

**CITY OF FORT LAUDERDALE
HOUSING OPPORTUNITIES for PERSON with AIDS (HOPWA)**

FIRST AMENDMENT TO THE FY2021-2022 PROGRAM PROVIDER AGREEMENT

WITH

BROWARD REGIONAL HEALTH PLANNING COUNCIL (BRHPC), INC.

THIS AMENDMENT, with an effective date of March 27, 2022, by and between the City of Fort Lauderdale, a Florida municipality ("City"), and **BROWARD REGIONAL HEALTH PLANNING COUNCIL (BRHPC), INC.**, a non-profit corporation organized under the laws of the State of Florida with its principal place of business located at **200 Oakwood Lane, Suite 100, Hollywood FL 33020** ("Agency" or "Participant"). [Click here to enter text..](#)

WHEREAS, the City receives Coronavirus Aid, Relief and Economic Security (CARES) Act Public Law 116-136 funding provisions to Housing Opportunities for Persons with AIDS (HOPWA) from the U.S. Department of Housing and Urban Development (HUD) to maintain operations, provide rental assistance and supportive services, and other necessary actions, in order to prevent, prepare and respond to coronavirus disease 2019 (COVID-19); and

WHEREAS, Participant is a non-profit organization with significant activities related to providing services or housing to persons with Acquired Immunodeficiency Syndrome (AIDS) or related diseases and submitted a responsive proposal to the City's RFP ("Proposal") to provide **Short Term Rent Mortgage and Utility (STRMU) and Temporary Emergency Hotel Voucher (TEHV)**; and

WHEREAS, the City entered into a Program Provider Agreement with Participant, dated March 27, 2020, to provide a one-time funding allocation between STRMU and TEHV activities on condition that expenditures do not exceed the overall grant award of Seven Hundred Ninety-Eight Thousand Three Hundred Fifty Four Dollars and Zero Cents (\$798,354.00) for the administration of Participant's HOPWA Programs (Provider Agreement); and

WHEREAS, Participant submitted a budget and scope of work compliant with HOPWA CARES Act funding eligible uses, as described in the HUD Community Planning and Development (CPD) notice: CPD-20-05 dated May 8, 2020, which is on file with the City's Housing and Community Development (HCD) Division and is incorporated herein as if fully set forth; and

WHEREAS, on July 7, 2020, the City Commission approved CAM 20-0496 authorizing the use of the HOPWA CARES Act funds to engage qualified non-profit organizations to provide housing and supportive services to qualified persons under the HOPWA Program, and adopted Resolution No. 20-113 awarding HOPWA CARES Act funding to Participant

and delegating authority to the City Manager to execute any and all documents pertaining to said program and its initiatives; and

WHEREAS, Participant requested a one-time extension of the term of the Provider Agreement for an additional twelve (12) months, commencing March 27, 2022, and ending on March 27, 2023, to meet unexpected program demands so it may continue the same level services and maintain operations for rental assistance and other necessary actions intended for HOPWA Program qualified individuals; and

WHEREAS, City has agreed to grant Participant a one-time extension of the Provider Agreement's term for an additional twelve (12) months ending on March 27, 2023, subject to all other terms and conditions of the Provider Agreement which shall remain unchanged.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged the parties agree as follows:

- I. **RECITALS:** The foregoing recitals are true and correct in all respects and are incorporated herein by reference.
- II. **AMENDMENT:** The Provider Agreement shall be amended as follows:
 - A. **Article V** titled **TERM AND TIME OF PERFORMANCE** is amended to extend the contract term for an additional twelve (12) months, commencing March 27, 2022, through and including March 26, 2023, subject to earlier termination as provided in the Provider Agreement. This is a one- time allotment for a period of 12 months, with no additional term extensions or renewals. All allotments should be expensed within this extended term. If the Participant fails to meet any of the agreed upon expenditure terms, the City shall not be obligated to provide additional time extensions.
- III. **NO OTHER CHANGES:** Except as modified by this First Amendment, all terms, covenants, obligations and provisions of the Provider Agreement shall remain unaltered, shall continue in full force and effect, and are hereby ratified, approved and confirmed by the parties in every respect. If the terms and conditions set forth in this First Amendment directly conflict with any provision contained in the Provider Agreement, then this First Amendment shall control.

[REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

WITNESSES:

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida

[Signature]

By: [Signature]

CHRISTOPHER J. LAGERBLOOM, ICMA-CM
City Manager

[Signature]

Witness Name – Printed or Typed

[Signature]

Date 3.30.22

Aimee Llauro

Witness Name - Printed or Typed

Approved as to form:
Alain E. Boileau, City Attorney

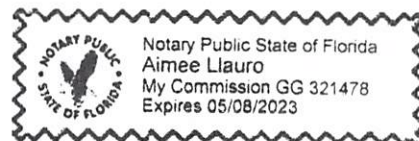
By: [Signature]

Patricia Saint-Vincent, Assistant City Attorney

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online, this 30th day of March, 2022, by Christopher J. Lagerbloom, ICMA-CM as City Manager of the City of Fort Lauderdale, a municipal corporation of the State of Florida., Greg Charrin

[Signature]
(Signature of Notary Public – State of Florida)



Aimee Llauro
Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification _____
Type of Identification Produced _____

PARTICIPANT

BROWARD REGIONAL HEALTH PLANNING COUNCIL, INC., a non-profit corporation organized under the laws of the State of Florida

WITNESSES:

Yoranda Falcone

Yoranda Falcone

[Witness print name]

Cheryl

Cheryl Kozia

[Witness print name]

(CORPORATE SEAL)

By:

Michael De Lucca, President/CEO

Attest:

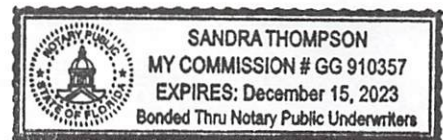
By:

Secretary

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me, me by means of ☒ physical presence or ☐ online, this 22nd day of March 2022, by Michael De Lucca, as President/CEO of Broward Regional Health Planning Council, Inc, a non-profit corporation organized under the laws of the State of Florida.

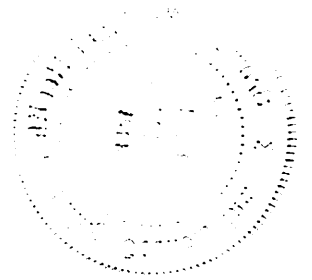
[Signature]
(Signature of Notary Public – State of Florida)



Sandra Thompson
Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification _____
Type of Identification Produced _____

Program Name: Housing Opportunities for Persons With HIV/AIDS Program (HOPWA)
Catalog of Federal Domestic Assistance (CFDA) #: 14.241
Grant Participant #: F-LH-20-FHW004



DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
OFFICE OF THE ASSISTANT SECRETARY FOR
MILITARY AND NAVAL AFFAIRS
WASHINGTON, D.C. 20460



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM
Today's Date: 3/25/2022

2L 3/30/2022

DOCUMENT TITLE: CARES ACT - COFL and HOPWA 1ST AMENDMENT TO FY 2021-2022
PROVIDER AGREEMENT FOR BROWARD REGIONAL HEALTH PLANNING COUNCIL, INC.

COMM. MTG. DATE: 6/15/2021 CAM #: 21-0498 ITEM #: PH-1 CAM attached: ☒ YES ☐ NO

Routing Origin: CAO Router Name/Ext: Sonia Ext 5598 Action Summary attached: ☒ YES ☐ NO

NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

CIP FUNDED: ☐ YES ☒ NO

1) Dept: HCD Router Name/Ext: Evelyn x-4775 # of originals routed: 2 Date to CAO: 3/25/2022

2) City Attorney's Office: Documents to be signed/routed? ☒ YES ☐ NO # of originals attached: 2

Is attached Granicus document Final? ☒ YES ☐ NO Approved as to Form: ☒ YES ☐ NO

Date to CCO: 3/28/22 Patricia SaintVil-Joseph
Attorney's Name

Initials 3/28/22

3) City Clerk's Office: # of originals: 2 Routed to: Donna V./Aimee L./CMO Date: 3/29/2022

4) City Manager's Office: CMO LOG #: Mar 14 Document received from: 330 22

Assigned to: CHRIS LAGERBLOOM ☐ TARLESHA SMITH ☐ GREG CHAVARRIA ☐
CHRIS LAGERBLOOM as CRA Executive Director ☐

☐ APPROVED FOR C. LAGERBLOOM'S SIGNATURE ☐ N/A FOR C. LAGERBLOOM TO SIGN

PER ACM: T. Smith (Initial/Date) PER ACM: G. Chavarria (Initial/Date)

☐ PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward 2 originals to ☐ Mayor ☒ CCO Date: 3-30-22

5) Mayor/CRA Chairman: Please sign as indicated. Forward _____ originals to CCO for attestation/City seal (as applicable) Date: _____

6) City Clerk: Forward 2 originals to CAO for FINAL APPROVAL Date: 3/30/2022

7) CAO forwards _____ originals to CCO Date: _____

8) City Clerk: Scan original and forwards 2 originals to: HCD/ Eveline Ext.4775

** Please provide a scan of completely signed documents to ssierra@fortlauderdale.com

Attach _____ certified Reso # _____ ☐ YES ☒ NO

Original Route form to Sonia Sierra - CAO