

SUBRECIPIENT NAME: Disabled Citizens Foundation  
PROJECT NO. 0304-06  
CDFA NO. 14.218

**FOURTH AMENDMENT TO  
A CERTAIN AGREEMENT BETWEEN THE CITY OF URBANA  
AND DISABLED CITIZENS FOUNDATION**

This Agreement is made this \_\_\_\_ day of November, 2005, between the City of Urbana, an Illinois Municipal Corporation (hereinafter referred to as the "City"), and the Disabled Citizens Foundations, an Illinois Not-For-Profit Organization (hereinafter referred to as the "Subgrantee").

WITNESSETH:

WHEREAS, the City has been designated as an "Entitlement" by the U. S. Department of Housing and Urban Development under provisions of the Housing and Community Development Act of 1974, as amended, and the City has received an entitlement of funds during the period July 1, 2005 - June 30, 2006, pursuant to the Community Development Block Grant Program (hereinafter referred to as the "CDBG Program"); and

WHEREAS, the Urbana City Council has adopted a CDBG Program and budget which authorized funding for the renovation of the Disabled Citizens Foundation's job training facility; and

WHEREAS, on February 17, 2004, the City and Subgrantee entered into an agreement for assistance to the Subgrantee during the period July 1, 2003 - June 30, 2004 (hereinafter referred to as the "Agreement"); and

WHEREAS, on April 5, 2004, the Urbana City Council passed Ordinance No. 2004-03-028 approving an Amendment to a City of Urbana Community Development Block Grant Subrecipient Agreement (Disabled Citizens Foundation Project No. 03-04-06).

WHEREAS, on November 15, 2004 the Urbana City Council passed Ordinance No. 2004-11-144 approving a second Amendment to a City of Urbana Community Development Block Grant Subrecipient Agreement (Disabled Citizens Foundation Project No. 03-04-06).

WHEREAS, the City and Subgrantee entered into an amended agreement for assistance to the Subgrantee during the period July 1, 2005 - June 30, 2006 (hereinafter referred to as the "Agreement");

WHEREAS on May 16, 2005, the Urbana City Council passed Ordinance No. 2005-05-064 approving said Agreement with the Subgrantee; and

WHEREAS, the City and the AGENCY desire to amend said Agreement to clarify certain conditions of said Agreement.

NOW, THEREFORE, for and in consideration of the premises and of the mutual covenants and agreements herein contained, the parties agree as follows.

1. ATTACHMENT B - ASSURANCES, Item 7, is hereby amended to include the following:

- E. Labor Standards. The requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, Sections 103 & 107 of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. The Subgrantee agrees to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 et seq.) and its implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The Subgrantee shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the Grantee for review upon request.

- F. Guidelines for Energy Management / Energy Star. Guidelines have been established regarding energy management using Energy Star and are recommended by both the Dept. Housing & Urban Development and the Illinois Department of Commerce and Economic Opportunity and subgrantees are encouraged to follow these guidelines.
- G. Copyrights. If this contract results in any copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes.
- H. Patent Rights. Agencies shall use standard patent rights clause specified in “rights to Inventions made by Non-Profit Organizations and Small Business Firms” (37 CFR Part 401), when providing support for research and development.
- I. Clean Air/Clean Water. The Subrecipient agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:
  - a. Clean Air Act, 42 U.S.C. , 7401, et seq.;
  - b. Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, et seq., as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
  - c. Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.
- J. Disbarment & Suspension. Federal agencies shall not award assistance to applicants that are debarred or suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549. Agencies shall establish procedures for the effective use of the List of Parties Excluded from Federal Procurement or Nonprocurement programs to assure that they do not award assistance to listed parties in violation of the Executive Order. Agencies shall also establish procedures to provide for effective use and/or dissemination of the list to assure that their grantees and subgrantees (including contractors) at any tier do not make awards in violation of the nonprocurement debarment and suspension common rule.

2. The CDFA Number for this project is CFDA 14.218 and is incorporated by reference herein.

All provisions of said Agreement and Amendments shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, and have caused this instrument to be executed by their duly authorized officials and corporate seals affixed hereto, all on the day and year first above written.

CITY

SUBGRANTEE

By: \_\_\_\_\_

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_

SEAL

SEAL

ORDINANCE NO. 2005-11-162

AN ORDINANCE APPROVING A FOURTH AMENDMENT TO A CITY OF URBANA  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AGREEMENT

(DISABLED CITIZENS FOUNDATION PROJECT NO. 0304-06)

WHEREAS, on May 2, 2003, the Urbana City Council passed Resolution No. 2003-04-006 approving the City of Urbana and Urbana HOME Consortium Annual Action Plan for Program Year 2003-2004 authorizing certain activities under the Community Development Public Facilities and Improvements Program; and

WHEREAS, on February 17, 2004, the City and Subgrantee entered into an agreement for assistance to the Subgrantee during the period July 1, 2003 - June 30, 2004 (hereinafter referred to as the "Agreement"); and

WHEREAS, on April 5, 2004, the Urbana City Council passed Ordinance No. 2004-03-028 approving an Amendment to a City of Urbana Community Development Block Grant Subrecipient Agreement (Disabled Citizens Foundation Project No. 03-04-06).

WHEREAS, on November 15, 2004 the Urbana City Council passed Ordinance No. 2004-11-144 approving a second Amendment to a City of Urbana Community Development Block Grant Subrecipient Agreement (Disabled Citizens Foundation Project No. 03-04-06), and

WHEREAS on May 16, 2005, the Urbana City Council passed Ordinance No. 2005-05-064 approving said Agreement with the Subgrantee; and

WHEREAS, due to new considerations, the City and the Disabled Citizens Foundation now desire to make a Fourth amendment to the CDBG Agreement to clarify certain conditions of said Agreement; and

WHEREAS, the City has the right and authority, pursuant to the Community Development Block Grant program to make such an amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the City of Urbana hereby approves AN AMENDMENT TO A CITY OF URBANA COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT (DISABLED CITIZENS FOUNDATION PROJECT NO. 0304-06), a copy of which is attached hereto and incorporated herein by reference, and authorizes the Mayor of the City of Urbana to execute the same on behalf of the City of Urbana.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor