

**RESOLUTION NO. .**

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

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**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH BANK OF AMERICA FOR THE PROVISION OF ELECTRONIC PAYMENTS (EPAYABLES) AND PROCUREMENT CARD SERVICES TO EXTEND THE TERM OF THE AGREEMENT THROUGH MAY 20, 2022, AND PROVIDE THE COUNTY WITH AN OPTION TO FURTHER EXTEND THE AGREEMENT THROUGH MAY 20, 2025**

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

**WHEREAS**, on May 21, 2013, the Board of Supervisors approved an Agreement (#14320-13-R072516) with Bank of America for the provision of Electronic Payment (ePayables) Services for a term of May 21, 2013 through May 20, 2016; and

**WHEREAS**, this revenue Agreement included a Rebate Program pursuant to which Bank of America would rebate the County based on the transaction volume on a quarterly basis. The County has been receiving rebates on a consistent basis since the first quarter after the commencement of this Agreement; and

**WHEREAS**, on August 5, 2014, the Board of Supervisors approved an Amendment to the Agreement authorizing the addition of Procurement Card Services (the "First Amendment"); and

**WHEREAS**, on May 4, 2016, the Controller exercised the option to extend the term of the Agreement through May 20, 2019, and the County's exercise of such option was memorialized in an Amendment which was executed on May 21, 2016 (the "Second Amendment"); and

**WHEREAS**, further extending this Agreement with Bank of America will ensure the continuation of revenue from the Rebate Program of approximately \$140,000 per year to the County; and

**WHEREAS**, additional vendors have declined to enroll in the ePayables Program, choosing instead to utilize other electronic payable options; and

**WHEREAS**, notwithstanding the lack of additional vendor enrollment, the continuation of the ePayables Program is beneficial to the County because termination of the program would result in loss of rebate monies currently received each quarter and switching vendors for the ePayables Program would require re-enrollment of all vendors using this service; and

**WHEREAS**, an amendment extending the term of the Agreement will prevent any disruption of payments to existing County vendors and allow the continued use of procurement cards by County employees; and

**WHEREAS**, Ordinance Code Section 2.83.170 authorizes the Board of Supervisors to waive the Request for Proposals process in any situation where the Board of Supervisors determines that the best interest of the County could be served without the necessity of proposals; and

**WHEREAS**, this Board has been asked to waive the Request for Proposals process in order to amend the Agreement with Bank of America for the provisions of Electronic Payments (ePayables) and Procurement Card Services; and

**WHEREAS**, this Board has determined that it is in the best interest of the County to waive the Request for Proposals process; and

**WHEREAS**, the Board has reviewed the proposed amendment to extend the term of the Agreement with Bank of America through May 20, 2022, with a County

option to extend the Agreement through May 20, 2025, and desires that the County enter into the same.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Request for Proposal process for the provisions of Electronic Payments (ePayables) and Procurement Card Services is hereby waived; and

**BE IT FURTHER RESOLVED** that the County Controller, or his/her designee, is hereby authorized and directed to execute said amendment and on behalf of the County of San Mateo, and

**BE IT FURTHER RESOLVED** that the County Controller, or his/her designee, is hereby authorized to exercise three one-year extensions under the terms of the Agreement on behalf of the County of San Mateo, extending the term of the Agreement through May 20, 2025.

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