

October 20, 2022

Gary Schmidt
County Administrator,

Approval of a No-Cost Amendment to an Inter-Governmental Agreement Grant from the State of Oregon, Housing & Community Services Department for Rent Assistance Services. The Amendment is for a change in the scope. The total agreement amount remains the same—funding through the State of Oregon.

No County General Funds are involved.

Purpose/Outcomes	Approval of Amendment #3, which clarifies the minimum spending target.
Dollar Amount and Fiscal Impact	Amendment #3 has no dollar value. Total Grant amount \$3,316,171.
Funding Source	Amendment #3 has no dollar value. Agreement funds are through U.S. Treasury Consolidated Appropriations Act Federal pass-through funding from the State of Oregon – Oregon Housing and Community Services Department (OHCS). No County General Funds are involved.
Duration	The Amendment is effective upon execution. The eligible grant expenditure period is from 3-13-2020 to 9-30-2022.
Previous Board Action	The County Administrator signed the original Agreement on 5-20-21. Amendment #1 was approved by the Board on 8-12-21. Amendment #2 was executed by the County Administrator on 9-13-22. Item at County Issues: 10-18-22.
Strategic Plan Alignment	1. This funding aligns with the Social Services Division’s strategic priority to provide housing stabilization and supportive services to homeless people or at risk of becoming homeless so they can obtain and maintain permanent housing. 2. This funding aligns with the County’s strategic priority to ensure safe, healthy, and secure communities.
Counsel Review	Date of Counsel Review: 9-29-22 Andrew Naylor
Procurement Review	1. Was this item processed through Procurement? No 2. If no, provide a brief explanation: This is a Grant Amendment. Not subject to Procurement review.
Contact Person	Brenda Durbin, Director – Social Services Division – (503) 655-8641
Contract No.	H3S# 10117 , State #6138

BACKGROUND:

The Social Services Division of the Health, Housing, and Human Services Department requests approval of a Grant Amendment from Oregon Housing and Community Services (OHCS), which clarifies the minimum spending target.

The Amendment has no dollar value, was approved by County Counsel, and is effective upon execution.

The Amendment was downloaded to a PDF file for the County review process; however, OHCS requires the signature authority for Clackamas County to sign the Amendment by using the DocuSign email system.

RECOMMENDATION:

Staff recommends the approval of this Grant Amendment and authorization for Gary Schmidt, County Administrator to sign on behalf of the County as specified above.

Respectfully submitted,

Rodney A. Cook

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

Attachment:
Grant Amendment #3, H3S#10117, State #6138

State of Oregon
Oregon Housing and Community Services Department
Oregon Emergency Rental Assistance Program
Grant Agreement
Amendment No. 3

This is Amendment No. 3 (the "Amendment") to the Grant Agreement No. 6183, dated May 21, 2021 (the "Agreement") executed by and between the State of Oregon, acting by and through its **Housing and Community Services Department**, ("Agency"), and **Clackamas County**, acting by and through its Health, Housing and Human Services Department, ("Subgrantee").

Recitals: It has now been determined by Agency and Subgrantee that the Agreement referenced above shall be amended to clarify the Minimum Spending Target as listed in Section 8, subsection 8.1.1 of the Agreement.

For good and sufficient consideration including the terms and conditions of this Amendment, the parties agree as follows:

1. **Amendment to Agreement.** The Agreement is hereby amended as follows effective upon signature by all parties and approval required by law: New Language is indicated by **bolding** and **underlining** and deleted language is indicated by **bolding** and ~~striking~~ unless a section is replaced in its entirety:
 - a. Amend Section 8, subsection 8.1.1, entitled "Minimum Spending Target" as follows:

Subgrantee has committed to certain spending targets in its time-bound expenditure plan, as approved by and on file with Agency. Notably, and at a minimum, Subgrantee's spending targets are the following:

 - By September 30, 2021 (as may be extended pursuant to updates by U.S. Treasury), at least 65% of the funding must be spent.
 - **By April 30, 2022, 100% of the financial assistance funds must be spent.**
 - By September 30, 2022, ~~all~~ 100% of ~~the~~ **all remaining** funding **(not including financial assistance funds)** must be spent.
2. Except as expressly amended above, all other terms and conditions of the Agreement, as amended, remain in full force and effect.
3. The parties expressly affirm and ratify the Agreement as herein amended.

4. Subgrantee certifies that the representations, warranties, and certifications contained in the Agreement are true and correct as of the effective date of this Agreement and with the same effect as though made at the same time of this Amendment.
5. This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.

Certification: By signature on this Amendment, the undersigned hereby certifies for Subgrantee under penalty of perjury that the undersigned is authorized to act on behalf of Subgrantee and that Subgrantee is, to the best of the undersigned's knowledge, not in violation of any Oregon Tax Laws. For purposes of this certification, "Oregon Tax Laws" means a state tax imposed by ORS 320.005 to 320.150 and 403.200 to 403.250 and ORS chapters 118, 314, 316, 317, 318, 321, and 323 and elderly rental assistance program under ORS 310.706 and local taxes administered by the Department of Revenue under ORS 305.620.

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SIGNATURE PAGE

SUBGRANTEE:

Clackamas County:

Authorized Signature: _____
 Date: _____
 By (print name): _____
 Title: _____
 Email: _____
 TIN#: _____

AGENCY:

**State of Oregon acting by and through its
Housing and Community Services Department**

Authorized Signature:

Delegated Procurement Officer	Date

Reviewed and Approved By:	<div style="border: 1px solid black; border-radius: 5px; padding: 2px;"> <small>DocuSigned by:</small>  <small>6498065866FC43E...</small> </div>	9/28/2022
	Mike Savara, Contract Administrator	Date

DEPARTMENT OF JUSTICE

Approved as to Legal Sufficiency By:
Exempt from legal sufficiency review under OAR 137-045-0050
 Assistant Attorney General Date