agreed on by Forensic Nurse Specialists, Inc. and City of Long Beach Police Department.