

EXHIBIT A



SENT VIA EMAIL

**AMENDMENT No. 1 to
IGA No. 30007938
FOR
Emergency Rental Assistance Program – 2 (ERAP-2)**

This Amendment No. 1 amends IGA No. 30007938 dated 1st day of July, 2021, by and between Home Forward, Subrecipient, a Nonprofit Organization of the State of Oregon, and the City of Portland, a municipal corporation of the State of Oregon ("City"), by and through their duly authorized representatives. This Amendment may refer to Subrecipient and City individually as a "Party" or collectively as the "Parties."

This Amendment is authorized by City of Portland Ordinances No. 190356 and [To be determined].

The Effective Date of this Amendment is 10/1/2022. The purpose of this Amendment is to **extend the term of the IGA in section B: Effective Date and Duration; and increase the not to exceed funding amounts and sources in sections D. Compensation, F. Reimbursement, Exhibit E and Exhibit G.**

The Parties agree to Amend the IGA as follows:

1. **Section B. Effective Date and Duration:** Section B is hereby deleted in its entirety and replaced with the following:

The effective date of this Agreement is July 1, 2021 ("Effective Date"), and shall remain in effect until, and including, June 30, 2023 ("Expiration Date") unless terminated or extended as provided in this Agreement. Subrecipient may not spend grant funds after the agreement terminates or expires.

2. **Section D: Compensation:** Section D is hereby deleted in its entirety and replaced with the following:

The total Agreement amount is **\$19,722,495.32**. Subrecipient match is not required under this subaward. This amendment allocates additional funding in the amount of \$1,552,691.32, comprised of the following sources: \$161,107.32 in ERA2 funds; \$1,156,198 in ERA1 reallocated funds; and \$235,386 in CDBG-CV funds.

3. **Exhibit E – Information Required by 2 CFR 200.332:** Exhibit E is deleted in its entirety and replaced with the updated Exhibit E and appears as Attachment 1 to this amendment.

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4. **Section F: Reimbursement:** Section 2, item 1, is hereby deleted in its entirety and replaced with the following:

“1. City will provide advances or reimbursements to the Subrecipient for eligible costs in carrying out the Project as identified in this Contract not to exceed **\$19,722,495.32**. All advance requests and/or invoice payments are conditional upon presentation of properly documented requests. Advances and reimbursements will be made upon approval by the City Contract Manager using documents as specified in **Exhibit G** (Request for Reimbursement) (RFR) or as amended and approved by the City Contract Manager. RFRs shall be submitted on or before 30 days following the end of each invoicing period, no less than on a monthly basis. Final RFR shall be submitted no later than 30 days following the end of the grant. Reimbursements for expenses will be withheld if required reporting obligations established by the Treasury Office of Inspector General are not submitted by the dates as listed in **Exhibit B** (“Treasury and City Reporting Requirements”).)

5. **Exhibit G: Request for Reimbursement (RFR).** In Exhibit G, is hereby deleted in its entirety and replaced with the following as appears in Attachment 2.

“Payment shall be made by City of Portland on an immediate pay basis upon approval of Subrecipient RFR.”

6. **Adherence to the requirements for CDBG-CV funds.** CDBG-CV funding will be used to provide rental assistance support for households experiencing financial loss and hardship due to the COVID-19 pandemic. Requirements are outlined on the HUD Exchange: <https://www.hudexchange.info/programs/cdbg-cv/> and specifically to include: [FR-6218-N-01: Notice of Program Rules, Waivers, and Alternative Requirements Under the CARES Act for CDBG-CV Grants, FY2019 and 2020 CDBG Grants, and for Other Formula Programs](#). A description of activities is provided in **Attachment 3**.

All other terms and conditions of the IGA remain unchanged by this Amendment and in full force and effect.

This Amendment may be signed in two (2) or more counterparts, each of which shall be deemed an original, and which, when taken together, shall constitute one and the same instrument. The Parties agree that they may execute this Amendment by electronic means, including the use of electronic signatures.

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Contract Number: 30007938

Amendment Number: 1

Contract Title: Emergency Rental Assistance Program – 2 (ERAP-2)

IN WITNESS WHEREOF, the Parties hereby cause this Amendment to be executed.

SUBRECIPIENT

[DO NOT EXECUTE]

Authorized Signature Date

Printed Name and Title

Address: _____

Phone: _____

Prepared by Jennifer Chang, Contract Manager, Portland Housing Bureau

Sent to Home Forward via email at lan.slingerland@homeforward.org

CITY OF PORTLAND SIGNATURES

By: [DO NOT EXECUTE] _____ Date: _____
Bureau Director

By: NA _____ Date: _____
Elected Official

Approved:

By: NA _____ Date: _____
Office of City Auditor

Approved as to Form:

By: [DO NOT EXECUTE] _____ Date: _____
Office of City Attorney

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Attachment 1:

Exhibit E – Information Required by 2 CFR 200.332

Rent Assistance - ERA1 Reallocated Funding (Sept 2022)

1. Federal Award Identification: N/A
 - (i) Sub-recipient name (which must match registered name in DUNS): Home Forward
 - (ii) Sub-recipient's DUNS number: 081234749
 - (iii) Federal Award Identification Number (FAIN): N/A
 - (iv) Federal Award Date: December 27, 2020
 - (v) Sub-award Period of Performance: 07/01/2021 through 12/29/2022
 - (vi) Amount of Federal Funds Obligated by this Agreement: \$1,156,198
 - (vii) Total Amount of Federal Funds Obligated to the Subrecipient by the pass-through entity including this Agreement: \$1,156,198
 - (viii) Total Amount of Federal Award: \$20,792,731.60
 - (ix) Federal award project description:
The Emergency Rental Assistance program makes available funding to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic.
 - (x)
 - (a) Name of Federal Awarding Agency:
U.S. Department of Treasury
 - (b) Name of Pass-through Entity:
City of Portland, Oregon
 - (c) Contact information for Awarding Official: Molly Rogers, Interim Director, PHB
Email: molly.rogers@portlandoregon.gov
 - (xi) CFDA Number and Program Name:
CFDA # 21.023 Emergency Rental Assistance Program
 - (xii) Is Award Research & Development (R&D)? No
 - (xiii) Indirect cost rate for the Federal award: N/A

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Rent Assistance – ERA2 Funding

1. Federal Award Identification: N/A
 - (i) Sub-recipient name (which must match registered name in DUNS): Home Forward
 - (ii) Sub-recipient's DUNS number: 081234749
 - (iii) Federal Award Identification Number (FAIN): N/A
 - (iv) Federal Award Date: May 5, 2021
 - (v) Sub-award Period of Performance: 07/01/2021 through 06/30/2023
 - (vi) Amount of Federal Funds Obligated by this Agreement: \$18,330,911.32
 - (vii) Total Amount of Federal Funds Obligated to the Subrecipient by the pass-through entity including this Agreement: \$18,330,911.32
 - (viii) Total Amount of Federal Award: \$25,346,916.10
 - (ix) Federal award project description:
The Emergency Rental Assistance program makes available funding to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic.
 - (x)
 - (a) Name of Federal Awarding Agency:
U.S. Department of Treasury
 - (b) Name of Pass-through Entity:
City of Portland, Oregon
 - (c) Contact information for Awarding Official: Molly Rogers, Interim Director, PHB
Email: molly.rogers@portlandoregon.gov
 - (xi) CFDA Number and Program Name:
CFDA # 21.023 Emergency Rental Assistance Program
 - (xii) Is Award Research & Development (R&D)? No
 - (xiii) Indirect cost rate for the Federal award: N/A

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Rent Assistance – CDBG-CV Funding

1. Federal Award Identification: N/A
 - (i) Sub-recipient name (which must match registered name in DUNS): Home Forward
 - (ii) Sub-recipient's DUNS number: 081234749
 - (iii) Federal Award Identification Number (FAIN): B-20-MW-41-0003
 - (iv) Federal Award Date: July 20, 2020
 - (v) Sub-award Period of Performance: 07/01/2021 through 06/30/2023
 - (vi) Amount of Federal Funds Obligated by this Agreement: \$235,386
 - (vii) Total Amount of Federal Funds Obligated to the Subrecipient by the pass-through entity including this Agreement: \$235,386
 - (viii) Total Amount of Federal Award: \$9,640,943
 - (ix) Federal award project description:
The CDBG-CV funds are made available to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic.
 - (x)
 - (a) Name of Federal Awarding Agency:
U.S. Department of Treasury
 - (b) Name of Pass-through Entity:
City of Portland, Oregon
 - (c) Contact information for Awarding Official: Molly Rogers, Interim Director, PHB
Email: molly.rogers@portlandoregon.gov
 - (xi) CFDA Number and Program Name:
CFDA # 14.218 Community Development Block Grant
 - (xii) Is Award Research & Development (R&D)? No
 - (xiii) Indirect cost rate for the Federal award: N/A

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Attachment 2:

Exhibit G Exhibit G: Request for Reimbursement (RFR)

SUBMIT ON AGENCY LETTERHEAD

Home Forward

Reimbursement Invoice

Period __: (dates covered for the invoice period)

Contract # xxxxxxxx

City of Portland / PHB
 Attn: Jennifer Chang
 421 SW 6th Ave, Suite 500
 Portland, OR 97204
 503-823-6633

Ian
 Slingerland
 503-802-8370
 Home Forward
 135 SW Ash Street
 Portland, OR 97204

Program/Service Category Provider	Revised IGA Budget (Oct 2022)	Expenditures Reported for Current Period	Total Expenditures Reported YTD	Remaining Balance
ERAP-2 Funds				
Financial Assistance Admin	2,164,344.32	0.00	0.00	2,164,344.32
STRA and EPN - HF Admin	603,316.25	0.00	0.00	603,316.25
STRA - Fee-for-Service Contracts	1,561,028.07	0.00	0.00	1,561,028.07
Rent Assistance	16,166,567.00	0.00	0.00	16,166,567.00
STRA	8,533,620.00	0.00	0.00	8,533,620.00
EPN	7,632,947.00	0.00	0.00	7,632,947.00
Total ERAP-2	18,330,911.32	0.00	0.00	18,330,911.32
ERAP-1 Funds				
Rent Assistance	1,156,198.00	0.00	0.00	1,156,198.00
EPN	1,156,198.00	0.00	0.00	1,156,198.00
Total ERAP-1	1,156,198.00	0.00	0.00	1,156,198.00
CDBG-CV				
Financial Assistance Admin	66,218.00	0.00	0.00	66,218.00
HF Admin	66,218.00	0.00	0.00	66,218.00
Rent Assistance	169,168.00	0.00	0.00	169,168.00
EPN	169,168.00	0.00	0.00	169,168.00
Total CDBG-CV	235,386.00	0.00	0.00	235,386.00
Grand Total	19,722,495.32	0.00	0.00	19,722,495.32

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CERTIFICATION

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).

Prepared by: _____

Authorized Signer: _____

Date: _____

Approved by: _____

Authorized Signer: _____

Date: _____

Bureau Review.

Project Manager Name: _____

Signature: _____

Date: _____

Additional Pursuant to City of Portland Fiscal Year End, Subrecipient's Request for Reimbursement for services through June 30 of each year of the grant period shall be submitted to City of Portland no later than July 15.

Payment shall be made by City of Portland on an immediate pay basis upon approval of Subrecipient RFR.

Subrecipient's RFR shall be sent to:

City of Portland:

Portland Housing Bureau

Attn: Jennifer Chang

421 SW 6th Avenue, Suite 500

Portland, OR 97204

Or email at:

Jennifer.Chang@portlandoregon.gov

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Attachment 3: Description of Activities

COVID-19 Rent Assistance Program: City October 2022 Funds Program Guidelines

Purpose:

The COVID-19 Emergency Rent Assistance Program (ERAP) provides rent assistance to prevent households from experiencing evictions and homelessness due to the financial and health impacts of COVID-19. The priority is to serve communities experiencing the greatest adverse impacts from COVID-19, including Black, Indigenous, and other People of Color (BIPOC) and households with very-low incomes. The program includes funding from the Emergency Rent Assistance Program, allocation 2 funding, or “ERAP-2,” allocation 1 “ERAP-1”, and Community Development Block Grant-CARES Act (“CDBG-CV”).

Funds can serve households who are in rental housing or unhoused and can pay for the following eligible expenses: current or future rent payments (future payments limited to 3 months), rent arrears, security deposits and fees. Funds are not eligible to pay for mortgage payments, utilities or direct cash assistance. **CDBG-CV funds are eligible to pay a maximum of six months of assistance only.**

Funds should prioritize eviction prevention with a focus on payment of rental arrears allowable back to April 2020. Households who have received eviction notices for nonpayment of rent will be prioritized. Current and future rents can be paid in adherence to the program guidelines.

The deadline for funds to be submitted to Home Forward is December 9, 2022.

Adjustments might be needed based on changes federal guidance for the funds.

Eligible Households:

To be eligible for the program, households must meet all three of the requirements below. There is no citizenship requirement for these funds.

1. Resident of City of Portland or Multnomah County
2. Experienced **both** of the following impacts due to COVID-19:
 - i. One or more individuals within the household has qualified for unemployment benefits; **or**, experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the coronavirus pandemic
 - ii. One or more individuals within the household can demonstrate a risk of experiencing homelessness; **or**, housing instability
3. Household income at or below 80% of Area Median Income (AMI)
 - o Income is based on snapshot of current income at time of application – the current gross income of all household members, or the household’s total income for calendar year 2022.

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80% Area Median Income 2022 for CDBG and ERAP funds (effective 4/18/2022)			
Household Size	80% Median	Household Size	80% Median
1	\$59,650	5	\$92,050
2	\$68,200	6	\$98,850
3	\$76,700	7	\$105,650
4	\$85,200	8	\$112,500

Eligible Expenses:

- Rent arrears and late fees
- Current and future rent payments. (Future rent payments limited to 3 months)
- Security, application fees and late fees

Not eligible: utilities, mortgage payments, direct client assistance

Assistance Limits:

An eligible household may receive up to 9 months of rent assistance. Prospective rent payments may not exceed 3 months of rent assistance, *which is counted toward the total limit of 9 months of rent assistance.*

Future rent assistance can be provided up to March 31, 2023.

For households previously assisted with ERAP-1 or ERAP-2: Households are limited to receive a maximum of 18 months total assistance from ERAP-1 and ERAP-2 funds.

For households previously assisted with CDBG-CV: Households are limited to receive a maximum of 6 months total assistance with CDBG-CV.

Preference: A preference is in place for **households at or below 50% AMI**, or **households with one or more members who have been unemployed for at least 90 days before the date of application**. A household who meets one of the preferences is eligible to receive up to 12 months of rent assistance.

50% Area Median Income 2022 for CDBG and ERAP funds (effective 4/18/2022)			
Household Size	50% Median	Household Size	50% Median
1	\$37,300	5	\$57,550
2	\$42,600	6	\$61,800
3	\$47,950	7	\$66,050
4	\$53,250	8	\$70,300

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Intake Steps with Eligible Households:

1. Conduct a Pre-Screening to have household provide verbal confirmation that they meet all three eligibility requirements of the program:
 - ✓ Resident of Multnomah County (housed or unhoused)
 - ✓ Household income at or below 80% Area Median Income (AMI)
 - ✓ **Experienced BOTH** of the following impacts due to COVID-19:
 - Qualified for unemployment benefits OR experienced a reduction in household income, incurred significant costs or experienced other financial hardship due, directly or indirectly, to the coronavirus pandemic, **AND**
 - Demonstrate a risk of experiencing homelessness OR housing instability
2. If the applicant provides verbal confirmation in meeting all three requirements, provide applicant with written proof of that a completed application has been submitted. This can be an email, text or letter. Sample language is provided in the **Exhibit D: SB 278 Sample Letter Confirming Application to RA**. Verbal confirmation alone is not sufficient.
3. Complete all forms of the Application Packet:
 - (1) Intake Form:
 - (i.) Includes verification of income eligibility, with instructions provided on **Exhibit B: Steps to Verify Income Eligibility**.
 - (2) Determine Rent Assistance Information:
 - (A) **First Attempt: Assign Payment to Landlord:**
Complete the **Agreement to Assign Rental Assistance and Landlord Information Forms** and collect:
 - (i.) W-9 for Landlord (can be returned directly to Home Forward)
 - (ii.) A Property Management Agreement (PMA) may be requested if Home Forward needs to set up a new account.
 - (B) **Second Attempt: Assign Payment to Renter:**
Must complete the **Landlord Engagement Attempt Form** and provide documentation verifying a rental agreement, and rent arrears or rent due, as outlined in **section 5 of the ERAP-2 Intake Form**.
 - (3) Multnomah County Release of Information
4. Collect the required tenant documents to submit together with the application packet. **Exhibit C: ERAP-2 Tenant Checklist of Documents** lists the required documents.
5. Send application and required documents to Home Forward. Submissions must use the English application forms to ensure accuracy of payment processing and entry of participant data into fiscal and reporting systems.
6. Submit complete application to Home Forward by:
 - (1) Upload to secure City Share File site. Instructions included in Exhibit B.
 - (2) Fax: 503-802-8498
 - (3) Mail: Home Forward (Attn: CVRRP), 135 SW Ash St., Portland, OR, 97205
 - (4) Drop off: Home Forward's administrative offices are closed to the public, but there is a drop box with access from the exterior at 135 SW Ash Street, Portland, OR 97205.

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Exhibit D: Federal Requirements and Certifications

Compliance with Applicable Law and Regulations.

- a. Recipient agrees to comply with the requirements of Section 501 and Treasury interpretive guidance regarding such requirements. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance in any agreements it enters into with other parties relating to this award.
- b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25 and pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180 (including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
- c. Statutes and regulations prohibiting discrimination applicable to this award, include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the grounds of race, color, or national origin under programs or activities receiving federal financial assistance;
 - ii. The Fair Housing Act, Title VIII-IX of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicap under any program or activity receiving or benefitting from federal assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit

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discrimination on the basis of age in programs or activities receiving federal financial assistance; and

- v. The Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee as a reprisal for disclosing information to any of the list of persons or entities provided below that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; and/or
 - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR19217 (April 8, 1997), Recipient should and should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

Subrecipient agrees to establish data privacy and security requirements as required by Section 501(g)(4).

False Statements. Subrecipient understands that false statements or claims made in connection with this award may result in fines, imprisonment, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."