

CONTRACT



BETWEEN THE CITY OF MOORE, OKLAHOMA AND COMMUNITY DEVELOPMENT SERVICES FOR PROFESSIONAL SERVICES

Preamble

This Contract is entered into between the City of Moore, Oklahoma ("the City"), a municipality, with principal offices at 301 N. Broadway, Moore, Oklahoma 73160 and Community Development Services ("CDS"), a proprietorship, with principal offices at 520 Merritt Road, Tennessee 37804;

WHEREAS, the City requires the services of CDS as a consultant to the City in the completion of certain tasks related to the ongoing planning and operations of various Federal community development programs to be applied for or currently administered by the City, as detailed herein;

WHEREAS, the CDS has agreed to provide said services, to the extent outlined herein;

NOW THEREFORE, in consideration of the premises and conditions set forth below the party's contract;

Section 1: Term and Termination

- 1) The term of the contract shall be from November 16, 2018 through November 16, 2019;
- 2) The term may be extended in increments of one year for up to two years from the initial Contract date upon the written agreement of the City and the Consultant;
- 3) The Contract may be terminated in whole or in part as follows:
 - (a) By the City of Moore, if a Consultant fails to comply with the terms and conditions of a Federal award;
 - (b) Either party may terminate without cause after ten (10) days written notice to the other party of the intention to terminate this Agreement, or at any time by mutual agreement of the parties. In the event of termination, Consultant shall be paid for the work performed up to the date of termination. The City shall be entitled to all consultant work up to the date of termination;
 - (c) By the City of Moore with the consent of the Consultant, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated; or
 - (d) By the Consultant upon sending to the City of Moore written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the City of Moore or HUD determines in the case of a partial termination that the reduced or modified portion of the contract will not comply with needs of the City of Moore as it relates to the Federal award or sub-award and it will not accomplish the purposes for which the Federal award was made, the City of Moore may terminate the contract in its entirety.
 - (e) When a Federal award is terminated or partially terminated, the City of Moore and the Consultant remain responsible for compliance with the requirements in 2 CFR 200.343 Closeout and 2 CFR 200.344 Post-closeout adjustments and continuing responsibilities. References: (2 CFR 200.339; 78 FR 78608, Dec. 26, 2013, as amended at 80 FR 43309, July 22, 2015)
- 4) The Contract may be amended as provided for in Section 8: Modification or Amendment

Section 2: Scope of Services

GENERAL

- 1) CDS contracts to provide the City with technical services in support of the City's ongoing recovery from the tornadoes of May 2013. Specifically:
 - a) CDS will provide ongoing technical services to the City on an on-demand basis for the CDBG-DR program;
 - b) CDS will provide ongoing technical services to the City on an on-demand basis for the CDBG program;
- 2) CDS will provide ongoing technical services to the City on an on-demand basis for such other tasks at the City may determine.

Section 3: General Terms and Conditions

Laws and Regulations

The Community Development Block Grant – Disaster Recovery (CDBG-DR) allocation to the City of Moore is governed by the following laws and regulations:

- (a) The Housing and Community Development Act of 1974;
- (b) Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42U.S.C.5155), as amended;
- (c) Section 18 of the Small Business Act, as amended (14AU.S.C.647) 44 CFR 206.191 Duplication of Benefit
- (d) Duplication of Benefits Federal Register, Vol.76, No.221, November 16, 2011 (76 FR 71060) Public Law 113-2:
- (e) Disaster Relief Appropriations Act, 2013 (at HR 152-34)
- (f) The HUD Federal Register Notice at 78 FR 14329 published March 5, 2013
- (g) HUD Federal Register Notice at 78 FR 23578 published April19, 2013
- (h) HUD Federal Register Notice at78 FR 76154 published December 16, 2013
- (i) The applicable laws of the State of Oklahoma; and
- (j) By the laws and regulations promulgated by the City for the CDBG-DR program.