

**FOURTH AMENDMENT TO  
ADMINISTRATIVE AND PROFESSIONAL SERVICES AGREEMENT**

This Fourth Amendment ("Amendment") to the Administrative and Professional Services Agreement effective September 1, 2020 ("Agreement") is effective as of December 1, 2023 ("Amendment Effective Date") by and between the County of Santa Clara, a political subdivision of the State of California, dba Santa Clara Valley Healthcare ("County") which now owns and operates O'Connor Hospital ("Hospital"), and CEP America-Anesthesia, PC ("Contractor"). The parties agree to amend certain provisions of the Agreement as set forth herein.

**RECITAL**

- A. The Parties desire to amend the Agreement to add reimbursement for locum and per diem expenses incurred at Hospital.

**AGREEMENT**

1. **Section 2.9 (Locum Differential Subsidy).** As of the Amendment Effective Date, Section 2.9 is hereby added to the Agreement:

Section 2.9 Locum Differential Subsidy. The Locum Differential Subsidy is equal to the actual, reasonable and documented locum or per diem physician expenses incurred by Group that exceed the cost of a regular Group Physician. The Locum Differential Subsidy will be calculated based on actual locum or per diem hours, actual locum or per diem hourly salary costs, and actual, reasonable and documented locum or per diem expenses (travel, accommodations, et. al.) (collectively, such foregoing amounts constituting the "Locum Expenses") reduced by the cost of covering the same hours with a Group physician at the Group hourly rate of \$288.46 per hour for general anesthesiologists and \$234.38 per hour for cardiac anesthesiologists. County will pay group 50 % of the Locum Differential Subsidy for any Locums used to staff the six anesthetizing venues as outlined in the current Service Agreement. The Locum Differential Subsidy, if any, will be invoiced on a monthly basis, in arrears, and will include relevant and appropriate supporting documentation, including but not limited to copies of the locum's contract and receipts or other documentation for additional expenses consistent with County's then-current travel and expense reimbursement policy."

Additional Venue Locum Costs: Effective January 16, 2024, County will cover 100% of the locum tenens costs for an additional seventh coverage venue. Additional Venue Coverage Shift Hours: Monday through Friday from 7am to 3pm.

2. **Effect of Amendment.** Except for the changes reflected in this Amendment, all terms and conditions contained in the Agreement, as previously amended shall continue in full force and

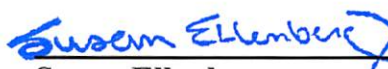
effect in accordance with their provisions on the date of this Amendment. In the event of a conflict between the provisions of this Amendment and the provisions of the Agreement, the provisions of this Amendment shall control. References to the Agreement will be to the Agreement as previously amended and as amended by this Amendment.

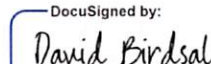
**3. Counterparts.** This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date set forth above.

**COUNTY OF SANTA CLARA**

**CONTRACTOR**

 **FEB 06 2024**  
**Susan Ellenberg** **Date**  
President  
Board of Supervisors

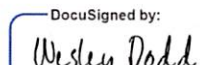
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**David Birdsall, M.D.** **Date**  
Chief Operations Officer  
CEP America-Anesthesia, PC

Signed and Certified that a copy of this Document has been delivered by electronic or other means to the President, Board of Supervisors

Attest:

  
**Curtis Boone**  
Acting Clerk of the Board of Supervisors

Approved as to form and legality:

DocuSigned by:  
 **1/12/2024**  
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**Wesley Dodd**  
Deputy County Counsel