

March 07 , 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
 Clackamas County

Approval of Amendment #6 to a Revenue Intergovernmental Agreement with Oregon Health Authority for financing of Public Health Services. Amendments value is \$18,410.27, total agreement value is increased to \$5,964,462.83 for 1 year. Funding is through the Oregon Health Authority. No County General Funds are involved.

Previous Board Action/Review	Previous Board actions: Original Agreeemnt: June 29, 2023, Agenda item 230629 IIIC1, Amendment # 1: October 5, 2023, Agenda item 231005.III.4, Amendment # 2: November 8, 2023, Agenda item 231108II.E.5 Amendment # 3: January 1, 2024, Agenda item 20240104 III.E.8 Amendment # 4: January 1, 2024, Agenda item 20240104 III.E.8 Amendment # 5: January 1, 2024, Agenda item 20240104 III.E.8 Amendment # 6: March 5, 2024: Briefed at issues		
Performance Clackamas	1. Ensure safe, healthy, and secure communities		
Counsel Review	Yes	Procurement Review	No
Contact Person	Philip Mason-Joyner, Public Health Director	Contact Phone	(503) 742-5956

EXECUTIVE SUMMARY: The Clackamas County Public Health Division (CCPHD) of the Health, Housing & Human Services Department requests the approval of Amendment #6 to the Revenue Intergovernmental Agreement with Oregon Health Authority (OHA) for the financing of Public Health Services. This Agreement provides funding for FY 2024 and amendments are standard and occur routinely though the life of the agreement. This housekeeping item is submitted in batches and include core public health related services to Clackamas County for the following programs and services:

Funding through this Agreement allows the Clackamas County Public Health Division (CCPHD) to continue to provide core public health-related services to Clackamas County residents. Amendment #6 Adjust the following program element:

Amendment #6 Increase PE-12-01 Public Health Emergency Preparedness and Response by \$18,410.27.

For Filing Use Only

Per the OHA, the Amendment #6 is effective on December 1, 2023, regardless of the date signed.

RECOMMENDATION: The Staff respectfully recommends that the Board of County Commissioners approve Amendment #6 to Intergovernmental Agreement #11176 and authorize chair Smith to sign on behalf of Clackamas County.

Respectfully submitted,

Rodney A. Cook
Director of Health, Housing, and Human Services

Agreement #180003



**SIXTH AMENDMENT TO OREGON HEALTH AUTHORITY
2023-2025 INTERGOVERNMENTAL AGREEMENT FOR THE
FINANCING OF PUBLIC HEALTH SERVICES**

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio recordings, Web-based communications and other electronic formats. To request an alternate format, please send an e-mail to dhs-oha.publicationrequest@state.or.us or call 503-378-3486 (voice) or 503-378-3523 (TTY) to arrange for the alternative format.

This Sixth Amendment to Oregon Health Authority 2023-2025 Intergovernmental Agreement for the Financing of Public Health Services, effective July 1, 2023, (as amended the “Agreement”), is between the State of Oregon acting by and through its Oregon Health Authority (“OHA”) and Clackamas County, (“LPHA”), the entity designated, pursuant to ORS 431.003, as the Local Public Health Authority for Clackamas County. OHA and LPHA are each a “Party” and together the “Parties” to the Agreement.

RECITALS

WHEREAS, OHA and LPHA wish to modify the Fiscal Year 2024 (FY24) Financial Assistance Award set forth in Exhibit C of the Agreement.

WHEREAS, OHA and LPHA wish to modify the Exhibit J information required by 2 CFR Subtitle B with guidance at 2 CFR Part 200;

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. This Amendment is effective on **December 1, 2023**, regardless of the date this amendment has been fully executed with signatures by every Party and when required, approved by the Department of Justice. However, payments may not be disbursed until the Amendment is fully executed.
2. The Agreement is hereby amended as follows:
 - a. Exhibit C, Section 1 of the Agreement, entitled “Financial Assistance Award” for FY24 is hereby superseded and replaced in its entirety by Attachment A, entitled “Financial Assistance Award (FY24)”, attached hereto and incorporated herein by this reference. Attachment A must be read in conjunction with Section 3 of Exhibit C.
 - b. Exhibit J of the Agreement entitled “Information required by 2 CFR Subtitle B with guidance at 2 CFR Part 200” is amended to add to the federal award information datasheet as set forth in Attachment B, attached hereto and incorporated herein by this reference.
3. LPHA represents and warrants to OHA that the representations and warranties of LPHA set forth in Section 4 of Exhibit F of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.
4. Capitalized words and phrases used but not defined herein shall have the meanings ascribed thereto in the Agreement.
5. Except as amended hereby, all terms and conditions of the Agreement remain in full force and effect.

6. This Amendment may be executed in any number of counterparts, all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below their respective signatures.

7. **Signatures.**

STATE OF OREGON, ACTING BY AND THROUGH ITS OREGON HEALTH AUTHORITY

Approved by: _____
Name: /for/ Nadia A. Davidson
Title: Director of Finance
Date: _____

CLACKAMAS COUNTY LOCAL PUBLIC HEALTH AUTHORITY

Approved by: _____
Printed Name: _____
Title: _____
Date: _____

DEPARTMENT OF JUSTICE – APPROVED FOR LEGAL SUFFICIENCY

Agreement form group-approved by Steven Marlowe, Senior Assistant Attorney General, Tax and Finance Section, General Counsel Division, Oregon Department of Justice by email on August 11, 2023, copy of email approval in Agreement file.

REVIEWED BY OHA PUBLIC HEALTH ADMINISTRATION

Reviewed by: _____
Name: Rolonda Widenmeyer (or designee)
Title: Program Support Manager
Date: _____

**Attachment A
Financial Assistance Award (FY24)**

State of Oregon Oregon Health Authority Public Health Division		
1) Grantee Name: Clackamas County Street: 2051 Kaen Rd., Suite 637 City: Oregon City State: OR Zip: 97045-4035	2) Issue Date Friday, December 1, 2023	This Action Amendment
	3) Award Period From July 1, 2023 through June 30, 2024	

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE01-01	State Support for Public Health	\$530,719.00	\$0.00	\$530,719.00
PE01-12	ACDP Infection Prevention Training	\$1,517.82	\$0.00	\$1,517.82
PE02	Cities Readiness Initiative	\$122,828.00	\$0.00	\$122,828.00
PE07	HIV Prevention Services	\$142,195.00	\$0.00	\$142,195.00
PE12-01	Public Health Emergency Preparedness and Response (PHEP)	\$162,936.00	\$18,410.27	\$181,346.27
PE13	Tobacco Prevention and Education Program (TPEP)	\$638,165.38	\$0.00	\$638,165.38
PE40-01	WIC NSA: July - September	\$195,266.00	\$0.00	\$195,266.00
PE40-02	WIC NSA: October - June	\$585,800.00	\$0.00	\$585,800.00
PE40-05	Farmer's Market	\$6,929.00	\$0.00	\$6,929.00
PE42-03	MCAH Perinatal General Funds & Title XIX	\$11,118.00	\$0.00	\$11,118.00
PE42-04	MCAH Babies First! General Funds	\$35,545.00	\$0.00	\$35,545.00
PE42-06	MCAH General Funds & Title XIX	\$20,861.00	\$0.00	\$20,861.00
PE42-11	MCAH Title V	\$119,946.00	\$0.00	\$119,946.00
PE42-12	MCAH Oregon Mothers Care Title V	\$2,500.00	\$0.00	\$2,500.00

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE43-01	Public Health Practice (PHP) - Immunization Services	\$90,441.00	\$0.00	\$90,441.00
PE43-05	OIP Bridge COVID	\$81,154.00	\$0.00	\$81,154.00
PE44-01	SBHC Base	\$240,000.00	\$0.00	\$240,000.00
PE44-02	SBHC - Mental Health Expansion	\$135,300.00	\$0.00	\$135,300.00
PE46-05	RH Community Participation & Assurance of Access	\$51,391.36	\$0.00	\$51,391.36
PE50	Safe Drinking Water (SDW) Program (Vendors)	\$201,388.00	\$0.00	\$201,388.00
PE51-01	LPHA Leadership, Governance and Program Implementation	\$1,421,868.00	\$0.00	\$1,421,868.00
PE51-03	ARPA WF Funding	\$46,637.00	\$0.00	\$46,637.00
PE51-05	CDC PH Infrastructure Funding	\$34,667.10	\$0.00	\$34,667.10
PE62	Overdose Prevention-Counties	\$176,168.00	\$0.00	\$176,168.00
PE73	HIV Early Intervention and Outreach Services	\$767,040.90	\$0.00	\$767,040.90
PE76	Tobacco Retail License Program	\$123,671.00	\$0.00	\$123,671.00
		\$5,946,052.56	\$18,410.27	\$5,964,462.83

Footnotes and Comments on following pages.

5) Foot Notes:	
PE40-01	7/2023: Unspent SFY2024 Q1 award will be rescinded by the state, cannot be carried over to SFY2024 Q2-4 period.
PE40-02	7/2023: Q2-4 Unspent grant award will be rescinded by the state at end of SFY2024
PE42-11	7/2023: Indirect charges cap at 10%.
PE42-12	7/1/2023: Indirect charges cap @ 10% of total award.
PE43-01	7/2023: Awarded funds can be spent on allowable costs for the period of 7/1/2023 - 9/30/23. Any unspent funds will be de-obligated.
PE43-01	9/2023: Prior Footnote dated 7/2023 Null and Void.
PE43-05	12/2023: Funds are available 7/1/23-12/31/24. Unspent SFY24 funds will be carried over to the first six months of SFY25.
PE51-01	8/2023: Prior Footnote dated 7/2023 Null and Void
PE51-01	7/2023: Bridge funding for 7/1/23-9/30/23.
PE51-03	9/2023: Federal funds expire 6/30/24 and will be ineligible for carryover into SFY25.

Comments on following page.

6) Comments:	
PE01-01	8/2023: Prior Comment dated 7/2023 Null and Void 7/2023: SFY24 funding available 7/1/23-9/30/23 only.
PE01-09	11/2023: Award issued in Error 10/2023: rollover unspent SFY23 funds of \$286,607.98
PE02	8/2023: Prior Comment dated 7/2023 Null and Void 7/2023: SFY24 Award funding available for first 3 months only
PE03-02	8/2023: Prior comment dated 7/2023 Null and Void. SFY24 award issued in error; all funds were paid in SFY23. 7/2023: Funds are to be spent 02/1/23-09/30/23 on screening of Ukrainian immigrants.
PE12-01	8/2023: Prior Comment dated 7/2023 Null and Void 7/2023: SFY24 Award funding for first 3 months only
PE13	10/2023: rollover unspent SFY23 funds of \$138,165.38 9/2023: All Prior Comments Null and Void 7/15/23: SFY24 Award adding funding for 10/1/23-6/30/24 7/2023: SFY24 Bridge Funding 7/1/23-9/30/23
PE40-01	7/2023: SFY2024 Q1 WIC NSA grant award. \$39,053 must spent on Nutrition Ed; \$6,301 on BF Promotion. Underspend Q1 award cannot be carried over to Q2-4 period.
PE40-02	7/2023: SFY2024 Q2-4 grant award. \$117,160 must be spent on Nutrition Ed, \$18,903 on BF Promotion.
PE40-03	7/2023: Clackamas County WIC discontinues its BFPC services effective 7/1/2023 7/2023: SFY2024 Q1 BFPC grant award
PE40-04	7/2023: Clackamas County WIC discontinues its BFPC service effective 7/1/2023 7/2023: SFY2024 Q2-4 WIC BFPC grant award
PE40-05	10/2023: Prior Comment dated 7/2023 Null and Void. 7/2023: SFY2024 WIC Farmers Market Mini grant award. Final Q2 Rev & Exp Report is required for final accounting. Underspent funds will be rescinded by the state in February 2024
PE51-05	10/2023: rollover unspent SFY23 funds of \$34,667.10; Funds are available 12/1/22-11/30/27. Unspent funds in SFY24 will be carried over to the next fiscal year.
PE62	10/2023: Additional funds of \$151,000 available 9/1/23-6/30/24. 7/2023: FY24 funds available 7/1/23-9/29/23 only.
PE73	10/2023: rollover unspent SFY23 funds of \$10,994.90

7) Capital outlay Requested in this action:				
Prior approval is required for Capital Outlay. Capital Outlay is defined as an expenditure for equipment with a purchase price in excess of \$5,000 and a life expectancy greater than one year.				
Program	Item Description	Cost	PROG APPROV	

Attachment B
Information required by CFR Subtitle B with guidance at 2 CFR Part 200

PE12-01 Public Health Emergency Preparedness and Response (PHEP)

Federal Award Identification Number:	NU90TP922036	NU90TP922036
Federal Award Date:	06/07/23	06/07/23
Budget Performance Period:	07/01/2023-06/30/2024	07/01/2023-06/30/2024
Awarding Agency:	CDC	CDC
CFDA Number:	93.069	93.069
CFDA Name:	Public Health Emergency Preparedness (PHEP)	Public Health Emergency Preparedness (PHEP)
Total Federal Award:	8,466,536.00	8,466,536.00
Project Description:	Public Health Emergency Preparedness (PHEP)	Public Health Emergency Preparedness (PHEP)
Awarding Official:	Ms. Sylvia Reeves	Ms. Sylvia Reeves
Indirect Cost Rate:	18.06	18.06
Research and Development (T/F):	FALSE	FALSE
HIPPA	No	No
PCA:	53628	53517
Index:	50407	50407

Agency	UEI	Amount	Amount	Grand Total:
Clackamas	NVWKAVB8JND6	\$162,936.00	\$18,410.27	\$181,346.27