

**FIRST AMENDMENT TO BENEFICIARY AGREEMENT BETWEEN THE  
COUNTY OF ORANGE AND VIET AMERICA SOCIETY, INC., FOR  
AMERICAN RESCUE PLAN ACT FUNDING**

This First Amendment to the Beneficiary Agreement (the “First Amendment”) is made and entered into as of February 24, 2023 by and between the County of Orange, a political subdivision of the State of California, hereinafter referred to as “County,” and Viet America Society, Inc., a California non-profit corporation, hereafter referred to as “Non-Profit,” with the County and Non-Profit referred to as “Party,” or collectively as “Parties.”

WHEREAS, on September 13, 2022, the Orange County Board of Supervisorss authorized the allocation of \$6,900,000 in SLFRF funds to be used, among other things, to support meal gap programs in the First Distruct; and

WHEREAS, on December 20, 2022, the Parties entered into a Beneficiary Agreement for American Rescue Plan Act Funding (“Agreement”); and

WHEREAS, the Parties wish to amend the Agreement to increase the Grant Amount by \$2,000,000 for an amended maxiumim obligation of \$2,200,000.

NOW, THEREFORE, the Parties mutually agree as follows:

1. Paragraph 2 of the Agreement shall be deleted and replaced in its entirety by the following:

2. USE OF GRANT AMOUNT.

a. The grant funds provided are federal funds and subject to the Single Audit Act of 1984. The following information is provided in accordance with the Single Audit Act.

<b>Grant Amount</b>	\$2,200,000
<b>Non-Profit Name:</b>	Viet America Society, Inc.
<b>Non-Profit Unique Entity Identifier (UEI)</b>	LNVBDCMZZGQ5
<b>Awarding County Agency</b>	County Executive Office
<b>County Contact</b>	Oana Cosma (714) 834-7410
<b>Assistance Listing Number (ALN) / Name</b>	21.027 / Coronavirus State and Local Fiscal Recovery Funds
<b>Federal Award Identification Number</b>	SLFRP1607
<b>Awarding Federal Agency</b>	US Treasury Department
<b>Indirect Cost Rate</b>	10% MTDC or Federally Approved Rate
<b>Whether Award is R&amp;D:</b>	No

b. Non-Profit shall use Grant Amount provided under this Agreement for costs needed to support its meal gap programs in the First District.

c. Indirect costs may not exceed 10% of the modified total direct costs per 2 CFR section 200.68 or the federally approved indirect cost rate, if applicable.

d. Non-Profit must utilize the Grant Amount in accordance with all Federal and State laws, including but not limited to the American Rescue Plan Act of 2021 (ARPA), codified at 42 U.S.C. § 802, et seq., and all applicable regulations and guidelines implementing ARPA, including the regulations issued by the Department of Treasury at 31 CFR Part 35 regarding costs that are payable from SLFRF Funds.

3. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the Parties hereto have executed this First Amendment on the day and year dated below.

BY: DocuSigned by:  
*Peter Pham*  
790D6462700648C...  
Peter Pham, President  
Viet America Society, Inc.

DATED: 3/3/2023

BY: DocuSigned by:  
*Helen Hernandez*  
E631BE936C36422...  
Helen Hernandez,  
Deputy Purchasing Agent  
County Procurement Office  
County of Orange, California

DATED: 3/7/2023

APPROVED AS TO FORM:  
Office of the County Counsel  
County of Orange, California

BY: DocuSigned by:  
*James Harman*  
6026E80386254F6...  
Deputy

DATED: 3/3/2023