

AMENDMENT NO. 1 TO AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR (CONTRACT NO. BC19-162)

THIS AMENDMENT NO. 1 hereby amends the Agreement for Services of Independent Contractor (hereafter Agreement) dated December 11, 2018 between the County of Santa Barbara, a political subdivision of the State of California (hereafter COUNTY) and Ernst and Young (hereafter CONTRACTOR).

The Agreement is amended as follows:

1. Section 4. Term is hereby amended to read as follows: "CONTRACTOR shall commence performance on February 27, 2018 and end performance upon completion, but no later than August 31, 2019 unless otherwise directed by COUNTY or unless earlier terminated. The parties agree this Agreement shall hereby cancel, nullify, and supersede Purchase Contract CN21596."
2. Exhibit B, Section A is hereby amended to read as follows: "For CONTRACTOR services to be rendered under this Agreement, CONTRACTOR shall be paid a total contract amount, including cost reimbursements, up to but not to exceed \$1,180,000."
3. Attachment B1 is deleted and replaced in its entirety as attached hereto and incorporated herein by reference.

Ratifications. The terms and provisions set forth in this Amendment No. 1 shall modify and supersede all inconsistent terms and provisions set forth in the Agreement. The terms and provisions of the Agreement, except as expressly modified and superseded by this Amendment No. 1, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding, and enforceable obligations of the parties.

Counterparts. This Amendment No. 1 may be executed in several counterparts, all of which taken together shall constitute a single agreement between the parties.

(Signatures on following page)

Amendment No. 1 to Agreement for Services of Independent Contractor between the County of Santa Barbara and Ernst and Young.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to be effective on the date executed by COUNTY.

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

COUNTY OF SANTA BARBARA:

By: _____
Deputy Clerk

By: _____
Chair, Board of Supervisors

Date: _____

RECOMMENDED FOR APPROVAL:

County Executive Office

CONTRACTOR:

Ernst and Young

By: _____
Department Head

By: _____
Authorized Representative

Name: Robert Reeves

Title: Partner

APPROVED AS TO FORM:

Michael C. Ghizzoni
County Counsel

APPROVED AS TO ACCOUNTING FORM:

Betsy M. Schaffer, CPA
Auditor-Controller

By: _____
Deputy County Counsel

By: _____
Deputy

APPROVED AS TO FORM:

Risk Management

By: _____
Risk Management

ATTACHMENT B1

Schedule of Fees

CONTRACTOR agrees to the following Schedule of Fees indicating hourly rates for proposed staff levels. The hourly labor rates shall include all applicable overhead and profit. All non-labor other direct costs, including travel and lodging, will be billed to the COUNTY at cost without mark-up.

POSITIONS	HOURLYRATES
Project Executive	\$ 298
Subject Matter Expert	\$ 279
Project Manager	\$ 298
Project Accountant	\$ 253
Senior Closeout Specialist	\$ 279
Closeout Specialist	\$ 186
Senior Consultant	\$ 186
Staff Consultant	\$ 133

FEMA recognizes that there are extraordinary costs associated with administering disaster programs. As part of FEMA's Public Assistance Program, recipients can recoup reasonable administrative expenses (known as Direct Administrative Cost or "DAC") directly attributable to project worksheets. Examples of eligible costs include technical assistance provided by third parties. In addition, FEMA recently implemented a pilot program that will provide sub-recipients a flat rate 4% (in lieu of tracking costs to specific project worksheets) of the estimated total public assistance grants with additional financial incentives to close out completed projects. For example, if the County has a total FEMA eligible costs associated with the damage repairs equating to \$50 million, the County may receive DAC totaling \$2 million.

Contractor costs may be offset by DAC. CONTRACTOR's understanding is that California has opted in to the pilot program.