

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING A SIXTH AMENDMENT TO THE AGREEMENT WITH SAN MATEO COUNTY EXPOSITION AND FAIR ASSOCIATION, DBA SAN MATEO COUNTY EVENT CENTER, FOR FACILITIES SPACE, INCREASING THE AMOUNT PAYABLE UNDER THE AGREEMENT BY \$150,000, TO AN AMOUNT NOT TO EXCEED \$1,560,000

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on March 3, 2020, the County’s Health Officer issued a “Declaration of Local Health Emergency Regarding Novel Coronavirus 2019,” and the County Manager, as the County’s Director of Emergency Services (the “Director”), issued a proclamation of local emergency pursuant to Government Code section 8630 and Chapter 2.46 of the County’s Ordinance Code, which proclamation was ratified by this Board on March 10, 2020, pursuant to Government Code section 8630, and extended by this Board on April 7, 2020, until such time as the local emergency is terminated (the “COVID-19 Local Emergency”); and

WHEREAS, in response to the COVID-19 Local Emergency, the County of San Mateo’s Emergency Operations Center (“EOC”) was engaged to assist in the County’s response; and

WHEREAS, pursuant to Resolution No. 077305, adopted by this Board in accordance with Government Code Section 25502.7, the Director entered into an agreement with San Mateo County Exposition and Fair Association, DBA San Mateo

County Event Center (“Contractor”), for the provision of facilities space for the County’s COVID-19 sites in an amount not to exceed \$1,410,000 (the “Agreement”); and

WHEREAS, the Agreement has been amended five times to, among other things, extend its term and to incorporate terms that the federal government requires be included in agreements that are paid for, in whole or in part, with federal emergency response funds; and

WHEREAS, the County has a continuing need for the support services provided for in the Agreement, and Contractor is willing and able to continue providing the services, and the Parties therefore seek to further amend the Agreement to increase the total amount authorized to be expended thereunder; and

WHEREAS, EOC staff has recommended that the Board waive the formal competitive solicitation process in order to ensure the timely and uninterrupted delivery of the services described in the Agreement to the public in response to the COVID-19 Local Emergency; and

WHEREAS, there has been presented to this Board for its consideration and approval a form of Sixth Amendment to the Agreement (“Amendment”) pursuant to which the total amount authorized to be expended under the Agreement will be increased by \$150,000, to an amount not to exceed \$1,560,000; and

WHEREAS, this Board has reviewed the Amendment, considered it as to form and substance, and desires to enter into it.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the formal solicitation process for the services described in the Agreement is hereby waived

and the Director or the Director's designee is hereby authorized and directed to execute the Amendment for and on behalf of the County of San Mateo.

BE IT FURTHER RESOLVED that the Director, or the Director's designee, is authorized to execute further amendments to the Agreement that modify the County's maximum fiscal obligation up to an additional \$25,000 (in the aggregate), and/or modify the contract term and/or services so long as the modified term and/or services is/are within the current or revised fiscal provisions, including, but not limited to, the modification or addition of any provisions that the Director deems necessary or advisable to comply with Federal Emergency Management Administration (FEMA) reimbursement requirements.

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