

**AGREEMENT BETWEEN THE CITY AND COUNTY OF  
SAN FRANCISCO AND THE CITY OF SAN JOSE  
FOR THE DISTRIBUTION OF FY 2019 UASI GRANT FUNDS**

**FOURTH AMENDMENT**

THIS AMENDMENT (this “Amendment”) is made as of **January 1, 2022**, in San Francisco, California, by and between the **CITY OF SAN JOSE** (“SAN JOSE”) and the City and County of San Francisco, a municipal corporation (“City”), in its capacity as fiscal agent for the UASI Approval Authority, acting by and through the San Francisco Department of Emergency Management.

RECITALS

WHEREAS, City and SAN JOSE have entered into the Agreement (as defined below); and

WHEREAS, City and SAN JOSE desire to modify the Agreement on the terms and conditions set forth herein;

NOW, THEREFORE, SAN JOSE and the City agree as follows:

**1. Definitions.** The following definitions shall apply to this Amendment:

**a. Agreement.** The term “Agreement” shall mean the “Agreement between the City and County of San Francisco and the City of SAN JOSE for the Distribution of FY 2019 UASI Grant Funds” dated **November 1, 2019**, between SAN JOSE and City, and amended by the:

- First Amendment, dated July 1, 2020; and,
- Second Amendment, dated February 1, 2021, and,
- Third Amendment, dated July 1, 2021.

**b. Other Terms.** Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

**2. Modifications to the Agreement.** The Agreement is hereby modified as follows:

**a. Section 3.1, Duration of Term.** Section 3.1 of the Agreement currently reads as follows:

The term of this Agreement shall commence on **NOVEMBER 1, 2019** and shall end at 11:59 p.m. San Francisco time on **JUNE 30, 2021**.

**Such section is hereby amended in its entirety to read as follows:**

The term of this Agreement shall commence on NOVEMBER 1, 2019 and shall end at 11:59 p.m. San Francisco time on JANUARY 31, 2022.

**b. Appendix A, Authorized Expenditures and Timelines.** Appendix A includes project descriptions, deliverables, not to exceed (“NTE”) amounts, and deadlines for deliverables.

**Such Appendix is hereby amended to reflect the following:**

- i) Extend the equipment deliverable date to 1/31/22 for Thermal Imaging Unmanned Aerial Vehicle for Project 8;

A revised Appendix A is attached to this Amendment and incorporated by reference as though fully set forth herein. The attached Appendix A supersedes all prior versions of Appendix A.

**3. Effective Date.** Each of the modifications set forth in Section 2 shall be effective on and after the date of this Amendment.

**4. Legal Effect.** Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first specified herein.

CITY AND COUNTY OF SAN FRANCISCO:

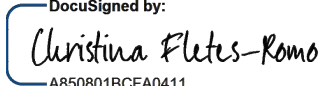
CITY OF SAN JOSE:

SAN FRANCISCO DEPARTMENT OF EMERGENCY MANAGEMENT

By:   
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\_\_\_\_\_  
MARY ELLEN CARROLL  
EXECUTIVE DIRECTOR

By: \_\_\_\_\_  
SARAH ZARATE  
DIRECTOR, OFFICE OF CITY MANAGER

Federal Tax ID #: 9[REDACTED]

**Approved as to Form:**  
David Chui  
City Attorney  
By:   
A850801BCFA0411...  
\_\_\_\_\_  
Christina Fletes-Romo  
Deputy City Attorney

**Approved as to Form:**  
Nora Frimann  
City Attorney  
By: \_\_\_\_\_  
Carl B. Mitchell  
Senior Deputy City Attorney

Appendix:  
Amended Appendix A, Authorized Expenditures and Timelines, dated January 1, 2022

**Appendix A — Authorized Expenditures and Timelines**

ENTITY: **SAN JOSE**

**SJOEM**

Total allocation to be spent on the following solution areas:

<b><u>IJ Number and Title</u></b>	<b><u>Program Description</u></b>	<b><u>Due Dates</u></b>	<b><u>Solution Areas</u></b>	<b><u>Amount</u></b>
<b><i>Project Title: Alert &amp; Warning Coordinator – San Jose Office of Emergency Management</i></b>				
<b>IJ-4: Strengthen Emergency Management Communications Capabilities</b>	Funds for an Alert & Warning Coordinator to coordinate all alert and warning services in support of the first response community, public, and businesses during an incident, including acts of terrorism, affecting the City of San José, Operational Area and/or region.	Project Completion date: 6/30/2021	Organization	PROJECT NOT TO EXCEED \$160,419
<b><i>Project Title: Resources &amp; Community Coordinator - San Jose Office of Emergency Management</i></b>				
<b>IJ-7: Enhance Community Resilience</b>	Funds for a Resources and Community Coordinator to coordinate and manage the logistics for Disaster District Offices, various EOC types & auxiliary facilities in support of the first response community, public, & businesses during an incident, including acts of terrorism, affecting the City, Operational Area and/or region.	Project Completion date: 6/30/2021	Organization	PROJECT NOT TO EXCEED \$63,504

<b>Project Title: EOC Readiness Coordinator – San Jose Office of Emergency Management</b>				
<b>IJ-9: Enhance Multi-Jurisdictional All Hazards Incident Planning, Response, &amp; Recovery Capabilities</b>	Funds for an EOC Readiness Coordinator to coordinate all types of EOC systems, procedures and resources in support of the first response community, public, and businesses during an incident, including acts of terrorism, affecting the City of San José, Operational Area and/or region.	Project Completion date: 6/30/2021	Organization	PROJECT NOT TO EXCEED \$161,110
<b>Project Title: Mass Care Coordinator – San Jose Office of Emergency Management</b>				
<b>IJ-9: Enhance Multi-Jurisdictional All Hazards Incident Planning, Response, &amp; Recovery Capabilities</b>	Funds for a Mass Care Coordinator to facilitate the development & implementation of the City's Mass Care Plan & shelter inventory in support of the first response community, public, & businesses during an incident, including acts of terrorism, affecting the City of San José, Operational Area and/or region.	Project Completion date: 6/30/2021	Organization	PROJECT NOT TO EXCEED \$99,763
<b>Project Title: EOC Innovation Coordinator / GIS Coordinator – San Jose Office of Emergency Management</b>				
<b>IJ-9: Enhance Multi-Jurisdictional All Hazards Incident Planning, Response, &amp; Recovery Capabilities</b>	Funds for an Innovation Coordinator / GIS Coordinator who is responsible for continued coordination of the development of innovative ways to capture situational awareness, reports, statistics, geographic information displays, planning maps, data layers for reports and plans, and upgrading resources to meet capability needs.	Project Completion date: 6/30/2021	Organization	PROJECT NOT TO EXCEED \$80,975

<b>Project Title: FirstNet Connectivity - San Jose Office of Emergency Management/San Jose Fire Department Joint Project</b>				
<b>IJ-4: Strengthen Emergency Management Communications Capabilities</b>	Funds to equip five (5) Office of Emergency Management (OEM) vehicles and one-hundred and thirty-seven (137) Fire Department (FD) vehicles with FirstNet connectivity antennas to support mobile emergency communications.	Project Completion date: 12/31/2021	Equipment AEL #'s: 06CP-03-NRSC	PROJECT NOT TO EXCEED \$88,428
		<b>TOTAL SAN JOSE OFFICE OF EMERGENCY MANAGEMENT ALLOCATION</b>		<b>SJOEM TOTAL NOT TO EXCEED: \$654,199</b>

**SJPD & SJFD**

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<b>IJ Number and Title</b>	<b>Program Description</b>	<b>Due Dates</b>	<b>Solution Areas</b>	<b>Amount</b>
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<b>IJ-8: Strengthen Information Sharing and Collaboration</b>	Funds to purchase pole cameras that will provide the ability to remotely monitor and detect ongoing threat concerns during a critical incident.	Project Completion date: 12/31/2020	Equipment AEL#: 04MD-01-VCAM	PROJECT NOT TO EXCEED \$88,000
<b>Project Title: Helicopter Downlink for Command Van – San Jose Police Department</b>				

<b>IJ-8: Strengthen Information Sharing and Collaboration</b>	Funds to purchase a helicopter downlink for the command van. The downlink will provide real-time video communications to ground units responding to a terrorist attack.	Project Completion date: 12/31/2020	Equipment AEL#: 18AC-00-ACUP	PROJECT NOT TO EXCEED \$35,000
<b><i>Project Title: Downlink for K-9 – San Jose Police Department</i></b>				
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<p><b>IJ-9: Enhance Multi-Jurisdictional All Hazards Incident Planning, Response, &amp; Recovery Capabilities</b></p>	<p>Funds for (5) five Throwbot 2 with bags, two search poles, and a command monitoring station.</p>	<p>Project Completion date: 12/31/2020</p>	<p>Equipment AEL#: 03OE-07-ROBT</p>	<p>PROJECT NOT TO EXCEED \$85,200</p>
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		TOTAL SAN JOSE ALLOCATION	TOTAL NOT TO EXCEED: <u>\$1,106,287</u>
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*Reimbursement for Organization Requires:*

- **Personnel** – Prior to any expenditure for personnel, SAN JOSE must submit completed job descriptions to the UASI detailing the planning activities the personnel will complete and the deliverables to be produced. Prior to reimbursement, SAN JOSE must submit the following: all functional time sheets, payroll documentation showing payment of salaries and benefits, or cancelled checks; work product or certification that work was completed including a statement of completed activities.
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**EQUIPMENT**

*Reimbursement for Equipment Requires:*

- An approved EHP memo, if applicable.
- A performance bond is required for any equipment item that exceeds \$250,000, or for any vehicle, aircraft, or watercraft, regardless of the cost. Failure to obtain and submit a performance bond to the UASI may result in disallowance of cost.

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  - SAN JOSE must inventory, type, organize and track all equipment purchased in order to facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident.
- 
- **All requests for reimbursements must be submitted within 30 days of project completion, unless an earlier deadline is set in this Appendix. SAN JOSE should submit reimbursement requests on a quarterly basis, as applicable.**
  - **Authorized expenditures must fall into one of the following categories: Planning, Organization, Equipment, Training, or Exercises. Descriptions of authorized expenditures are in the following documents:**
  - **FY 2019 Homeland Security Grant Program Notice of Funding Opportunity: [https://www.fema.gov/media-library-data/1555008381091-144e7470ec5e1958d6ad5e103c0825ad/FY\\_2019\\_HSGP\\_NOFO\\_FINAL\\_508.pdf](https://www.fema.gov/media-library-data/1555008381091-144e7470ec5e1958d6ad5e103c0825ad/FY_2019_HSGP_NOFO_FINAL_508.pdf)**
  - **California Supplement to the Federal Funding Opportunity Announcement, dated September 2019, available at <https://www.caloes.ca.gov/GrantsManagementSite/Documents/FY%202019%20HSGP%20State%20Guidance.pdf> as "FY 2019 Homeland Security Grant Program California Supplement to the Federal Notice of Funding Opportunity."**
  - **Authorized Equipment List: <http://www.fema.gov/authorized-equipment-list>**
  - **Cal OES Rules and Regulations, including the Recipient Handbook: <https://www.caloes.ca.gov/GrantsManagementSite/Documents/2019%20Subrecipient%20Handbook.pdf>**
  - **Any equipment purchased under this Agreement must match the UASI 2019 Grant Application Workbook. Any modification to the inventory list in that Workbook must receive prior written approval from by the Bay Area UASI Program Manager.**
  - **No Management and Administration expenses are allowed, unless expressly identified and authorized in this Appendix.**
  - **Sustainability requirements may apply to some or all of the grant funded projects or programs authorized in this Appendix. See Agreement 13.12.**
  - **All EHP documentation must be submitted and approved prior to any expenditure of funds requiring EHP submission.**

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WHEREAS, City and SAN JOSE desire to modify the Agreement on the terms and conditions set forth herein;

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**Such Appendix is hereby amended to reflect the following:**

- i) Extend the equipment deliverable date to 1/31/22 for Thermal Imaging Unmanned Aerial Vehicle for Project 8;

A revised Appendix A is attached to this Amendment and incorporated by reference as though fully set forth herein. The attached Appendix A supersedes all prior versions of Appendix A.

**3. Effective Date.** Each of the modifications set forth in Section 2 shall be effective on and after the date of this Amendment.

**4. Legal Effect.** Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first specified herein.

CITY AND COUNTY OF SAN FRANCISCO:

CITY OF SAN JOSE:

SAN FRANCISCO DEPARTMENT OF EMERGENCY MANAGEMENT

By:

By:

Signer 2 tag:

*Sarah Zarate*

Email: sarah.zarate@sanjoseca.gov

\_\_\_\_\_  
MARY ELLEN CARROLL  
EXECUTIVE DIRECTOR

\_\_\_\_\_  
SARAH ZARATE  
DIRECTOR, OFFICE OF CITY MANAGER

Federal Tax ID #: 9 [REDACTED]

**Approved as to Form:**

David Chui  
City Attorney

**Approved as to Form:**

Nora Frimann  
City Attorney

By:

\_\_\_\_\_  
Christina Fletes-Romo  
Deputy City Attorney

By:

Signer 1 tag:

*Carl B. Mitchell*

Email: carl.mitchell@sanjoseca.gov

\_\_\_\_\_  
Carl B. Mitchell  
Senior Deputy City Attorney

Appendix:

Amended Appendix A, Authorized Expenditures and Timelines, dated January 1, 2022

**Appendix A — Authorized Expenditures and Timelines**

ENTITY: **SAN JOSE**

**SJOEM**

Total allocation to be spent on the following solution areas:

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<b>IJ-4: Strengthen Emergency Management Communications Capabilities</b>	Funds for an Alert & Warning Coordinator to coordinate all alert and warning services in support of the first response community, public, and businesses during an incident, including acts of terrorism, affecting the City of San José, Operational Area and/or region.	Project Completion date: 6/30/2021	Organization	PROJECT NOT TO EXCEED \$160,419
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		<b>TOTAL SAN JOSE OFFICE OF EMERGENCY MANAGEMENT ALLOCATION</b>		<b>SJOEM TOTAL NOT TO EXCEED: \$654,199</b>

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Total allocation to be spent on the following solution areas:

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<p><b>IJ-8: Strengthen Information Sharing and Collaboration</b></p>	<p>Funds to purchase a helicopter downlink for the command van. The downlink will provide real-time video communications to ground units responding to a terrorist attack.</p>	<p>Project Completion date: 12/31/2020</p>	<p>Equipment AEL#: 18AC-00-ACUP</p>	<p>PROJECT NOT TO EXCEED \$35,000</p>
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- 
- **All requests for reimbursements must be submitted within 30 days of project completion, unless an earlier deadline is set in this Appendix. SAN JOSE should submit reimbursement requests on a quarterly basis, as applicable.**
  - **Authorized expenditures must fall into one of the following categories: Planning, Organization, Equipment, Training, or Exercises. Descriptions of authorized expenditures are in the following documents:**
  - **FY 2019 Homeland Security Grant Program Notice of Funding Opportunity: [https://www.fema.gov/media-library-data/1555008381091-144e7470ec5e1958d6ad5e103c0825ad/FY\\_2019\\_HSGP\\_NOFO\\_FINAL\\_508.pdf](https://www.fema.gov/media-library-data/1555008381091-144e7470ec5e1958d6ad5e103c0825ad/FY_2019_HSGP_NOFO_FINAL_508.pdf)**
  - **California Supplement to the Federal Funding Opportunity Announcement, dated September 2019, available at <https://www.caloes.ca.gov/GrantsManagementSite/Documents/FY%202019%20HSGP%20State%20Guidance.pdf> as "FY 2019 Homeland Security Grant Program California Supplement to the Federal Notice of Funding Opportunity."**
  - **Authorized Equipment List: <http://www.fema.gov/authorized-equipment-list>**
  - **Cal OES Rules and Regulations, including the Recipient Handbook: <https://www.caloes.ca.gov/GrantsManagementSite/Documents/2019%20Subrecipient%20Handbook.pdf>**
  - **Any equipment purchased under this Agreement must match the UASI 2019 Grant Application Workbook. Any modification to the inventory list in that Workbook must receive prior written approval from by the Bay Area UASI Program Manager.**
  - **No Management and Administration expenses are allowed, unless expressly identified and authorized in this Appendix.**
  - **Sustainability requirements may apply to some or all of the grant funded projects or programs authorized in this Appendix. See Agreement, 13.12.**
  - **All EHP documentation must be submitted and approved prior to any expenditure of funds requiring EHP submission.**

# City of San José Contract/Agreement Transmittal Form

**Route Order**

**Attached / Completed**

**Electronically Signed**

- TO:  City Attorney
- City Manager
- City Clerk **OR** Return to Dept. (circle one)

- Insurance Certificates / Waivers
- Business Tax Certificate
- Contacted Clerk re: Form 700
- Supplemental Memorandums (if applicable): Select One
- Electronically Signed: No
- Audit Trail Attached (if applicable)
- Scanned Signature Authorization

Type of Document: Amendment

Type of Contract: Grant Applications/Agreements

**REQUIRED INFORMATION FOR ALL CONTRACTS:**

Existing GILES # 665904-004

Contractor: City and County of San Francisco

Address: 711 VanNess Ave, Suite 420 San Francisco, CA 94102

Phone: ( 15) 353-5239

Email: Yoshimi.Saito@sfgov.org

Contract Description: This Agreement is between the City& County of San Francisco and City of San Jose for the distribution of 2019 UASI grant funds.San Francisco is the fiscal agent for the Bay Area UASI Funds. Funds will be used for equipment, and planning expenditures

Term Start Date: 11/1/2019 Term End Date: 1/31/22 Extension: No

Method of Procurement: N/A RFB, RFP or RFQ No.: \_\_\_\_\_ Date Conducted: \_\_\_\_\_

Agenda Date (if applicable): \_\_\_\_\_ Agenda Item No.: \_\_\_\_\_

Resolution No.: \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

Original Contract Amount: 1,106,287 Amount of Increase/Decrease: \_\_\_\_\_

Option #:     of     Option Amount: \_\_\_\_\_ Updated Contract Amount: 1,106,287

Fund/Appropriation: \_\_\_\_\_

Form 700 Required: Select one Revenue Agreement: Select one

Business Tax Certificate No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Department: Police (50)

Department Contact Name/Phone: Sylvia Perez ( 08) 537.1617

Notes: The UASI Fourth Amendment extends the contract end date to 1/31/2022 to extend the deliverable date for the Thermal Imaging Unmanned Aerial Vehicle ( UAV)project #8.

Department Director Signature:  \_\_\_\_\_ Date

Office of the City Manager Signature: \_\_\_\_\_ Date