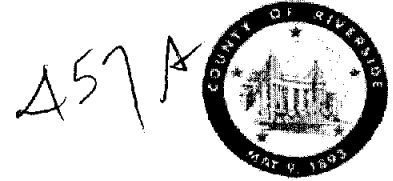


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** : Community Action Partnership of Riverside County

**SUBMITTAL DATE:**  
4/14/11

**SUBJECT:** Amendment #1 to Agreement #11B-5731 with Department of Community Services and Development for the 2011 Low-Income Home Energy Assistance Program

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Ratify and authorize the Chairman of the Board to sign the attached Agreement #11B-5731 between the Department of Community Services and Development (CSD) and the Community Action Partnership of Riverside County (CAP Riverside), increasing the maximum contract amount from \$1,573,975 to \$2,930,477 for the Low-Income Home Energy Assistance Program (LIHEAP) and extending the end of the term of the agreement from December 31, 2011 to March 31, 2012.

Continued (2-pages total)

*[Signature]*  
\_\_\_\_\_  
Maria Y. Juarez, CCAP, Executive Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$560,353	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	10/11

<b>SOURCE OF FUNDS:</b> 100% Federal	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE  
BY: *[Signature]*  
Debra Cournoyer  
**County Executive Office Signature**

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD  
 Dept't Rec'd  Per Exec. Ofc.:  
 Consent  Policy   
 Consent  Policy   
 FORM APPROVED BY COUNTY COUNSEL  
 BY: NEAL R. KIPNIS  
 DATE: 4/13/11  
 Purchasing: *[Signature]*  
 Mark Seller, Assistant Director  
 Department of Administrative Conference

**FROM:** Community Action Partnership  
of Riverside County

**SUBJECT:** Amendment #1 to Agreement #11B-5731  
with Department of Community Services and  
Development

**DATE:** April 14, 2011

**PAGE:** 2 of 2

**RECOMMENDED MOTION (Continued):**

- 2) Authorize the Purchasing Agent to sign ministerial amendments to Agreement #11B-5731, not to exceed the Board authorized amount.

**BACKGROUND:**

On March 29, 2011 (#3.8), the Board approved Agreement #11B-5731 to provide funding for Program Year 2011 to: 1) assist low-income consumers with high energy bills, 2) repair or replace heating and cooling devices that contribute to high energy consumption, and 3) weatherize homes.

Amendment #1 to Agreement #11B-5731 increases the maximum contract amount from \$1,573,975 to \$2,930,477 and extends the end of the term of the agreement from December 31, 2011 to March 31, 2012.

**FINANCIAL IMPACT:** No County General Funds will be required. \$560,353 was budgeted for FY 2010-2011. The remaining balance of \$2,370,124 will be budgeted for FY 2011-2012 through the normal budget process.

**CONCUR/EXECUTE:**

MYJ:KS:jb

AGREEMENT NUMBER <b>11B-5731</b>	AMENDMENT NUMBER <b>1</b>
REGISTRATION NUMBER	

1. This Agreement is entered into between the State Agency and the Contractor named below  
 STATE AGENCY'S NAME  
**Department of Community Services and Development**  
 CONTRACTOR'S NAME  
**Community Action Partnership of Riverside County**
2. The term of this Agreement is : **January 1, 2011 through March 31, 2012**
3. The maximum amount of this Agreement is: **\$ 2,930,477.00**
4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:
  - A. The term of this Agreement has been changed from January 1, 2011 through December 31, 2011 to January 1, 2011 through March 31, 2012.
  - B. The maximum amount of this Agreement payable to Contractor by the State has changed from \$1,573,975.00 to \$2,930,477.00, reflecting an increase of \$1,356,502.00.
  - C. This amendment changes language in Exhibit D, Section 13.A. Replace Exhibit D page D15, in its entirety, please see attached.
  - D. See Exhibit B, Attachment I, II, and III budget replacement pages attached.

All other terms and conditions shall remain unchanged.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto:

<b>CONTRACTOR</b>	<b>CALIFORNIA Department of General Services Use Only</b>
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.) <b>Community Action Partnership of Riverside County</b>	<p>I hereby certify that all conditions for exemption have been complied with, and this document is exempt from the Department of General Services approval.</p> <p><input type="checkbox"/> Exempt per _____</p>
BY (Authorized Signature) <i>[Signature]</i>	
DATE SIGNED (Do not type) <b>1/27/11</b>	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>NEAL R. KIPNIS</b>	
ADDRESS <b>2038 Iowa Ave, Suite B-102, Riverside, CA 92507</b>	
<b>STATE OF CALIFORNIA</b>	
AGENCY NAME <b>Department of Community Services and Development</b>	
BY (Authorized Signature) <i>[Signature]</i>	
DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Leisa Maestretti, Chief Financial Officer</b>	
ADDRESS <b>2389 Gateway Oaks Drive, Suite 100, Sacramento, California 95833</b>	

FOR: APPROVED COUNTY COUNSEL  
 BY: NEAL R. KIPNIS  
 DATE

**2011 LIHEAP Amendment No. 1  
Replacement Pages  
Effective March 1, 2011**

- **EXHIBIT D, Section 13.A, Page D15, replace in its entirety, see attached.**
- **EXHIBIT B, Attachment 1, 2011 LIHEAP Weatherization Budget.**
- **EXHIBIT B, Attachment II, 2011 LIHEAP EHA-16 Program Budget.**
- **EXHIBIT B, Attachment III, 2011 LIHEAP Nonconsideration Allocations.**

**EXHIBIT D**  
**(Standard Agreement)**

- b. Contractors will be required to provide justification and reasoning where the transfer of funds results in program funding allocations that deviate from the statewide program funding ranges outlined below:

ECIP Expenditures	Statewide Range
ECIP Fast Track	7% - 42%
ECIP WPO	1% - 21%
ECIP HCS	1% - 30%

C. Time Restriction

After March 15 of each program year, Contractor shall offer Energy Crisis Intervention Program services, as specified in EXHIBIT H, 2011 AGENCY PRIORITY PLAN, WEATHERIZATION AND ECIP-EHCS or may request an amendment to reallocate any unspent ECIP funds into direct assistance payment services (HEAP – Electric and Gas, and WPO).

D. Process

If Contractor intends to request a contract amendment and/or modification, Contractor shall submit a Request for Amendment/Modification Energy, CSD 509, an updated budget if applicable, and a justification supporting the funds transfer request. Contractor shall assure that the request is submitted to CSD no later than 45 calendar days prior to the expiration date of this Agreement. Contractor may submit the signed request for amendment/modification to CSD via fax and/or mail.

13. SPECIAL PROVISIONS – PERFORMANCE-BASED REQUIREMENTS

- A. Adequate fiscal performance will be the expenditure of one hundred percent (100%) of the total consideration and non-consideration allocations by March 31, 2012. Achievement of the following expenditure goals shall occur as follows.

- 50% by July 30, 2011
- 75% by November 30, 2011
- 100% by March 31, 2012.

- B. CSD shall review Contractor’s achievement of goals each month.
- C. If at the conclusion of the 50% performance benchmark Contractor has not met expenditure achievement goals, CSD shall notify Contractor that contract goals are not being met, and Contractor shall provide to CSD an immediate resolution.

**EXHIBIT B - ATTACHMENT I**  
**2011 LIHEAP WEATHERIZATION BUDGET** **Amendment 1**

Contractor: Community Action Partnership of Riverside County		Contract Number: 11B- 5731	Telephone Number: (951) 955-6461
Class "B" Contractor's License No.: 1) 768277; 2)710333; 3) 885220; 4) 884275; 5) 845883; 6) 835016; 7) 931416; 8) 864393	Name on License: 1) Ace & Sons ;2) James D 3) David Starrett; 4) Hopkins; 5) Ecowize; 6) Synergy; 8) Energy Srvc		Expiration Date: 1)9/30/11; 2) 12/31/11; 3)10/31/12; 4) 9/30/12; 5) 4/30/12; 6) 3/31/12; 7) 4/30/11; 8) 5/31/11
Prepared By: Kathryn J. Snyder, Fiscal Officer	E-mail Address: <a href="mailto:ksnyder@capriverside.org">ksnyder@capriverside.org</a>	Fax Number: (951) 955-1399	

II. ADMINISTRATIVE COSTS (REVENUE)			
1.	Administrative Costs	\$ 88,363	\$ 134,746
III. WEATHERIZATION PROGRAMS (REVENUE)			
1.	Intake (2% of Section 30)	\$ 22,091	\$ 33,686
2.	Outreach (5% of Section 30)	55,227	84,217
3.	Training and Technical Assistance (5% of Section 30)	55,227	84,217
4.	Direct Program Activities	896,849	1,360,672
5.	Liability Insurance		
6.	Vehicle and Equipment - Acquisition Costs		
7.	Workers' Compensation		
	<b>Total Program Costs (lines 1 through 7)</b>	<b>\$ 1,029,394</b>	<b>\$ 1,562,792</b>
		<b>\$ 1,117,757</b>	<b>\$ 1,697,538</b>
		<b># 366</b>	<b># 556</b>
IV. WEATHERIZATION PROGRAMS (COSTS)			

**EXHIBIT B - ATTACHMENT III  
 2010 LIHEAP NONCONSIDERATION ALLOCATIONS      Amendment 1**

Contractor: Community Action Partnership of Riverside		Contract Number: 11B-5731	Telephone Number: 951- 955-6461
Prepared By: Worksheet	E-mail Address:		Fax Number: 951-955-1399

**II. NONCONSIDERATION ECIP BUDGET**

1	ECIP Electric and Gas (Fast Track) Allocation per County	
2		\$ 506,215
3		\$
4		\$
5		\$
6		\$
7		\$
8		\$
9	<b>TOTAL</b>	\$ 506,215

**III. NONCONSIDERATION HEAP BUDGET**

1	HEAP Electric and Gas Allocations per County	
2		\$ 2,531,073
3		\$
4		\$
5		\$
6		\$
7		\$
8		\$
9	<b>TOTAL</b>	\$ 2,531,073

**IV. NONCONSIDERATION HEAP ESTIMATED NUMBER OF HOUSEHOLDS**

1	HEAP Electric and Gas Estimated Number of Households per County	
2	ECIP Electric and Gas (Fast Track) Allocation per County	# 8,508
3	HEAP Electric and Gas Allocations per County	# 1,600
4		#
5		#
6		#
7		#
8		#
9	<b>TOTAL</b>	# 10,108

The total amount allocated to the Nonconsideration program has been entered by CSD and is not made part of the total consideration for this Agreement but shall be for Contractor's use as described in EXHIBIT B, BUDGET DETAIL AND PAYMENT PROVISIONS, and EXHIBIT F, PROGRAMMATIC PROVISIONS.

**EXHIBIT B - ATTACHMENT II  
2011 LIHEAP EHA-16 PROGRAM BUDGET**

**Amendment 1**

Contractor: Community Action Partnership of Riverside County		Contract Number: 11B-5731	Telephone Number: (951) 955-6461
Prepared By: Kathryn J. Snyder, Fiscal Officer		E-mail Address: ksnyder@capriverside.org	Fax Number: (951) 955-1399
<b>SECTION 16 - ASSURANCE 16 ACTIVITIES</b>			
1.	Assurance 16 Activities		\$ 301,317
<b>SECTION 21 - ADMINISTRATIVE COSTS</b>			
1.	Administrative Costs		\$ 200,029
<b>SECTION 22 - INTAKE</b>			
1.	Intake (2% of ECIP/HEAP )		\$ 79,229
<b>SECTION 23 - OUTREACH</b>			
1.	Outreach (5% of ECIP/HEAP )		\$ 198,074
<b>SECTION 24 - TRAINING AND TECHNICAL ASSISTANCE</b>			
1.	Training and Technical Assistance (2% of ECIP/HEAP)		\$ 79,229
<b>SECTION 60 - ECIP/HEAP PROGRAM BUDGET</b>			
1.	ECIP EHCS Cooling Service Repair/Replacement		\$ 136,909
2.	ECIP EHCS Heating Service Repair/Replacement		109,527
3.	ECIP Water Heater Repair/Replacement		27,382
4.	ECIP EHCS Other Program Costs		
5.	ECIP Wood, Propane, and Oil		67,496
6.	Severe Weather Energy Assistance and Transportation Services (activated by CSD)		33,747
7.	HEAP Wood, Propane, and Oil		
8.	Liability Insurance		
9.	Vehicle and Equipment		
10.	Workers' Compensation		
	<b>TOTAL ECIP/HEAP Program Budget (Total of Section 60, Items 1-10)</b>		<b>\$ 375,061</b>
			<b>\$ 1,232,939</b>
<b>SECTION 61 - ECIP PROGRAM HOUSEHOLDS</b>			
1.	ECIP EHCS Cooling Service Repair/Replacement	#	40
2.	ECIP EHCS Heating Service Repair/Replacement	#	36
3.	ECIP EHCS Water Heater Repair/Replacement	#	37
4.	ECIP Wood, Propane and Oil Households	#	180
	<b>TOTAL ECIP Program Households (Total of Lines 1 through 4)</b>	#	<b>293</b>
		#	
			\$ 58