

EXHIBIT A
AMENDMENT No. 4 to
INTERGOVERNMENTAL AGREEMENT (IGA) No. 30007251 between
City of Portland Office of Management and Finance,
Office of Equity and Human Rights, and Prosper Portland
FOR
PHASE 1 ADMINISTRATION OF THE
COMMUNITY OPPORTUNITIES & ENHANCEMENTS PROGRAM



This Amendment No. 4 amends Intergovernmental Agreement (“IGA”) No. 30007251, dated the 29th day of February 2020, made and entered into by and among the City of Portland, through the Office of Management and Finance (“OMF”), Office of Equity and Human Rights (“OEHR”), and Prosper Portland (“Prosper”). The term “City”, as used in this Intergovernmental Agreement, collectively refers to OMF, OEHR, and the City Attorney’s Office.

This Amendment is authorized by Ordinance No. #####.

The Effective Date of this Amendment is June 30, 2023. The purpose of this Amendment is to extend the term, update the allocation of fiscal year (FY) 23/24 funding, update contact information, authorize the use of Portland Water Bureau (“Water”) and Bureau of Environmental Services (“BES”) Ratepayer Funds for FY 23/24, and provide a COEP budget approved by OMF for fiscal year 23/24. For the purpose of this Amendment, language deleted from the IGA shall appear in ~~strike through~~ and new language shall appear in **bold and underline**.

Whereas, on February 29, 2020, the City and Prosper entered into an Intergovernmental Agreement (“IGA” or “Original IGA”) for the administration of COEP Funding; and

Whereas, on July 1, 2021, the Parties entered into Amendment 1 to the IGA to extend the term to June 30, 2022, to amend certain reporting and administrative compensation and cost reimbursements, and to authorize the use of additional funds; and

Whereas, the IGA contemplated that certain COEP funding might become available if the City was able to achieve a favorable determination holding that the Ratepayer Funds are eligible for uses that are the subject of the IGA; and

Whereas, on March 7, 2022, the Multnomah County Circuit Court, concluded Validation Proceedings in Case No. 20CV43973, and held that use of Ratepayer Funds, when spent in alignment with the Ratepayer Funds Eligible Activities Rubric (“Ratepayer Rubric”), they are presumed reasonably related to water and sewer services; and

Whereas, under Article 2, Section I.D.1 of the Original IGA, Prosper agreed to ensure that it had a proper accounting system for its use of all Ratepayer Funds to ensure that they are spent in compliance with the Ratepayer Rubric; and

Whereas, Amendment No. 2 extended the term through June 30, 2023, updated the allocation of fiscal year (FY) 22/23 funding, updated contact information, authorized the use of Portland Water Bureau (“Water”) and Bureau of Environmental Services (“BES”) Ratepayer Funds for FY 22/23, updated the sample invoice

form, included the Ratepayer Rubric and Trades Most Commonly Utilized, and provided a COEP budget approved by OMF for fiscal year 22/23; and

Whereas, Amendment 3 revised the Trades Most Commonly Utilized Exhibit in order to ensure that all funds granted towards Workforce development applied towards shared trades of Water and BES, thereby ensuring all funds expended on Workforce development fully benefit both bureaus; and

Whereas, the City contemplates that up to \$2,325,000 of funding, consisting of BES and Water Ratepayer Funds, will be available during fiscal year 23/24 for distribution; and

Whereas, the City and Prosper desire to extend the term of the IGA, and update the budget for fiscal year 23/24.

Now therefore, the Parties agree to amend the IGA as follows:

1. Extend the term of this IGA from June 30, 2023, to June 30, 2024.
2. Prior to September 30, 2023, the Parties shall:
 - a. Implement the specific invoicing and accounting requirements:
 - i. Prosper will confirm with every invoice that Business Technical Assistance services, and Workforce Development Assistance services provided using Ratepayer Funds are drawn down equally between BES and Water, and are eligible expenditures in accordance with the Ratepayer Rubric and guidance from the City Attorney.
3. Party information found on Page 1 of the IGA shall be updated as follows:

"Parties:

* * *

Prosper Portland, 220 NW 2nd Ave., Suite 200, Portland, OR 97209
Main Contact: Morgan Masterman — ~~mastermanm@prosperportland.us~~ — **Program Manager**"
4. Article 2, Section III.A Worksystems, Inc.; Subcontracting amended to include the following:

"For FY 23/24, Prosper may allow the Workforce Development Subcontractor, Worksystems, Inc. to bill up to \$150,000 for administration costs."
5. The City and Prosper agree to continue to pilot the use of both BES and Water Ratepayer Funds throughout FY 23/24 for the provision of services.
6. The COEP budget approved by OMF for fiscal year 22/23 was \$2,095,455, as provided in Amendment No. 2. The COEP budget approved by OMF for fiscal year 23/24 is \$2,325,000 as provided in Table A below. Accordingly, the new total amount that can be disbursed under the IGA for FY 22/23 and 23/24 is \$4,420,455.

Table A

Description	BUDGETED FOR FY 23/24	
	Breakdown for Subtotals	Subtotals
Ratepayer Funded Bureau of Environmental Services (includes Admin expenses)	\$75,000 (Prosper Admin)	\$429,375
	\$354,375 (Bus. Tech Service Providers)	
	\$75,000 (WSI Admin)	\$733,125
	\$658,125 (Workforce Dev. Service Providers)	
Ratepayer Funded Portland Water Bureau (includes Admin expenses)	\$75,000 (Prosper Admin)	\$429,375
	\$354,375 (Bus. Tech Service Providers)	
	\$75,000 (WSI Admin)	\$733,125
	\$658,125 (Workforce Dev. Service Providers)	
Total amount budgeted and authorized by OMF for COEP_FY 23/24		\$2,325,000

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

Executed by the authorized signatories below, to be effective as of the Effective Date.

CITY OF PORTLAND

Office of Management & Finance

By _____
Michael Jordan, Chief Administrative Officer

Date: _____, 2022

Office of Equity and Human Rights

By _____
Jeff Selby, Director

Date: _____, 2022

Approved as to Form

City Attorney

PROSPER PORTLAND

By _____
Kimberly Branam, Executive Director

Date: _____, 2022

Approved as to Form

Prosper Portland Legal Counsel