

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

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

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**RESOLUTION AUTHORIZING A THIRD AMENDMENT TO THE AGREEMENT WITH LOOKOUT HEALTH CORPORATION, TO EXTEND THE TERM THROUGH JULY 15, 2022, AND TO INCREASE THE AMOUNT PAYABLE UNDER THE AGREEMENT BY \$250,000, TO AN AMOUNT NOT TO EXCEED \$1,425,000 AND GRANTING OF A WAIVER OF THE COMPETITIVE BIDDING PROCESS PURSUANT TO COUNTY ORDINANCE 2.83.050(E)**

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**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 Executive, 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");

**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**, on December 1, 2021, pursuant to Resolution No. 077305, adopted by this Board in accordance with Government Code Section 25502.7, the Director entered into an agreement with Lookout Health Corporation ("Contractor") for

the provision of mobile vaccination clinic services for the County's COVID-19 response in an amount not to exceed \$200,000 (the "Agreement"); and

**WHEREAS**, On March 22, 2022, the parties amended the Agreement to extend through June 30, 2022, and increased the amount payable under the Agreement by \$300,000 to an amount not to exceed \$500,000.

**WHEREAS**, on May 3, 2022, the parties further amended the Agreement to increase the amount payable under the Agreement by \$675,000 to an amount not to exceed \$1,125,000.

**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

**WHEREAS**, this Board has determined that, in order to ensure continuation of the critical services to the public in response to the ongoing COVID-19 Local Emergency provided for in the Agreement, the granting a waiver of the formal competitive bidding process would serve the best interests of the County pursuant to Ordinance Code 2.83050(e); and

**WHEREAS**, there has been presented to this Board for its consideration and approval a form of Third Amendment to the Agreement ("Amendment") pursuant to which the total amount authorized to be expended under the Agreement will be increased by \$250,000, to an amount not to exceed \$1,425,000 and extend the Agreement through July 15, 2022; 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.

**BE IT FURTHER RESOLVED** that the Director, or the Director's designee(s), is authorized to apply state and/or federal funds, to include those appropriated by the American Rescue Plan Act, that may be made available for all or a portion of the monies expended on the Agreement and/or the Amendment.

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