

PORTLAND DEVELOPMENT COMMISSION
Portland, Oregon

RESOLUTION NO. 6746

APPROVING AN AMENDMENT OF SUBRECIPIENT CONTRACT NO 32000134 BETWEEN THE PORTLAND DEVELOPMENT COMMISSION AND THE PORTLAND HOUSING BUREAU TO INCREASE THE TOTAL CONTRACT AMOUNT FROM \$6,288,324 TO \$9,724,209 FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE NEIGHBORHOOD STABILIZATION PROGRAM.

WHEREAS, PDC Commission approved Resolution No. 6723 on July 22, 2009 approving Subrecipient Contract No. 3200134 between PDC and the Portland Housing Bureau (“PHB”) for the implementation and administration of federally funded housing programs;

WHEREAS, PHB has received an allocation of \$3,249,385 of Neighborhood Stabilization Program (NSP) Funds from the State of Oregon and is seeking assistance to implement and administer the NSP program;

WHEREAS, PHB has previously contracted with PDC to provide various services related to the funding and monitoring of housing projects and activities, and PDC is capable and willing to perform these services for the NSP program;

WHEREAS, implementation of the Neighborhood Stabilization Program furthers PDC mission to achieve Portland’s vision of a diverse, sustainable community with healthy neighborhoods, a vibrant central city, a strong regional economy, and quality jobs and housing for all;

WHEREAS, implementation of the Neighborhood Stabilization Program will benefit the public by addressing blight, improving neighborhoods and assisting Portland residents obtain affordable rental and home ownership housing options;

WHEREAS, the City has allocated a portion of the NSP funds to PDC in order to have PDC fund eligible programs and projects under terms required by the Portland Housing Bureau, State of Oregon and U.S Department of Housing and Urban Development; and

WHEREAS, adequate budget authority currently exists to begin implementing the NSP program and additional budget authority will be included in a second budget amendment to be brought to the Commission to increase appropriations in the HCD Contract Fund to cover the full amount of the NSP funding;

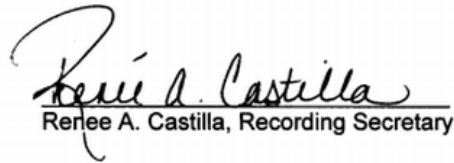
NOW, THEREFORE, BE IT RESOLVED that the Executive Director is hereby authorized to amend the Subrecipient Contract No. 32000134 with the City of Portland to increase the total contract amount to \$9,724,209 for the implementation and administration of the NSP program in a form substantially similar to the Amendment #1 attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that this Agreement shall be in effect for the fiscal year period starting October 14, 2009, and ending June 30, 2010;

BE IT FURTHER RESOLVED that the Executive Director is authorized to amend or revise the Agreement if necessary to give effect to any budget adjustments or if those amendments relate to procedural or administrative processes; and

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon its adoption.

Adopted by the Portland Development Commission on October 14, 2009.


Renee A. Castilla, Recording Secretary

Subrecipient Contract No. 32000134

Amendment No. 1

The Subrecipient Contract No. 32000134, "Subrecipient Contract", between the City of Portland, acting by and through its Portland Housing Bureau (PHB), and Portland Development Commission (PDC) is amended effective October 1, 2009 to add funding for additional housing programs and projects.

The above referenced Subrecipient Contract is hereby amended as follows:

A. Item 4. Compensation on page 1 is deleted in its entirety and replaced to read:

4. Compensation

The total amount of compensation shall not exceed \$9,724,209 [\$2,005,400 in HOME Investment Partnership Program (HOME); \$2,188,813 in Community Development Block Grant (CDBG); \$696,859 in Housing Opportunities for Persons with Aids (HOPWA); \$3,249,384 in Neighborhood Stabilization Program (NSP); \$125,142 in Housing Investment Fund (HIF), and \$1,458,611 in General Fund]. The compensation requirements are contained in Section V.

B. Section V. Compensation and Method of Payment on page 12 is deleted in its entirety and replaced to read:

V. COMPENSATION AND METHOD OF PAYMENT

Subrecipient shall be provided with the following funds:

A. \$2,005,400 in HOME

B. \$2,188,813 in CDBG.

C. \$696,859 in HOPWA.

D. \$3,249,384 in NSP.

E. \$125,142 in HIF.

F. \$1,458,611 in City General Fund.

G. Payments to the subrecipient for eligible expenses will be made upon submission of an itemized statement of actual or anticipated expenditures (EXHIBIT C). Both parties prior to approving an expenditure under new budget categories or amounts must approve changes to the approved budget in writing.

- H. It is agreed to that the total compensation under this contract shall not exceed NINE MILLION, SEVEN HUNDRED TWENTY FOUR THOUSAND, and TWO HUNDRED NINE DOLLARS (\$9,724,209).
 - I. It is agreed that PDC will receive full cost of recovery and reimbursement for expenses incurred in connection with this contract and any amendments.
 - J. Billings shall be submitted to PHB monthly and will include expenses accrued in each calendar month. PHB will review, modify if necessary, approve, and then forward them to the Grants Compliance Division in the Office of Management and Finance (OMF) for payment. Periodic requests between monthly draws may be made on an interim basis as approved by both PDC and PHB. PHB shall make payment to PDC within two weeks of receiving a billing. If for some reason payment cannot be made due to errors or omissions then PHB will request from PDC a corrected billing within the two-week period. The request for corrected billing shall detail all deficiencies in the billing which have caused payment to be with held.
- C. Section I. Scope of Work shall be expanded to include the implementation of projects and programs funded with the Neighborhood Stabilization Program (NSP).

The following shall be added to Section I-D on page 9 of the Subrecipient Contract.

5. Neighborhood Stabilization Program (NSP)

PDC staff will be responsible for performing the “PDC Obligations” and the “PDC Services” as described in Sections I- B and I-C of the original contract. PDC staff shall also perform all related “PDC Obligations” and “PDC Services” necessary to implement the Own Your Own (OYO) Program as approved by PHB.

- a. PDC and the City will both provide program staffing and management for the implementation of the Neighborhood Stabilization Program (NSP).
- b. PDC staff will:
 - i. Serve as lead organization and lender for NSP by performing the program’s underwriting, loan origination, construction management, asset management, inspection and loan servicing functions in compliance with the NSP Grant Agreement #1092, between Oregon Housing and Community Services and the City of Portland, and in accordance with the City’s Consolidated Plan Priorities.
 - ii. Provide and deliver Housing Quality Standard (HQS) and Lead Risk Assessment inspection services for NSP projects and properties.
 - iii. Provide NSP related training, marketing and communications to the general public, potential borrowers, non-profit and for-profit partners, the media, the Portland Development Commission, Multnomah County and City of Portland staff as needed.

- iv. Provide staff time and technical assistance related to the development and implementation of the program in cooperation with City and County staff.
 - v. Provide staffing support to assist the City with the issuance, review and selection of projects and programs selected by a City-lead NSP Request for Proposal (NSP-RFP) solicitation process.
 - vi. Participate in NSP related meetings called by City, County or State staff.
 - vii. Complete and submit monthly invoices for reimbursement for eligible NSP expenses incurred by PDC.
 - viii. Provide City, County and State periodic and timely program reports in a manner and time to be mutually determined and agreed to at a future date.
 - ix. Report to, coordinate and communicate with PDC and any necessary internal PDC staff regarding program status, all necessary approvals, as well as decisions and actions necessary to implement the program in accordance with this contract.
 - x. At the direction of the City, PDC will develop and execute any and all necessary real estate documents and forms necessary to sufficiently secure the City's investment of NSP funds in the approved projects, programs and eligible homebuyers in compliance with all applicable Federal, State and Local laws.
- c. City staff will:
- i. Lead and manage all aspects related to the issuance of the NSP-RFP, as well as the final selection of NSP eligible projects and programs.
 - ii. City Staff will develop and execute any and all necessary NSP sub-grantee or sub-recipient grant agreements with approved partners for projects or programs to be funded with NSP.
 - iii. Oversee PDC and any sub-grantee's implementation of NSP-approved projects and programs to ensure ongoing compliance with the NSP Grant Agreement #1092, and other related requirements or regulations.
 - iv. Report to, coordinate and communicate with City Council and City Commissioner-in-Charge's office regarding program status, leading all necessary City approval processes and program reporting requirements as requested by the City Council or State of Oregon.
 - v. Provide staff time and technical assistance to advise PDC regarding the interpretation and implementation of the NSP Grant Agreement #1092 and other applicable rules upon request and as needed.

- D. Exhibits A and C of the Subrecipient Contract is deleted in its entirety and replaced with Exhibit A and C attached to this amendment.
- E. All other terms and conditions of the Subrecipient Contract shall remain the same.

**PORTLAND DEVELOPMENT
COMMISSION**

CITY OF PORTLAND

Bruce Warner, Director Date

Margaret Van Vliet, Director Date
Portland Housing Bureau

APPROVED AS TO FORM:

Linda Meng Date
City Attorney

LaVonne Griffin-Valade Date
City Auditor

EXHIBIT A
Amendment No. 1

FY 2009-10 Contract Budget

HOME	IDIS	Base	CHDO	Mult Co.	Unobligated CO	Obligated	Total
Rental Housing							
Base Budget		\$686,085	\$575,154	\$26,606			\$1,287,845
FY 2007-08 Obligations							\$0
Shaver Green (38521)	3709					\$47,411	\$47,411
Miraflores (38542)	3743					\$44,042	\$44,042
Eastgate						\$0	\$0
FY 2008-09 Obligations							\$0
Rockwood Pre-Dev (38589)	3947					\$114,769	\$114,769
Rockwood Permanent	TBD					\$511,333	\$511,333
Sacred Heart Villa	TBD					\$0	\$0
HOME Total		\$686,085	\$575,154	\$26,606	\$0	\$717,555	\$2,005,400
CDBG		Base	Overage		Unobligated CO	Obligated	Total
Rental Housing							
Base Budget							
FY 2007-08 Obligations							
Sawash Hsg (38534-07)	3722					\$243,145	\$243,145
FY 2008-09 Obligations							\$0
Sacred Heart Villa	TBD					\$0	\$0
CSI	TBD					\$0	\$0
Kehillah Housing	TBD					\$275,000	\$275,000
Butte Hotel	TBD					\$190,706	\$190,706
Program Delivery							\$0
SHPO/Rehab Admin		\$20,000					\$20,000
Rental Program Delivery		\$783,557					\$783,557
Loan Servicing		\$326,998					\$326,998
Asset Management		\$152,907					\$152,907
EDI 108 Admin/EcDev		\$10,000					\$10,000
NSP Admin		\$186,500					\$186,500
CDBG Total		\$1,479,962	\$0	\$0	\$0	\$708,851	\$2,188,813
HOPWA		Base	Overage		Unobligated CO	Obligated	Total
FY 2007-08 Obligations							
Luke-Dorf (38546)	3725					\$39,859	\$39,859
Rosewood	TBD					\$657,000	\$657,000
HOPWA Total		\$0	\$0	\$0	\$0	\$696,859	\$696,859
NSP		Base	Overage		Unobligated CO	Obligated	Total
Own Your Own Financing Prgm		\$1,182,415					\$1,182,415
**RFP for 50% MFI Set Aside		\$884,554					\$884,554
RFP for Up to 120% MFI		\$1,182,415					\$1,182,415
NSP Total		\$3,249,384					\$3,249,384

HIF		Base	Overage		Unobligated CO	Obligated	Total
FY 2007-08 Obligations							
	Eastgate (38429)					\$125,142	\$125,142
HIF Total		\$0	\$0	\$0	\$0	\$125,142	\$125,142
GF		Base	Overage		Unobligated CO	Obligated	Total
FY 2007-08 Obligations							
	333 Oak (38562)					\$1,178,611	\$1,178,611
	Rosewood					\$280,000	\$280,000
GF Total		\$0	\$0	\$0	\$0	\$1,458,611	\$1,458,611
TOTAL BUDGET		\$5,415,431	\$575,154	\$26,606	\$0	\$3,707,018	\$9,724,209

** The funds listed for the “RFP for 50% MFI Set Aside” are the minimum amount that will be spent in this category. If more is spent here, then less will be spent in the “RFP for Up to 120% MFI” line item.

EXHIBIT C
Page 1 of 3
Amendment No. 1
Payment Invoice
Portland Development Commission

Contract #: 32000134

Invoice Period: _____

Invoice #: _____

Organization: Portland Development Commission	Total Grant Award: \$9,724,209
Mailing Address: 222 NW Fifth Avenue Portland, OR 97204	Funding Award(s)/Amount: CDBG: \$2,188,813 HOME: \$2,005,400 HOPWA: \$696,859 NSP: \$3,249,384 GF: \$1,458,611 HIF: \$125,142
Contact Name/Title: Tony Barnes	
Phone/Fax: 503-823-1692	Grant Period: July 1, 2009-10– June 30, 2010

CDBG

Activity	Budget	Expense This Period	Expenses YTD Including This Invoice	Balance From Budget
SHPO/Rehab Admin	\$20,000			
Rental Development (Obligated Carryover)	708,851			
Rental Housing Program Delivery	783,557			
Loan Servicing	326,998			
Asset Management	152,907			
EDI 108 Admin	10,000			
NSP Admin	186,500			
Total CDBG	\$2,188,813			

HOME

Activity	Budget	Expense This Period	Expenses YTD Including This Invoice	Balance From Budget
Rental Development (New)	\$686,085			
Mult Co. CHDO Set Aside	26,606			
CHDO Set Aside	575,154			
Rental Development (Obligated Carryover)	717,555			
Total HOME	\$2,005,400			

EXHIBIT C
(Page 2 of 3)
Payment Invoice

HOPWA

Activity	Budget	Expense This Period	Expenses YTD Including This Invoice	Balance From Budget
Rental Development	\$696,859			
Total HOPWA	\$696,859			

NSP

Activity	Budget	Expense This Period	Expenses YTD Including This Invoice	Balance From Budget
Base budget	\$3,249,384			
Total NSP	\$3,249,384			

GF

Activity	Budget	Expense This Period	Expenses YTD Including This Invoice	Balance From Budget
Rental Development	\$1,458,611			
Total GF	\$1,458,611			

HIF

Activity	Budget	Expense This Period	Expenses YTD Including This Invoice	Balance From Budget
Rental Development (Obligated Carryover)	\$125,142			
Total HIF	\$125,142			

Total Amount Requested: \$ _____ Total Balance: _____

Prepared by: _____

Phone No., Email and Date: _____

Approved by: _____

*Please send invoice to: Daniel Ledezma
 Portland Housing Bureau
 421 S W 6th, Suite 1100, Portland, OR 97204*

PDC

PORTLAND DEVELOPMENT COMMISSION

Resolution Number 6746

Title:

APPROVING AN AMENDMENT OF SUBRECIPIENT CONTRACT NO 32000134 BETWEEN THE PORTLAND DEVELOPMENT COMMISSION AND THE PORTLAND HOUSING BUREAU TO INCREASE THE TOTAL CONTRACT AMOUNT FROM \$6,288,324 TO \$9,724,209 FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE NEIGHBORHOOD STABILIZATION PROGRAM.

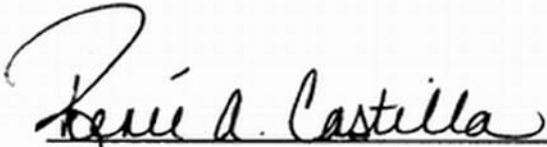
Adopted by the Portland Development Commission on October 14, 2009.

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Scott Andrews	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Bertha Ferrán	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner John Mohlis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Steven Straus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Charles Wilhoite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Regular Agenda		

Certification

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Portland Development Commission and duly recorded in the official minutes of the meeting.


Renee A. Castilla, Recording Secretary

Date: October 16, 2009