



January 21, 2021

Board of County Commissioners
 Clackamas County

Members of the Board:

Approval of an Extension to the Wood Innovation Grant Award between Clackamas County and US Forest Service to Support Incorporation of Mass Timber in County Courthouse Project

Purpose/Outcomes	Approval of an extension to the Wood Innovations Grant from the US Forest Service. This grant provides support to the County Courthouse project by funding development of potential courthouse designs utilizing mass timber/cross laminated timber, conducting an accompanying life cycle analysis, and developing a communication plan. An extension from February 1, 2021 to December 31, 2021 is needed to allow additional time for the dissemination of the work at industry conferences as outlined in the original project plan. Extensive delays in this process have been experienced due to COVID-19.
Dollar Amount and Fiscal Impact	The grant award is for \$100,000. The grant has a 50% match requirement, which will be met primarily through in-kind staff time contributions, as well as some local funding of travel, supplies, and other project costs.
Funding Source	USFS Wood Innovation Grant #19-DG-11062765-733
Duration	August 1, 2019 through December 31, 2021
Previous Board Action	<ul style="list-style-type: none"> • 2/20/19, Grant Application Life Cycle Form approved by County Administrator • 8/8/2019, Approval of Research Services Agreement No. 27786 between Clackamas County and the University of Oregon to conduct project • 8/15/2019, Approval of USFS Wood Innovation Grant #19-DG-11062765-733 between Clackamas County and the US Forest Service
Strategic Plan Alignment	<ul style="list-style-type: none"> • This grant agreement extension supports the BCS goal of providing a mechanism for businesses to locate or expand in Clackamas County. The project supports the mass timber industry by providing more opportunities for mass timber to be showcased in publically owned assets. • This grant agreement amendment supports the County Goal of Building Public Trust through Good Government by supporting the goal to build a new courthouse, and also supports the key initiative of Growing the Mass Timber industry in Clackamas County, which creates family wage jobs, by providing a mechanism for mass timber utilization in the design of the new courthouse. Creating family wage jobs supports the County Goal of Growing a Vibrant Economy.
Counsel Review	County Counsel Review Date: December 15, 2020 Counsel Initials: ARN

Procurement Review	Was the item processed through procurement? No This agreement is a grant agreement, therefore is not subject to Procurement oversight.
Contact Person	Laura Zentner, BCS Director (503) 742-4351 Sarah Eckman, BCS Deputy Director (503) 894-3135
Contract No.	USFS Wood Innovation Grant #19-DG-11062765-733

BACKGROUND:

Clackamas County was awarded a \$100,000 Wood Innovations Grant from the United States Forest Service. Funds from the grant have supported the following work related to the County Courthouse project:

- Completion of a Fall 2019 design studio conducted by the University of Oregon’s Department of Architecture. The studio focused on designs for the proposed new County Courthouse utilizing mass timber for the main structural system. As part of the design studio, the University provided experts in courthouse design, energy and daylight performance, building codes and mass timber engineering to assist the faculty and student teams working on the design proposals.
- Completion of a Life Cycle Analysis that considers the economic and environmental co-benefits of building with mass timber.
- Development of a communications plan to support public engagement around the innovative use of mass timber in the courthouse design and construction.
- Dissemination of project findings at industry conferences. This portion of the project has been delayed due to COVID-19.

The work funded by this grant supports the Board’s desire to incorporate the use of mass timber in the design and construction of the proposed new County Courthouse, and also supports the County’s ongoing Cross Laminated Timber (CLT) initiative.

RECOMMENDATION:

Staff recommends Board approval of the Modification of Grant or Agreement #19-DG-11062765-733 between Clackamas County and United States Forest Service and further authorizes the Director or Deputy Director of Business and Community Services to sign on behalf of the County.

ATTACHMENT: Modification of Grant or Agreement #19-DG-11062765-733 between Clackamas County and United States Forest Service

Respectfully,



Laura Zentner, CPA
Director, Business & Community Services



MODIFICATION OF GRANT OR AGREEMENT	PAGE	OF PAGES
	1	2+attachments

1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 19-DG-11062765-733	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY:	3. MODIFICATION NUMBER: 001
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): U.S. Forest Service State & Private Forestry 1220 SW Third Avenue Portland, OR 97204	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): Same as block 4.	
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): County of Clackamas 2051 Kaen Rd Oregon City, OR 97045-1819	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): N/A	

8. PURPOSE OF MODIFICATION

CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.
<input checked="" type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD: Extend the performance period from 02/01/2021 to 12/31/2021.
<input type="checkbox"/>	CHANGE IN FUNDING:
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: Update recipient program and administrative contact to Jon Legarza from Rick Guen (program) and Greg Williams (administrative); update U.S. Forest Service administrative contact from Faydra Lampshire to Judith Lang; and incorporate provision updates. See block 9.
<input type="checkbox"/>	OTHER (Specify type of modification):

Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.

9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed):

a) Incorporate recipient program and administrative contact:
 Jon Legarza
 Economic Development Coordinator
 Business and Community Services Clackamas County
 150 Beaver Creek Road, Suite 419
 Oregon City, OR 97045
 T: 503-742-4366
 M: 971-284-1150
 jlegarza@clackamas.us

b) Incorporate U.S. Forest Service Administrative Contact
 Judith Lang
 Grants Management Specialist
 State and Private Forestry
 1220 SW Third Avenue
 Portland, OR 97204-2825
 T: 503-808-2338
 judith.lang@usda.gov

c) Provision updates: Incorporate mandatory provision updates (Addendum to Attachment A)

10. ATTACHED DOCUMENTATION (Check all that apply):

<input type="checkbox"/>	Revised Scope of Work
<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: Addendum to Attachment A and SF-424



11. SIGNATURES

AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. RECIPIENT SIGNATURE (Signature of Signatory Official)	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print): LAURA ZENTNER		11.F. NAME (type or print): MICHAEL SHEPHARD	
11.G. TITLE (type or print): Director of Business and Community Services		11.H. TITLE (type or print): (Acting) Director State & Private Forestry, PNW & Alaska Regions	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by: _____ KEVIN NEELY U.S. Forest Service, Grants Management Specialist	12.B. DATE SIGNED
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Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

ADDENDUM TO ATTACHMENT A

Federal Assistance Identification Number: 19-DG-11062765-733 Modification 001

Award Project Title: Clackmas County Mass Timber Courthouse Design Life-cycle Demonstration

Purpose: Changes to the Uniform Guidance (**2 CFR 200**), have recently been incorporated as part of continuing revisions and improvements for federal awards.

Per direction from Office of Management and Budget and the U.S. Department of Agriculture, the following additions to the award agreement language and the revised Termination language from 2 CFR 200.340 shall be incorporated into the referenced award agreement:

PROMOTING FREE SPEECH AND RELIGIOUS FREEDOM (2 CFR 200.300) As a recipient of USDA financial assistance, you will comply with the following:

1. Do not discriminate against applicants for sub-grants on the basis of their religious character.
2. 7 Code of Federal Regulations (CFR) part 16.3(a), Rights of Religious Organizations.
3. Statutory and National policy requirements, including those prohibiting discrimination and those described in Executive Order 13798 promoting free speech and religious freedom, **2 CFR 200.300**.

PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (2 CFR 200.216) The cooperator (including subrecipients) is

responsible for compliance with the prohibition on certain telecommunications and video surveillance services or equipment identified in 2 CFR 200.216. See Public Law 115-232, Section 889 for additional information.

In accordance with 2 CFR 200.216, the grantee (including subrecipients) is prohibited from obligating or expending loan or grant funds for covered telecommunications equipment or services to:

- (1) procure or obtain, extend or renew a contract to procure or obtain;
- (2) enter into a contract (or extend or renew a contract) to procure; or
- (3) obtain the equipment, services or systems.

The full text of 2 CFR 200.340 is below.

T. TERMINATION. This award may be terminated, in whole or part pursuant to **2 CFR 200.340**.

(a) The Federal award may be terminated in whole or in part as follows:

- (1) By the Federal awarding agency or pass-through entity, if a non-Federal entity fails to comply with the terms and conditions of a Federal award;
- (2) By the Federal awarding agency or pass-through entity, to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities;
- (3) By the Federal awarding agency or pass-through entity with the consent of the non-Federal entity, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;
- (4) By the non-Federal entity upon sending to the Federal awarding agency or pass-through entity written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the Federal awarding agency or passthrough entity determines in the case of partial termination that the reduced or modified portion of the Federal award or subaward will not accomplish the purposes for

ADDENDUM TO ATTACHMENT A

- which the Federal award was made, the Federal awarding agency or pass-through entity may terminate the Federal award in its entirety; or
- (5) By the Federal awarding agency or pass-through entity pursuant to termination provisions included in the Federal award.
- (b) A Federal awarding agency should clearly and unambiguously specify termination provisions applicable to each Federal award, in applicable regulations or in the award, consistent with this section.
- (c) When a Federal awarding agency terminates a Federal award prior to the end of the period of performance due to the non-Federal entity's material failure to comply with the Federal award terms and conditions, the Federal awarding agency must report the termination to the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS).
- (1) The information required under paragraph (c) of this section is not to be reported to designated integrity and performance system until the non-Federal entity either—
- (i) Has exhausted its opportunities to object or challenge the decision, see § 200.342; or
 - (ii) Has not, within 30 calendar days after being notified of the termination, informed the Federal awarding agency that it intends to appeal the Federal awarding agency's decision to terminate.
- (2) If a Federal awarding agency, after entering information into the designated integrity and performance system about a termination, subsequently:
- (i) Learns that any of that information is erroneous, the Federal awarding agency must correct the information in the system within three business days;
 - (ii) Obtains an update to that information that could be helpful to other Federal awarding agencies, the Federal awarding agency is strongly encouraged to amend the information in the system to incorporate the update in a timely way.
- (3) Federal awarding agencies must not post any information that will be made publicly available in the nonpublic segment of designated integrity and performance system that is covered by a disclosure exemption under the Freedom of Information Act. If the non-Federal entity asserts within seven calendar days to the Federal awarding agency who posted the information, that some of the information made publicly available is covered by a disclosure exemption under the Freedom of Information Act, the Federal awarding agency who posted the information must remove the posting within seven calendar days of receiving the assertion. Prior to reposting the releasable information, the Federal agency must resolve the issue in accordance with the agency's Freedom of Information Act procedures.
- (d) When a Federal award is terminated or partially terminated, both the Federal awarding agency or passthrough entity and the non-Federal entity remain responsible for compliance with the requirements in §§ 200.344 and 200.345.

Jim Archuleta 12/09/2020

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input type="checkbox"/> Application <input checked="" type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Revision	* If Revision, select appropriate letter(s): C: Increase Duration * Other (Specify):
* 3. Date Received: 04/07/2020	4. Applicant Identifier:	
5a. Federal Entity Identifier:	5b. Federal Award Identifier: 19-DG-11062765-733 Modification 001	
State Use Only:		
6. Date Received by State:	7. State Application Identifier:	
8. APPLICANT INFORMATION:		
* a. Legal Name: Clackamas County		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 93-6002286	* c. Organizational DUNS: 0969926560000	
d. Address:		
* Street1: 2051 Kaen Rd	Street2:	
* City: Oregon City	County/Parish:	
* State: OR: Oregon	Province:	
* Country: USA: UNITED STATES	* Zip / Postal Code: 97045-1819	
e. Organizational Unit:		
Department Name: Business & Community Services	Division Name: Economic Development	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix:	* First Name: Jon	Middle Name:
* Last Name: Legarza	Suffix:	
Title:		
Organizational Affiliation:		
* Telephone Number: 971-284-1150	Fax Number:	
* Email: jlegarza@clackamas.us		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

USDA - Forest Service

11. Catalog of Federal Domestic Assistance Number:

10.674

CFDA Title:

Wood Utilization Assistance

*** 12. Funding Opportunity Number:**

USDA-WERC-2019

* Title:

2019 Wood Innovations Program, Grant Category 2: Expansion of Wood Products Markets

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Clackamas County mass timber Courthouse Design and Life-Cycle Demonstration

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="100,000.00"/>
* b. Applicant	<input type="text" value="83,857.00"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="183,857.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed: