MODIFICATION #2
CONTRACT #2021-TERA-04

between

CLARK COUNTY
PO Box 5000, Vancouver, WA 98666-5000

and

CLARK PUBLIC UTILITIES
PO Box 8900 Vancouver WA 98668-8900

Program: TERA Rent Assistance Program

Contract Period: March 1, 2021 through September 30, 2022

Total Contract Amount: $1,100,000

Funding Sources:
- Treasury Rent Assistance Program
- Document Recording Fee Surcharge - Fund 1937

DUNS Number: 044111037

Assistance Listing Number: 21.023 (Contractor)

Procurement History: Emergency Declaration

<table>
<thead>
<tr>
<th>Contractor Contact</th>
<th>Contractor Fiscal Contact</th>
<th>County Program Contact</th>
<th>County Fiscal Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chiharu Russell</td>
<td>Bryan Johnson</td>
<td>Tom Breitenbach</td>
<td>Willy Traub</td>
</tr>
<tr>
<td>360.992.3583</td>
<td>360.992.3589</td>
<td>225.263.3786</td>
<td>564.397.7861</td>
</tr>
<tr>
<td><a href="mailto:crussell@clarkpud.com">crussell@clarkpud.com</a></td>
<td><a href="mailto:bjohnson@clarkpud.com">bjohnson@clarkpud.com</a></td>
<td>thomas <a href="mailto:breitenbach@clark.wa.gov">breitenbach@clark.wa.gov</a></td>
<td><a href="mailto:willy.traub@clark.wa.gov">willy.traub@clark.wa.gov</a></td>
</tr>
</tbody>
</table>

By signing below, Clark County, hereinafter referred to as the “County,” and Clark Public Utilities, hereinafter referred to as the “Contractor,” agree to the terms of this contract amendment as well as the Clark County Community Services General Terms and Conditions, as amended, which are incorporated herein by reference with the same force and effect as if they were incorporated in full text. The full text version of the County’s General Terms and Conditions are available at https://www.clark.wa.gov/community-services/announcements-and-general-terms-and-conditions. Hard copies will be provided by Clark County upon request.

FOR CLARK COUNTY:

Kathleen Otto
Kathleen Otto, County Manager

12/03/21

FOR CONTRACTOR:

Lena Wittler
Lena Wittler, Chief Executive Officer

12/03/21

APPROVED AS TO FORM ONLY:

Amanda Migchelbrink
Deputy Prosecuting Attorney

11/30/21

APPROVED AS TO FORM ONLY:

John Eldridge
General Counsel

12/03/21
# BUDGET SUMMARY
## CONTRACT #2021-TERA-04.2
### CLARK PUBLIC UTILITIES

**REVISED**

<table>
<thead>
<tr>
<th>Service Activity</th>
<th>Category</th>
<th>Payment Type</th>
<th>Revenue Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Utility Assistance</td>
<td>Utility Assistance</td>
<td>Cost Reimbursement</td>
<td>TERA</td>
<td>$1,000,000</td>
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<tr>
<td>TERA Ops/Admin</td>
<td></td>
<td></td>
<td></td>
<td>$73,000</td>
</tr>
<tr>
<td>Local Admin (flexible)</td>
<td></td>
<td></td>
<td>HB</td>
<td>$27,000</td>
</tr>
<tr>
<td><strong>TOTAL CONTRACT AMOUNT</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$1,100,000</strong></td>
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</tbody>
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1. CONTRACT HISTORY

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<tr>
<th>Contract Term</th>
<th>Action Amount</th>
<th>Total Contract Amount</th>
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<tbody>
<tr>
<td>Original contract</td>
<td>$1,650,000</td>
<td>$1,650,000</td>
</tr>
<tr>
<td>03/01/21 – 12/31/21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amendment #1</td>
<td>$0</td>
<td>$1,650,000</td>
</tr>
<tr>
<td>Amend terms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amendment #2</td>
<td>($550,000)</td>
<td>$1,100,000</td>
</tr>
<tr>
<td>Decrease funds</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. MODIFICATIONS

2.1. The total contract amount is hereby decreased by **$550,000** from $1,650,000 to $1,100,000. The decrease is applied to specific budget summary service activities appearing in bold print.

2.2. Section 1.2 of the Special Terms and Conditions (Federal Award Identification) is replaced in its entirety with the following:

The County classifies this agreement as a contractor relationship (not a subrecipient).

<table>
<thead>
<tr>
<th>Contractor Name</th>
<th>Clark Public Utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor Unique Entity Identifier</td>
<td>044111037</td>
</tr>
<tr>
<td>Federal Award Identification Number (FAIN)</td>
<td>Section 501 Emergency Rental Assistance (no FAIN number)</td>
</tr>
<tr>
<td>Federal Award Date</td>
<td>To the County 01/19/2021</td>
</tr>
<tr>
<td>This Contract Period of Performance</td>
<td>3/1/2021 through 12/31/2021</td>
</tr>
<tr>
<td>This Contract Budget Period</td>
<td>3/1/2021 through 12/31/2021</td>
</tr>
<tr>
<td>Amount of Federal Funds Obligated for this Contract</td>
<td>$1,073,000</td>
</tr>
<tr>
<td>Total Federal Funds Obligated to Contractor</td>
<td>$1,073,000</td>
</tr>
<tr>
<td>Total Amount of the Federal Award Committed to the Contractor by the County</td>
<td>$1,073,000</td>
</tr>
<tr>
<td>Federal Award Project Description</td>
<td>Emergency Rental Assistance</td>
</tr>
<tr>
<td>Federal Awarding Agency</td>
<td>U.S. Department of the Treasury</td>
</tr>
<tr>
<td>Pass-through Entity and Contact Name</td>
<td>Clark County; Michael Torres 564.397.7801</td>
</tr>
<tr>
<td>Assistance Listing Number</td>
<td>21,023</td>
</tr>
<tr>
<td>Assistance Listing Number Name</td>
<td>Emergency Rental Assistance Program</td>
</tr>
<tr>
<td>Is this award R&amp;D?</td>
<td>No</td>
</tr>
<tr>
<td>Indirect Cost Rate for the Federal Award</td>
<td></td>
</tr>
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</table>

3. ENTIRE CONTRACT

This modification incorporates the original Contract and any subsequent modifications by reference. The parties agree that the original Contract, subsequent modifications, and this modification are the complete expression of the terms hereto and any oral representations or understanding not incorporated herein are excluded. Further, unless allowed elsewhere in the Contract, any modifications of this Contract shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize that time is of the essence in the performance of the provisions of this modified Contract.
4. DEBARMENT OR EXCLUSION

By signing this modification, the Contractor certifies that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in any federally-funded program by any federal department or agency (Excluded Person) and that no owner, director, officer, or partner with an ownership or control interest in the Contractor is an Excluded Person. In addition, Contractor certifies that no employee or subcontractor of Contractor who will perform work (whether directly or indirectly) under this Contract is an Excluded Person.
**Certificate Of Completion**

<table>
<thead>
<tr>
<th>Envelope Id: C0F276657FS042819BCE57BB9F1EDF2A</th>
<th>Status: Completed</th>
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</thead>
<tbody>
<tr>
<td>Subject: Please E-Sign This Contract Modification for Rent Assistance (2021-TERA-04.2 CPU)</td>
<td>Envelope Originator: Jay Carstens</td>
</tr>
<tr>
<td>Source Envelope: Document Pages: 4</td>
<td>Signatures: 4</td>
</tr>
<tr>
<td>Certificate Pages: 5</td>
<td>Initials: 0</td>
</tr>
<tr>
<td>AutoNav: Enabled</td>
<td>Envelope Originator: Jay Carstens</td>
</tr>
<tr>
<td>Envelope Stamping: Enabled</td>
<td>1300 Franklin St</td>
</tr>
<tr>
<td>Time Zone: (UTC-08:00) Pacific Time (US &amp; Canada)</td>
<td>Vancouver, WA 98660</td>
</tr>
<tr>
<td>Jay <a href="mailto:carstens@clark.wa.gov">carstens@clark.wa.gov</a></td>
<td><a href="mailto:jay.carstens@clark.wa.gov">jay.carstens@clark.wa.gov</a></td>
</tr>
<tr>
<td>IP Address: 64.4.181.102</td>
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</table>

**Record Tracking**

<table>
<thead>
<tr>
<th>Status: Original</th>
<th>Holder: Jay Carstens</th>
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<tbody>
<tr>
<td>11/30/2021 10:05:46 AM</td>
<td><a href="mailto:jay.carstens@clark.wa.gov">jay.carstens@clark.wa.gov</a></td>
</tr>
<tr>
<td>Location: DocuSign</td>
<td></td>
</tr>
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**Signer Events**

<table>
<thead>
<tr>
<th>Amanda Migchelbrink</th>
<th><a href="mailto:amanda.migchelbrink@clark.wa.gov">amanda.migchelbrink@clark.wa.gov</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Prosecuting Attorney</td>
<td>Security Level: Email, Account Authentication (None)</td>
</tr>
<tr>
<td>Signature Adoption: Pre-selected Style</td>
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<tr>
<td>Using IP Address: 97.120.214.227</td>
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- **ID:** 86892f6b-e46e-489c-94f0-0f8f8ce743dd

<table>
<thead>
<tr>
<th>John Eldridge</th>
<th><a href="mailto:jelridge@clarkpud.com">jelridge@clarkpud.com</a></th>
</tr>
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<tbody>
<tr>
<td>General Counsel</td>
<td>Clark Public Utilities</td>
</tr>
<tr>
<td>Security Level: Email, Account Authentication (None)</td>
<td>Signature Adoption: Pre-selected Style</td>
</tr>
<tr>
<td>Using IP Address: 216.64.170.18</td>
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- **ID:** 1bf349bb-530f-413a-9da1-28ca21cb1826

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<thead>
<tr>
<th>Lena Wittler</th>
<th><a href="mailto:lwittler@clarkpud.com">lwittler@clarkpud.com</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>CEO/General Manager</td>
<td>Clark Public Utilities</td>
</tr>
<tr>
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<table>
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<th>tina redline</th>
<th><a href="mailto:tina.redline@clark.wa.gov">tina.redline@clark.wa.gov</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Supervisor</td>
<td>Clark County, WA</td>
</tr>
<tr>
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**Electronic Record and Signature Disclosure:**

- **Not Offered via DocuSign**
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<td>Kathleen Otto</td>
<td>Kathleen Otto</td>
<td>Sent: 12/3/2021 10:02:52 AM</td>
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<tr>
<td><a href="mailto:Kathleen.Otto@clark.wa.gov">Kathleen.Otto@clark.wa.gov</a></td>
<td></td>
<td>Viewed: 12/3/2021 12:51:21 PM</td>
</tr>
<tr>
<td>County Manager</td>
<td></td>
<td>Signed: 12/3/2021 12:51:27 PM</td>
</tr>
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<td>Clark County</td>
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<td><strong>Electronic Record and Signature Disclosure:</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><a href="mailto:cnussell@clarkpud.com">cnussell@clarkpud.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Com Care Manager</td>
<td></td>
<td></td>
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<td>Security Level: Email, Account Authentication (None)</td>
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<tr>
<td></td>
<td>ID: 7ed5dd11-7f1b-4813-8e4a-f93748142fb9</td>
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</table>

| Janet Snook |        |           |
| janet.snook@clark.wa.gov |    |           |
| Clark County, WA | | |
| Security Level: Email, Account Authentication (None) | | |
| **Electronic Record and Signature Disclosure:** | | Not Offered via DocuSign |

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</tbody>
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| Electronic Record and Signature Disclosure | | |
|---------------------------------------------| | |

**Electronic Record and Signature Disclosure**

**Accepted:** 12/3/2021 10:02:52 AM
ID: e57e228c-fbf5-4df7-a22a-e5ae33076745
CONSUMER DISCLOSURE

From time to time, Clark County, WA (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign, Inc. (DocuSign) electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the “I agree” button at the bottom of this document.

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after signing session and, if you elect to create a DocuSign signer account, you may access them for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign “Withdraw Consent” form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures.
electronically from us.

**How to contact Clark County, WA:**
You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: loann.vuu@clark.wa.gov

**To advise Clark County, WA of your new e-mail address**
To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at loann.vuu@clark.wa.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address.

In addition, you must notify DocuSign, Inc. to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in the DocuSign system.

**To request paper copies from Clark County, WA**
To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to loann.vuu@clark.wa.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

**To withdraw your consent with Clark County, WA**
To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
ii. send us an e-mail to loann.vuu@clark.wa.gov and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

**Required hardware and software**

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<thead>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Browsers:</td>
<td>Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari®, 3.0 or above (Mac only)</td>
</tr>
<tr>
<td>PDF Reader:</td>
<td>Acrobat® or similar software may be required to view and print PDF files</td>
</tr>
<tr>
<td>Screen Resolution:</td>
<td>800 x 600 minimum</td>
</tr>
<tr>
<td>Enabled Security Settings:</td>
<td>Allow per session cookies</td>
</tr>
</tbody>
</table>

**These minimum requirements are subject to change. If these requirements change, you will be asked to re-accept the disclosure. Pre-release (e.g. beta) versions of operating systems and browsers are not supported.**

**Acknowledging your access and consent to receive materials electronically**
To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the “I agree” button below. By checking the “I agree” box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC CONSUMER DISCLOSURES document; and

- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and

- Until or unless I notify Clark County, WA as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Clark County, WA during the course of my relationship with you.