

**THIRD AMENDMENT TO AGREEMENT FOR PROGRAM SERVICES BETWEEN THE CITY OF
SAN PABLO AND BAY AREA COMMUNITY RESOURCES**

Agreement No. YA17-1012

THIS THIRD AMENDMENT TO AGREEMENT BETWEEN THE CITY OF SAN PABLO AND BAY AREA COMMUNITY RESOURCES for program services, is entered into this **8TH day of September 2020**, by and between the City of San Pablo, a municipal corporation ("City ") and **Bay Area Community Resources** ("Agency").

RECITALS:

WHEREAS, on August 7, 2017, CITY and Agency entered into an Agreement for Agency to provide coordination of community schools under the San Pablo Community Schools Initiative ("Agreement"); and

WHEREAS, on July 1, 2019, CITY and Agency entered into the First Amendment to Agreement to extend the contract period for an additional two-year term, and to fund Agency \$484,500 per fiscal year for fiscal years 2019-20 and 2020-21, and a total contract amount of \$1,745,000.00; and

WHEREAS, in April 2020, the CITY cancelled the Camp P.R.I.D.E. summer program due to the COVID-19 public health crisis, generating a cost savings of \$50,000 for the 20-21 fiscal year; and

WHEREAS, in July 2020, CITY and Agency entered into the Second Amendment to Agreement to provide literacy programming at Helms Middle School and Downer, Dover, and Riverside Elementary Schools in the 2020-21 fiscal year for additional compensation of \$5,000 and the scope was amended to require compliance with COVID-19 County Health Orders; and

WHEREAS, CITY released a Request For Proposals on July 7, 2020, and Agency applied and was selected to provide Coordination of Community Schools as the Lead Agency for Bayview and Lake Elementary Schools for additional compensation of \$215,000 and the parties have agreed to modify the terms of the Agreement related to scope and compensation;

NOW, THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. **SCOPE OF SERVICE**, Section 1 of the Agreement, "Scope of Service" is amended to include Bayview and Lake Elementary schools as additional program sites that the Agency will manage under the Beacon Community Schools Initiative, making the Agency responsible for coordination at all six San Pablo schools. The City's Request for Proposal and Agency's proposal are attached and incorporated as Exhibits A and B to this Third Amendment.
2. **COMPENSATION**, Section 2 of the Agreement, "Compensation" is amended to the following, subject to funding availability authorized by City Council for fiscal year 2020-21:

"For fiscal year 2020-21, in exchange for the satisfactory performance of services that satisfy and timely achieve the milestones, performance commitments and outcomes identified herein and in the attached exhibits, City hereby agrees to pay Agency on a "cost-of-service" basis, a sum not to exceed **Six Hundred and Fifty-Four Thousand Five Hundred Dollars and No Cents (\$654,500.00) and a total contract amount of **One Million Nine Hundred Fifteen Thousand Dollars and No Cents (\$1,915,000.00).**"**

All other terms and conditions of the Agreement, as amended, shall remain in full force and effect.

CITY OF SAN PABLO:

By: _____
Matt Rodriguez, City Manager

BAY AREA COMMUNITY RESOURCES:

By: _____
Martin Weinstein, Chief Executive Officer

APPROVED AS TO FORM:

By: _____
Lynn Tracy Nerland, City Attorney

ATTEST:

Patricia Ponce, City Clerk

Dated: _____