

**STANDARD AGREEMENT - AMENDMENT**

STD 213A (Rev. 10/2019)

 CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 2 PAGES

AGREEMENT NUMBER

19-11069

AMENDMENT NUMBER

A02

Purchasing Authority Number

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY NAME

California Department of Public Health

CONTRACTOR NAME

SBH Natomas LLC

2. The term of this Agreement is:

START DATE

3/31/2020

THROUGH END DATE

10/31/2020

3. The maximum amount of this Agreement after this Amendment is:

\$3,000,000.00

Three Million Dollars and Zero Cents

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

- I. This amendment is to change agreement end term date from 6/30/2020 to 10/31/2020.
- II. Adding Exhibit E which changes the payment terms of this agreement as described herein.  
*All other terms and conditions shall remain the same.*

*IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.***CONTRACTOR**

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

SBH Natomas LLC

CONTRACTOR BUSINESS ADDRESS

500 J Street, 4th Floor

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Jeffrey K. Dorso

TITLE

SVP and General Counsel

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

5/6/20

**STATE OF CALIFORNIA**

CONTRACTING AGENCY NAME

California Department of Public Health

CONTRACTING AGENCY ADDRESS

1615 Capitol Ave

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Tim Bow

TITLE

Procurement Officer

CONTRACTING AGENCY AUTHORIZED SIGNATURE

**Timothy Bow**Digitally signed by Timothy Bow  
Date: 2020.05.06 14:18:43 -07'00'

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

PCC 1102

Executive Order N-25-20-COVID-19

## EXHIBIT E

### AMENDMENT 2 TO SHORT TERM USE AGREEMENT

This second Amendment (the "Amendment") amends the Short-Term Use Agreement (Agreement Number 19-11069 or "Agreement") between California Department of Public Health ("Licensee") and SBH Natomas LLC ("Licensor").

#### RECITALS

- A. Whereas Licensor owns the Sleep Train Arena, adjacent practice facility, and surrounding parking facilities;
- B. Whereas Licensor and Licensee entered a Short-Term Use Agreement dated April 1, 2020 for Licensee to have the exclusive use of the Sleep Train Arena, and identified parking facilities;
- C. Whereas Licensor and Licensee subsequently executed Amendment 1 to the Short-Term Use Agreement to expressly incorporate the practice facility as part of the Arena, and to provide a procedure for the approval of support services; and
- D. Whereas Licensor and Licensee now desire to amend the Short-Term Use Agreement to add this Amendment 2 to extend the term of the Short Term Use Agreement.

#### AMENDMENT

The Parties hereby agree to amend and augment the Agreement as follows:

1. End Date of Use Agreement. The parties agree that the End Date of the Short Term Use Agreement shall be extended from June 30, 2020 through October 31, 2020.
2. Use Fee. The parties agree that the Use Fee paid to date for May 2020 shall cover the additional extension of the End Date, and no further Use Fee shall be required. For the avoidance of doubt, the Practice Facility shall remain included in the definition of the "Arena" and shall remain free of charge.
3. Remaining Terms Unmodified

Any and all other terms and conditions of the Agreement that are not hereby expressly modified by this Amendment shall remain in full force and effect.

4. Conflict

Wherever there is any conflict between this Amendment and the Agreement, the provisions of this Amendment shall control.

[Signature Page To Follow]

The parties hereby agree to this Amendment.

**LICENSOR:**

SBH NATOMAS LLC

Signature: 


Name: JEFF DARSO

Title: SVP AND GC

Date: 5/6/20

**LICENSEE:**

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

Signature: 

Name: Timothy Bow

Title: Procurement Officer, Emergency Ops

Date: 5/6/2020