

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio tape, oral presentation, and computer disk. To request an alternate format call the State of Oregon, Oregon Youth Authority, Procurement Unit, at 503-373-7371.

**AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
EXPUNCTION OF JUVENILE RECORDS**



Agreement #14843a

1. This is Amendment No. 1 to Agreement #14843 dated January 2, 2022, between the State of Oregon, acting by and through its **Oregon Youth Authority** ("Agency"), and **Yamhill County** ("Local Government"), each a "Party" and, together, the "Parties."

Whereas, this Agreement expired on January 1, 2024; and

Whereas, the Parties wish to retroactively reinstate the Agreement to extend for time and add additional funds; and

Whereas, SB 519 (2023) modified procedures for expunction of certain juvenile records which impacted Agency's definition of Qualified Expunction; and

Whereas, the Parties desire to increase the reimbursement rate and to modify the definition of Qualified Expunction following SB 519;

Now, therefore, the Agreement is being reinstated and amended to extend the term of this Agreement, adjust the not-to-exceed amount of the Agreement to account for the additional term and increased rate, and update the Agreement language to modify Agency's definition of Qualified Expunctions.

2. The Agreement is hereby reinstated and amended as follows effective January 2, 2024: New Language is indicated by **bolding and underlining** and deleted language is indicated by ~~**bolding and striking**~~ unless a section is replaced in its entirety:

- a. Amend Agreement document, Section 3, titled Effective Date and Duration as follows:

Upon execution by all Parties and receipt of all required approvals, this Agreement is effective on **January 2, 2022** ("Effective Date"), and terminates on ~~**January 1, 2024**~~ **December 31, 2025**, unless terminated earlier in accordance with Section 18.

- b. Amend Agreement document, Section 8.1 titled Not to Exceed Compensation, as follows:

8.1. Not to Exceed Compensation. The maximum, not-to-exceed compensation payable to Local Government under this Agreement, which includes any allowable expenses, is ~~**\$54,011.30**~~ **\$109,672.40**. Agency will pay Local Government according to the invoicing terms listed in Exhibit A-Statement of Work. Agency will not pay Local Government any amount in excess of the not-to-exceed compensation of this Agreement.

Board Order No.24-179

- c. Amend Exhibit A of the Agreement, first paragraph only, as follows, for Services provided on and after January 2, 2024:

SB 575 (2021) contains new requirements for expunctions of juvenile records. **SB 519 (2023) further modified the expunction process for juvenile records.** SB 575 **and SB 519** would have a financial impact for Local Government to complete new work required by this legislation. Agency has analyzed the associated costs and determined an estimated cost for additional work brought forward by SB 575 **and SB 519** as described below. Through this Agreement, Agency will reimburse Local Government a flat rate per Qualified Expunction, as defined below and according to the compensation details listed in Section 2 of this Exhibit.

- d. Amend Exhibit A of the Agreement, Second paragraph only, as follows:

Agency considers the following Juvenile Records expunctions to be qualified for reimbursement (“Qualified Expunctions”):

Effective January 2, 2022 through January 1, 2024

- Expunctions described in Section 2(2)(a) of SB 575, and
- Expunctions described in Section 6, Subsection 2(a)(A) of SB 575.

Effective January 2, 2024 :

- **Expunctions described in Section 2(2)(a) of SB 575;**
- **Expunctions described in Section 6, Subsection 2(a)(A) of SB 575; and**
- **Expunctions described in Section 2, Subsection (3)(b)(A) of SB 519.**

- e. Amend Exhibit A, Subsection 1.2.1, as follows for Services provided on and after January 2, 2024:

1.2.1 On the date that the youth becomes eligible for expunction under either Section 2(2)(a), or Section 6, Subsection 2(a)(A), **of SB 575, or Section 2, Subsection (3)(b)(A) of SB 519,** provide Local Government with a Business Intelligence Systems (BIS) report (“Expunction Report”) notifying Local Government of youth’s eligibility.

- f. Amend Exhibit A, Section 2, titled COMPENSATION, as follows:

2. COMPENSATION. The total not to exceed amount available for payment to Local Government is as follows:

| | |
|--|------------------------|
| Services (Exhibit A, Section 1.1, Local Government Responsibilities) | \$54,011.30 |
| | <u>\$109,672.40</u> |
| Total Not to Exceed Amount for this Agreement | \$54,011.30 |
| | <u>\$109,672.40</u> |

2.1 Method of Payment for Services

Effective January 2, 2022 through January 1, 2024: Agency will reimburse Local Government at the rate of **\$206.15** per Qualified Expunction.

Effective January 2, 2024: Agency will reimburse Local Government at the rate of **\$257.70** per Qualified Expunction.

- 3. Except as expressly amended above, all other terms and conditions of the Agreement are still in full force and effect. Local Government certifies that the representations, warranties, and certifications contained in the 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.

The Parties, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

LOCAL GOVERNMENT: Yamhill County

DocuSigned by:
By: Lindsay Berschauer Date: 6/28/2024
8E58DDAC84AB478...

Print Name and Title: Lindsay Berschauer Chair, Board of Commissioners

AGENCY: State of Oregon, acting by and through its Oregon Youth Authority

By: Teri Bledsoe Date: 8/1/2024
Name: Teri Bledsoe, OYA Senior Contract Specialist

ATTORNEY GENERAL: Approved for legal sufficiency

By: Exempt per OAR 137-045-0050 Date: _____
Name: _____

AGREEMENT ADMINISTRATOR: Reviewed and approved

By: Approved via email 4/18/2024 Date: _____
Name: Laura Ward

PROCUREMENT UNIT: Reviewed by Contract Specialist

By: Susanna Ramus Date: 07312024
Name: Susanna Ramus

**Approved by the BOC on:
06/27/2024**

via Board Order No.:24-179