

Amendment Number 3

Project Name: Wastewater System Improvements

This amendment is made and entered into by and between the State of Oregon, acting by and through the Oregon Infrastructure Finance Authority of the Oregon Business Development Department (“OBDD”), and the City of John Day (“Recipient”), and further amends the amended Community Development Block Grant Program Grant Contract between Recipient and OBDD, Project Number P18011, originally dated 15 April 2019, (“Contract”) for the above-named Project. Capitalized terms not defined in this amendment have the meanings assigned to them by the Contract.

Recital: The purpose of this amendment Number 3 is to increase the grant amount due to the purchase of the package water treatment plant and update project work plan to include design of site improvements to accommodate the package treatment plant.

The parties agree as follows:

1. Amend the first sentence of Section 2 of the Contract as follows (deletion in ~~strike through~~; addition in double underline):

In reliance upon Recipient’s Application and Certification of Compliance with State and Federal Laws and Regulations and Certification Regarding Lobbying as described in Exhibit B and Exhibit C, respectively, and subject to the terms and conditions of this Contract, OBDD agrees to provide Recipient funds in the amount of ~~\$235,500~~ \$2,500,000 (“Grant Funds”), the use of which is expressly limited to the Project and the activities described in Exhibit D.

2. Remove Exhibit E (Project Budget and Special Conditions) of the Contract and replace it with the following new Exhibit E:

EXHIBIT E - PROJECT BUDGET AND SPECIAL CONDITIONS				
Budget Line Items	OBDD Water/ Wastewater Fund Y21006	OBDD CDBG Grant P18001 (Contract)	Other Funds – Estimated future funds	Estimated Totals
Design / Engineering	\$60,000	\$235,500	\$138,500	\$ 434,000
Environmental Review	\$0	\$0	\$30,000	\$30,000
Grant Administration	\$0	\$0	\$25,000	\$ 25,000
Project Management	\$15,000	\$0	\$0	\$ 15,000
Legal Fees	\$30,000	\$0	\$6,500	\$ 36,500
Package Treatment* Plant Procurement	\$2,195,000	\$2,264,500*	\$0	\$4,459,500
Hydrogeological Testing	\$200,000	\$0	\$0	\$200,000

Total	\$ 2,500,000	\$ 2,500,000	\$ 200,000	\$ 5,200,000
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Special Conditions:

No Financing Proceeds for the “Package Treatment Plant Procurement” budget line item above of this Contract will be eligible for approval for disbursement until Recipient receives the balance of funds necessary for the Project and facility including receiving an award for construction costs from the USDA or another funder capable of covering the Project’s facility construction costs (approximately \$7.4 million).

3. Remove Exhibit F (Information Required by 2 CFR § 200.331(a)(1)) and replace it with the following new Exhibit F:

EXHIBIT F - INFORMATION REQUIRED BY 2 CFR § 200.331(A)(1)
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Federal Award Identification:

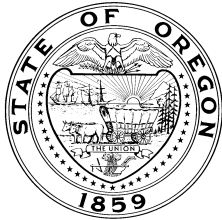
- (i) Subrecipient* name (which must match registered name in DUNS): John Day, City of
- (ii) Subrecipient’s DUNS number: 03-080-5402
- (iii) Federal Award Identification Number (FAIN): B-19-DC-41-0001
- (iv) Federal Award Date: 4 Sep 2019
- (v) Sub-award Period of Performance Start and End Date: 24 months from Contract execution
- (vi) Total Amount of Federal Funds Obligated by this Contract Amendment: \$2,264,500
- (vii) Total Amount of Federal Funds Obligated by this initial Contract and any amendments: \$2,500,000
- (viii) Total Amount of Federal Award to the pass-through entity: \$13,277,173
- (ix) Federal award project description: The FFY 2019 State Community Development Block Grant Program funds will be awarded through a competitive application process to rural communities in Oregon for the following project types: Public Works Projects, Community Facilities, Owner-occupied Housing Rehabilitation and Microenterprise Assistance. CDBG projects will meet the national objective of benefitting low- and moderate-income persons or an urgent need.
- (x) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity:
 - (a) Name of Federal awarding agency: U.S. Department of Housing and Urban Development
 - (b) Name of pass-through entity: Oregon Business Development Department
 - (c) Contact information for awarding official of the pass-through entity: Ed Tabor, Programs & Incentives Manager, 503-949-3523
- (xi) CFDA Number and Name: 14.228 Community Development Block Grant
Amount: \$2,500,000
- (xii) Is Award R&D? No
- (xiii) Indirect cost rate for the Federal award: N/A

*For the purposes of this Exhibit F, “Subrecipient” refers to Recipient and “pass-through entity” refers to OBDD.

OBDD will have no obligation under this amendment, unless within 60 days after receipt, the Recipient delivers to OBDD the following items, each in form and substance satisfactory to OBDD and its Counsel:

- (i) this amendment duly executed by an authorized officer of the Recipient; and
- (ii) such other certificates, documents, opinions and information as OBDD may reasonably require.

Except as specifically provided above, this amendment does not modify the Contract, and the Contract shall remain in full force and effect during the term thereof. This amendment is effective on the date it is fully executed and approved as required by applicable law.



STATE OF OREGON
 acting by and through its
 Oregon Infrastructure Finance Authority
 of the Oregon Business Development
 Department
 775 Summer Street NE Suite 200
 Salem OR 97301-1280
 Phone 503-798-5076



CITY OF JOHN DAY

450 E Main Street
 John Day OR 97845-1238
 Phone 541-575-0028

By: _____
 Chris Cummings, Assistant Director
 Economic Development

By: _____
 The Honorable Ron Lundbom
 Mayor of John Day

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

/s/ Wendy Johnson as per email dated 23 December 2021
 Wendy Johnson, Senior Assistant Attorney General