

**MODIFICATION #2
CONTRACT #2021-TRAP-04**

between

CLARK COUNTY

PO Box 5000, Vancouver, WA 98666-5000

and

CLARK PUBLIC UTILITIES

PO Box 8900 Vancouver WA 98668-8900

Program: T-RAP Rent Assistance Program

Contract Period: March 1, 2021 through December 31, 2021

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-TRAP-04.2
CLARK PUBLIC UTILITIES**

REVISED

Service Activity	Category	Payment Type	Revenue Source	Amount
Utility Assistance	Utility Assistance	Cost Reimbursement	TRAP	\$1,000,000
T-RAP 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 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)	Washington State Department of Commerce Grant 21-4616C-105 (no FAIN number)
Federal Award Date	To the County 03/01/2021
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	Treasury Rent Assistance Program
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: C6665E4DCF8E48AF9A772E4A73CF9EAA	Status: Completed
Subject: Please E-Sign This Contract Modification for Rent Assistance (2021-TRAP-04.2 CPU)	
Source Envelope:	
Document Pages: 4	Signatures: 4
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Jay Carstens
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	1300 Franklin St
	Vancouver, WA 98660
	jay.carstens@clark.wa.gov
	IP Address: 64.4.181.102


Record Tracking

Status: Original	Holder: Jay Carstens	Location: DocuSign
11/30/2021 10:38:42 AM	jay.carstens@clark.wa.gov	


Signer Events

Signer Events	Signature	Timestamp
Amanda Migchelbrink amanda.migchelbrink@clark.wa.gov Deputy Prosecuting Attorney Security Level: Email, Account Authentication (None)	 Signature Adoption: Pre-selected Style Using IP Address: 97.120.214.227	Sent: 11/30/2021 10:42:25 AM Viewed: 11/30/2021 10:45:56 AM Signed: 11/30/2021 10:46:05 AM

Electronic Record and Signature Disclosure:
Accepted: 11/30/2021 10:45:56 AM
ID: 5ad3a595-c4c6-46e8-8b78-3d5c626dce61

John Eldridge jeldridge@clarkpud.com General Counsel Clark Public Utilities Security Level: Email, Account Authentication (None)	 Signature Adoption: Pre-selected Style Using IP Address: 216.64.170.18	Sent: 11/30/2021 10:46:06 AM Viewed: 12/3/2021 8:53:07 AM Signed: 12/3/2021 8:53:14 AM
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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)	 Signature Adoption: Pre-selected Style Using IP Address: 216.64.170.18	Sent: 12/3/2021 8:53:16 AM Viewed: 12/3/2021 9:18:33 AM Signed: 12/3/2021 9:19:15 AM
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Electronic Record and Signature Disclosure:
Accepted: 12/3/2021 9:18:33 AM
ID: 50951629-bda5-49fa-b8e5-0524d126a5d7

tina redline tina.redline@clark.wa.gov Office Supervisor Clark County, WA Security Level: Email, Account Authentication (None)	Completed Using IP Address: 64.4.181.42	Sent: 12/3/2021 9:19:17 AM Viewed: 12/3/2021 10:02:21 AM Signed: 12/3/2021 10:02:25 AM
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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 10:02:27 AM Viewed: 12/3/2021 12:51:40 PM Signed: 12/3/2021 12:51:47 PM

Electronic Record and Signature Disclosure:
Accepted: 12/3/2021 12:51:40 PM
ID: 0e0ed499-4cda-432d-87e4-b52bef3c6a43

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)		Sent: 11/30/2021 10:46:06 AM Viewed: 11/30/2021 12:49:40 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)		Sent: 12/3/2021 12:51:48 PM Viewed: 12/3/2021 1:15:09 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 10:42:26 AM
Certified Delivered	Security Checked	12/3/2021 12:51:40 PM
Signing Complete	Security Checked	12/3/2021 12:51:47 PM
Completed	Security Checked	12/3/2021 12:51:48 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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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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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

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

** 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.

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- 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.