



Interoffice Memorandum

October 5, 2020

AGENDA ITEM

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director *Lonnie C Bell*
Community and Family Services Department

FROM: Lavon B. Williams, Manager *Lavon B Williams*
Community Action Division
407-836-5614

SUBJECT: **Consent Agenda Item – October 13, 2020**
FY 2017-2020 LIHEAP Modification #9 Agreement# 17EA-OF-12-00-01-022
FLAIR Contract: E1958 CFDA# 93.568

The Low Income Home Energy Assistance Program (LIHEAP) is a federal grant designed to assist low-income families and individuals whose income is at or below 150% of the Federal Poverty Level with past due energy bills. On an annual basis federal funds are sent to the Florida Department of Economic Opportunity, which enters into a contract with the County to serve eligible households.

The Florida Department of Economic Opportunity wishes to enter into a modification to the funding agreement which expired on September 30, 2020 extending the FFY 2017-2020 LIHEAP Subgrant Agreement between the recipient (Florida Department of Economic Opportunity) and the sub recipient (the County) until March 31, 2021.

Due to the expiration of the agreement, the DEO requested immediate execution of the modification extending the agreement. The fiscal impact had the County not signed the agreement would have prevented the county for submitting for reimbursement of expenditures.

Staff is requesting that the Board ratify the execution of the agreement as signed by Mayor Demings to prevent loss of funding and allow the extension of the grant agreement for LIHEAP.

ACTION REQUESTED: Ratification of the Mayor’s execution of Modification #9 of the Federally Funded Subgrant Agreement for the Low-Income Home Energy Assistance Program Number: 17EA-OF-12-00-01-22, by the State of Florida, Department of Economic Opportunity and Orange County, and delegation of signature authority to the Mayor or designee to execute any necessary modifications, amendments, and extensions of this contract.

LW:jam

Attachments

- c: Bryon W. Brooks, County Administrator
- Cristina Berrios, Assistant County Attorney, County Attorney’s Office
- Jamille Clemens, Grants Supervisor, Comptroller’s Office
- Auria Oliver, Grant Coordinator, Office of Management and Budget
- Yolanda Brown, Fiscal Manager, Community and Family Services

APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS

BCC Mtg. Date: October 13, 2020

**MODIFICATION NUMBER NINE OF AGREEMENT BETWEEN THE
FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) AND
ORANGE COUNTY, FLORIDA**

CFDA Number: 93.568

Agreement Number: 17EA-OF-12-00-01-022
FLAIR Contract Number: E1958

FEDERALLY FUNDED SUBGRANT AGREEMENT

THIS MODIFICATION Number Nine is entered into between the State of Florida, Department of Economic Opportunity, with headquarters in Tallahassee, Florida, hereinafter referred to as "DEO," and Orange County, Florida, hereinafter referred to as "Subrecipient" (each individually a "Party" and collectively "the Parties").

WHEREAS, Paragraph (4)(b) of the Agreement provides that "[m]odifications to this Agreement must be in writing, on DEO-approved forms, as applicable, and duly signed by the Parties"; and

WHEREAS, the Parties agree to amend the Agreement as set forth herein.

NOW, THEREFORE, in consideration of the mutual promises of the Parties contained herein, the Parties agree as follows:

1. Paragraph (3) PERIOD OF AGREEMENT is hereby deleted in its entirety and replaced with the following: "This Agreement period begins on **April 1, 2017**, and ends on **March 31, 2021**, unless terminated earlier in accordance with the provisions of this Agreement, including but not limited to, Paragraph (13) of this Agreement. For avoidance of all doubt, notwithstanding anything else herein, including, but not limited to Exhibit 1-A, FUNDING SOURCES, the subaward period of performance starts April 1, 2017 and ends March 31, 2021."
2. To the extent there is any conflict between the provisions of this Modification, including any attachments and exhibits thereto, and the provisions of the Agreement, including any attachments and exhibits thereto, the provisions of this Modification shall supersede and control.
3. Attachment A, Scope of Work, Subparagraph E.4. is hereby deleted in its entirety and replaced with the following: "Subrecipient shall determine the correct amount of each Crisis Assistance benefit based on the minimum necessary to resolve the crisis, but not more than the maximum set by DEO. DEO will inform the Subrecipient of the maximum crisis benefit prior to the beginning of each program year."
4. All provisions of the Agreement, including any attachments or exhibits thereto, not amended by or in conflict with this Modification, remain in full force and effect.

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**STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY
FEDERALLY FUNDED SUBGRANT AGREEMENT
SIGNATURE PAGE**

IN WITNESS WHEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of the Agreement, as modified. This Modification shall be effective on September 30, 2020.

**SUBRECIPIENT
ORANGE COUNTY, FLORIDA**

By: 
(Signature)

Jerry L Demings
Mayor
(Print/Type Name and Title Here)

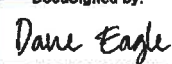
Date: October 5, 2020

59-6000773
Federal Identification Number

064797251
DUNS Number

17EA-OF-12-00-01-022
Agreement Number

**STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY**

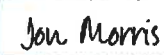
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Dane Eagle, Executive Director
Department of Economic Opportunity

Date: 10/19/2020

Approved as to form and legal
sufficiency, subject only to full and
proper execution by the Parties.

Office of the General Counsel
Department of Economic Opportunity

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By: 
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Approved Date: 10/15/2020