

**SECOND AMENDMENT TO
AMERICAN RESCUE PLAN ACT OF 2021
SUBRECIPIENT AGREEMENT**

THIS SECOND AMENDMENT TO THE AMERICAN RESCUE PLAN ACT OF 2021 SUBRECIPIENT AGREEMENT (the “Second Amendment”), is made and entered into on this _____ day of _____, 2023, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government created pursuant to KRS Chapter 67A (the “Government”), located at 200 East Main Street, Lexington, Kentucky 40507, on behalf of its Office of Homelessness Prevention and Intervention, and **COMMUNITY ACTION COUNCIL FOR LEXINGTON-FAYETTE, BOURBON, HARRISON, AND NICHOLAS COUNTIES, INC.**, a Kentucky non-profit corporation created pursuant to KRS Chapter 273, whose principal address is 710 W High Street, Lexington, KY 40576 (the “Subrecipient”).

RECITALS

WHEREAS, pursuant to Urban County Council Resolution No. R-618-2019, the Government and Subrecipient executed the original agreement setting forth the terms and conditions under which Subrecipient would operate and provide an Intensive Street Case Management Program in response to RFP No. 30-2019; and

WHEREAS, pursuant to Urban County Council Resolution No. R-510-2021, the Government and Subrecipient executed a new written agreement (the “Subrecipient Agreement”), in which Subrecipient was allocated \$392,000.00 in federal funds from the U.S. Department of Treasury, under the American Rescue Plan Act of 2021, to continue operation of the Intensive Street Outreach Program; and

WHEREAS, pursuant to Urban County Council Resolution No. R-665-2022, the Government and Subrecipient executed a First Amendment to the Subrecipient Agreement to expand the use of federal funds, as well as additional non-federal funds, for services authorized under the Subrecipient Agreement to allow Subrecipient to facilitate motel vouchers for unsheltered persons during activations of emergency winter weather plan; and

WHEREAS, the term of the Subrecipient Agreement, as amended, ends on June 30, 2023, and Subrecipient desires to extend the period of performance for the operation of the Intensive Street Outreach Program, at no additional cost to the Government, in order to use the remaining funds; and

WHEREAS, the parties mutually agree to enter this Second Amendment to extend the term of the Subrecipient Agreement, as amended, through September 30, 2023, upon the terms and conditions hereinafter set forth.

STATEMENT OF AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and mutually agreed upon promises, conditions, and covenants set forth herein, the receipt and sufficiency of which are acknowledged, the parties hereby agree to further amend the Subrecipient Agreement, as amended by the First Amendment, as follows:

1. Incorporation of Recitals. The above recitals are incorporated herein as a part of this Second Amendment.

2. Amendment to Section I. Statement of Work.
 - a. Section I.F. Schedule – Time of Performance. Section I.F. of the Subrecipient Agreement is amended and restated as follows:

“The term of this Agreement shall be from July 1, 2021, until September 30, 2023.”

3. Effect. All other provisions of the Subrecipient Agreement, as amended by the First Amendment, which are attached hereto as Exhibits “A-1” and “B-1”, respectively, and incorporated herein as if fully stated, not inconsistent with the provisions of this Second Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties certify that they have been duly authorized to execute, deliver, and perform this Second Amendment, and have executed the same as of the date first herein written.

**LEXINGTON-FAYETTE
URBAN COUNTY GOVERNMENT**

By: Linda Gorton, Mayor

ATTEST:

Urban County Council Clerk

**COMMUNITY ACTION COUNCIL FOR
LEXINGTON-FAYETTE, BOURBON,
HARRISON, AND NICHOLAS COUNTIES, INC.**

By: Sharon Price, Executive Director

LIST OF EXHIBITS TO BE ATTACHED TO THIS SECOND AMENDMENT

EXHIBIT A-1

Subrecipient Agreement

(Authorized pursuant to Urban County Council Resolution No. R-510-2021)

EXHIBIT B-2

First Amendment to the Subrecipient Agreement

(Authorized pursuant to Urban County Council Resolution No. R-665-2022)