



**FIRST AMENDMENT
TO CONTRACT # 19-23-0024-HCD
BETWEEN THE
COUNTY OF ORANGE
AND
CITY OF YORBA LINDA
FOR**

**THE PROVISION OF: COMMUNITY DEVELOPMENT BLOCK GRANT (14.218)
ACTIVITIES: ADMINISTRATION, PUBLIC FACILITIES & IMPROVEMENTS,
HOUSING REHABILITATION AND PUBLIC SERVICES**

This Amendment to Contract # 19-23-0024-HCD, hereinafter referred to as “First Amendment,” is made and entered into or upon execution of all necessary signatures between the County of Orange, a political subdivision of the State of California, hereinafter referred to as “County” and City of Yorba Linda, DUNS 004949111, a Municipal Corporation in the State of California , with a place of business at 4845 Casa Loma Avenue, Yorba Linda, CA 92886-3364 hereinafter referred to as “Subrecipient,” which are sometimes individually referred to as “Party,” or collectively referred to as “Parties.”

RECITALS:

WHEREAS, County and Subrecipient entered into Contract Number 19-23-0024-HCD (hereinafter referred to as “Original Contract”), for Administration, Public Facilities & Improvements, Housing Rehabilitation and Public Services activities, commencing July 1, 2019 and terminating on June 30, 2020 in the amount of \$196,024; and

WHEREAS, County desires to increase the Contract by the monetary amount of \$78,385 for a new maximum obligation of \$274,409; and

WHEREAS, Parties desire to revise Attachment A, Scope of Services with Attachment A-1 attached hereto and incorporated herein by this reference; and

WHEREAS, Parties desire to revise Attachment B, Compensation/Payment with Attachment B-1 attached hereto and incorporated herein by this reference; and

WHEREAS, Parties desire to revise Attachment C, Budget Schedule with Attachment C-1 attached hereto and incorporated herein by this reference; and

WHEREAS, Parties desire to revise Attachment E, Project Schedule with Attachment E-1 attached hereto and incorporated herein by this reference;

WHEREAS, Parties desire to revise Exhibit 1, OC Community Resources Contract Reimbursement Policy with Exhibit 1-A attached hereto and incorporated herein by this reference;

NOW, THEREFORE, in consideration of the mutual obligations set forth herein, both Parties mutually agree to amend as follows:

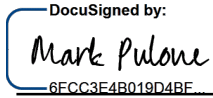
1. Contract is amended to increase the monetary amount of \$78,385 for a new maximum obligation of \$274,409.
2. The attached Attachment A-1 replaces Attachment A.
3. The attached Attachment B-1 replaces Attachment B.
4. The attached Attachment C-1 replaces Attachment C.
5. The attached Attachment E-1 replaces Attachment E.
6. The attached Exhibit 1-A replaces Exhibit 1.

Except as otherwise expressly set forth herein, all terms and conditions contained in the Original Contract, including any amendments/modifications, are hereby incorporated herein by this reference as if fully set forth herein and shall remain in full force and effect.

THE REMAINDER OF THE PAGE WAS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment on the dates with their respective signatures:

*** City of Yorba Linda**

By:  _____
DocuSigned by:
6ECC3E4B019D4BE...

By: _____

Name: Mark Pulone

Name: _____

Title: City Manager

Title: _____

Dated: 11/5/2019

Dated: _____

*For Contractors that are corporations, signature requirements are as follows: 1) One signature by the Chairman of the Board, the President or any Vice President; and 2) One signature by the Secretary, any Assistant Secretary, the Chief Financial Officer or an Assistant Treasurer.

For Contractors that are not corporations, the person who has authority to bind the contractor to a contract, must sign on one of the lines above.

COUNTY OF ORANGE


A Political Subdivision of the State of California

By: _____

Dated: _____

Dylan Wright, Director
OC Community Resources

APPROVED AS TO FORM

By:  _____
DocuSigned by:
74000D32EE65457...

Dated: 11/6/2019

Deputy County Counsel



SCOPE OF SERVICES
METRO CITY – HCD

1. **Administration**

A. HUD Matrix Code / Activity:

21A General Program Administration / Subrecipient shall provide services pursuant to requirements and definition as set forth in 24 CFR 570.206 (a)(1)

B. Project Title:

Administration of the FY2019-20 City of Yorba Linda CDBG Program.

C. Program Description:

The (METRO) Subrecipient will use CDBG funds provided under this Contract to administer the Subrecipient’s CDBG projects using the funds for staff salaries and staff benefits.

D. Project Need:

The Subrecipient as a Metro city has three activities it will be administering under the First Amendment. The approved activities they have chosen to provide are: Americans with Disabilities Act (ADA) Public Improvements, Senior Nutrition Program and their Neighborhood Improvement Program.

E. Low/Mod Neighborhood Preservation/Community Benefit: All Projects.

F. Program Objectives and Outcomes Chart:

<u>Activity</u>	<u>Outputs</u>
1. Administration	3 Projects
<u>Performance Objectives</u>	<u>Performance Outcomes</u>
1. Administration of 3 Activities	Complete 3 Activities

2. **Neighborhood Improvement Single Family Residential**

A. HUD Matrix Code / Activity:

14A Housing Rehabilitation / Subrecipient shall provide Housing Rehabilitation services pursuant to requirements and definition as set forth in 24 CFR 570.202 (3)

B. Project Title:

Neighborhood Improvements Single-Family Residential (SFR) Rehabilitation

C. Program Description:

The Neighborhood Improvement Program is designed for improvements, rehabilitation, construction, and correction of code violations and neighborhood clean-up projects throughout the city.

D. Project Need:

The program will assist a minimum of 10 low- and moderate-income qualified home owners with grants for interior and exterior improvement projects.

E. Program Objectives and Outcomes Chart:

<u>Activity</u>	<u>Outputs</u>
Rehabilitation of Owner Occupied	Housing Rehab
 <u>Performance Objectives</u>	 <u>Performance Outcomes</u>
Decent Housing	Affordability
 Outcomes	
10 units	

3. **American with Disabilities Act Public Improvements**

A. HUD Matrix Code / Activity

03 Public Facilities / Subrecipient shall provide the services identified herein pursuant to recommendations as set forth in section 24 CFR § 570.201 (c)

B. Project Title:

American with Disabilities Act (ADA) Improvements Public Facilities
ADA Improvements – Ramp replacements associated with the Subrecipient’s ADA Transition Plan.

C. Program Description:

The Subrecipient shall use CDBG funds for ADA Improvements to various curb ramps throughout the city. Subrecipient shall perform all work necessary to successfully complete curb ramp replacements and improvements to critical public intersections within the City of Yorba Linda in a manner consistent with the ADA’s requirements.

D. Project Need:

Locations require ADA ramps for public accessibility

E. Low/Mod Neighborhood Preservation/Community Benefit.

Program Objectives and Outcomes Chart:

<u>Activity</u>	<u>Outputs</u>
Public Facilities – ADA Improvements	Availability/Accessibility
<u>Performance Objectives</u>	<u>Performance Outcomes</u>
Suitable Living Environment	Availability/Accessibility

CDBG National Objective: LMC 570.208 (a)(1)

Outcomes

10,000 people

4. **Senior Nutrition Program - PS**

A. HUD Matrix Code / Activity

05a Public Service / Subrecipient shall provide services identified herein pursuant to requirements and definitions identified in 24 CFR § 570.201 (e)

B. Project Title:

Senior Nutrition Program

C. Program Description:

The Subrecipient shall use CDBG funds to run the Senior Meals Program that provides the senior and disabled population in the community with nutritional meals and social interaction 5 days a week at the Yorba Linda Community Center (Community Center). The program provides a daily hot, nutritional meal to senior citizens in the community. The program contracts with Senior Services, a non-profit organization, to prepare and deliver hot meals to the Community Center and attendees are asked to donate what they can towards the meal on the days in which they attend. The program provides not only a nutritional meal, but also much needed social interaction with other seniors in the community.

D. Project Need:

Beneficiaries of this program receive hot, nutritional meals at the Community Center during the week. Participants are seniors that live alone and often do not prepare nutritional meals for themselves. This program addresses the need for seniors to

come together for a nutritional meal and at the same time receive much needed social interaction.

E. Low/Mod Neighborhood Preservation/Community Benefit:

The project serves participants who will provide documentation of their family size, income and ethnicity in order to qualify for the program. The Subrecipient targets 100% allocation of funds under the program to serve low- and moderate-income households.

F. Program Objectives and Outcomes Chart:

<u>Activity</u>	<u>Outputs</u>
Public Service – Limited Clientele	Availability/Accessibility
<u>Performance Objectives</u>	<u>Performance Outcomes</u>
People	Availability/Accessibility

CDBG National Objective: LMC 570.208 (a)(2)

Outcomes

300 People

5. **Federal Award Identification**

- A. **Subrecipient Name:** City of Yorba Linda
- B. **Subrecipient’s Unique Identifier (DUNS):** 004949111
- C. **Federal Award Identification Number (FAIN):** B-19-UC-06-0504
- D. **Federal Award Date:** 8/22/19
- E. **Subaward Period of Performance:** 7/1/19 – 6/30/20
- F. **Total Amount of Federal Funds Obligated by the Action:** \$274,409

CFDA	FAIN	Award Date	Formula Funds	Amount
14.218	B-19-UC-06-0504	8/22/19	274,409	\$274,409
				\$
			TOTAL:	\$274,409

G. **Total Amount of Federal Funds Obligated to the Subrecipient:** \$274,409

- H. **Total Amount of the Federal Award Committed to the Subrecipient:**
\$274,409
- I. **Federal Award Project Description:**
Administration, Public Services, Housing Rehabilitation, and Public Facilities & Improvements Projects (City Projects) (see scope of work)
- J. **Federal Awarding Agency:** U.S. Department of Housing & Urban Development
- K. **Name of Pass Through Entity (PTE):** County of Orange
- L. **Contact Information for the Awarding Official:**
Julia Bidwell, Director, Housing & Community Development (714) 480-2991
Julia.Bidwell@occr.ocgov.com
- M. **CFDA Number and Name:**
14.218 – Community Development Block Grants/Entitlement Grants
- N. **Whether Award is R&D:** Not a R&D Award
- O. **Indirect Cost Rate for the Federal Award:** No Indirect Cost for this Contract



PAYMENT/COMPENSATION
METRO CITY - HCD

1. COMPENSATION:

This is a Contract between the County and the Subrecipient City of Yorba Linda: \$274,409.

\$ 36,401– SENIOR NUTRITION PROGRAM - PS

\$ 92,233 - NEIGHBORHOOD IMPROVEMENT SFR - HR

\$ 125,507 – ADA RAMPS PUBLIC FACILITES – PF&I

\$ 20,268 – CITY OF YORBA LINDA ADMINISTRATION

As set forth in Attachment A-1 Scope of Services attached hereto and incorporated herein by reference. The Subrecipient agrees to accept the specified compensation as set forth in this Contract as full remuneration for performing all services and furnishing all staffing and materials required, for any reasonably unforeseen difficulties which may arise or be encountered in the execution of the services until acceptance, for risks connected with the services, and for performance by the Subrecipient of all its duties and obligations hereunder. The County shall have no obligation to pay any sum in excess of the total Contract amount specified unless authorized by an amendment in accordance with paragraphs C and P of the County's General Terms and Conditions.

2. FIRM DISCOUNT AND PRICING STRUCTURE:

Subrecipient guarantees that prices quoted are equal to or less than prices quoted to any other local, State or Federal government entity for services of equal or lesser scope. Subrecipient agrees that no price increases shall be passed along to the County during the term of this Contract not otherwise specified and provided for within this Contract.

3. PAYMENT TERMS:

An invoice for activities/services shall be submitted to the address specified below upon the completion of the activities/services and approval of the County Project Manager. Subrecipient shall reference Contract number on invoice. Payment will be net 30 days after receipt of an invoice, contingent upon availability of funds, in a format acceptable to the County of Orange and verified and approved by OC Community Resources and subject to routine processing requirements of the County. The responsibility for providing an acceptable invoice rests with the Subrecipient.

Billing shall cover services not previously invoiced. The Subrecipient shall reimburse the County of Orange for any monies paid to the Subrecipient for services not provided or when services do not meet the Contract requirements.

Payments made by the County shall not preclude the right of the County from thereafter disputing any items or services involved or billed under this Contract and shall not be construed as acceptance of any part of the services.

Invoice(s) are to be sent to:

OC Community Resources Accounting
601 N Ross Street
Santa Ana, CA 92701

4. **INVOICING INSTRUCTIONS:**

Further instructions regarding invoicing/reimbursement as set forth in Exhibit 1-A - OC Community Resources Contract Reimbursement Policy, are attached hereto and incorporated herein by reference.

The Subrecipient will provide an invoice on Subrecipient's letterhead for services rendered. Each invoice will have a number and will include the following information:

The Demand Letter/Invoice must include Delivery Order (DO) Number, Contract Number, Service date(s) – Month of Service along with other required documentation (See Exhibit 1-A).

5. **OC COMMUNITY RESOURCES CONTRACT REIMBURSEMENT POLICY:**

Further instructions regarding invoicing/reimbursements as set forth in Exhibit 1-A – OC Community Resources Contract Reimbursement Policy, are attached hereto and incorporated herein by reference.



BUDGET SCHEDULE
METRO CITY – HCD

Subrecipient – City of Yorba Linda \$274,409

1. Administration and Program Budget Schedule – Three Projects - FY 2019-20

Project Cost Budget Chart City of Yorba Linda – Administration			
Project Costs/Activity	Urban County Funds	Leveraged Resources	Total
Design/Project Development	N/A	N/A	N/A
Construction	N/A	N/A	N/A
Administration	\$20,268	\$	\$20,268
Total Project Cost	\$20,268	\$	\$20,268

A. Detailed Project Cost Budget Description

The Funds will be used to help cover salaries and benefits of staff to administer the 3 activities the Subrecipient has chosen \$24,268 less \$4,000 cost for AI and Consolidated Plan to County.

2. Neighborhood Improvement Single Family Residential – Housing Rehabilitation – FY 2019-20

Project Cost Budget Chart City of Yorba Linda – Neighborhood Improvement SFR Project – HR			
Project Costs/Activity	Urban County Funds	Leveraged Resources	Total
Design/Project Development	N/A	N/A	N/A
Acquisition	N/A	N/A	N/A
Construction	N/A	N/A	N/A
Administration	\$0	\$0	\$0
Rehabilitation	\$92,233	\$0	\$92,233
Total Project Cost	\$92,233	\$0	\$92,233

A. Detailed Project Cost Budget Description

Rehabilitation: Construction costs for completing the Housing Rehabilitation Grant Program work at each income/program eligible property which includes interior and exterior improvements. FY 2019-20 funding amount is \$92,233.

3. American with Disabilities Act (ADA) Public Improvements – Ramps - PF&I – FY 2019-20

Project Cost Budget Chart City of Yorba Linda – ADA Public Facilities Improvements PF&I			
Project Costs/Activity	Urban County Funds	Leveraged Resources	Total
Design/Project Development	N/A	N/A	N/A
Acquisition	N/A	N/A	N/A
Construction	\$125,507	\$	\$125,507
Administration	N/A	N/A	N/A
Total Project Cost	\$125,507	\$	\$125,507

A. Detailed Project Cost Budget Description

The Subrecipient will use CDBG funds to perform all work necessary to complete all required for ADA Improvements for approximately 35 curb ramps at critical public intersections in the City, which are in need of retrofit in order to become ADA compliant.

4. Senior Nutrition Program -PS – FY 2019-20

Project Cost Budget Chart City of Yorba Linda – Senior Nutrition Program			
Project Costs/Activity	Urban County Funds	Leveraged Resources	Total
Design/Project Development	N/A	N/A	N/A
Acquisition	N/A	N/A	N/A
Construction	N/A	N/A	N/A
Administration	\$36,401	N/A	\$36,401
Total Project Cost	\$36,401	\$	\$36,401

A. Detailed Project Cost Budget Description

The funds will be used to cover staffing costs associated with the program. Staff members are responsible for set-up, clean-up, checking in attendees, scheduling guest speakers and/or arranging activities.



PERFORMANCE STANDARDS
METRO CITY - HCD

July 1, 2019 – Contract Start Date

1. Tools to Measure Project's Effect - Administration

Milestone Date	Minimum Required Expenditure/ Accomplishment Threshold	Activity Results Achieved
February 15th	50% of Contracted Amount Expended	\$10,134
March 15th	70% of Contracted Amount Expended	\$14,187
April 15th	80% of Contracted Amount Expended	\$16,214

2. Tools to Measure Project's Effect – ADA Public Improvements – Ramps PF&I

Milestone Date	Minimum Required Expenditure/ Accomplishment Threshold	Activity Results Achieved
February 15th	50% of Contracted Amount Expended	\$62,753
	50% of Proposed Accomplishments Achieved	
March 15th	70% of Contracted Amount Expended	\$87,854
	70% of Proposed Accomplishments Achieved	
April 15th	80% of Contracted Amount Expended	\$100,405
	80% of Proposed Accomplishments Achieved	

3. Tools to Measure Project’s Effect – Neighborhood Improvement Project - SFR

Milestone Date	Minimum Required Expenditure/ Accomplishment Threshold	Activity Results Achieved
February 15th	50% of Contracted Amount Expended	\$46,116
	50% of Proposed Accomplishments Achieved	5 Housing Units
March 15th	70% of Contracted Amount Expended	\$64,563
	70% of Proposed Accomplishments Achieved	7 Housing Units
April 15th	80% of Contracted Amount Expended	\$73,786
	80% of Proposed Accomplishments Achieved	8 Housing Units

4. Tools to Measure Project’s Effect – Senior Nutrition Program

Milestone Date	Minimum Required Expenditure/ Accomplishment Threshold	Activity Results Achieved
February 15th	50% of Contracted Amount Expended	\$18,200
	50% of Proposed Accomplishments Achieved	150 people
March 15th	70% of Contracted Amount Expended	\$25,480
	70% of Proposed Accomplishments Achieved	210 People
April 15th	80% of Contracted Amount Expended	\$29,120
	80% of Proposed Accomplishments Achieved	240 People



**Subject: OC Community Resources
Contract Reimbursement Policy**

Effective: July 1, 2010
Revised: August 16, 2019

PURPOSE:

This policy contains updated fiscal documentation requirements for contract reimbursement for OC Community Services and OC Housing and Homeless Services. The procedures provide instructions for submitting reimbursement demand letter or invoice.

REFERENCES:

Executed County Board of Supervisors approved contract
Budget included in contract or presented as an attachment
48 CFR Part 31 Contract Cost Principles and Procedures
24 CFR Parts 85, 570.502, 570.201, 576.21, 576.51 and 576.61: For Housing & Community Development and Homeless Services Contracts only.
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)

BACKGROUND:

The executed Board of Supervisors approved contract is the authorization for all aspects of payment, including the maximum amount to be paid, the payee, and the scope of services and work. Payments are made in strict accordance with the contract terms. Allowable costs are identified in referenced Uniform Guidance and Code of Federal Regulations (CFR).

ATTACHMENTS:

Reimbursement Policy Status Form (RPS-1)

POLICY:

Contractor is responsible for the submission of accurate claims. This reimbursement policy is intended to ensure that the Contractor is reimbursed based on the code or codes that correctly describe the services provided. This information is intended to serve only as a general reference resource regarding OC Community Services and OC Housing and Homeless Services reimbursement policy for the services described and is not intended to address every aspect of a reimbursement situation. Accordingly, OC Community Services and OC Housing and Homeless Services may use reasonable discretion in interpreting and applying this policy to services provided in a particular case. Other factors affecting reimbursement may supplement, modify or, in some cases, supersede this policy. These factors may include, but are not limited to: legislative mandates and County directives. OC Community Services and OC Housing and Homeless Services may modify this reimbursement policy at any time by publishing a new version of the policy. However, the information presented in this policy is accurate and current as of the date of publication.

Cost incurred by Contractor must be substantiated and incurred during the contract period. Total of all reimbursements cannot exceed the amount of the contract. Cost must be allowable under applicable Code of Federal Regulations (CFR) or Uniform Guidance. All supporting documentation for reimbursement must be submitted with demand letter or invoice. If contract

requires matching contribution, documentation substantiating contribution match must be submitted with demand letter or invoice.

At any time, based on County's business needs and/or Contractor's performance, the County may designate Contractor to submit abbreviated or comprehensive documentation, as identified in the respective sections. Upon designation, Contractor will be notified, in writing via Reimbursement Policy Status Form, of which requirements are in full force. When Contractor is required to submit comprehensive documentation, in addition to the items identified in the Abbreviated Documentation Requirements Section, Contractor must also provide the documentation identified in the Comprehensive Documentation Requirements Section.

PROCEDURES:

Abbreviated Documentation Requirements

Compile and submit:

1. Supporting documentation includes, but is not limited to:
 - a. General ledger/expense transaction report
 - b. Payroll register or labor distribution report
 - c. Payroll allocation plan
 - d. Personnel Documentation
 - e. Benefit plan and calculation of benefit
 - f. Employer-employee contract for non-customary benefits (if applicable)
 - g. Pre-approval documentation for equipment purchases equal to or greater than \$5,000
2. The following is required with the first month's invoice only:
 - a. Cost allocation plan for rent, utilities, etc.
 - b. Indirect rate approved by cognizant agency (if applicable)
3. Summary of leveraged resources (if applicable)
4. Demand letters must contain the following certification (if required by Contract):

"By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31 Sections 3729-3730 and 3801-3812)"
5. Grantee Performance Report (if required by Contract)
6. Supporting documentation shall be on single-sided sheets
7. Please redact employees' Social Security Number from payroll reports
8. Demand letter or invoice, along with supporting documentation shall be submitted to:

OC Community Resources Accounting
601 N. Ross St, 6th Floor
Santa Ana, CA 92701

Comprehensive Documentation Requirements

In addition to abbreviated documentation, compile and submit:

9. Purchase orders, invoices, and receipts
10. Cashed checks
11. Check register
12. Consultant/sub-contractor invoices (with description of services)
13. Travel expense documentation: mileage reimbursement, hotel bill, meal reimbursement

ACTION:

Distribute this policy to all appropriate staff

INQUIRIES: Inquiries may be directed to OCCR Accounts Payable at: OCCRAccountsPayable@occr.ocgov.com



Reimbursement Policy Status Form

Per OC Community Resources Contract Reimbursement Policy, in regards to the Contract # listed herein, Contractor is designated with the Documentation Status of Abbreviated unless Comprehensive is checked below. If the contractor's designation should change to Abbreviated, a new status form shall be approved. All related documentation requirements are in full force, until further notice.

Contractor: City of Yorba Linda **Effective Date:** July 1, 2019

Contract #: 19-23-0024-HCD

Documentation Status: **Abbreviated** **Comprehensive**

Program Authorization by:

Auditor Controller Authorization by:

Print Name

Print Name

Signed by: _____

Signed by: _____

Date:

Date:

Two signatures are required to implement the form.

Distribution:

- Contractor
- Auditor Controller
- Contract File
- Program File