

STATE OF TEXAS §
COUNTY OF FORT BEND §

**NINTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
EMERGENCY MANAGEMENT AND GRANT MANAGEMENT SERVICES COVID-19**

THIS NINTH AMENDMENT, is made and entered into by and between Fort Bend County (hereinafter “County”), a body corporate and politic under the laws of the State of Texas, and MPACT Strategic Consulting, LLC (hereinafter “Contractor”), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Consulting Services Emergency Management and Grant Management Services COVID-19, on or about April 14, 2020, as amended on June 23, 2020, August 4, 2020, October 13, 2020, December 15, 2020, March 23, 2021, June 22, 2021, September 28, 2021, and September 7, 2022 (the “Agreement”); and

WHEREAS, County wishes to amend the Agreement to extend the Time of Performance and obtain additional services from Contractor that are within the Scope of Services, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the following changes are incorporated as if a part of the original Agreement incorporated by reference in the same as if fully set forth verbatim herein;

NOW, THEREFORE, the parties do mutually agree as follows:

1. County shall pay Contractor an additional Five Million Three Hundred Fifty-three Thousand dollars and 00/100 (**\$5,353,000.00**) to continue providing Services under the terms and conditions of the Agreement.
2. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed Thirty-Two Million One Hundred Eighty-Five Thousand Six Hundred Twenty-Nine dollars and 95/100 (**\$32,185,629.95**), authorized as follows:

 \$32,185,629.95 under the Agreement; and
 \$5,353,000.00 under this Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without written agreement executed by both parties.
4. The parties agree the terms and conditions of the Agreement have remained in effect to date and are hereby extended to end no later than December 31, 2024.

Except as provided herein, all terms and conditions of the Agreement, including the Maximum Compensation, any addenda or amendments, not modified shall remain in full force and effect. If there is a conflict between this Ninth Amendment and the Agreement, the provisions of this Ninth Amendment shall prevail regarding the conflict.

IN WITNESS WHEREOF, the parties put their hands to this Ninth Amendment on the dates indicated below.


FORT BEND COUNTY



County Judge KP George
KP George, County Judge

January 3, 2023
Date

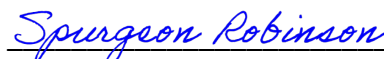
ATTEST:



Laura Richard, County Clerk



MPACT STRATEGIC CONSULTING, LLC



Authorized Agent – Signature

Spurgeon Robinson
Authorized Agent – Printed Name

President
Title

12/23/2022
Date

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 32,185,629.95 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

Exhibit A – Scope of Work

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EXHIBIT A

FORT BEND COUNTY, TEXAS

Amendment #9 **Scope of Work (SOW)**

PROJECT: COVID-19 Emergency Management and Grant Management Services for Fort Bend County, Texas

CARES Act, ERA and ARPA - COVID-19 Emergency Response Scope Summary:

Task 1: Emergency Rental Assistance (ERA) Program

Task 2: American Rescue Plan Act (ARPA) Program and Project Management

- **Small Business**
- **Other Eligible Programs as defined and approved by Fort Bend County**

Task 3: Technical Assistance and Financial Reimbursement – CARES ACT, FEMA, ERA and ARPA

Task 4: Closeout

TASK SCOPE DESCRIPTION

- **Task 1:** Program Services including (Program Administration, Outreach, Eligibility Determination, Quality Control/Quality Assurance; Payment Calculations, Payment Reviews and Technical Assistance) for Fort Bend County Emergency Rental Assistance (ERA) Program.
- **Task 2:** Program Services including (Program Administration, Outreach, Eligibility Determination, Quality Control/Quality Assurance; Payment Calculations, Payment Reviews and Technical Assistance) for Fort Bend County ARPA eligible programs for small businesses, mortgage assistance, broadband, wastewater, sewer and other ARPA eligible programs.
- **Task 3:** COVID-19 Grant Management Technical Assistance for Fort Bend County including Program Management; Program planning assistance; Data Reporting; Program oversight and Financial Management reviews and approvals for proper allocations of multiple funding sources, which includes CARES Act, ERA and ARPA.
- **Task 4:** Closeout of COVID-19, CARES ACT, ERA and ARPA Grant Management Programs, including data capture, repository and transfer to County.

TASK 1: Emergency Rental Assistance (ERA) Program

- **Scope:**
Fort Bend County has identified housing as a priority among basic needs for the community. Due to the impacts of the COVID-19 crisis, a rising number of Fort Bend County residents are unable to sustain their rent and/or utility payments and are at risk of eviction and displacement. In response, Fort Bend County, as allowed and funded through the US Department of Treasury ERA

Program, has established an emergency rental and utility assistance program (FBC ERA) to assist citizens in making rental and utility payments to landlords.

MPACT will facilitate and implement this program by providing the following services:

- Conduct and assist with outreach and awareness of the ERA Program.
- Review of submitted applications for quality assessment, accuracy and verification of eligibility.
- Review files for duplicates and missing data and information.
- Conduct reviews for payment processing to landlords and vendors.
- Provide staff for augmentation of Auditor's office.
- Perform activities necessary to support review, submission and compliance with additional programmatic needs using federal ERA Program funds or other funding sources.
- Provide weekly and/or monthly reporting.
- Document ERA policies and procedures.
- Perform other tasks as assigned and mutually agreed upon for Program Management.

TASK 2: American Rescue Plan Act (ARPA) Program and Project Management

- **Scope:**

Fort Bend County has identified multiple eligible programs to support communities and small businesses respond and recover from COVID-19. This includes prioritizing the economic and operational needs for small business owners and providing for a healthy community. Due to the impacts of the COVID-19 crisis, a number of Fort Bend County small businesses are unable to sustain their operational costs and are at risk of closing down. In response, Fort Bend County has launched a small business emergency assistance program, funded through the American Rescue Plan Act (ARPA). Small businesses established and located in the Fort Bend County will be eligible for grant awards through the Small Business Assistance Program that meet eligibility criteria.

MPACT will facilitate and implement this program by providing the following services:

- Review of submitted applications for eligibility, accuracy and completion, verification of benefits, duplication of benefit and award amount.
- Respond to inquires and resolve discrepancies.
- Review files for missing data and information.
- Prepare applications and checklist and transmittals for payment processing to vendors.
- Provide monthly reporting.
- Document ERA policies and procedures.
- Perform other tasks as assigned and mutually agreed upon for Program Management.

Other Eligible ARPA Programs and Projects

- As requested, MPACT will provide guidance, support and as necessary implementation of eligible ARPA programs that Fort Bend County initiates and request project oversight, compliance and monitoring of grantees and subrecipients.

TASK 3: Technical Assistance and Financial Reimbursement – CARES ACT, FEMA, ERA and ARPA

- **Scope:**
Provide continued and necessary implementation activities as necessary to ensure compliance and operational support for programs developed and designed for COVID-19 response due to the public health emergency with respect to COVID-19. These activities may include all of the following:
 - Maintain program and management support staffing and case management resources to support American Rescue Plan (ARP), Emergency Rental Assistance (ERA), Small Business, Childcare, Food Programs and any other programs implemented by Fort Bend County to address and respond to the Coronavirus under the Federal ARP.
 - Provide call center and case management support and operations to meet demand;
 - Provide staffing for review and quality assurance of payments and fund distribution in compliance with the CARES Act and FEMA;
 - Development, review and/or implementation of policies and procedures;
 - Perform activities necessary to support review, submission and compliance with additional programmatic needs using CARES ACT or multiple funding sources.
 - Document management support; and
 - Support of any other program and operational needs of the county.

TASK 4: Closeout – CARES ACT, FEMA, ERA and ARPA

- **Scope:**
Provide closeout activities related to programs funded and implemented through ARPA, ERA and FEMA. Provide and coordinate data and document repository of all program related activities performed by MPACT and transition to the COUNTY for final review. The COUNTY will be responsible for maintaining all transitioned records for the duration of the audit retention period. These activities may include all of the following:
 - Document and finalize all policies and procedures related to the ARPA and ERA programs.
 - Transition software and maintenance of software including data and analytics to COUNTY systems or responsible entity for retention.
 - Prepare and submit all data and records in a timely manner to the County for retention and review.
 - Assist County with data inquiries and records retention when requested.
 - Provide a closeout document and report of all transitioned material, data and files and provide a summary report.

COMPENSATION

For these Tasks and Scope of Work (SOW), the fees will be based upon MPACT's submitted and approved Houston-Galveston Area Council (HGAC) negotiated rate schedule. The HGAC Schedule is provided below as Attachment A.



Attachment A

MPACT Strategic Consulting, LLC

All Hazards Preparedness, Planning, Consulting & Recovery Services

Contract No.: HP08-17

Labor Category	Hourly Price
Principal	\$235.00
Subject Matter Expert	\$300.00
Project Manager	\$190.00
Senior Manager	\$150.00
Manager	\$110.00
Consultant/Analyst	\$85.00
Trainer	\$75.00
Administrative Assistant	\$45.00

PERFORMANCE PERIOD

Due to the current and extended public health emergency and exigent circumstances related to the Coronavirus Pandemic of COVID-19, this SOW performance period is estimated to begin July 1, 2022 for approximately 18 months, until December 31, 2024. This agreement can be extended or changed based upon circumstances related to the Coronavirus.



APPROXIMATE FEE BREAKDOWN:

FEMA PA \$1,453,000.00*
 ERA \$1,200,000.00
 ARPA \$2,700,000.00**

TOTAL Not to Exceed amount of \$5,353,000.00

FEMA PA*	\$ 1,453,000.00
Billed amounts through October 2022	\$ 244,406.25
Available on PO as of 12.13.2022	\$ 74,034.15
Needed thru October 2022	\$ 170,372.10
FEMA PA Projected Breakdown	\$ 1,282,000.00
Through December 31, 2024	\$50,000.00/Month
ARPA (\$2.7) / ERA (\$1.2)	\$ 3,900,000.00
Billed amounts through October 2022**	\$ 2,649,898.01
Available on PO as of 12.13.2022	\$ 109,587.34
Needed thru October 2022	\$ 2,540,310.67
ARPA Projected Breakdown	\$ 159,000.00
November 2022 - December 2022	\$ 125,000.00
January 2023	\$ 15,000.00
February 2023 - March 2023	\$10,000.00/Month
ERA Projected Breakdown	\$ 1,200,000.00
November 2022 - December 2022	\$ 675,000.00
January 2023 - March 2023	\$100,000.00/Month
April 2023	\$ 75,000.00
May 2023 - July 2023	\$50,000.00/Month

*FEMA ADMIN is an eligible reimbursable amount by FEMA to the County.

**Includes billed amounts through October for Small Business, Child Care and ERA

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING****1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

MPACT Strategic Consulting LLC
Houston, TX United States

Certificate Number:
2022-963986

Date Filed:
12/13/2022

Date Acknowledged:
01/03/2023

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Amendment 9
COVID-19, ARPA and ERA Grant Administration and Financial Management

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.**6 UNSWORN DECLARATION**

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)