

January 5, 2023

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of Amendment #1 to a Cooperation Agreement with Clackamas County Children’s Commission for the Estacada Head Start Improvements Project. Amendment value is \$160,000, agreement value is increased to \$300,000. Funding is through Federal Community Development Block Grant Funds. No County General Funds are involved.

Previous Board Action/Review	<ul style="list-style-type: none"> • May 6, 2021 Board approval of FY2021 CDBG Action Plan and Proposed Projects. • July 7, 2022 Board approval of the Cooperation Agreement with ClackCoKids. • January 3, 2023 Issues Meeting 		
Performance Clackamas	Increase self-sufficiency for our clients. Ensure safe, healthy, and secure communities.		
Counsel Review	Yes	Procurement Review	N/A
Contact Person	Mark Sirois	Contact Phone	503-351-7240

EXECUTIVE SUMMARY: The Housing & Community Development Division of the Health, Housing and Human Services Department requests the approval of Amendment 1 to the Cooperation Agreement with Clackamas County Children’s Commission (ClackCoKids) for building improvements to a community preschool that serves residents of the City of Estacada in Clackamas County, OR.

After multiple bid postings, a low bid was awarded through an RFP to a local contractor; however, materials costs have increased to the point that the budget was no longer adequate to complete the project. This Amendment addresses the unforeseeable construction costs and ensures that deadlines dictated by the funder complete the project. The County is obligated to spend down the Federal grant award and has funding to ensure the project is completed and in compliance with spending requirements and fiscal deadlines. These building improvements will ensure ADA compliance is met regarding accessibility for disabled persons utilizing the property.

RECOMMENDATION: Staff recommends BCC approval of Amendment #1 to the Cooperation Agreement.

Respectfully submitted,

Rodney A. Cook

Rodney A. Cook
Director

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CLACKAMAS COUNTY CHILDREN'S COMMISSION

#10699 Cooperation Agreement – Amendment #01

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- A. The County agrees to provide CDBG funds toward the Project in a sum not to exceed **\$300,000.00** ("CDBG Funds"). The CDBG Funds allocated for the Project will be paid directly to any contractor hired by County to perform the work on the Project ("Contractor") upon full execution of a construction contract. CLACKCOKIDS agrees to pay all Project costs incurred in excess of the CDBG Funds amount, including any change orders or other additional expenses related to the construction contract. CLACKCOKIDS is further responsible for providing a minimum 20% match contribution towards the cost of the Project, as detailed in Article IV, below.

The parties anticipate that the total costs of completing the Project will not exceed the sum of **\$547,000 dollars**. If, following receipt of construction bid proposals as part of the County's public bid process, either party determines the Project cannot be completed with available funds, the County and CLACKCOKIDS agree to negotiate, in good faith, a possible modification of the Project or this Agreement to accommodate funding limitations.

If the parties are unable to reach an agreement as to a modified Project or amendment to the Agreement, this Agreement shall terminate, the parties shall bear their own costs incurred as of the date of termination, and the parties shall have no further obligations regarding this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their duly authorized officers.

CLACKAMAS COUNTY CHILDREN'S COMMISSION

CLACKAMAS COUNTY

By: *Darcee Kilsdonk*
 Darcee Kilsdonk, Executive Director

Commissioner: Tootie Smith, Chair
 Commissioner: Sonya Fischer
 Commissioner: Paul Savas
 Commissioner: Martha Schrader
 Commissioner: Mark Shull

11.9.2022

 Date
 16518 SE River Road

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 Milwaukie, OR 97267

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 541.314.3624 /

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CLACKAMAS COUNTY:

 Tootie Smith, Chair

 Date