

**THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE COUNTIES OF:
ALAMEDA, CONTRA COSTA, MARIN, MERCED, MONTEREY, SAN MATEO,
SANTA CRUZ, SOLANO, SONOMA, and STANISLAUS FOR
CAPI ASSISTANCE PAYMENTS**

THIS AMENDMENT, entered into this ____ day of _____, 20____,
by and between the counties of ALAMEDA, CONTRA COSTA, MARIN, MERCED,
MONTEREY, SAN MATEO, SANTA CRUZ, SOLANO, SONOMA and STANISLAUS,
hereinafter called "Consortium Counties";

WHEREAS, the parties have entered into an Agreement to form the CAPI
Consortium, whereby the County of San Mateo administers the CAPI public assistance
program on behalf of all Consortium Counties; and

WHEREAS, the Agreement has been amended on two previous occasions to extend
the term and amend the consortium counties; and

WHEREAS, the parties now wish to further amend the Agreement.

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

1. Section G is added to the Agreement, to read as follows:

G. Payment in the Event of Impasse in State Budget.

It is in the parties' interest to continue the CAPI Program in the event the State is unable for any reason to make advance payment of CAPI funds. Notwithstanding any other provision of this Agreement, if the State does not advance CAPI funds to San Mateo County prior to the month for which San Mateo County is to issue CAPI assistance payments on behalf of the consortium, and said failure to advance funds is due to a delay in the state budget, San Mateo County shall issue CAPI payments to eligible recipients, subject to and contingent upon all parties' compliance with the following provisions:

1. Within five (5) days of the close of any month for which San Mateo County has issued CAPI assistance payments utilizing San Mateo County funds, the County of San Mateo will issue to each Consortium County an invoice indicating the amount of CAPI assistance payments issued by San Mateo County on behalf of each county.

2. Within ten (10) days of receipt of the CAPI invoice for the previous month, each invoiced Consortium County shall issue payment to San Mateo County equal to the amount of the invoice. In the event that the County of San Mateo does not receive payment of the full amount within ten (10) days, the County of San Mateo will not issue CAPI payments for that county in the following month.
3. Upon resumption of the issuance of CAPI funds by the State to San Mateo County, and when sufficient such funds are available, San Mateo County shall reimburse each Consortium County for the amount of county funds each Consortium County issued to San Mateo County under this Agreement.

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

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

By: _____
President, Board of Supervisors, San Mateo County

Date: _____

ATTEST:

By: _____
Clerk of Said Board

ALAMEDA COUNTY:

By: _____

Title: _____

Date: _____

CONTRA COSTA COUNTY:

By: _____

Title: _____

Date: _____

MARIN COUNTY:

By: _____

Title: _____

Date: _____

MERCED COUNTY:

By: _____

Title: _____

Date: _____

ALAMEDA COUNTY:

By: _____

Title: _____

Date: _____

SANTA CRUZ COUNTY:

By: _____

Title: _____

Date: _____

SOLANO COUNTY:

By: _____

Title: _____

Date: _____

SONOMA COUNTY:

By: _____

Title: _____

Date: _____

STANISLAUS COUNTY:

By: _____

Title: _____

Date: _____

Waiver Request Memo

Date: 05/07/02

To: John Maltbie, County Manager

From: Deborah Jaeger, Contract Specialist (Fax: 596-3478)

Subject: Waiver Request

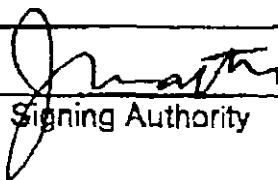
We are requesting a waiver of the Equal Benefits Ordinance to amend a contract with Alameda, Contra Costa, Marin, Merced, Monterey, San Mateo, Santa Cruz, Solano, Sonoma, and Stanislaus for establishing the Bay Area CAPI Consortium. All costs associated with the Cash Assistance Program for Immigrants are reimbursed by the State. There is no Net County Cost.

This waiver is necessary and in the best interest of the County for the following reason(s):

- Necessary in order to respond to an emergency
- Sole Source
- No compliant contractors are capable of providing the goods/service
- Inconsistent with a grant, subvention or agreement with a public agency
- Is part of a Cooperative or Joint Purchasing Agreement
- Other: This Amendment is with 9 surrounding Bay Area Counties that are exempt from San Mateo Counties ordinance - We are asking that a waiver be granted also to speed up the processing of this Amendment.**

Attached is a detailed explanation of the reason(s) checked above.

- Approved
- Not Approved



Signing Authority

5-5-02

Date