FIFTH AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND CHILD CARE COORDINATING COUNCIL OF SAN MATEO COUNTY, INC.

THIS AMENDMENT TO THE AGREEMENT, entered into this

by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Child

Care Coordinating Council of San Mateo County, Inc., hereinafter called "Contractor";

$\underline{W} \ \underline{I} \ \underline{T} \ \underline{N} \ \underline{E} \ \underline{S} \ \underline{S} \ \underline{E} \ \underline{T} \ \underline{H}$:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, on June 25, 2019, the parties entered into an agreement (the "Agreement") for providing CAPP childcare services in a total amount not to exceed \$3,000,000 for the term of July 1, 2019 through June 30, 2022; and

WHEREAS, on May 17, 2021, the parties amended the Agreement (Amendment) to add funds in the amount \$12,505.72 from Senate Bill ("SB") 820, which provided an update to the 2020 Budget Act, for a revised total obligation amount not to exceed \$3,012,505.72; and

WHEREAS, on June 29, 2021, the parties further amended the Agreement (Second Amendment) to add funds in the amount of \$53,471.25 from SB 820, for a revised total obligation amount not to exceed \$3,065,976.97; and

WHEREAS, on November 9, 2021, the parties further amended the Agreement (Third Amendment) to add additional funds in the amount of \$2,150,000 in additional CAPP funding, for a total obligation amount not to exceed \$5,215,976.97; and

WHEREAS, on March 9, 2022, the parties further amended the Agreement (Fourth Amendment) to extend the term by one year to June 30, 2023; and

WHEREAS, the parties wish to amend the Agreement further (Fifth Amendment) to add funds in the amount of \$1,500,000 for a revised total obligation amount not to exceed \$6,715,976,97.

Amendment Template Version May 2021

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. The Agreement at Section 4. Payments, Paragraph 1 is amended to read as follows:

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit A and C, County shall make payments to Contractor based on the rates and in the manner specified in Exhibit B. The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed **SIX MILLION, SEVEN HUNDRED FIFTEEN THOUSAND, NINE HUNDRED SEVENTY-SIX DOLLARS AND NINETY- SEVEN CENTS** (\$6,715,976.97).

2. All other terms and conditions of the agreement dated June 25, 2019, as amended as set forth above, between the County and Contractor shall remain in full force and effect.

In witness of and in agreement with this Agreement's terms, the parties, by their duly authorized representatives, affix their respective signatures:

For Contractor: Child Care Coordinating Council of San Mateo County, Inc.

Contractor Signature

Date

Contractor Name (please print)

For County:

COUNTY OF SAN MATEO

By: President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By: Clerk of Said Board