

**FIRST AMENDMENT TO GRANT AGREEMENT BETWEEN
THE CITY OF OAKLAND AND CONTRA COSTA COUNTY
FOR THE 2020 HOPWA PROGRAM**

This FIRST AMENDMENT TO GRANT AGREEMENT ("First Amendment") is entered into by and between the City of Oakland, a municipal corporation ("City"), and CONTRA COSTA COUNTY, a political subdivision of the State of California ("County" or "Project Sponsor"), The City and the County are hereinafter collectively referred to as the "Parties").

RECITALS

This First Amendment is entered into upon the basis of the following facts, understandings and intentions of the City and County:

- A. The City received Housing Opportunities for Persons with AIDS ("HOPWA") Program funds from the United States Department of Housing and Urban Development ("HUD"), identified as #14.241 in the Catalog of Federal Domestic Assistance, pursuant to the HOPWA Program (the "HOPWA Funds"). The HOPWA Funds must be used in accordance with 24 C.F.R. Section 574 et seq.
- B. The County is a project sponsor under the HOPWA Program. The City and the County awarded the County **\$904,875** of the HOPWA Funds on the City's behalf (the "HOPWA Allocation").
- C. On July 3, 2020, the Oakland City Council passed Resolution No. 88202 C.M.S., which authorized an agreement with Project Sponsor for the HOPWA Program for Fiscal Years 2020-2022 as set forth in the City's Five Year Consolidated Plan for Fiscal Years 2020/21-2024/25.
- D. On June 29, 2021, the Parties entered into an Original Agreement for a term of July 1, 2020 through June 30, 2022.
- E. On June 18, 2021, the Oakland City Council passed Resolution No. 88707, which authorized the City to submit the City's First Substantial Amendment to its annual action plan for Fiscal Year 2020-21, which is part of the Five Year Consolidated Plan.
- F. On December 9, 2021, the City of Oakland submitted its First Substantial Amendment to the Five Year Consolidated Plan for Fiscal Years 2020/21-2024/25, which amended the "Target Date" for HOPWA to reflect a 2023 end date.
- F. The Parties now desire to amend the Original Agreement to extend the term of the agreement in accordance with the City's Five Year Consolidated Plan for Fiscal Years 2020/21-2024/25.

NOW THEREFORE, it is mutually understood and agreed by and between the undersigned Parties that the Original Agreement is amended as follows:

1. **Amended Section 1, Performance Period.** Section 1 of the Original Agreement is amended to read:

The term of this Agreement begins July 1, 2020 and ends June 30, 2023.

2. **Exhibits.** The following Exhibits to the Original Agreement are hereby replaced as set forth below:
 - A. **Combined Grant Schedules (Schedule C-1, Schedule K, Schedule N, Schedule N-1, Schedule P, Schedule V, Oakland's Minimum Wage Law, Affirmative Action).** The Combined Grant Schedules attached to the Original Agreement are replaced by the Combined Grant Schedules attached hereto.
 - B. **Schedule Q, Insurance.** Schedule Q attached to the Original Agreement is replaced by **Schedule Q**, Insurance Requirements (Revised 9/12/2019) attached hereto.
 - C. **Schedule Z, Certification of Debarment & Suspension.** Schedule Z attached to the Original Agreement is replaced by Schedule Z attached hereto.

3. **Effective Date.**

This First Amendment shall become effective on the date it is executed by all Parties. If the First Amendment is not executed by all Parties on the same date, it shall be effective on the date it is last executed by a Party.

4. **Counterparts.**

This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same Contract. The parties shall be entitled to electronically sign and transmit this Contract (whether by facsimile, PDF or other email transmission), which signature shall be binding on the signing party or the party on whose behalf the document has been signed. Any party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed Contract upon request.

5. **Ratification of Agreement.**

All provision in the Original Agreement that have not been modified by this First Amendment remain in full force and effect, and the parties hereby ratify the same.

6. Authority.

The persons signing below represent and warrant that they have authority to bind their respective party, and all necessary approvals to sign on behalf of their respective party have been obtained.

[SIGNATURES ON NEXT PAGE]

CITY

CITY OF OAKLAND, a municipal corporation

By: _____
City Administrator (date)

ADMINISTERING AGENCY APPROVAL FOR FORWARDING
Human Services Department

By: _____
Department Head (date)

88707 C.M.S
Resolution Number

Approved as to form and legality:

By: _____
Deputy City Attorney (date)

COUNTY OF CONTRA COSTA, a Political Subdivision of the State of California

By: _____ Date: _____
John Kopchik, Director
Department of Conservation and Development

Approved as to form:
Mary Ann McNett Mason
County Counsel

By: _____ Date: _____