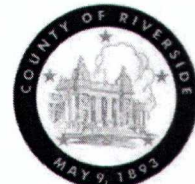


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.21  
(ID # 18912)**

**MEETING DATE:**  
Tuesday, July 26, 2022

**FROM :** HOUSING AND WORKFORCE SOLUTIONS:

**SUBJECT:** HOUSING AND WORKFORCE SOLUTIONS/COMMUNITY ACTION PARTNERSHIP (HWS/CAP): Accept Additional Funding from the State of California Department of Community Services and Development (CSD) for the CAP Weatherization Program to be Applied to Existing Weatherization Subcontractor Agreements and Ratify and Approve the Form of the Fourth Amendment to the Professional Services Agreement; All Districts. [\$1,058,349 - 100% State of California Department of Community Services and Development Funds]

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

1. Accept the additional Low Income Housing Energy Assistance Program (LIHEAP) funding from CSD in the amount of \$1,058,349;
2. Ratify and approve the form of the Fourth Amendment to the Professional Services Agreement for Weatherization Services for Weatherization Agreement (4<sup>th</sup> Amendment) to be used between selected subcontractors (Subcontractors) and the County of Riverside's Department of Housing and Workforce Solutions (HWS) on behalf of its Community Action Partnership agency (CAP) to continue to provide weatherization services for qualified CAP clients, increasing the maximum reimbursable amount to the subcontractors for FY 22/23 and FY 23/24 by \$1,058,349 for a total amount of additional funding not to exceed \$10,000,000 over the five year term of the Agreement;

**ACTION:Policy**

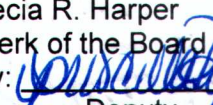
  
Heidi Marshall, Director 6/16/2022

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: July 26, 2022  
xc: HWS

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy



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

3. Authorize the Director of HWS, or designee, to execute the 4<sup>th</sup> Amendments, substantially conforming in form and substance to the attached 4<sup>th</sup> Amendment, between CAP and their selected Subcontractors, subject to approval as to form by County Counsel; and
4. Authorize the Director of HWS, or designee, to take all necessary steps to implement the 4<sup>th</sup> Amendment, including, but not limited to: (a) signing subsequent necessary and relevant documents, subject to approval as to form by County Counsel; (b) signing any necessary agreement(s); and (c) negotiating, signing and implementing any amendments to any agreement(s), including but not limited to, contracts with any Subcontractors selected by CAP and any agreements or amendments that result in a reduction of, disbursement of, or an increase in, any funds awarded by CAP, subject to approval as to form by County Counsel.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$500,000	\$558,349	\$1,058,349	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b> State of California CSD Funds 100%			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 22/23 – 23/24	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

**Annual Award of LIHEAP Funds**

The State of California's Department of Community Services and Development (CSD) sponsors the Low-Income Home Energy Assistance Program (LIHEAP) for cities and local governments with populations of 50,000 or more within California. Funds for the LIHEAP program originate annually through the Federal appropriations process and are granted to CSD by the United States Department of Health and Human Services (HHS). Among other things, LIHEAP provides local agencies with the financial resources to hire contractors to install, repair, or renovate the heating, cooling, insulation, and weatherization needs of dwellings belonging to or occupied by low-income residents of Riverside County. Additionally, in March 2021, the Federal Government passed the American Rescue Plan Act of 2021 (ARPA), which is a one-time appropriation intended to escalate the country's recovery from the economic hardships caused by the pandemic and ensuing economic recession. In addition to other programs, Federal ARPA funds were earmarked to supplement and increase funding for the existing LIHEAP programs. The Department of Community Services and Development (CSD) received an ARPA/LIHEAP grant award from the United States Department of Health and Human Services to help low-income families meet their utility expenses in the wake of the COVID-19 pandemic, which includes financial



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resources to hire contractors for repairing or replacing heating, ventilation, and air conditioning systems in emergency situations for qualified low-income Riverside County residents. ARPA/LIHEAP funds were, in turn, granted to existing LIHEAP Local Service Providers like Community Action Partnership of Riverside County. Funds from this grant were previously approved by the Board and unspent funds are being rolled over into the next fiscal year.

CSD has awarded the Community Action Partnership (CAP) a total of \$8,181,200 in LIHEAP grant funding with Contract #22B-4027 (referred to as LIHEAP 2022). The funds are to be used for utility assistance and weatherization services for low-income residents. The term of this contract is from July 1, 2022, through June 30, 2023, and was approved by the Board of Supervisors (BOS) on February 8, 2022 (Minute Order 3.14). CAP is asking the Board of Supervisors to approve using \$1,058,349 of LIHEAP 2022 weatherization funds for the 4<sup>th</sup> Amendments of the Subcontractor Agreements to be divided among the subcontractors depending on production capacity. These funds are to be used for general weatherization services and emergency heating and cooling repair services for CAP's approved low-income clients.

CSD has also awarded CAP a total of \$11,326,724 in ARPA/LIHEAP funding with Contract #21V-5576, (referred to as ARPA-LIHEAP 2021). The period of this contract is August 1, 2021, through March 31, 2023. The funds are to be used for utility assistance and weatherization services for low-income residents. We are asking the Board of Supervisors to approve using \$500,000 of ARPA-LIHEAP 2021 weatherization funds for the 4<sup>th</sup> Amendments of the Subcontractor Agreements to be divided among the subcontractors depending on production capacity. These funds are to be used for emergency heating and cooling repair services for CAP's approved low-income clients.

CAP is the Project Sponsor and has administered the LIHEAP program for many years. As Project Sponsor, CAP plans, coordinates, and monitors weatherization services for eligible Riverside County residents. Such services include the repair or replacement of HVAC systems, insulation, weatherstripping, furnaces, heaters, and energy efficient lighting in effort to reduce energy costs.

On July 10, 2020, CAP published a Request for Qualifications (RFQ) No. 2020-001 to find and evaluate local contractors to do the weatherization work required by the CSD LIHEAP grant. CAP had qualified six local contractors ("Subcontractors") that met the criteria to participate in this program and entered into Professional Services Agreements for Weatherization Services with the following contractors: Builder Services Group Inc. dba TruTeam of California, WSCL, Inc., Reliable Energy Management, Inc., Greencat Inc., John Harrison Contracting, Inc., and Campesinos Unidos, Inc. ("Weatherization Subcontractor Agreements").



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On April 13, 2021 (Minute Order 3.15), the Board approved HWS/CAP's selection of the above-listed contractors and the subsequent Weatherization Subcontractor Agreements. These agreements have since been amended to extend the period of performance until July 1, 2022, by the Board on November 9, 2021 (Minute Order 3.8) and then extended again until July 1, 2023 on April 26, 2022 (Minute Order 3.21).

The total dollar amount of the Weatherization Subcontractor Agreements with the contractors is not a guarantee of payment amount. The total dollar amount is the maximum amount that is available per contractor for performing billable work under the CSD contract. Any unspent contract amount will be carried forward to the next fiscal year, pursuant to the terms of the funding source. As additional funding becomes available for weatherization services, CAP will bring the funding before the Board of Supervisors to ask that the funds to be added to the agreements with the subcontractors.

Staff recommends that the Board of Supervisors now approve the additional funds in the amount of \$1,058,349 to be applied to selected Weatherization Subcontractor Agreements and approve the form of the 4<sup>th</sup> Amendment.

**Impact on Residents and Businesses**

Low-income residents of Riverside County will have access to critical weatherization services through funding provided by these grants. These services will increase the effectiveness of a dwelling's insulation and HVAC equipment and reduce overall energy bills.

**Contract History and Price Reasonableness**

HWS/CAP issued Request for Qualifications (RFQu) No. 2020-001 which included outreach efforts to solicit bids from minority and low-income businesses. The RFQu notification was viewed by six vendors, with these six vendors submitting bid responses. The proposals were carefully reviewed by an evaluation team and each submittal met all the requirements and minimum pricing. The prices proposed by each contractor shall not exceed the amounts set forth by CSD for the work as listed in State and Federal regulations. All six vendors that responded to the RFQu were all awarded. This consisted of three incumbents and three new contractors. No County funds are required for these agreements.

**ATTACHMENTS:**

- A. Fiscal Years 2022/2023 – 2023/2024 CSD LIHEAP Contract #22B-4027
- B. Fiscal Years 2021/2022 – 2022/2023 CSD ARPA/LIHEAP Contract #21V-5576
- C. 4<sup>th</sup> Amendment Template to Weatherization Contract

  
Brianna Lantajo, Principal Management Analyst 7/20/2022

  
Cynthia M. Gunzel, Chief Deputy County Counsel 7/13/2022

1                                   **FOURTH AMENDMENT TO THE**  
2                                   **PROFESSIONAL SERVICES AGREEMENT FOR**  
3                                   **WEATHERIZATION SERVICES**  
4                                   **BY AND BETWEEN**  
5                                   **THE COUNTY OF RIVERSIDE'S COMMUNITY ACTION PARTNERSHIP AND**  
6                                   **[CONTRACTOR NAME]**

7  
8           **THIS FOURTH AMENDMENT to the Professional Services Agreement for**  
9 **Weatherization Services between the County of Riverside and [Contractor Name] (the**  
10 **"Amendment") is entered into on the Effective Date, defined below, by and between the County**  
11 **of Riverside, a political subdivision of the State of California, on behalf of its Community Action**  
12 **Partnership, (hereinafter "CAP"), and [Contractor Name] a California corporation, (hereinafter**  
13 **"CONTRACTOR"). CAP and CONTRACTOR are collectively referred to herein as the "Parties."**

14                                   **RECITALS:**

15           **WHEREAS**, the County of Riverside's Board of Supervisors ("Board") approved and the  
16 Parties entered into that certain Professional Services Agreement for Weatherization Services  
17 between the County of Riverside, Community Action Partnership and [Contractor Name], on  
18 April 13th, 2021, in Minute Order 3.15 ("Original Agreement");

19           **WHEREAS**, the Parties entered into that certain Amendment No. 1 on June 30<sup>th</sup>, 2021  
20 (Amendment No. 1");

21           **WHEREAS**, the Parties entered into that certain Amendment No. 2 on June 30<sup>th</sup>, 2021,  
22 ("Amendment No. 2");

23           **WHEREAS**, the Parties entered into that certain Amendment No. 3 on April 1<sup>st</sup>, 2022,  
24 ("Amendment No. 3"). The Agreement, Amendment No. 1, Amendment No. 2 and Amendment  
25 No. 3 are collectively known as the "Agreement";

26           **WHEREAS**, CAP received additional funding for its Weatherization Program and wishes  
27 to increase the compensation to CONTRACTOR to continue its work on this project;

28           **WHEREAS**, the Board approved this additional funding on July 26th, 2022 in Minute



1 Order 3.XX;

2 **WHEREAS**, Minute Order 3.XX authorizes the Director of Housing and Workforce  
3 Solutions ("HWS"), or designee to increase the amount of funding to CAP's current contractors,  
4 provided that the Board approved an increase in funds; and

5 **WHEREAS**, CAP desires to again increase the compensation paid to CONTRACTOR so  
6 that CONTRACTOR shall continue the work begun under the Agreement.

7 **NOW, THEREFORE**, in consideration of the foregoing and providing that all other  
8 sections not amended remain intact, the Parties hereto do hereby agree as follows:

9 **A. Section 3.1 of the Agreement is hereby amended in its entirety to read as**  
10 **follows:**

11 3. COMPENSATION:

12 3.1 CAP shall pay CONTRACTOR for services performed, products provided, and  
13 expenses incurred in accordance with the Pricing Matrix attached hereto as Exhibit "B" and  
14 incorporated herein by this reference. Maximum payment by CAP to CONTRACTOR for the  
15 services provided herein, shall not exceed [AWARD AMOUNT] DOLLARS (\$xxx,xxx),  
16 including all expenses, ("Contracted Amount") over the term of this Agreement.

17 CAP shall not be responsible for any fees or costs incurred above or beyond the  
18 aforementioned Contracted Amount and CAP shall have no obligation to purchase any specified  
19 amount of services or products, unless agreed to in writing by CAP pursuant to Paragraph 4  
20 below. CONTRACTOR shall not be entitled to any additional fees for any of the  
21 Weatherization Services other than those set forth below.

22 No compensation shall be allowed for administrative, overhead, word processing  
23 (normal or overflow secretarial time or overtime, or computer time or service) and related  
24 expenses.

25 **B. All other terms and conditions of the Agreement shall remain unmodified**  
26 **and in full force and effect.**

27 **C. The "Effective Date" of this Amendment No. 4 shall be July 1<sup>st</sup>, 2022.**  
28

1 IN WITNESS WHEREOF, CAP and the CONTRACTOR have executed this Amendment as  
2 of the date first above written.

3 **CAP:**

4 the County of Riverside, a political subdivision of the State of California, on behalf of its  
5 Community Action Partnership agency

**CONTRACTOR:**

[Contractor Name], a California corporation

6  
7 By: form - do not sign \_\_\_\_\_

Heidi Marshall

8 Director, Housing and Workforce Solutions

By: form - do not sign \_\_\_\_\_

Name

Title

9  
10 Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

11  
12  
13 **APPROVED AS TO FORM:**

14 County Counsel

15  
16  
17 By:  \_\_\_\_\_

Amrit P. Dhillon,

18 Deputy County Counsel