



**AMENDMENT No. 3 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. 3 amends Intergovernmental Agreement No. 30007251, dated the 29<sup>th</sup> 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.

The Effective Date of this Amendment is November 16, 2022. The purpose of this Amendment is to provide a modified list of Trades Most Commonly Utilized for use throughout FY 22/23 for the provision of Workforce Development Assistance services to reflect the parties’ agreement that all Workforce Development Assistance funds expended shall contribute to the workforces of the trades most commonly used in both the Portland Water Bureau and the Bureau of Environmental Services.

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 No. 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”) (attached as Exhibit B to Amendment No. 2, is 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, on June 30, 2022, the Parties entered into Amendment No. 2 to extend the term, provide the COEP budget for FY 22/23, pilot the use of both BES and Water Ratepayer Funds throughout FY 22/23 for the provision of Business Technical Assistance services and Workforce Development Assistance services, and pilot a temporary adjustment to the Service Category allocations for Business Technical Assistance and Workforce Development Assistance for FY 22/23 to further assist D/M/W/ESB/SDVBE firms.

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

1. A modified Shared Trades Most Commonly Utilized list is attached as Exhibit A3-1 to this Amendment for use throughout FY 22/23 for the provision of Workforce Development Assistance services.

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

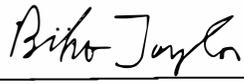
Attachments:

- Exhibit A3-1, Modified COEP Ratepayer Rubric, Trades Most Commonly Utilized

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

**CITY OF PORTLAND**

Office of Management & Finance

By   
Biko Taylor, Chief Procurement Officer

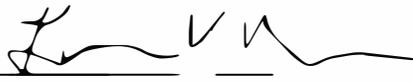
Date: 11/29, 2022

**PROSPER PORTLAND**

By Kimberly Branam   
Kimberly Branam, Executive Director

Date: \_\_\_\_\_, 2022

Office of Equity and Human Rights

By   
Lisa Watson, Director

Date: 11/22/22, 2022

**Approved as to Form**

  
City Attorney Macaen Mahoney  
Of Attorneys for the City of Portland  
11/29/2022

**Approved as to Form**

Hope S. Whitney   
Prosper Portland Legal Counsel

**EXHIBIT A3-1**  
**Modified COEP Ratepayer Rubric**  
**Shared Trades Most Commonly Utilized**  
(Effective June 30, 2022)

The following trades have been identified as most commonly utilized on Portland Water Bureau (PWB) and Bureau of Environmental Services (BES) public improvement projects.

Bureau of Environmental Services (in order of highest utilization)

- Laborer
- Power Equipment Operator
- Truck Driver
- Carpenter
- Flagger
- Supervisor
- Cement Mason
- Electrician
- Plumber

Portland Water Bureau (in order of highest utilization)

- Laborer
- Power Equipment Operator
- Electrician
- Truck Driver
- Carpenter
- Flagger
- Supervisor
- Cement Mason
- Plumber
- ~~Ironworker~~
- ~~Roofer~~
- ~~Bricklayer~~
- ~~Tile/Terrazzo Finisher~~

Methodology

Workforce data submitted through LCP Tracker on 18 PWB and 56 BES public improvement projects active between 7/1/17 and 10/1/20 was analyzed. The trades above were used on 10% or more of all projects during this time frame.