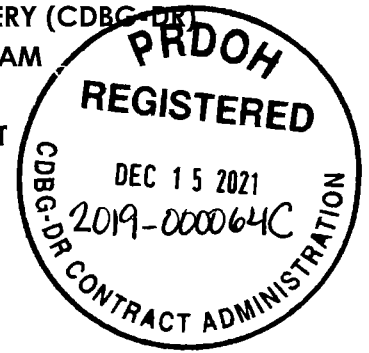




AMENDMENT C

**COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR)
WHOLE COMMUNITY RESILIENCE PLANNING PROGRAM**

**AMENDMENT C TO THE SUBRECIPIENT AGREEMENT
BETWEEN THE
PUERTO RICO DEPARTMENT OF HOUSING
AND THE
FOUNDATION FOR PUERTO RICO
Contract No. 2019-000064**



This **AMENDMENT C TO THE SUBRECIPIENT AGREEMENT** (hereinafter, the "**AMENDMENT C**") is entered into this 15 day of December, 2021, by and between the **PUERTO RICO DEPARTMENT OF HOUSING** (hereinafter, the "**PRDOH**"), a public agency of the Government of Puerto Rico created under Act No. 97 of June 10, 1972, as amended, 3 L.P.R.A. § 441 *et seq.*, known as the "Department of Housing Organic Act" (hereinafter, the "**Organic Act**"), with principal offices at 606 Barbosa Ave., San Juan, Puerto Rico, represented herein by its Secretary, Hon. William O. Rodríguez Rodríguez, of legal age, attorney, single, and resident of San Juan, Puerto Rico; and the **FOUNDATION FOR PUERTO RICO** (hereinafter, the "**Subrecipient**"), a charitable organization under Section 1101.01 (a)(2)(A) of Act No. 1 of January 31, 2011, as amended, 13 LPRA § 30011 *et seq.*, known as the "Puerto Rico Internal Revenue Code of 2011" and a public charity under Section 501(c)(3) of the "United States Internal Revenue Code of 1954", 26 U.S.C. § 1 *et seq.*, with principal offices at 1500 Antosanti Street, Suite K-Collaboratory, San Juan, Puerto Rico, represented herein by its Vice President of Operations and Programs, Alma Frontera Colón, of legal age, executive, single, and resident of San Juan, Puerto Rico; collectively the "Parties".

AMF
AMF

WORR
WORR

I. RECITALS AND GENERAL AWARD INFORMATION

WHEREAS, on December 28, 2018, the Parties entered into a Memorandum of Understanding, Contract Number 2019-000064, for a term of thirty-six (36) months, ending in December 31, 2021, where the PRDOH would pay a maximum amount not to exceed **thirty-seven million five hundred thousand dollars and zero cents (\$37,500,000.00)** to the Subrecipient from Account: **R01P02CRP-FPR-NA-6090-01-0000**, to undertake the Whole Community Resilience Planning Program.

WHEREAS, the Subrecipient Agreement was amended on October 3, 2019 through Amendment A, registered as Contract No. 2019-000064A, to rename the Memorandum of Understanding as a Subrecipient Agreement, replace Exhibits A through F, and conform the Subrecipient Agreement to federal, state, and local regulations and statutes. Neither the amount, nor the account nor the period of performance were modified in Amendment A.

WHEREAS, the Subrecipient Agreement was amended on April 19, 2021 through Amendment B, registered as Contract No. 2019-000064B, to replace Exhibits B, C, D, E, and G, and conform the Subrecipient Agreement to federal, state, and local regulations and statutes. The original amount of the Subrecipient Agreement was reduced to three **million eight hundred fifty-eight thousand nine hundred sixteen dollars and twenty-seven cents (\$3,858,916.27)** to complete the tasks and obligations until the end of term of the Subrecipient Agreement. Neither the account nor the period of performance were modified in this Amendment B.

WHEREAS, as per Section VII (A) of the Subrecipient Agreement, the Subrecipient Agreement may be amended in writing and signed by a duly authorized representative

of each party. Nonetheless, the amendment shall not invalidate the Subrecipient Agreement, nor release the Parties from their obligations under the Subrecipient Agreement.

WHEREAS, this **AMENDMENT C** does not constitute an extinctive novation of the obligations of the parties under the Subrecipient Agreement, but is rather a modification and amendment of certain terms and conditions under the Subrecipient Agreement, including any modified Exhibits.

WHEREAS, the PRDOH has the legal power and authority, in accordance with its enabling statute, the Organic Act, the Federal laws and regulations creating and allocating funds to the CDBG-DR Program and the current Action Plan, to enter into this **AMENDMENT C**.

AMF
AMF

WHEREAS, the SUBRECIPIENT has legal authority to enter into this **Amendment C** in accordance with a Resolution dated December 9th, 2021 duly adopted by the Subrecipient's Board of Directors, authorizing its Vice President of Operations and Programs, Alma Frontera Colón, to enter into this **AMENDMENT C** on behalf of the Subrecipient.

WRR
WRR

WHEREAS, by signing this **AMENDMENT C**, the Subrecipient assures PRDOH that it shall comply with all the requirements described herein.

NOW THEREFORE, in consideration of the mutual promises and the terms and conditions set forth herein, the PRDOH and the Subrecipient agree to execute this **AMENDMENT C** subject to the following:

II. TERMS AND CONDITIONS

A. SAVINGS CLAUSE

The information included in this **AMENDMENT C** serves the purpose of modifying and amending certain terms and conditions under the Subrecipient Agreement. All provisions of the original Subrecipient Agreement shall continue to be in full force and effect, as amended by this **AMENDMENT C**.

B. SCOPE OF THE AMENDMENT

The Parties acknowledge that this **AMENDMENT C** principally encompasses a modification of the period of performance of the Subrecipient Agreement. The Parties agree to extend the term of the Subrecipient Agreement for an additional period of **three (3) months**, ending **March 31, 2022**.

C. AMENDMENTS

The Parties intend to amend **Section III. EFFECTIVE DATE AND TERM** of the Subrecipient Agreement. The Parties agree to extend the term of the Subrecipient Agreement for an additional period of **three (3) months**, ending **March 31, 2022**.

III. SEVERABILITY

If any provision of this **AMENDMENT C** is held invalid, the remainder of the **AMENDMENT C** shall not be affected thereby, and all other parts of this **AMENDMENT C** shall nevertheless be in full force and effect.

IV. SECTION HEADINGS AND SUBHEADINGS

The section headings and subheadings contained in this **AMENDMENT C** are included for convenience only and shall not limit or otherwise affect the terms of the Subrecipient Agreement, and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this **AMENDMENT C**.

V. COMPTROLLER REGISTRY

The PRDOH shall remit a copy of this **AMENDMENT C** to the Office of the Comptroller for registration within **fifteen (15) days** following the date of execution of this **AMENDMENT C** and any subsequent amendment hereto. The services object of this **AMENDMENT C** may not be invoiced or paid until this **AMENDMENT C** has been registered by the PRDOH at the Comptroller's Office, pursuant to Act No. 18 of October 30, 1975, as amended by Act No. 127 of May 31, 2004.

VI. ENTIRE AGREEMENT

The Subrecipient Agreement, as amended, constitutes the entire agreement among the Parties for the use of funds received under the Subrecipient Agreement, as amended, and it supersedes all prior or contemporaneous communications and proposals, whether electronic, oral, or written among the Parties with respect to the Subrecipient Agreement, as amended.

AMF
AMF

VII. FEDERAL FUNDING

The fulfillment of the Subrecipient Agreement, as amended, is based on those funds being made available to the PRDOH as the lead administrative agency for Recovery. All expenditures under the Subrecipient Agreement, as amended, must be made in accordance with the Subrecipient Agreement, as amended, the policies and procedures promulgated under the CDBG-DR Program, and any other applicable laws. Further, the Subrecipient acknowledges that all funds are subject to recapture and repayment for non-compliance.

WRR
WRR

IN WITNESS THEREOF, the Parties hereto execute this **AMENDMENT C** in the place and on the date first above written.

**PUERTO RICO DEPARTMENT OF HOUSING, CDBG-DR
Grantee**

William O. Rodríguez Rodríguez
By: William O. Rodríguez Rodríguez (Dec 15, 2021 12:57 AST)
Name: Hon. William O. Rodríguez Rodríguez, Esq.
Title: Secretary
DUNS Number: 125967484

**FOUNDATION FOR PUERTO RICO
Subrecipient**

Alma Frontera Colón
By: Alma Frontera Colón (Dec 10, 2021 13:43 AST)
Name: Alma Frontera Colón
Title: Vice President of Operations and Programs
DUNS Number: 079405384









AMENDMENT C_2019-000064C

Final Audit Report

2021-12-15

Created:	2021-12-10
By:	Radames Comas Segarra (rcomas@vivienda.pr.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHIKD4GPQtzxNwC81Gd5hj4_SjJP_k7AW

"AMENDMENT C_2019-000064C" History

-  Document created by Radames Comas Segarra (rcomas@vivienda.pr.gov)
2021-12-10 - 2:58:02 PM GMT- IP address: 196.28.53.20
-  Document emailed to Alma Frontera Colón (alma.frontera@foundationpr.org) for signature
2021-12-10 - 2:59:45 PM GMT
-  Email viewed by Alma Frontera Colón (alma.frontera@foundationpr.org)
2021-12-10 - 5:41:19 PM GMT- IP address: 69.79.227.5
-  Document e-signed by Alma Frontera Colón (alma.frontera@foundationpr.org)
Signature Date: 2021-12-10 - 5:43:01 PM GMT - Time Source: server- IP address: 69.79.227.5
-  Document emailed to William O. Rodríguez Rodríguez (w.rodriguez@vivienda.pr.gov) for signature
2021-12-10 - 5:43:03 PM GMT
-  Email viewed by William O. Rodríguez Rodríguez (w.rodriguez@vivienda.pr.gov)
2021-12-10 - 6:41:43 PM GMT- IP address: 172.58.225.30
-  Document e-signed by William O. Rodríguez Rodríguez (w.rodriguez@vivienda.pr.gov)
Signature Date: 2021-12-15 - 4:57:05 PM GMT - Time Source: server- IP address: 196.28.53.20
-  Agreement completed.
2021-12-15 - 4:57:05 PM GMT