

## **AMENDMENT TO PERFORMANCE AGREEMENT**

### **Community Renewable Energy Grant Program**

1. This is Amendment No. 1 to Performance Agreement No. 22-043 (CG-02-191) (as amended from time to time, the "Agreement") dated August 17, 2023, between the State of Oregon, acting by and through its Department of Energy ("ODOE"), and the City of St. Helens ("Grantee").
2. Effective Date. This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.
3. The Agreement is hereby amended as follows (new language is indicated by **bold underlining** and deleted language is indicated by ~~strikethrough~~):

A. Section 9:

#### **Certain Covenants of Grantee.**

**b. Completion.** The planning of the Project shall be completed **on or prior to April 17, 2024**~~within 6 months of the Effective Date of this Agreement~~. Planning of the Project is complete upon completion of the project plan document.

B. Section 11:

**Default.** Grantee shall be in default under this Agreement upon the occurrence of any of the following events:

**g. Failure to meet timeline.** If a grantee fails, or expects to fail, to complete planning of the Project **on or prior to April 17, 2024**~~within the six months of the execution date of this agreement~~, or fails to submit all final reporting requirements within the time frame specified in this agreement, the grantee must notify the department in writing in a timely manner and no later than **May 17, 2024**~~one month after the six month deadline~~ and prior to the expiration date of this agreement. The notification must describe the cause of the delay, measures taken by the grantee to resolve the delay, and a revised timeline for completing the planning. If the director determines that the grantee has demonstrated good cause for the delay, the department, in its sole discretion, may agree to an extended deadline. If the director determines that the grantee has not demonstrated good cause for the delay, the department may terminate the performance agreement and recover any grant moneys released to the applicant.

C. Exhibit A of the Agreement is hereby replaced in its entirety with the following, revised Exhibit A:

*(The remainder of this page has been left blank intentionally.)*

## EXHIBIT A – PROJECT DESCRIPTION (Amended)

### Project Data

Application ID	CG-02-191
Contact Name	Jennifer Dimsho
Organization Name	City of St. Helens
Organization Type	City
Project Type	Community Energy Planning Project OA #22-017
<b>ODOE PA Number</b>	#23-043

### Project Scope Baseline

Project Address:	<del>SE corner of Old Portland Road and Kaster Road, St Helens, OR 97051</del> <b>375 S 18<sup>th</sup> St, St Helens, OR 97051</b>
Geo Coordinates [Lat/Long]	<del>45.852050, -122.812025</del> <b>45.85479, -122.81553</b>

Project Site Ownership and/or Control Details:	City-owned property
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Project Planning Partners (List all)	n/a
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### Anticipated Project Details

System Nameplate Capacity ( <b>kw</b> ) (If known)	<del>50-100kW (Anticipated)</del> <b>30-50 kW (estimated)</b> - Storage capacity determined during planning
System Technologies	Solar, Energy Storage, Microgrid technologies, EV Charging
Resource Description	Solar capture
Operational Use Description	Planning project for solar PV system with microgrid controlled battery storage and EV charging at <del>city's new Public Safety Facility</del> <b>Columbia Learning Center/Public Library; the facility is actively used as a community shelter.</b>
Net-metered to Utility	Yes <del>(PGE)</del> <b>(Columbia River PUD)</b>

### Project Planning Schedule Baseline

Project Start Date (Est)	06/15/2023
Project Completion Date (Est)	<del>12/17/2023</del> <b>04/17/2024</b>

\* Reference: [OAR 330-250-0080 \(2\)](#) & [OAR 330-250-0040 \(4\)\(a\)\(B\)](#)

**Project Planning Budget Baseline**

Total Planning Cost	\$ 94,585
Total Grants / Incentives / Other Funding	\$ 0
Projected ODOE Grant Award	\$ 94,585
<b>Total Funding</b>	<b>\$ 94,585</b>

\* Reference: [OAR 330-250-0080 \(2\)\(5\)\(a\)\(A-G\)](#) & [OAR 330-250-0050](#)

**Program Equity Priorities & Project Benefits**

*Information contained below taken from Grantee's application.*

Involvement of and leadership by members of Environmental Justice communities	
Located in an Environmental Justice community	X
Project will serve one or more Environmental Justice communities	X
Project policy for using DBEs, Emerging SMB &/or Minority-Veteran Owned Businesses	X
Project includes community outreach and stakeholder partnerships	
Project includes an Equity Framework	
Project provides direct energy cost savings to local families and small businesses	
Project will increase Economic Development	
Project will create jobs	X
Project include Inclusive Hiring and Promotion policies	X

\* Reference: [OAR 330-250-0130 \(2\)\(6\)\(i\)](#)

**Notes and Definitions:**

4. Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. The parties agree 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.

**CITY OF ST. HELENS**

**OREGON DEPARTMENT OF ENERGY**

_____ Signature	_____ Date	_____ Danae Hammitt Designated Procurement Officer	_____ Date
_____ Printed Name		_____ Michael Williams Assistant Director	_____ Date
_____ Title		_____ Janine Benner Director	_____ Date