

**CITY AND COUNTY OF SAN FRANCISCO
SAN FRANCISCO SHERIFF'S OFFICE**

FIFTH AMENDMENT TO GRANT AGREEMENT

BETWEEN

CITY AND COUNTY OF
SAN FRANCISCO

AND

SAN FRANCISCO PRETRIAL DIVERSION PROJECT, INC.

FIFTH AMENDMENT

This AMENDMENT of the, October 01, 2017 Grant Agreement (the "Agreement") is dated as of July 01, 2020 and is made in the City and County of San Francisco, State of California, by and between SAN FRANCISCO PRETRIAL DIVERSION PROJECT, INC. ("Grantee") and the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation ("City") acting by and through SAN FRANCISCO SHERIFF'S OFFICE ("Department").

RECITALS

WHEREAS, City and Grantee have entered into the Grant Agreement for fiscal year **FY 2017-2018**; and

WHEREAS, Grantee has submitted to the Agency the Application Documents (as hereinafter defined) seeking a grant to provide a **Pretrial Incarceration Alternatives (PIA)** for the purpose of funding the matters set forth in the Grant Plan (as defined in the Agreement); and

WHEREAS, the Agreement was competitively procured as required by San Francisco Administrative Code Chapter 21.1 through **RFP 2017-03 Pretrial Services** issued on **April 06, 2017** and this modification is consistent therewith; and

WHEREAS, City and Grantee desire to modify the Agreement on the terms and conditions set forth herein to **extend the term of the contract by one year, increase the contract amount, and add a Cost of Doing Business (CODB) for FY2020-2021**; and

WHEREAS, City and Grantee desire to execute this amendment to update the prior Agreement;

NOW, THEREFORE, City and Grantee agree to amend said Grant Agreement as follows:

1. Definitions. Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Grant Agreement.

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

**Article 1
DEFINITIONS**

(a) **Agreement.** The term “Agreement” shall mean the Agreement dated **October 01, 2017** between Grantee and City, as amended by the:

| | |
|-------------------------|-----------------------------------|
| First amendment | dated March 01, 2018 , and |
| Second amendment | dated March 02, 2018 , and |
| Third amendment | dated June 01, 2018 , and |
| Fourth amendment | dated July 01, 2019 . |

**Article 3
TERM**

(c) **Section 3.2 Section 3.2 Duration of Term** of the Agreement currently reads as follows:

3.2 Duration of Term. The term of this Agreement shall commence on the later of (a) **OCTOBER 01, 2017** and (b) the effective date specified in Section 3.1. Such term shall end at 11:59 p.m. San Francisco time on **JUNE 30, 2020**.

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

3.2 Duration of Term. The term of this Agreement shall commence on the later of (a) **OCTOBER 01, 2017** and (b) the effective date specified in Section 3.1. Such term shall end at 11:59 p.m. San Francisco time on **JUNE 30, 2021**.

**Article 5
Use and Disbursement of Grant Funds**

(e) **Section 5.1. Section 5.1 Maximum Amount of Grant Funds** of the Agreement currently reads as follows:

5.1 Maximum Amount of Grant Funds. In no event shall the amount of Grant Funds disbursed hereunder exceed **NINE MILLION NINE HUNDRED FIFTY-EIGHT THOUSAND NINE HUNDRED FIFTEEN DOLLARS (\$9,958,915)**.

Funding for the fiscal year 2017-2018 which will commence October 01, 2017 through June 30, 2018 will be **TWO MILLION FIFTY-NINE THOUSAND SEVEN HUNDRED SIXTY DOLLARS (\$2,059,760)**.

Funding for the fiscal year 2018-2019 which will commence July 01, 2018 through June 30, 2019 will be **THREE MILLION FOUR HUNDRED EIGHT THOUSAND FIVE HUNDRED NINETY-ONE DOLLARS (\$3,408,591)**.

Funding for the fiscal year 2019-2020 which will commence July 01, 2019 through June 30, 2020 will be **FOUR MILLION FOUR HUNDRED NINETY THOUSAND FIVE HUNDRED SIXTY-FOUR DOLLARS (\$4,490,564)**.

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

5.1 Maximum Amount of Grant Funds. In no event shall the amount of Grant Funds disbursed hereunder exceed **FIFTEEN MILLION EIGHT HUNDRED SIXTY FOUR THOUSAND THREE HUNDRED SEVENTEEN DOLLARS (\$15,864,317).**

Funding for the fiscal year 2017-2018 which will commence October 01, 2017 through June 30, 2018 will be **TWO MILLION FIFTY-NINE THOUSAND SEVEN HUNDRED SIXTY DOLLARS (\$2,059,760).**

Funding for the fiscal year 2018-2019 which will commence July 01, 2018 through June 30, 2019 will be **THREE MILLION FOUR HUNDRED EIGHT THOUSAND FIVE HUNDRED NINETY-ONE DOLLARS (\$3,408,591).**

Funding for the fiscal year 2019-2020 which will commence July 01, 2019 through June 30, 2020 will be **FOUR MILLION FOUR HUNDRED NINETY THOUSAND FIVE HUNDRED SIXTY-FOUR DOLLARS (\$4,490,564).**

Funding for the fiscal year 2020-2021 which will commence July 01, 2020 through June 30, 2021 will be **FIVE MILLION NINE HUNDRED FIVE THOUSAND FOUR HUNDRED TWO DOLLARS (\$5,905,402)** (\$5,786,471 plus \$118,931 CODB increase).

**Appendix B
DEFINITION OF GRANT PLAN**

(l) Appendix B. Appendix B of the Original Agreement is amended to replace and add budget pages as follows:

| Budgets | Original Attachment # | Amended Attachment # |
|--|------------------------------|-----------------------------|
| FY 20-21 – Pretrial Incarceration Alternatives (PIA) | B-1D | B-1E |
| Summary of Program Budget Changes | C-4 | C-5 |

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 Grant Agreement shall remain unchanged and in full force and effect.

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

CITY:

GRANTEE:

Recommended by:

**San Francisco Pretrial Diversion
Project, Inc.**

Paul Miyamoto
Sheriff
San Francisco Sheriff's Office

David Mauroff
Chief Executive Officer
236 – 8th Street
San Francisco, CA 94103

City Vendor Number: **0000011529**

Approved as to Form:

Dennis J. Herrera
City Attorney

By: _____
Jana J. Clark
Deputy City Attorney

San Francisco Sheriff's Department
Financial Services
FY 2020-2021 Budget Request

Agency Name:

San Francisco Pretrial Diversion Project, Inc.

Date:

3/11/2020

Program Title:

Pretrial Incarceration Alternatives (PIA)

Grant/Contract Period:

7/1/2020-6/30/2021

Total Program Budget Summary

| Budget Expense Line Items: | Total Budget Request* |
|---|-----------------------|
| A) Program Salaries & Fringe Benefits | \$ 4,303,191 |
| B) Direct Program Operating Expenses | \$ 579,573 |
| C) Program [Sub-]Contract Services | \$ 162,000 |
| D) Program Equipment Purchase | \$ - |
| X) Non-Program Indirect/Admin/Overhead Costs** | \$ 860,638 |
| TOTAL PROGRAM [& NON-PROGRAM] AMOUNT: | \$ 5,905,402 |

*Totals must match subtotals on corresponding budget pages. (Hint: complete those pages first and the totals from each page will populate this summary page.)

Indirect/Admin/Overhead ("Non-Program") costs cannot exceed **20% of Program Costs without sufficient justification and SFSD CFO's approval. There is no corresponding budget page for Indirect/Admin/Overhead costs.

Agency's Director or Financial Officer

Date:

FOR SHERIFF USE ONLY

Program Budget Approved

Sheriff's Chief Financial Officer

Date:

Data entry of Approved Budget

Date:

Accounting Codes (and amounts if more than one): _____

San Francisco Sheriff's Department
Financial Services
FY 2020-2021 Budget Request

| | |
|---|---------------------------|
| Agency Name: | Date: |
| San Francisco Pretrial Diversion Project, Inc. | 3/11/2020 |
| Program Title: | Grant/Contract Period: |
| Pretrial Incarceration Alternatives (PIA) | 7/1/2020-6/30/2021 |

B) Direct Program Operating Expenses Summary

| Expense Item | Description/Purpose | | Request Amount |
|--|--------------------------------------|---------------------------|----------------|
| | Monthly Amount (or Cost per Mile) | # of Months (or Miles) | |
| Office Supplies | \$ 1,125.00 | 12 | \$ 13,500 |
| Printing | \$ 750.00 | 12 | \$ 9,000 |
| Postage | \$ 150.00 | 12 | \$ 1,800 |
| Office Equipment Lease | \$ 1,875.00 | 12 | \$ 22,500 |
| Rent | \$ 31,350.85 | 12 | \$ 376,210 |
| Utilities | \$ 2,500.00 | 12 | \$ 30,000 |
| Telephone/Cell/Internet | \$ 1,350.00 | 12 | \$ 16,200 |
| Program Staff Training | \$ 7,112.98 | 1 | \$ 7,113 |
| Program Staff Conferences | \$ 17,000.00 | 1 | \$ 17,000 |
| Program Staff Travel | \$ 187.50 | 12 | \$ 2,250 |
| Other (describe): | | | |
| Client Flex Fund | \$ 7,000.00 | 12 | \$ 84,000 |
| Other (describe): | | | \$ - |
| | | | \$ - |
| | | | \$ - |
| Accounting Codes (and amounts if more than one): | Subtotal Other Current Expenses: | | \$ 579,573 |

San Francisco Sheriff's Department
Financial Services
FY 2020-2021 Budget Request

Agency Name:

Date:

San Francisco Pretrial Diversion Project, Inc.**3/11/2020**

Program Title:

Grant/Contract Period:

Pretrial Incarceration Alternatives (PIA)**7/1/2020-6/30/2021****C) Program [Sub-]Contract Services**

| Consultants/Professional Services* | | | | | |
|---|---------------------|--------------------------------|--|------------------------|-----------------------|
| Name | Agency | Description of Services | Estimated Cost Per Hour | Estimated Hours | Request Amount |
| | | IT Managed Services | | | \$ 117,000 |
| | | Strategic & Financial Planning | | | \$ 9,000 |
| | | Outcomes Analysis & Reporting | | | \$ 18,000 |
| | | Database Development | | | \$ 18,000 |
| | | | | | \$ - |
| | | | | | \$ - |
| Other [Sub-]Contract Services (provide description): | | | | | |
| Item (Example): | Description: | | Estimated Cost Per Hour | Estimated Hours | Request Amount |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| Agency's Financial Officer | | | Subtotal for [Sub-]Contractual Services: | | \$ 162,000 |

*Please submit to SFSD Financial Services a copy of your agency's contract or agreement with each [sub-]contractor/consultant identified in your budget. This is normally a one-time submission. Please contact SFSD Financial Services with any questions regarding this.

Please insert additional lines as needed for all [sub-]contractors/consultants in your program budget and double-check the Subtotal line to verify that the formula includes all applicable cells in range.

**San Francisco Sheriff's Department
Financial Services
FY 2020-2021 Budget Request**

| | |
|---|---------------------------|
| Agency Name: | Date: |
| San Francisco Pretrial Diversion Project, Inc. | 3/11/2020 |
| Program Title: | Grant/Contract Period: |
| Pretrial Incarceration Alternatives (PIA) | 7/1/2020-6/30/2021 |

D) Program Equipment Purchase

| Equipment to be purchased | Purpose for Equipment | Request Amount |
|-----------------------------------|-----------------------|----------------|
| | | \$ - |
| | | \$ - |
| | | \$ - |
| | | |
| | | |
| | | |
| Subtotal for Equipment Purchases: | | \$ - |

**San Francisco Pretrial Diversion Project, Inc.
Summary of Program Budget Changes
Amendment # 5**

Pretrial Incarceration Alternatives (PIA)

| | Fiscal Year | Contract Term | Contract Amount |
|---|--------------------|-------------------------|------------------------|
| Original Contract | | | |
| Pretrial Incarceration Alternatives (PIA) | FY 17-18 | 10/1/2017 - 06/30/2018 | \$ 2,005,747 |
| Pretrial Incarceration Alternatives (PIA) | FY 18-19 | 07/1/2018 - 06/30/2019 | \$ 2,500,764 |
| Pretrial Incarceration Alternatives (PIA) | FY 19-20 | 07/01/2019 - 06/30/2020 | \$ 2,500,764 |
| Amendment # 1 | | | |
| BJA Grant - Pretrial Mental Health Enhancement Project | FY 17-18 | 03/01/2018 - 06/30/2020 | \$ 25,610 |
| BJA Grant - Pretrial Mental Health Enhancement Project | FY 18-19 | 03/01/2018 - 06/30/2020 | \$ 76,823 |
| BJA Grant - Pretrial Mental Health Enhancement Project | FY 19-20 | 03/01/2018 - 06/30/2020 | \$ 19,207 |
| Amendment # 2 | | | |
| Pretrial Incarceration Alternatives (PIA) - ICR Case Management | FY 17-18 | 03/02/2018 - 06/30/2018 | \$ 28,403 |
| Pretrial Incarceration Alternatives (PIA) - ICR Case Management | FY 18-19 | 07/01/2018 - 06/30/2019 | \$ 82,053 |
| Amendment # 3 | | | |
| Pretrial Incarceration Alternatives (PIA) | FY 18-19 | 07/1/2018 - 06/30/2019 | \$ 748,951 |
| Pretrial Incarceration Alternatives (PIA) | FY 19-20 | 07/01/2019 - 06/30/2020 | \$ (2,500,764) |
| BJA Grant - Pretrial Mental Health Enhancement Project | FY 19-20 | 03/01/2018 - 06/30/2020 | \$ (19,207) |
| Amendment # 4 | | | |
| Pretrial Release and Diversion Services | FY 19-20 | 07/01/2019 - 06/30/2020 | \$ 3,976,193 |
| FY 19-20 - CODB - 2.5% | FY 19-20 | 07/01/2019 - 06/30/2020 | \$ 99,405 |
| Pretrial Release and Diversion Services - Additional Funding Pending Approval in Mayor's FY19-20 Proposed Budget | FY 19-20 | 07/01/2019 - 06/30/2020 | \$ 395,759 |
| BJA Grant - Pretrial Mental Health Enhancement Project | FY 19-20 | 03/01/2018 - 06/30/2020 | \$ 19,207 |
| Amendment # 5 | | | |
| Pretrial Incarceration Alternatives (PIA) | FY 20-21 | 07/01/2020 - 06/30/2021 | \$ 5,786,471 |
| FY 20-21 - CODB - 2.5% | FY 20-21 | 07/01/2020 - 06/30/2021 | \$ 118,931 |
| TOTALS | | | \$ 15,864,317 |