



AMENDMENT TO AGREEMENT NO. CE0900689-01, 02

Dated September 17, 2009

By and Between

CUYAHOGA COUNTY

And

Cuyahoga County Land Reutilization Corporation

This Amendatory Agreement made and entered as of October 15, 2012 by and between COUNTY OF CUYAHOGA, OHIO, (the "County"), on behalf of the Department of Development ("DOD"), and the Cuyahoga County Land Reutilization Corporation, a corporation not-for-profit, with principal offices located at 323 W. Lakeside, Suite 160, Cleveland, Ohio 44113 (the "corporation").

WITNESSETH:

WHEREAS, the County and the Cuyahoga County Land Reutilization Corporation, a corporation not-for-profit, entered into an Agreement # CE0900689-01,02 dated September 17, 2009 (hereinafter called the "Agreement") whereby the Cuyahoga County Land Reutilization Corporation was awarded \$1,010,000 in funds for an activity entitled Demolition of Blighted Structures and Land Banking and Administrative cost and

WHEREAS, the Agreement expires on December 31, 2012 and;

WHEREAS, the amount of the Agreement reads \$1,010,000, and;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the County and the Cuyahoga County Land Reutilization Corporation hereby agree as follows:

1. Except as herein specifically amended, all terms used herein shall have the same meanings as in the Agreement.
2. Approved Budget -- Budgetary Details shall be and are hereby changed to add additional State NSP funds not to exceed the amount of \$21,053.00 to the budget, which increases the Agreement amount from \$1,010,000 to \$1,031,053 effective November 1, 2012.
3. The date of December 31, 2012 appearing in Item II of the Agreement shall be and is hereby changed to January 31, 2013
4. Schedule A - Scope of Services shall be and is hereby changed and is attached hereto, as if fully rewritten herein.
5. Except as herein specifically amended, all of the terms and provisions contained in the Agreement are hereby ratified and confirmed and said Agreement is hereby incorporated to the same extent as if fully rewritten herein.

All county Contracts/Agreements and amendments are subject to all applicable County ordinances, including, but not limited to, the Cuyahoga County Ethics Ordinance, Cuyahoga County Inspector General Ordinance, and Cuyahoga County Board of Control, Contracting and Purchasing Ordinance, and the successful bidder shall comply with all such ordinances as an integral part of all County contracts.

By entering into this (agreement/contract/amendment to agreement or contract) or (by submitting a bid) or (by submitting a proposal) I agree on behalf of the contracting or submitting business entity, its officers, employees, subcontractors, sub-grantees, agents or assigns, to conduct this transaction by electronic means by agreeing that all documents requiring county signatures may

be executed by electronic means, and that the electronic signatures affixed by the county to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. I also agree on behalf of the aforementioned entities and persons, to be bound by the provisions of chapters 304 and 1306 of the Ohio revised code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County

IN WITNESS WHEREOF, the County and Cuyahoga County Land Reutilization Corporation caused this Amendment to be executed the day, month and year first above written.

CUYAHOGA COUNTY, OHIO

Edward FitzGerald, County Executive



BY: 2013-01-11 10:12:26

Edward FitzGerald, County Executive

Cuyahoga County Land Reutilization
Corporation

BY:



Chief Executive Officer

NSP Area Benefit Eligibility Census Tracts and Block Groups in Partially Eligible Communities

Bay Village	Tract 1301.05 Block Group 7 Tract 1301.06 Block Group 2
Broadview Heights	Tract 1361.01
Highland Heights	Tract 1551.02 Block Group 1
Independence	Tract 1561.01 Tract 1561.02 Block Group 3
Lyndhurst	Tract 1701.01 Block Groups 1 & 2 Tract 1701.02 Block Groups 1, 3 & 4 Tract 1702.01 Block Group 2 Tract 1702.02 Block Group 4
North Royalton	Tract 1751.03
Olmsted Falls	Tract 1761.00 Block Group 2
Rocky River	Tract 1811.00 Block Group 2 Tract 1812.01 Block Group 1 Tract 1812.03 Block Group 8 Tract 1812.04 Block Group 1 Tract 1821.04 Block Group 3
Seven Hills	Tract 1821.03
Shaker Heights	Tract 1831.00 Block Group 3 Tract 1834.02 Block Groups 2 & 3 Tract 1835.01 Block Group 2 Tract 1836.03 Tract 1836.05 Block Group 1 Tract 1836.06 Block Group 1
Strongsville	Tract 1861.03 Block Group 3 (Rural Portion Only) Tract 1861.04 Block Group 1 Tract 1861.06 Tract 1862.06 Block Group 1 (Rural Portion Only)
University Heights	Tract 1871.03 Block Groups 2 & 3 Tract 1871.05 Block Group 3 Tract 1871.06 Block Group 1
Valley View	Tract 1929.00 Block Group 1

Amended Schedule A
Project Activity Description
Non Profit Sub recipient
Scope of Services

Agency Name: Cuyahoga County Land Reutilization Corporation

Amended Program Funding: \$1,031,053

Year Award 1 Year
FY 08

Areas Served: Cuyahoga Urban County

National Objective: Activities benefitting Low-Moderate-Middle Income Persons per NSP regulations

The use of CDBG funds must be targeted to a specific service area that meets one of two National objectives as designated by the Department of Housing and Urban Development (HUD). These National Objectives are:

1. Providing primary benefit to low and moderate income persons;
2. Aiding in the elimination of slums and blighting conditions.

The criteria used to determine which National Objective is being served is based on information provided by the County Planning Commission's (CPC) 1992, Countywide Slum & Blight Study as updated, and from the 1990 Census Data (low/mod determination).

Eligible Activity: **Demolition of Blighted Structures and Land Banking and Administrative Costs**

Project Description: The Sub recipient will conduct the following activities during the term of the Agreement

1. Demolition of Blighted Structures

Service Delivery: The

Staff Persons Responsible for Implementing Activity

Executive Director and other staff and subcontractors as assigned by Executive Director.

2. Land Banking

Service Delivery: The

Staff Persons Responsible for Implementing Activity

Executive Director and other staff and subcontractors as assigned by Executive Director.

3. Activity Delivery Costs (no set limit) and Administrative Costs (limited to \$10,000)

Service Delivery: NSP funds may be used to pay for staff costs and other direct costs incurred by the Cuyahoga County Land Reutilization Corporation, including the cost of necessary professional services, to carry out demolition and land banking activities in the eligible suburban communities listed in the attached Schedule B. Indirect costs and general overhead costs may not be paid from NSP funds. Procurement of professional services must comply with the Land Reutilization Corporation's written procurement policies and with 24 CFR Sections 84.40-84.48, which require competitive written quotations from an adequate number of qualified sources, unless the requirements for use of non-competitive proposals are satisfied. Administrative costs are limited to \$10,000.

Staff Persons Responsible for Implementing Activity

Executive Director and other staff and subcontractors as assigned by
Executive Director

Program Location and Operations:

Cuyahoga County Land Reutilization Corporation will establish its offices and carry out work throughout Cuyahoga County. Only properties located in eligible suburban communities listed in the attached Schedule B will be demolished and/or acquired using the NSP funds provided by this contract.

Agency Licensing Requirements:

The Sub recipient has and will maintain all documents required for operation of this program per Local, State and Federal regulations.

These documents include, but are not limited to:

- Articles of Incorporation
- Nonprofit Status Certification

Reporting Requirements:

The Sub recipient will submit to the Department of Development, on the first (1st) day, no later than the tenth (10th) day following the close of the reporting period the following documentation:

The reporting period is defined as the previous month. Reimbursement for expenses incurred during the reporting period will not be processed unless the monthly performance and financial report as described herein are properly submitted.

1. A monthly program performance report including the total number of units of service delivered for each service category.
2. A listing of each address served.
3. A narrative report describing any special servicing problems that may modify the pattern of service delivery, including changes in staffing, funding or use of facilities. This report will also describe any special projects or achievements, in addition to describing the general program operations.

In addition to the aforementioned performance report, a financial report is to be submitted by the Sub recipient to this Department by the first (1st), no later than the tenth (10th) day after the close of the reporting period. The financial report will include: a) a request for payment and/or status of fund's report; b) a budgetary summary sheet; and c) a budgetary detailed report, along with supporting documentation requested by this Department.

The Sub recipient shall provide the County with a copy of its audit report within 30 days after the completion of the audit.

Should the Sub recipient fail to meet these reporting requirements on an adequate and timely basis, the Department will withhold payments until the necessary information is made available. Continued failure to submit adequate and timely reports will result in the termination of this Agreement.

Amendments to Agreement:

Changes in Schedule A, Scope of Services and Attachment 1 -- Budgetary Details shall be agreed to by the Department of Development in writing prior to the implementation of any changes. If an amendment to the Agreement is required, the Sub recipient may not proceed with the changes until the amendment is executed by Cuyahoga County.

Schedule B
Communities Eligible for NSP Demolition and Land Banking Services

Whole Community Eligible	Some Eligible Areas*
Bedford	Bay Village
Bedford Heights	Broadview Heights
Berea	Highland Heights
Brooklyn	Independence
Brook Park	Lyndhurst
Cuyahoga Heights	North Royalton
Fairview Park	Olmsted Falls
Garfield Heights	Rocky River
Glenwillow	Seven Hills
Linndale	Shaker Heights
Maple Heights	Strongsville
Mayfield Heights	University Heights
Middleburg Heights	Valley View
Newburgh Heights	
North Olmsted	
North Randall	
Oakwood	
Olmsted Township	
Parma Heights	
Richmond Heights	
South Euclid	
Warrensville Heights	
Woodmere	

*Detailed listing of eligible census tracts and block groups appears on the next page

Amended ATTACHMENT 1

BUDGETARY DETAILS

AGENCY: Cuyahoga County Land Reutilization Corporation

PROGRAM: Demolition of Blighted Structures and Land Banking

#	COST CATEGORIES	BUDGETED AMOUNT
1	Personnel	
2	Fringe Benefits	
3	Travel	
4	Equipment	
5	General Overhead	
6	Contractual	\$10,000
7	Other	\$1,021,053
	Total	\$1,031,053

Sara Parks Jackson

September 19, 2012

Prepared By

Date Prepared

PROJECT EXPENDITURES BUDGETARY DETAILS

AGENCY: Cuyahoga County Land Reutilization Corporation

PROGRAM: Demolition of Blighted Structures and Land Banking.

(1) PERSONNEL

Title	Salary	Hours Worked Per Week	% Charged to CDBG	Budgeted Amount

TOTAL PERSONNEL -0-

Monthly budget reports are to include: hourly rates, actual hours worked, percentage of hours actually charged to CDBG and dollar amounts charged to CDBG. All personnel are required to maintain time sheets which are to be approved by an appropriate supervisor.

(2) FRINGE BENEFITS

The following guidelines apply to charging "Fringe Benefits" to CDBG:

1. FICA may only be applied to the extent that the total salary does not exceed the pro-rated FICA limit.
2. Workers' Compensation may be charged monthly, provided that there is a periodic adjustment (every 6 months) to reflect the actual billing.
3. Unemployment Tax may be charged monthly, provided that there is a periodic adjustment (every 3 months) to reflect the actual billing. The actual amount charged will be the Unemployment Tax rate x the actual CDBG charged salaries for the related period.

Type of Benefit	Rate or Dollar Amount	Budgeted Amount
TOTAL FRINGE BENEFITS		-0-

(3) TRAVEL (c)

Description	Budgeted Amount
	-0-

(c) Mileage logs are to be maintained and should include: Name, date, destination of trip, actual odometer readings and a supervisor's approval.

(4) **EQUIPMENT (d)**

Type of Equipment	Budgeted Amount
	-0-

- (d) Federal grant guidelines state that all non-expendable property acquired with CDBG funds shall revert to the Department of Development upon termination of the funded program. Invoice should be submitted to the Department of Development when equipment is purchased.

(5) **GENERAL OVERHEAD (e)**

Type of General Overhead	Rate or Dollar Amount	Budgeted Amount
		-0-

- (e) Any costs which may be classified as indirect (i.e., costs which benefit more than one program cost objective) must be reported in total, using an approved cost allocation method.

If any of the above costs require an agreement, monthly receipts are required, and a copy of the agreement must be on file in our office.

(6) **CONTRACTUAL (f)**

Description	Budgeted Amount
Eligible administrative costs including preparation of applications for federal funding by Lenz Planning & Development Services	\$10,000

- (f) Persons listed under Contractual are responsible for their own tax liabilities.

A copy of all Contractual agreements is to be submitted to the Department of Development for approval prior to any Contractual work.

(7) **OTHER**

Category	Budgeted Amount
Eligible Demolition and Land Banking Costs including Activity Delivery Costs	\$1,021,053

TOTAL PROGRAM BUDGET

\$ 1,021,053.00