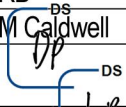




**WHATCOM COUNTY  
CONTRACT INFORMATION SHEET**

Whatcom County Contract Number:  
201805015 – 10

Originating Department:		85 Health	
Division/Program: (i.e. Dept. Division and Program)		8550 Human Services / 855040 Housing Program	
Contract or Grant Administrator:		Barbara Johnson-Vinna	
Contractor's / Agency Name:		Opportunity Council	
Is this a New Contract?	If not, is this an Amendment or Renewal to an Existing Contract?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:		201805015
Does contract require Council Approval?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If No, include WCC:	
Already approved? Council Approved Date:		(Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement?	If yes, grantor agency contract number(s):		CFDA#:
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Is this contract grant funded?	If yes, Whatcom County grant contract number(s):		202107011
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
Is this contract the result of a RFP or Bid process?	If yes, RFP and Bid number(s):		Contract Cost Center: 122600
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Is this agreement excluded from E-Verify?	No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>		
If YES, indicate exclusion(s) below:			
<input type="checkbox"/> Professional services agreement for certified/licensed professional.		<input type="checkbox"/> Contract for Commercial off the shelf items (COTS).	
<input type="checkbox"/> Contract work is for less than \$100,000.		<input type="checkbox"/> Work related subcontract less than \$25,000.	
<input type="checkbox"/> Contract work is for less than 120 days.		<input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
<input type="checkbox"/> Interlocal Agreement (between Governments).			
Contract Amount:(sum of original contract amount and any prior amendments):		Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when</b> :	
\$	6,704,111.50	1. Exercising an option contained in a contract previously approved by the council.	
This Amendment Amount:		2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.	
\$	503,370.	3. Bid or award is for supplies.	
Total Amended Amount:		4. Equipment is included in Exhibit "B" of the Budget Ordinance	
\$	7,207,481.50	5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.	
Summary of Scope: This contract funds programmatic and administrative services associated with the operation of the Housing and Essential Needs (HEN) Program and the distribution of rental and utility assistance subsidies to eligible participants.			
Term of Contract:	1 Year	Expiration Date:	06/30/2022
Contract Routing:	1. Prepared by:	JT	Date: 07/20/2021
	2. Health Budget Approval	KR/JG	Date: 09/29/2021
	3. Attorney signoff:	RB	Date: 10/01/2021
	4. AS Finance reviewed:	M Caldwell	Date: 10/12/21
	5. Contractor Program Manager:		Date: 10/27/2021
	6. Contractor Fiscal Representative:		Date: 10/27/2021
	7. Executive Contract Review:		Date: 10/29/2021
	8. Council approved (if necessary):	AB2021-595	Date: 10/26/2021
	9. Executive signed:		Date: 10/29/2021
	10. Original to Council:		Date:



## MEMORANDUM

**TO:** Satpal Sidhu, County Executive  
**FROM:** Erika Lautenbach, Director  
**RE:** Opportunity Council – Housing and Essential Needs Program Contract Amendment #10  
**DATE:** October 27, 2021

Attached is a contract amendment between Whatcom County and Opportunity Council for your review and signature.

### ▪ **Background and Purpose**

Housing and Essential Needs (HEN) is a program of the Washington State Department of Commerce Consolidated Homeless Grant (CHG) and provides funding for rent and utility assistance, essential needs items, and case management for recipients whose eligibility is determined by the Department of Social and Health Services (DSHS). The purpose of this amendment is to increase funding by \$503,370 as a result of increased funding received through the new CHG which began on 07/01/2021.

This additional funding will support:

1. Personnel and operations costs, which:
  - a. Includes an additional Case Manager FTE;
  - b. Reflects increased support from all 9 Case Managers, which includes 2 Lead Case Managers and is necessary to extend existing clients with significant barriers to housing, in motels; and
  - c. Reflects support for an increase to the estimated number of households to be served (230 from 214)
2. Rent and related costs; and
3. Subsequently, increased indirect costs.

The number of eligible households receiving essential needs has decreased due to increased purchases of move-in kits, which cost more than filling monthly bags of essential needs. The number of eligible households receiving case management and rental assistance is only slightly higher as there are less households exiting the HEN program and motel stays are being extended due to COVID and the lack of affordable housing.

### ▪ **Funding Amount and Source**

Funding for this contract, in an amount not to exceed \$2,540,694 for the current contract period (07/01/2021 – 06/30/2022) and \$7,207,481.50 for the entire contract period (07/01/2018 – 06/30/2022), is provided by the Washington State Department of Commerce CHG. These funds are included in the 2021 budget. Council approval is required as funding provided through this amendment increases the approved budget by more than 10%.

Please contact Ann Beck, Human Services Supervisor at 360-778-6055 ([ABeck@co.whatcom.wa.us](mailto:ABeck@co.whatcom.wa.us)) or Kathleen Roy, Assistant Director at 360-778-6007 ([KRoy@co.whatcom.wa.us](mailto:KRoy@co.whatcom.wa.us)), if you have any questions or concerns regarding this request.



Whatcom County Contract Number:

201805015 – 10

**WHATCOM COUNTY CONTRACT AMENDMENT**

**PARTIES:**

**Whatcom County  
Whatcom County Health Department  
509 Girard Street  
Bellingham, WA 98225**

**AND CONTRACTOR:  
Opportunity Council  
1111 Cornwall Avenue  
Bellingham, WA 98225**

**CONTRACT PERIODS:**

<b>Original &amp; Amendment #1:</b>	<b>07/01/2018 – 06/30/2019</b>	<b>Amendment #6 &amp; #7:</b>	<b>07/01/2020 – 06/30/2021</b>
<b>Amendment #2:</b>	<b>10/01/2018 – 06/30/2019</b>	<b>Amendment #8:</b>	<b>05/01/2021 – 06/30/2021</b>
<b>Amendment #3:</b>	<b>01/01/2019 – 06/30/2019</b>	<b>Amendment #9 &amp; #10:</b>	<b>07/01/2021 – 06/30/2022</b>
<b>Amendment #4:</b>	<b>03/15/2019 – 06/30/2019</b>		
<b>Amendment #5:</b>	<b>07/01/2019 – 06/30/2020</b>		

**THE CONTRACT IDENTIFIED HEREIN, INCLUDING ANY PREVIOUS AMENDMENTS THERETO, IS HEREBY AMENDED AS SET FORTH IN THE DESCRIPTION OF THE AMENDMENT BELOW BY MUTUAL CONSENT OF ALL PARTIES HERETO**

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**DESCRIPTION OF AMENDMENT:**

1. Amend Exhibit A – Scope of Work, to:
  - a. Lower the number of eligible households receiving essential needs as the Opportunity Council has increased their purchases of move-in kits rather than filling monthly bags of essential needs.
  - b. Increase the number of eligible households receiving case management and rental assistance. This number is only slightly higher as less households are exiting the HEN Program and motel stays are being extended due to COVID and the lack of affordable housing.
2. Amend Exhibit B – Compensation, to increase funding by \$503,370 to support additional personnel costs, operations, rent and related costs, and subsequently, increased indirect costs.
3. Funding for this contract period (07/01/2021 – 06/30/2022) is not to exceed \$2,540,694.
4. Funding for the total contract period (07/01/2018 – 06/30/2022) is not to exceed \$7,207,481.50.
5. All other terms and conditions remain unchanged.
6. The effective start date of the amendment is 07/01/2021.

ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND ANY PREVIOUS AMENDMENTS THERETO REMAIN IN FULL FORCE AND EFFECT. ALL PARTIES IDENTIFIED AS AFFECTED BY THIS AMENDMENT HEREBY ACKNOWLEDGE AND ACCEPT THE TERMS AND CONDITIONS OF THIS AMENDMENT. Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the contract and bind the party thereto.

APPROVAL AS TO PROGRAM: DocuSigned by: Ann Beck 10/27/2021  
2B365BB0422344A...  
Ann Beck, Human Services Supervisor Date

DEPARTMENT HEAD APPROVAL: DocuSigned by: Erika Lautenbach 10/27/2021  
955C651A30374BD...  
Erika Lautenbach, Health Department Director Date

APPROVAL AS TO FORM: DocuSigned by: Royce Buckingham 10/27/2021  
1EE59DBD9542404...  
Royce Buckingham, Prosecuting Attorney Date

FOR THE CONTRACTOR:

<u>DocuSigned by: Greg Winter</u> 555C420154704A0...	Greg Winter, Executive Director	10/28/2021
Contractor Signature	Print Name and Title	Date

FOR WHATCOM COUNTY:

<u>DocuSigned by: Satpal Singh Sidhu</u> 1192C7C18B664E3...		10/29/2021
Satpal Singh Sidhu, County Executive		Date

CONTRACTOR INFORMATION:

Opportunity Council  
1111 Cornwall Avenue  
Bellingham, WA 98225  
[Greg.Winter@oppco.org](mailto:Greg.Winter@oppco.org)

**EXHIBIT "A" – Amendment #10**  
**(SCOPE OF WORK)**

**I. Background**

The Housing and Essential Needs (HEN) is one of three programs created by Engrossed Senate House Bill 2082 which terminated the Disability Lifeline (DL) Program. HEN funds are part of Washington State Department of Commerce (Commerce) Consolidated Homeless Grant (CHG) and are intended to provide rental assistance, case management, utility assistance and essential needs for Medical Care Services recipients whose eligibility is determined by the Department of Social and Health Services (DSHS). The Opportunity Council's Whatcom Homeless Service Center (WHSC) is a housing services program that serves as the coordinated entry for homelessness prevention and re-housing services for Whatcom County residents. The Community Services Division of the Opportunity Council oversees and administers housing case management and related programs. The WHSC administers HEN rental and utility assistance in coordination with Community Services. Community Services administers case management services for the HEN Program and the purchasing and distribution of Essential Needs products for HEN eligible clients. The WHSC manages the Homeless Management Information Services (HMIS) for the County and is responsible for the HMIS requirements of the HEN Program. People eligible to receive HEN rental and utility assistance, and Essential Needs items, will be served as long as funding is available and within the designated program requirements.

**II. Project Description and Design**

Housing and Essential Needs funds are limited to providing rental assistance, case management, utility assistance and essential needs for Washington Apple Health (Medicaid) recipients who are experiencing homelessness, or at substantial risk of becoming homeless and whose eligibility is determined by DSHS. The HEN Program is not intended to provide long term support for households, nor will it be able to address all the financial and supportive service needs of households that affect housing stability, nor will it be able to serve all those who are eligible. WHSC serves as the administrative entity for the rental and utility assistance, while the Community Services Division administers case management and the purchasing and distribution of essential needs products and transportation assistance, for eligible individuals. The WHSC and Community Services will staff the program with program operations and case management staff that are funded by the Contract and are responsible for program implementation.

Due to a change in state law in March of 2018, expansion of HEN eligibility now includes Aged, Blind, or Disabled (ABD) recipients, and those who DSHS has determined to be incapacitated due to substance use. HEN providers are expected to prioritize those who are HEN-eligible who have the greatest need, including prioritizing people experiencing homelessness. Guidance from Commerce on prioritization of HEN-eligible clients indicates the following factors must be used to determine greatest need to include, but not be limited to: unsheltered homelessness, chronic homelessness, and length of time homeless. Additional guidance on prioritization is available in the Washington State Coordinated Entry Guidelines, Section 4, and within the Consolidated Homeless Grant guidelines.

**III. Statement of Work**

**A. HEN Rental & Utility Assistance and Case Management Services**

The Contractor will be responsible for programmatic and administrative services associated with the operation of the HEN Program. Programmatic and administrative services include all activities necessary to operate the WHSC and Community Services in accordance with the requirements set forth in the Administrative Requirements and Guidelines for the CHG as more fully described in Section IV: Special Conditions, below.

The Contractor will:

1. Commit to efforts to reducing and ending homelessness in Whatcom County by:
  - a. Prioritizing unsheltered homeless households for services (as per CHG Guidelines).
  - b. Assessing each household's housing needs and facilitating housing stability with the goal of obtaining or maintaining permanent housing (as per CHG Guidelines).
  - c. Employing a progressive engagement service model.
2. Provide direct services to individuals whose eligibility is noted in the DSHS Benefits Verification System (BVS).
3. Document client eligibility in client files.

4. Authorize and issue rental and utility assistance subsidies in a timely manner.
5. Track and report rental and utility assistance subsidies.
6. Support households in obtaining or maintaining permanent housing. This may include payment of eviction, attorney, or collections fees for previous rental damages, or move in kits. Funding for these expenses must be paid directly to a third party on behalf of the household and noted in a household's housing stability plan.
7. Coordinate with existing housing providers and landlords to identify and secure permanent housing placements for clients.
8. Cultivate and maintain relationships with local landlords who agree to participate in the program.
9. Make client referrals for Essential Needs Services, housing and other community resources.
10. Coordinate with the Community Service Office of DSHS regarding client service delivery.
11. Comply with HMIS requirements including data entry and reporting responsibilities.
12. Commit to reporting complete quality data that is timely, truthful and accurate (as per CHG/HEN Guidelines and HMIS User Agreement).
13. Ensure compliance with State confidentiality laws and regulations.
14. Complete all other activities identified by Whatcom County and Commerce as necessary to implement and manage the rental and utility assistance portion of the HEN Program.

#### **B. Essential Needs and Move-in Supplies Assistance**

The Contractor, specifically the Community Services Division of the Opportunity Council, will be responsible for administration and distribution of essential needs products, to include personal health and hygiene items, cleaning supplies, move-in supplies, or bus passes, and will accordingly:

1. Purchase and distribute essential needs products and move-in supplies to clients eligible for the Housing and Essential Needs (HEN) program.
2. Document client eligibility using DSHS Benefits Verification system.
3. Have written and available Applicant Denial and Grievance and Termination and Grievance policies and/or procedures.
4. Maintain an inventory tracking and tracking of client usage system.

#### **IV. Special Conditions**

The Contractor will comply with program requirements, policies and procedures contained in the "Department of Commerce Guidelines for Consolidated Homeless Grant" hereafter referred to as CHG Guidelines located at: <http://www.commerce.wa.gov/serving-communities/homelessness/consolidated-homeless-grant/>. Changes to the CHG Guidelines may be made without contract amendment. The CHG Guidelines will be updated periodically in compliance with changing State requirements. Whenever a revised edition of the CHG Guidelines is available, the County will provide an email notification.

Consequences of non-compliance with CHG Guidelines, as per the Department of Commerce for Grantees, are listed below and will be passed on to CHG Subgrantees:

1. If Commerce determines that a Grantee is failing to comply with the Guidelines, Terms and Conditions, Commerce will notify Grantee that Grantee will receive technical assistance and be required to respond to a corrective action plan to address and remedy the noncompliance. The technical assistance and corrective action plan to address and remedy the noncompliance will be passed on to the Subgrantee by the County.
2. If the Grantee is still out of compliance after the technical assistance, Commerce may move the Grantee into a probationary period with a second corrective action plan and may reduce the grant total by 20%. The second corrective action plan will be passed on to the Subgrantee by the County.
3. If the Grantee remains out of compliance after the probation period, Commerce may terminate the grant, per the General Terms and Conditions TERMINATION FOR CAUSE.

**V. Program Outcomes**

During this contract period, the Contractor is expected to meet the following outcomes:

- A. The Contractor will provide assistance to all HEN eligible households that seek assistance during the contract term providing that HEN rent and utility assistance funds are available. Based on the previous 12-month period, the program is expected to serve an estimated 230 households between 7/1/2021 – 6/30/2022.
- B. The Contractor will provide assistance to approximately 350 HEN-eligible households through the purchase and distribution of essential needs items and cleaning and move-in supplies as the budget for this purpose so allows.

**VI. Reporting Requirements**

System-wide performance measures and benchmarks specific to intervention type (HMIS project type), are outlined in the table found at the link below. CHG Grantees must meet or demonstrate progress towards established performance measure targets by meeting the indicated benchmarks. Targeted Prevention performance measures are exempted from the “Consequences of non-compliance” as per Commerce, listed in Section IV: Special Conditions above, wherein “Grantee” refers to the County being the CHG recipient.

Updates to the CHG System-Wide Mandatory Performance Measures table will be provided periodically by Commerce. Updates will be posted on the Whatcom County Health Department website which can be accessed at: <http://whatcomcounty.us/910/Housing-Program>. Additionally, the Opportunity Council will receive written notification from the County upon notification of updates from Commerce.

The Contractor will submit the following reports on a monthly basis to the County:

- A. Number of HEN eligible households assisted during the current month and how many have been assisted year to date.
- B. Average amount of subsidy per HEN household.
- C. Number of HEN eligible households declined.
- D. Projects falling under the following intervention types and funded by the Consolidated Homeless Grant (CHG), which includes HEN, will be expected to meet or demonstrate progress towards system-wide performance measures as set by the Washington State Department of Commerce.

Reporting for purchase and distribution of essential needs requires:

- A. The Contractor will submit an Essential Needs Report to the County, at which time it is due as required by Consolidated Homeless Grant guidelines, that identifies the number of people that received Essential Needs products and services each month. The report must answer this question: How many people did you serve with Essential Needs this month? Duplication of people is expected and will be acceptable.

**EXHIBIT "B" – Amendment #10**  
(COMPENSATION)

**I. Budget and Funding**

The source of funding for this contract, in an amount not to exceed \$2,540,694, is from the Washington State Department of Commerce, Consolidated Homeless Grant. Commerce and the State of Washington are not liable for claims or damages arising from Subcontractor's performance of the contract. The budget for this contract is as follows:

<b>HEN PROGRAM BUDGET 07/01/2021 – 06/30/2022</b>		
<b>Cost Description*</b>	<b>Documents Required with Each Invoice</b>	<b>Budget</b>
Personnel (HMIS, Case Managers, Coordinated Entry, Support)	Expanded General Ledger (GL) report for the period billed	\$450,534
50% Fringe Benefit Rate	Expanded GL report based on federally approved fringe rate	\$225,267
Direct Program Supplies – Office Space, Telephone, Insurance	Expanded GL report for the period billed	\$25,000
Mileage	Mileage log to include: name of staff member, date of travel, starting point and destination of travel, number of miles traveled. Mileage will be reimbursed at the GSA rate (per <a href="http://www.gsa.gov">www.gsa.gov</a> ).	\$7,688
Travel/Training	Include name of traveler, date, start & end point, and purpose. Receipts required for transportation costs, registration fees, etc. Lodging and meal costs follow federal guidelines ( <a href="http://www.gsa.gov">www.gsa.gov</a> ). Receipts for meals are not required.	\$7,119
	<b>SUBTOTAL</b>	<b>\$715,608</b>
Indirect Costs – 7% **		\$50,093
	<b>TOTAL</b>	<b>\$765,701</b>
<b>Rent Payments</b>		
Rent Payments – Includes: Monthly rent and any combination of first and last month's rent and security deposits; Utilities, Arrears and Late Fees; Pro-rated Rent; Hotel/Motel expenses; Lot Rent for RV's & Manufactured Homes for HEN enrolled; Rental Arrears; Late Fees Prior to HEN Enrollment; Permanent Housing Support Expenses (must be paid directly to a third party) for eviction costs/damages to previous units, all in accordance with CHG Guidelines Section 5.3.	Expanded GL with Client ID, payee, amount	\$1,449,972
Landlord Incentives (excludes volunteer incentives), Security Deposits and Landlord Admin. Required Fees	Expanded GL report for the period billed	\$60,000
<b>Other Housing Costs</b>		
Utility Payments, Arrears (not included with rent)		\$50,000
Application Fees, Background/Credit Check Fees, utility deposits (excluding cable), and costs of urinalysis for drug testing of household members if necessary/required for rental housing in accordance with CHG Guidelines Section 5.3	Expanded GL report for the period billed	\$3,500
	<b>SUBTOTAL</b>	<b>\$1,563,472</b>
Indirect Costs – 7%**		\$109,443
	<b>TOTAL</b>	<b>\$1,672,915</b>



<b>ESSENTIAL NEEDS ASSISTANCE BUDGET 07/01/2021 – 06/30/2022</b>		
<b>Cost Description</b>	<b>Documents Required Each Invoice</b>	<b>Budget</b>
Personnel	GL Detail	\$30,000
Hygiene Product, Cleaning and Move-in Supplies, and Transportation Assistance	GL Detail and Receipts	\$65,000
Insurance/Supplies/Mortgage/Rent		\$400
<b>SUBTOTAL</b>		<b>\$95,400</b>
Indirect Costs – 7% **		\$6,678
<b>Essential Needs TOTAL</b>		<b>\$102,078</b>
<b>TOTAL CONTRACT AMOUNT</b>		<b>\$2,540,694</b>

\*The Contractor may transfer funds among budget line items within each program budget only (HEN, Rent, or Essential Needs Assistance) in an amount up to 10% of the total program budget. Changes to a line item budget that exceed 10% must be approved in writing by the County.

\*\*In no instance shall the indirect cost exceed 7% or fringe benefit rate exceed the current federally approved rate. All allocated direct costs must be based on approved cost allocation plan.

## II. Invoicing

1. The Contractor shall submit itemized invoices up to two times per month in a format approved by the County. Invoices should be received no later than the 15<sup>th</sup> of each month for the previous month expenditures. Invoices submitted for payment must include the documentation specified in the tables above.
2. Invoices and all invoice-related communication should be sent to [HL-BusinessOffice@co.whatcom.wa.us](mailto:HL-BusinessOffice@co.whatcom.wa.us).
3. End of year rent and utility assistance payments will be invoiced and reimbursed based on the date of the rent or utility assistance check issuance.
4. Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from the Contractor. The County may withhold payment of an invoice if the Contractor submits it more than 30 days after the expiration of this Contract.
5. Invoices must include the following statement, with an authorized signature and date:  
**I certify that the materials have been furnished, the services rendered, or the labor performed as described on this invoice.**
6. Duplication of Billed Costs or Payments for Services: The Contractor shall not bill the Health Department for services performed or provided under this contract, and the Health Department shall not pay the Contractor, if the Contractor has been or will be paid by any other source, including grants, for those costs used to perform or provide the services in this contract. The Contractor is responsible for any audit exceptions or disallowed amounts paid as a result of this contract.