

**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

Contractor Contact	Contractor Fiscal Contact	County Program Contact	County Fiscal Contact
Chiharu Russell 360.992.3583 crussell@clarkpud.com	Bryan Johnson 360.992.3589 bjohnson@clarkpud.com	Tom Breitenbauch 225.263.3786 thomas.breitenbauch@clark.wa.gov	Willy Traub 564.397.7861 willy.traub@clark.wa.gov

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 12/03/21

Kathleen Otto, County Manager

FOR CONTRACTOR:

Lena Wittler 12/03/21

Lena Wittler, Chief Executive Officer

APPROVED AS TO FORM ONLY:

Amanda Migchelbrink 11/30/21

Amanda Migchelbrink
Deputy Prosecuting Attorney

APPROVED AS TO FORM ONLY:

John Eldridge 12/03/21

John Eldridge
General Counsel

**BUDGET SUMMARY
 CONTRACT #2021-TERA-04.2
 CLARK PUBLIC UTILITIES**

REVISED

Service Activity	Category	Payment Type	Revenue Source	Amount
Utility Assistance	Utility Assistance	Cost Reimbursement	TERA	\$1,000,000
TERA Ops/Admin				\$73,000
Local Admin (flexible)			HB	\$27,000
TOTAL CONTRACT AMOUNT				\$1,100,000

1. CONTRACT HISTORY

CONTRACT TERM	ACTION AMOUNT	TOTAL CONTRACT AMOUNT
Original contract 03/01/21 – 12/31/21	\$1,650,000	\$1,650,000
Amendment #1 Amend terms	\$0	\$1,650,000
Amendment #2 Decrease funds	(\$550,000)	\$1,100,000

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).

Contractor Name	Clark Public Utilities
Contractor Unique Entity Identifier	044111037
Federal Award Identification Number (FAIN)	Section 501 Emergency Rental Assistance (no FAIN number)
Federal Award Date	To the County 01/19/2021
This Contract Period of Performance	3/1/2021 through 12/31/2021
This Contract Budget Period	3/1/2021 through 12/31/2021
Amount of Federal Funds Obligated for this Contract	\$1,073,000
Total Federal Funds Obligated to Contractor	\$1,073,000
Total Amount of the Federal Award Committed to the Contractor by the County	\$1,073,000
Federal Award Project Description	Emergency Rental Assistance
Federal Awarding Agency	U.S. Department of the Treasury
Pass-through Entity and Contact Name	Clark County; Michael Torres 564.397.7801
Assistance Listing Number	21.023
Assistance Listing Number Name	Emergency Rental Assistance Program
Is this award R&D?	No
Indirect Cost Rate for the Federal Award	

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

Envelope Id: C0F276657F5042819BCE57BB9F1EDF2A

Status: Completed

Subject: Please E-Sign This Contract Modification for Rent Assistance (2021-TERA-04.2 CPU)

Source Envelope:

Document Pages: 4

Signatures: 4

Envelope Originator:

Certificate Pages: 5

Initials: 0

Jay Carstens

AutoNav: Enabled

1300 Franklin St

Envelopeld Stamping: Enabled

Vancouver, WA 98660

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

jay.carstens@clark.wa.gov

IP Address: 64.4.181.102

Record Tracking

Status: Original

Holder: Jay Carstens

Location: DocuSign

11/30/2021 10:05:46 AM

jay.carstens@clark.wa.gov

Signer Events**Signature****Timestamp**

Amanda Migchelbrink

amanda.migchelbrink@clark.wa.gov

Deputy Prosecuting Attorney

Security Level: Email, Account Authentication
(None)

Sent: 11/30/2021 10:38:34 AM

Viewed: 11/30/2021 10:46:31 AM

Signed: 11/30/2021 10:46:47 AM

Signature Adoption: Pre-selected Style

Using IP Address: 97.120.214.227

Electronic Record and Signature Disclosure:

Accepted: 11/30/2021 10:46:31 AM

ID: 86892fb6-e4e6-489c-94f0-0f8f8ce743dd

John Eldridge

jeldridge@clarkpud.com

General Counsel

Clark Public Utilities

Security Level: Email, Account Authentication
(None)

Sent: 11/30/2021 10:46:49 AM

Viewed: 12/3/2021 8:52:24 AM

Signed: 12/3/2021 8:52:48 AM

Signature Adoption: Pre-selected Style

Using IP Address: 216.64.170.18

Electronic Record and Signature Disclosure:

Accepted: 6/15/2020 9:53:40 AM

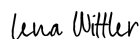
ID: 4bef8444-c87a-417a-a782-f37a179ef809

Lena Wittler

lwittler@clarkpud.com

CEO/General Manager

Clark Public Utilities

Security Level: Email, Account Authentication
(None)

Sent: 12/3/2021 8:52:50 AM

Viewed: 12/3/2021 9:19:41 AM

Signed: 12/3/2021 9:19:50 AM

Signature Adoption: Pre-selected Style

Using IP Address: 216.64.170.18

Electronic Record and Signature Disclosure:

Accepted: 12/3/2021 9:19:41 AM

ID: 1bf349bb-530f-413a-9da1-28ca21cb1826

tina redline

tina.redline@clark.wa.gov

Office Supervisor

Clark County, WA

Security Level: Email, Account Authentication
(None)**Completed**

Sent: 12/3/2021 9:19:52 AM


Viewed: 12/3/2021 10:02:45 AM

Signed: 12/3/2021 10:02:50 AM

Using IP Address: 64.4.181.42

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Signer Events	Signature	Timestamp
Kathleen Otto Kathleen.Otto@clark.wa.gov County Manager Clark County Security Level: Email, Account Authentication (None)	 Signature Adoption: Pre-selected Style Using IP Address: 64.4.181.42	Sent: 12/3/2021 10:02:52 AM Viewed: 12/3/2021 12:51:21 PM Signed: 12/3/2021 12:51:27 PM

Electronic Record and Signature Disclosure:
Accepted: 12/3/2021 12:51:21 PM
ID: e57e228c-fbf5-4df7-a22a-e5ae33076745

In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Chiharu Russell crussell@clarkpud.com Com Care Manager Security Level: Email, Account Authentication (None)	COPIED	Sent: 11/30/2021 10:46:49 AM Viewed: 11/30/2021 12:50:21 PM
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Electronic Record and Signature Disclosure:
Accepted: 11/30/2021 1:02:20 PM
ID: 7ed5dd11-7f1b-4813-8e4a-f93748142fb9

Janet Snook janet.snook@clark.wa.gov Clark County, WA Security Level: Email, Account Authentication (None)	COPIED	Sent: 12/3/2021 12:51:28 PM Viewed: 12/3/2021 1:15:52 PM
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Electronic Record and Signature Disclosure:
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	11/30/2021 10:38:34 AM
Certified Delivered	Security Checked	12/3/2021 12:51:21 PM
Signing Complete	Security Checked	12/3/2021 12:51:27 PM
Completed	Security Checked	12/3/2021 12:51:28 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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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.

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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.

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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

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	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)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

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- 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.