

**RESOLUTION FY 2021-8**

**Educational Service's Center 2<sup>nd</sup> Amendment**

September 28, 2020

**WHEREAS**, the Board and Agency entered into an agreement to provide mental health and substance use disorder services to eligible Wood County Residents, approved as Resolution Number FY2019-36 on June 24, 2019 (“Agreement”); and

**WHEREAS**, due to the COVID19 pandemic, actual utilization and demand for Agency’s mental health and substance use disorder services exceeded the original estimated costs of providing the services; and

**WHEREAS**, the Board and Agency amended the Agreement on March 12, 2020, approved as Resolution #FY2020-45 (“First Amendment”) to extend the term and increase the total maximum amount payable under the Agreement; and

**WHEREAS**, Section 17.2 of the Agreement provides that the Agreement may be amended, modified, or extended by the mutual agreement of the parties in writing to be attached to and incorporated into the Agreement; and

**NOW, THEREFORE**, be it resolved that the contract be amended with the following:

A. Section 2 (Term) shall be further amended by replacing with the following:

**Section 2. Term.** This Agreement shall commence on July 1, 2019 and shall continue in full force and effect until June 30, 2021.

B. Section 6.2 (Fees and Programs) shall be amended by adding the following:

6.2.3 Programs for fiscal years 2020 and 2021 will be provided as specified in the Agency’s FY20 and FY21 Allocation Proposals submitted to the Board and attached hereto as Amended Attachment C. In the event that the Board did not fund a program/s proposed in Amended Attachment C, such program/s will not be covered under this Agreement.

C. Section 6.10 (Reporting Obligations) shall be amended by adding the following:

6.10.4. Outcomes Corrective Action Plan. If, at any time, the Board reasonably determines that the Agency is deficient in the performance of its Outcomes in Attachment D under the contract, the Board may require Agency to develop and submit a Corrective Action Plan that is designed to correct such deficiency. The Board will approve, disapprove, or require modifications to the submitted Corrective Action Plan based on the recommendation of its Executive Director or designee. Agency must promptly and diligently implement the Corrective Action Plan as approved by the Executive Director or designee. The Board may terminate this Agreement, as amended, if Agency fails to implement the Corrective Action Plan.

D. Section 8.1 of the Agreement, as amended, shall be further amended in its entirety and replaced with the following:

8.1 The amount for July 1, 2019 through June 30, 2020 to be paid under this agreement shall not exceed eight hundred eighty-nine thousand two hundred thirty-one dollars (\$889,231).

Additionally, the amount for July 1, 2020 through June 30, 2021 to be paid under this agreement shall not exceed nine hundred sixty thousand five hundred forty dollars (\$960,540). The total amount that may be paid to Wood County Educational Service's Center under this agreement shall not exceed one million eight hundred forty-nine thousand seven hundred seventy-one dollars (\$1,849,771).

E. Section 13.4 (Cost Reimbursement) shall be amended by adding:

13.4.1 Invoice Submission. Agency must submit cost reimbursement requests on an invoice form provided by the Board. Agency may submit requests using agency specific form as an additional document.

F. Attachment A shall be amended to include additional funding for the services under the Agreement. Amended Attachment A attached hereto replaces Attachment A in its entirety.

G. All other terms and conditions of the Agreement, as amended by the First and Second Amendments to the Agreement, shall remain unchanged.

<b>Board Members</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
Allan Baer	X			
Brad Biller	X			
Tonya Camden	X			
Jessica Clements	X			
Leanne Eby	X			
Judy Ennis	X			
Fred Dannhauser			X	
Marc Jensen			X	
Stan Korducki	X			
Doug Cubberley	X			
Frank McLaughlin	X			
Hallie Nagel	X			
Corey Speweik	X			
Cary Wise	X			
Leslie Miller	X			
Rachel Moore	X			
Dan Lambert	X			

Judy Ennis motioned to approve this resolution, Leanne Eby seconded. This resolution is adopted by the majority of the Board. Resolution passed.

Dan Lambert

9/29/2020

Board Chair

Date