

**RESOLUTION NO. \_\_\_\_\_**

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

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**RESOLUTION AUTHORIZING A FIFTH AMENDMENT TO THE AGREEMENT WITH ELAVON, INC., FOR THE PROVISION OF ELAVON'S MEDEPAY PLATFORM AND EXECUTING SUBSEQUENT MEDEPAY SERVICES ADDENDUM, INCREASING THE MAXIMUM AMOUNT PAYABLE BY \$200,000 TO AN AMOUNT NOT TO EXCEED \$2,625,000 WITH NO CHANGE TO THE TERM OF THE AGREEMENT**

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

**WHEREAS**, the Treasurer-Tax Collector acts as the banker providing banking services for all County departments; and

**WHEREAS**, as a result of a Request for Proposals for merchant card services, Elavon Inc. and the County of San Mateo entered into an Agreement to provide such services for the term of December 1, 2017, through November 30, 2020; and

**WHEREAS**, on June 4, 2019, the Board of Supervisors, by Resolution No. 076690, executed a first amendment to the Agreement to modify the total amount payable under the Agreement by \$300,000 to an amount not to exceed \$900,000 ("First Amendment"); and

**WHEREAS**, on August 18, 2020, amendment number two was executed at the department level, to increase the amount not to exceed by \$25,000 to a new amount not

to exceed \$925,000 to address an anticipated gap until a Board resolution could be executed; and

**WHEREAS**, on November 17, 2020, the Board of Supervisors, by Resolution No. 077874, executed a third amendment to the Agreement to modify the term through November 30, 2022, and increase the maximum amount payable by \$600,000 to an amount not to exceed \$1,525,000 (“Third Amendment”); and

**WHEREAS**, on December 1, 2022, the Board of Supervisors, by Resolution No. 079149, executed a fourth amendment to the Agreement to modify the term through November 30, 2025, and increase the maximum amount payable by \$900,000 to an amount not to exceed \$2,425,000 (“Fourth Amendment”); and

**WHEREAS**, both parties now wish to amend the Agreement whereby Elavon, Inc. shall provide merchant card services to sixteen County departments, increase the scope of services for the direct benefit of San Mateo County Health as covered in the “MEDEPAY SERVICES ADDENDUM”, and to increase the amount by \$200,000 for a total obligation not to exceed \$2,625,000; and

**WHEREAS**, this Board has been presented with a form of such Amendment, has examined and approved it as both form and content, and desires to enter into it.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board of Supervisors be and is hereby authorized and directed to execute said Amendment to the Agreement for and on behalf of the County of San Mateo, and the Clerk of the Board shall attest the President’s signature thereto.

**BE IT FURTHER RESOLVED** that the President of the Board of Supervisors be and is hereby authorized and directed to execute said "MEDEPAY SERVICES ADDENDUM" for and on behalf of the County of San Mateo and the Clerk of the Board shall attest the President's signature thereto.

**BE IT FURTHER RESOLVED** that the Treasurer-Tax Collector or designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services are within the current or revised fiscal provisions.

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