



Agreement Number 144374

**AMENDMENT TO
STATE OF OREGON
INTERGOVERNMENTAL AGREEMENT**

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This is amendment number 1 to Agreement Number 144374 between the State of Oregon, acting by and through the Oregon Health Authority, hereinafter referred to as "OHA" and

**Yamhill County
By and through its Yamhill County Juvenile Department
535 NE Fifth Street
McMinnville, Oregon 97128
Contact: Tim Loewen
Phone: 503-434-7512
Fax number: 503-434-7466
Email: loewent@co.yamhill.or.us**

hereinafter referred to as "County."

1. This amendment shall become effective on January 7, 2014 once this Amendment has been fully executed by every party and, when required, approved by Department of Justice.
2. The Agreement is hereby amended as follows:
 - a. Section 3 '**Consideration**' subsection 'a' to be deleted in its entirety and replaced with the following:

OHA will reimburse the County for billed Behavioral Rehabilitation Services (BRS) Program Services at rates as defined in Exhibit 1 to Oregon Administrative Rules (OAR) 410-170-0000 through 410-170-0120.
 - b. **EXHIBIT B 'Standard Terms and Conditions' Section 2 Compliance with Law** to delete the second sentence in its entirety and replace it with the following new second sentence:

B.O. 14-158

Without limiting the generality of the foregoing, both parties expressly agree to comply with the following laws, regulations and executive orders to the extent they are applicable to the Agreement: (a) all applicable requirements of state civil rights and rehabilitation statutes, rules and regulations; (b) all state laws requiring reporting of client abuse; (c) ORS 659A.400 to 659A.409, ORS 659A.142 and all regulations and administrative rules established pursuant to those laws in the construction, remodeling, maintenance and operation of any structures and facilities, and in the conduct of all programs, services and training associated with the Work.

- c. **EXHIBIT C ‘Subcontractor Insurance Requirements’ Sections 1 ‘Workers’ Compensation’** to make the following change:

Reduce the current coverage limit requirement of “\$1,000,000.00” to “\$500,000.00”.

- d. **EXHIBIT C ‘Subcontractor Insurance Requirements’ Section 3 ‘Commercial General Liability’** to restate the current amounts for **Property Damage** for “Per occurrence limit for any single claimant” or “Per occurrence for multiple claimants” which are now restated as \$200,000 and \$600,000 respectively.

3. Certification:

- a. The County acknowledges that the Oregon False Claims Act, ORS 180.750 to 180.785, applies to any “claim” (as defined by ORS 180.750) that is made by (or caused by) the County and that pertains to this Agreement or to the project for which the Agreement work is being performed. The County certifies that no claim described in the previous sentence is or will be a “false claim” (as defined by ORS 180.750) or an act prohibited by ORS 180.755. County further acknowledges that in addition to the remedies under this Agreement, if it makes (or causes to be made) a false claim or performs (or causes to be performed) an act prohibited under the Oregon False Claims Act, the Oregon Attorney General may enforce the liabilities and penalties provided by the Oregon False Claims Act against the County. Without limiting the generality of the foregoing, by signature on this Agreement, the County hereby certifies that:
- (1) Under penalty of perjury the undersigned is authorized to act on behalf of County and that County is, to the best of the undersigned’s knowledge, not in violation of any Oregon Tax Laws. For purposes of this certification, “Oregon Tax Laws” means a state tax imposed by ORS 320.005 to 320.150 and 403.200 to 403.250 and ORS chapters 118, 314, 316, 317, 318, 321 and 323 and the elderly rental assistance program under ORS 310.630 to 310.706 and local taxes administered by the Department of Revenue under ORS 305.620;
 - (2) The information shown in Data and Certification, of original Agreement or as amended is County’s true, accurate and correct information;

- (3) To the best of the undersigned's knowledge, County has not discriminated against and will not discriminate against minority, women or emerging small business enterprises certified under ORS 200.055 in obtaining any required subcontracts.
 - (4) County and County's employees and agents are not included on the list titled "Specially Designated Nationals and Blocked Persons" maintained by the Office of Foreign Assets Control of the United States Department of the Treasury and currently found at:
<http://www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf>;
 - (5) County is not listed on the non-procurement portion of the General Service Administration's "List of Parties Excluded from Federal procurement or Nonprocurement Programs" found at:
<https://www.sam.gov/portal/public/SAM/>; and
 - (6) County is not subject to backup withholding because:
 - (a) County is exempt from backup withholding;
 - (b) County has not been notified by the IRS that County is subject to backup withholding as a result of a failure to report all interest or dividends; or
 - (c) The IRS has notified County that County is no longer subject to backup withholding.
- b. County is required to provide its Federal Employer Identification Number (FEIN). By County's signature on this Agreement, County hereby certifies that the FEIN provided to OHA is true and accurate. If this information changes, County is also required to provide OHA with the new FEIN within 10 days.
- c. Except as expressly amended above, all other terms and conditions of the original Agreement and any previous amendments are still in full force and effect. County certifies that the representations, warranties and certifications contained in the original Agreement are true and correct as of the effective date of this amendment and with the same effect as though made at the time of this amendment.

4. **County Data.** County shall provide current information as required below. This information is requested pursuant to ORS 305.385.

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:

County Name (exactly as filed with the IRS): Yamhill County

Street address: 535 NE 5th St

City, state, zip code: McMinnville, OR 97128

Email address: loewent@co.yamhill.or.us

Telephone: (503) 434-7512 Facsimile: (503) 434-7466

Federal Employer Identification Number: 93-6002318

Proof of Insurance:

Workers' Compensation Insurance Company: Citycounty Insurance Services

Policy #: WC-YAMC-13 Expiration Date: 6/30/14

County shall provide proof of Insurance upon request by OHA or OHA designee.

5. Signatures.

COUNTY: YOU WILL NOT BE PAID FOR WORK PERFORMED PRIOR TO NECESSARY STATE APPROVALS

Yamhill County

By:  Chair, Board of Commissioners 3/20/14
Authorized Signature Title Date

State of Oregon, acting by and through its Oregon Health Authority

By: See next page
Authorized Signature Title Date

Approved for Legal Sufficiency:

Exempt per OAR 137-045-0050(2)
Assistant Attorney General Date

Office of Contracts and Procurement:

See next page
Contract Specialist Date

Approved As To Form
by: 
Christian Boenisch
County Counsel
Yamhill County

Accepted by Yamhill County
Board of Commissioners on
3/20/14 by Board Order
14-158

5. Signatures.

COUNTY: YOU WILL NOT BE PAID FOR WORK PERFORMED PRIOR TO NECESSARY STATE APPROVALS

Yamhill County

By: [Signature] Chair, Board of Commissioners 3/20/14
Authorized Signature Title Date

State of Oregon, acting by and through its Oregon Health Authority

By: [Signature] Director; Medical Assistance PROGRAMS 04/01/2014
Authorized Signature Title Date

Approved for Legal Sufficiency:

Exempt per OAR 137-045-0050(2) _____ Date
Assistant Attorney General

Office of Contracts and Procurement:

[Signature] 4/3/14
Contract Specialist Date

Approved As To Form
by: [Signature]
Christlan Boonsch
County Counsel
Yamhill County

Accepted by Yamhill County
Board of Commissioners on
3/20/14 by Board Order
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