

**AMENDMENT NO. 3 TO
PROFESSIONAL SERVICE AGREEMENT
(Sex Offender Treatment/Individual Therapy/
Group and Family Counseling)**

THIS AMENDMENT NO. 3 ("Amendment #3") shall be made effective as of July 1, 2018, by and between **Yamhill County**, a political subdivision of the State of Oregon, acting through the Juvenile Division of its Department of Community Justice ("DCJ") and **Higher Ground Counseling, Inc.**, an Oregon corporation, located at 2505 Portland Road, Suite 202B, Newberg, Oregon, 97132 ("Contractor").

RECITALS

A. County and Contractor are parties to that certain contract dated December 13, 2016 (the "Underlying Contract"), pursuant to which Contractor provides County with sex offender treatment services, as further described in the Underlying Contract. The Underlying Contract is memorialized in Yamhill County records as Board Order 16-482. The Underlying Contract was first amended on June 1, 2017, memorialized as Board Order 17-177 and further amended on December 21, 2017, memorialized as Board Order 17-512.

B. County and Contractor now desires to further modify the Underlying Contract upon the terms and conditions more particularly set forth herein below.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Section 1 of the Underlying Contract is hereby amended to extend the Underlying Contract from July 1, 2018, through June 30, 2019, unless terminated in accordance with Section 5 of the Underlying Contract.

2. Section 4 of the Underlying Contract is hereby amended to increase the maximum amount the County could pay under the Underlying Contract from \$25,000 to \$50,000. The balance of Section 4 remains unchanged.

2. Ratification. Except as otherwise expressly modified by the terms of this Amendment #3, the Underlying Contract shall remain unchanged and continue in full force and effect. All terms, covenants and conditions of the Underlying Contract not expressly modified herein are hereby confirmed and ratified and remain in full force and effect, and constitute valid and binding obligations of County and Contractor enforceable according to the terms thereof.

3. Authority. County and Contractor and each of the persons executing this Amendment #3 on behalf of County and Contractor hereby covenants and warrants that: (i) such party has full right and authority to enter into this Amendment #3 and has taken all action required to authorize such party (and each person executing this Amendment #3 on behalf of such party) to enter into this Amendment #3, and (ii) the person signing on behalf of such party is authorized to do so on behalf of such entity.

4. Binding Effect. All of the covenants contained in this Amendment #3 shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives and permitted successors and assigns.

5. Counterparts. This Amendment #3 may be executed in multiple counterparts, each of which shall

AMENDMENT NO. 3 – Yamhill County and Higher Ground Counseling, Inc.

Page 1

B.O. 18-249

be an original, but all of which shall constitute one and the same Amendment #3.

6. Recitals. The foregoing recitals are intended to be a material part of this Amendment #3 and are incorporated herein by this reference.

IN WITNESS WHEREOF, the parties have executed this Amendment #3 on the dates set forth adjacent to their signatures below.

HIGHER GROUND COUNSELING, INC.

YAMHILL COUNTY, OREGON

Devin Vaughn, LPC, LMFT, CCSQT
(signature)
Date: 7/2/2018
Devin Vaughn
(printed name)

Mary Starrett
MARY STARRETT, Chair
Board of Commissioners
Date: 7/12/18

Fed Tax I.D. No: 81-3688470

APPROVED AS TO FORM:

Jessica Beach
JESSICA BEACH, Director
Department of Community Justice
Date: 7/16/18

By: Christian Boenisch
CHRISTIAN BOENISCH, County Counsel

Accepted by Yamhill County
Board of Commissioners on
7/12/18 by Board Order
18-249