

SANTA FE COUNTY  
RESOLUTION 2019- 145

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 11, 2019 did request the following budget adjustment:

Department / Division Growth Management/Housing Authority

Budget Adjustment Type (drop down)

Budget Increase 2020 (July 1, 2019 - June 30, 2020)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	LINE DESCRIPTION	INCREASE AMOUNT	DECREASE AMOUNT
227	1954	390	0232	Transfer-In	\$ 61,500.00	
232	0000	385	0200	Budgeted Cash	\$ 61,500.00	
TOTAL					\$ 123,000.00	\$ -

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	LINE DESCRIPTION	INCREASE AMOUNT	DECREASE AMOUNT
232	0000	490	0227	Transfer-Out	\$ 61,500.00	
227	1954	461	3003	In-State Travel	\$ 500.00	
227	1954	461	3004	Out-of-State Travel	\$ 7,500.00	
227	1954	461	4002	Maintenance Equipment	\$ 1,000.00	
227	1954	461	5015	Software License/Maintenance	\$ 9,000.00	
227	1954	461	6007	Operational Supplies	\$ 3,000.00	
227	1954	461	6009	Educational Supplies	\$ 3,000.00	
TOTAL					\$ 85,500.00	\$ -

Requesting Department Approval: [Signature] Title: Director Date: 11/25/19 Log # 0724  
Budget Administrator: [Signature]  
Finance Department Approval: [Signature] Date: 11/25/19 Entered by: [Signature] Date: 11/25/19  
County Manager Approval: [Signature] Date: 12/10/19 Updated by: [Signature] Date: 12/10/19

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	LINE DESCRIPTION	INCREASE AMOUNT	DECREASE AMOUNT
Subtotal from Second Page					\$ -	\$ -
Total of All Pages					\$ 123,000.00	\$ -

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	LINE DESCRIPTION	INCREASE AMOUNT	DECREASE AMOUNT
227	1954	461	60-12	Food Provisions	\$ 3,000.00	
227	1954	461	60-90	Other Supplies	\$ 11,000.00	
227	1954	461	70-01	Rent of Equipment/Machinery	\$ 4,000.00	
227	1954	461	70-03	Telephone	\$ 1,000.00	
227	1954	461	70-04	Electricity	\$ 1,000.00	
227	1954	461	70-07	Water	\$ 1,000.00	
227	1954	461	70-33	Seminars & Workshops	\$ 5,000.00	
227	1954	461	70-36	Postage & Mail Services	\$ 500.00	
227	1954	461	70-37	Printing/Publishing/Advertising	\$ 1,000.00	
227	1954	461	70-90	Other Operating Costs	\$ 5,000.00	
227	1954	461	80-99	Inventory Exempt	\$ 5,000.00	
Subtotal from Second Page					\$ 37,500.00	\$ -
Total of All Pages					\$ 123,000.00	\$ -

SEC CLERK RECORDED 12/11/2019

SANTA FE COUNTY  
RESOLUTION 2019-145

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT

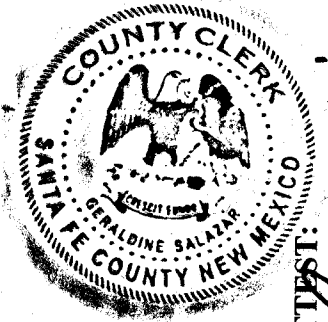
(If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.)

1	<p>Please summarize the request and its purpose in the area below.</p> <p>The Santa Fe County Housing Authority was awarded a Resident Opportunities and Self Sufficiency (ROSS) grant, No. ROSS181123-01-00, to be used over 36 months beginning April 15, 2018. This grant will enable the Housing Authority to help participating families to increase earned income, reduce or eliminate the need for welfare assistance, make progress toward achieving economic independence and housing self-sufficiency, or, in the case of elderly or disabled residents, help improve living conditions and enable residents to age-in-place. The purpose of the ROSS program is to assess the needs of residents of conventional Public Housing or Indian housing and coordinate available resources in the community to meet those needs. This program works to promote the development of local strategies to coordinate the use of assistance under the Public Housing program with public and private resources, for supportive services and resident empowerment activities.</p> <p>The ROSS grant requires \$20,500 in matching funds from the County each year. Since the grant is in its second year, the Finance Division requests to budget the overall amount of the grant match requirements. At the end of this fiscal year, the available grant match funding will be re-budgeted within the Housing Authority's budget request for the next fiscal year.</p>					
2	<p>Is this Budget Action for a Recurring or Non Recurring Expense(one-time)</p>		<p>Recurring</p> <p><input type="checkbox"/></p>	<p>Non-Recurring</p> <p><input checked="" type="checkbox"/></p>		
3	<p>Does this request impact a revenue source?</p> <p>Yes</p> <p><input type="checkbox"/></p>				<p>No</p> <p><input checked="" type="checkbox"/></p>	
<p>A. Is this a State Special Appropriation? If Yes, cite Statute and attach a copy</p> <p><input type="checkbox"/></p>						
<p>B. Does this include state or federal funds? If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.</p> <p><input type="checkbox"/></p>						
<p>These are matching funds for the federal grant.</p>						
<p>C. Is this request is a result of Commission action? If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc)</p> <p><input type="checkbox"/></p>						
<p>D. Is a match required? If Yes, please identify funding source in the line below.</p> <p><input checked="" type="checkbox"/></p>						
<p>PLEASE PROVIDE THE LINE ITEM OF THE MATCH BELOW</p>						
FUND	DEPARTMENT	ACTIVITY	ELEMENT	SPEC CLERK RECORDED 2/11/20	AMOUNT	BUDGETED ( Drop Down)

SANTA FE COUNTY  
RESOLUTION 2019- 145

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as

Approved, Adopted, and Passed This 10<sup>th</sup> Day of December, 2019.



ATTEST:

*Geraldine Salazar*  
Geraldine Salazar, County Clerk

Santa Fe Board of County Commissioners

*Anna T. Hamilton*  
Anna T. Hamilton, Chairperson



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
BCC RESOLUTIONS  
PAGES: 20

I Hereby Certify That This Instrument Was Filed for Record On The 11TH Day Of December, 2019 at 11:01:54 AM And Was Duly Recorded as Instrument # 1904087 Of The Records Of Santa Fe County

*E. Estrella*  
Deputy  
*Martinez*  
Witness My Hand And Seal Of Office  
Geraldine Salazar  
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 12/11/2019

1. DATE ISSUED MM/DD/YYYY  
04/13/2018

2. CFDA NO.  
14.870

3. ASSISTANCE TYPE  
Project Grant

☐ SUPERSEDES AWARD NOTICE dated  
except that any additions or restrictions previously imposed remain  
in effect unless specifically rescinded

4. GRANT NO.  
ROSS181123-01-00  
Formerly

6. PROJECT PERIOD  
MM/DD/YYYY  
From 04/15/2018

7. BUDGET PERIOD  
MM/DD/YYYY  
From 04/15/2018

5. ACTION TYPE  
New

Through 04/14/2021

Through 04/14/2021

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

451 7th Street S.W.,  
Washington, DC, DC 20410

NOTICE OF AWARD

8. TITLE OF PROJECT (OR PROGRAM)  
SANTA FE COUNTY HOUSING AUTHORITY RESIDENT OPPORTUNITY SELF SUFFICIENCY PROGRAM

9. GRANTEE NAME AND ADDRESS  
SANTA FE COUNTY HOUSING AUTHORITY  
52 Camino De Jacobo  
-DUP  
Santa Fe, NM 87507-3502

10. GRANTEE PROJECT DIRECTOR  
Mr. JOSEPH E GONZALES  
52 CAMINO DE JACOBO  
SANTA FE, NM 87507-3502  
Phone: 505-995-9531

11. GRANTEE AUTHORITY  
Joseph Montoya  
52 CAMINO DE JACOBO  
SANTA FE, NM 87507-3502  
Phone: 505-992-3058

12. FEDERAL PROJECT DIRECTOR  
Mr. Cedric Brown  
451 7th Street S.W.,  
Washington, DC 20410  
Phone: 202-402-0000

ALL AMOUNTS ARE SHOWN IN USD

11. AWARD COMPUTATION FOR GRANT

a. Amount of HUD Financial Assistance  
246,000.00

b. Less Unobligated Balance From Prior Budget Periods  
0.00

c. Less Cumulative Prior Award(s) This Budget Period  
0.00

d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION  
246,000.00

12. TOTAL AMOUNT OF AWARD TO BE AWARDED  
246,000.00

13. RECOMMENDED FUTURE SUPPORT  
(Subject to the availability of funds and satisfactory progress of the project):

YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2		d. 5	
b. 3		e. 6	
c. 4		f. 7	

14. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, HUD ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:

a. The grant program legislation cited in remarks or attachment below.

b. The grant program regulations cited in remarks or attachment below.

c. This award notice including terms and conditions, if any, noted below under REMARKS.

In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of this award by the grantee acknowledges acceptance of these terms and conditions.

REMARKS (Other Terms and Conditions Attached - ☒ Yes ☐ No)

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GRANTS MANAGEMENT OFFICER: Ms. Wilson, Susan

5. CLASS 4120	6a. ENDOR CODE 656000073	6b. EIN 856000073	7. DUNS 782901375	18. ON DIST 03
FY-AOUNT NO	DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	APPROPRIATION
19. a. 17ROSS01	b. ROSS181123	c. ROSS	d. \$246,000.00	e. 86-0304
20. a.	b.	c.	d.	e.
21. a.	b.	c.	d.	e.

**AWARD ATTACHMENTS**

SANTA FE COUNTY HOUSING AUTHORITY

ROSS181123-01-00

1. FY 2017 ROSS Service Coordinator Grant Agreement

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**FISCAL YEAR 2017 RESIDENT OPPORTUNITIES AND SELF-SUFFICIENCY (ROSS)  
GRANT AGREEMENT**

**ROSS - SERVICE COORDINATORS**

**ARTICLE I: BASIC GRANT INFORMATION AND REQUIREMENTS**

1. Award type: This is a cost-reimbursable, performance-based grant.
2. This agreement shall be effective immediately upon acceptance (electronic signature) of the FY17 ROSS grant in GrantSolutions.gov.
3. **Grant Term and Effective Date:** The term of the FY17 ROSS grant is 36 months beginning on April 15, 2018 which is the effective date of this grant agreement. The grant term is the period during which HUD will review the grantee's performance reporting in the Standard for Success data collection tool and other relevant information needed to evaluate the grantee's performance. *Grantees cannot expend FY17 ROSS grants until they have exhausted their prior ROSS-SC grant funds (or requested recapture).*
4. This Grant Agreement incorporates and will be governed by the following laws and regulations as they may from time to time be amended: all applicable Federal laws including the HUD Appropriations Acts and the United States Housing Act of 1937 as amended, Executive Orders, the FY17 ROSS NOFA dated 8/24/17, the Code of Federal Regulations (CFR) 24 CFR Part 24, 2 CFR Part 200, 24 CFR Part 964, any applicable OMB Circulars, Handbooks, and Notices issued by HUD, and any assurances and certifications in the final HUD-approved application (the original approved application may have required amendments by the field/Grantee).

**ARTICLE II: HUD REQUIREMENTS**

**SUBARTICLE A – GRANT ADMINISTRATION, CONDITIONS REQUIRING  
TERMINATION OF FUNDING**

1. The Grantee shall attend meeting(s) (if requested by HUD) at HUD's local field office for the purpose of establishing a common understanding and strategy with respect to grant administration, timeline, deliverables, grant objectives, performance measures, and the scope of work necessary to achieve grant objectives.
2. The Grantee shall furnish all necessary personnel, materials, services, equipment, and facilities and shall otherwise do all things necessary for, or incidental to, the performance of the activities and tasks set forth in the approved application, and this Grant Agreement (except as otherwise specified).
3. The Grantee agrees that costs incurred prior to the effective date of the grant agreement (beginning of the grant term), shall not be reimbursable by using funds from this grant except as provided in Sub-Article C.

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4. The work to be performed under this Grant Agreement is outlined in the FY17 NOFA. The grant funds shall be used only for eligible activities as approved by HUD.
5. The Grantee is required to submit and receive approval of the budget and any deviations or revisions to their HUD-approved budget **prior to implementation of any change**. Should any of the following conditions arise, the Grantee is required to submit in writing any changes to the previously-approved budget to the appropriate local HUD field office personnel:
  - a. Any change in the scope, budget, objectives, or conditions of the program.
  - b. Changes in any subcontracting, or otherwise obtaining the services of a third party to perform activities that are central to the purposes of the grant.
  - c. Other changes that may adversely affect the program.
7. Prior to traveling outside the local area for program related training/conferences, the Grantee must receive approval from the HUD field office in order for funding and reimbursement to occur. Training and travel costs from this grant may not exceed \$6,000 per Service Coordinator position for the grant term.
8. Grantees needing to extend the term of their grant past the end of the grant term in order to fully accomplish their goals, must request an extension in writing within sixty (60) calendar days prior to the end of the grant term. The request must be submitted to the Director of Public Housing in the HUD field office for approval. The Grantee must also:
  - a. Have current and acceptable Financial Status Reports (SF-425) which must be on file with the field office.
  - b. Submit a narrative justification explaining why the extension is needed, how much additional time will be required, the circumstances that require the proposed extension, the work that will be conducted during the extension period, and the effect a denial would have on the program.
  - c. Have satisfied all conditions of the grant agreement except those that would be fulfilled in the remaining grant term. This includes the performance and resolution of audit findings in a timely manner.

**NOTE: Grantees should be aware that the period for which HUD will assess performance for FY17 ROSS-SC grants will be 36 months beginning 04/15/2018 and continue for the entire grant term. This will be true even if a grant extension has been approved for a prior ROSS grant which delays the start-up of this FY17 grant. HUD may reduce future amounts based on untimely performance, therefore, grant extensions may affect future award amounts.**

9. Any changes requested by the Grantee must be in writing. HUD will approve/reject requested changes as appropriate. Approved changes will be reflected by an amendment to this Grant Agreement and any other documentation as directed by HUD. Amendments will



become effective when the Grantee has electronically signed the amending documents. Changes to goals and other reporting instruments may also be necessary.

10. Grantees (new and renewals) are required to begin implementing the program within 60 days from the start of the grant term. If the Grantee's program is not implemented within **60 days from the start of the grant term** the Grantee must report by letter to the appropriate HUD field office the steps that will be taken to initiate the program, resulting changes to the timetable, the reason for the delay, and the expected start date. Any timetable revisions as a result of the delay must be provided to HUD for approval. **Failure to comply with this requirement may result in termination of this agreement and recapture of grant funds.**
11. HUD may terminate funding if the Grantee demonstrates an unwillingness or inability to implement and maintain the program; does not use procedures that will minimize the time between disbursements and drawdowns of grant funds; does not adhere to agreement requirements or special conditions; repeatedly fails to correct performance problems, engages in the improper award or administration of grant subcontracts; does not submit required reports; or produces unacceptable deliverables. This list is not exhaustive. See Article II, **Sub-article H: Default** below for further discussion of HUD remedies upon Grantee default.

#### **SUBARTICLE B: FINANCIAL RESPONSIBILITIES**

1. The Grantee shall use leverage/match resources in accordance with its approved application and approval from HUD field office.
2. Prior to initial drawdown of funds, all Grantees must have secured online access to the internet as a means to communicate with HUD on grant matters including online access to [www.grantsolutions.gov](http://www.grantsolutions.gov). Applicants are required to draw down funds via the electronic Line of Credit Control System (e-LOCCS).
3. The Grantee agrees to comply with the grant requirements of 2 CFR Part 200 including audit requirements. A single audit or a program-specific audit is acceptable. The final audit report must cover the entire grant term. The audit must be submitted to HUD no later than **30 days** after receipt of the auditor's report(s), but no later than nine months after the end of the audit period covering the entire grant term originally approved or the amended period. An original and one identical copy of the report shall be sent to the HUD field office. If a grantee chooses a single audit, the final audit report that includes this grant is due no later than **30 days** after the single audit is completed. *NOTE: According to 2 CFR 200.501(d) under "Audit Requirements" grantees that expend less than \$750,000 in federal awards in a given year are exempt from the audit requirement, but records must be available for review or audit.*
4. The Grantee shall minimize the time between the transfer of funds from HUD and the disbursement of funds. Funds requisitioned through e-LOCCS must be disbursed within

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**three calendar days after receipt of funds drawdown<sup>1</sup>**. The grant funds are to be made available to the Grantee based on actual need. The Grantee must make a drawdown **only** for incurred costs. Drawdowns in excess of need may result in special procedures for payments or termination of the grant especially when there are persistent violations. The Grantee must be in compliance with 2 CFR Part 200.305 "Payment," and other sections of 2 CFR Part 200, as applicable.

5. **Rental Assistance Demonstration (RAD)**. ROSS-SC grantees may not serve units that were approved for RAD conversion (i.e., received a Commitment to enter a Housing Assistance Payment (CHAP)) prior to receiving the ROSS-SC FY17 award. However, if families live in units that receive a CHAP *after* receiving a grant award, the grantee may continue to serve those units.
6. 501(c)(3) Nonprofit Status or Incorporated Nonprofit Status is required of all Resident Association grantees. **Such grantees may not draw down funds until evidence of such status has been provided to the field office.**

#### **SUBARTICLE C: METHOD OF PAYMENT [FUNDS DRAWDOWN]**

1. The Grantee may not draw down grant funds until the following have taken place:
  - a. HUD has **received and approved** any certifications and disclosures which must be completed and included as a part of this grant agreement. This requirement includes certifications and disclosures required by 2 CFR 200.450(c)(2)(vi) concerning lobbying and by 2 CFR 200.213 regarding ineligibility, suspension and debarment.
  - b. All pre-conditions listed in the Notice of Award, this Grant Agreement, the NOFA or in the award letter, must be completed by the grantee and verified by HUD.
  - c. The grantee has requested and received a user name and password from HUD in order to access [www.grantsolutions.gov](http://www.grantsolutions.gov).
  - d. Payments of grant funds shall be made only through electronic funds transfer using e-LOCCS. Initial drawdown cannot be earlier than the start date of the grant term.  
**Costs cannot be reimbursed for activities undertaken prior to the start of the grant term, unless prior written approval from HUD is provided.**
  - e. Grantees may request reimbursement for eligible costs incurred between 02-20-2018 and 04/14/2018 where such costs were necessary for the efficient and timely performance of eligible activities under a FY14 ROSS-SC grant and the grantee has expended all of its FY14 ROSS-SC grant funds. Grantees must submit a written request for pre-award reimbursement and provide supporting documents within 60

<sup>1</sup> This is a Treasury basic standard found at 31 CFR Part 205.

days from the start of the grant term to the HUD field office for review. Any reimbursements must comply with 2 CFR 200.458 and are at HUD's sole discretion.

2. The basic procedure to establish access to e-LOCCS is as follows:

- a. To establish access to the Line of Credit Control System, the Grantee must adhere to the requirements as provided here:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/cfo/locs\\_guidelines](http://portal.hud.gov/hudportal/HUD?src=/program_offices/cfo/locs_guidelines);  
and complete and submit the following forms:
  - i. HUD-27054 *Line of Credit Access Authorization Form* (for e-LOCCS)
  - ii. SF-1199A *Direct Deposit Sign-Up Form* with sample **voided** check. NOTE: The depositor account on the SF-1199A may be the same receiving account as other HUD programs. (The SF-1199A form is available here:  
<http://www.gsa.gov/portal/forms/type/SF>)
  - iii. These forms should be sent to the Grantee's local HUD field office for processing. The field office will provide the grant number and program area ID.
- b. To gain access to HUD Secure Systems in order to use e-LOCCS, the Grantee must follow the instructions as outlined in the e-LOCCS Registration Guide:  
[http://portal.hud.gov/hudportal/documents/huddoc?id=eloccs\\_registration\\_guide.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=eloccs_registration_guide.pdf).
- c. The approving official who completes block 6 of HUD form 27054-e is required to register as the **coordinator** in Secure Systems and the user who completes blocks 1-5 of HUD form 27054-e is required to register as the **user** in Secure Systems.

3. After HUD processes the above documents, the Grantee will receive the following:

- a. The **coordinator** will receive the user identification number for the individual who will be authorized to draw down the funds from e-LOCCS.
  - b. The Approving Official (who could also be the coordinator) will receive a recertification email every 6 months to provide continual approval for the individual who will complete the drawdowns. This email is scheduled based on the geographical location of the grantee and will contain recertification instructions.
  - c. Grantees are required to maintain the integrity and Security of the Line of Credit Control System. User-IDs may not be shared. If they are found to be shared, access will be terminated and not reinstated.
4. Once the grantee's staff person who is responsible for completing drawdowns, and their approving official has made role assignments in e-LOCCS, the grantee is technically equipped to request drawdowns. An e-LOCCS Getting Started Guide can be obtained from [www.hud.gov](http://portal.hud.gov/hudportal/documents/huddoc?id=eloccsguide.pdf): <http://portal.hud.gov/hudportal/documents/huddoc?id=eloccsguide.pdf>.

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5. If at any time, the user (person who completes blocks 1-5 of HUD form 27054-e vacates their position within the organization, the Approving Official must complete HUD form 27054-e to terminate the access of the user and forward that form to their local HUD field office. The form should not contain the Social Security number of the employee who has left the organization as that is a security violation since the user is no longer available to sign the e-LOCCS form. A new user will have to be designated. This will have to be done by completing another HUD form 27054-e. Similarly, if the Approving Official (person who completed block 6 of HUD form 27054-e) leaves or changes position, the new Approving Official must execute the Change of Approving Official Letter.
  
6. If you are eLOCCS suspended due to 90 days of inactivity, the next time you access eLOCCS:
  - You will be prompted to answer 1 of your 3 personal security questions previously entered in eLOCCS.
  - If you are unable to answer any of the 3 questions, you will be instructed to call OCFO Security and provide your previously entered personal 5 digit eLOCCS PIN.
  - If you are unable to correctly provide your 5-digit PIN;
    - Regular users will have their eLOCCS access terminated and must submit another 27054E eLOCCS security form to be reinstated.
    - Approving Officials will be required to fax a form letter to OCFO Security requesting reinstatement.
  
7. **e-LOCCS Program Edits.**
  - a. e-LOCCS will automatically perform a series of review edits (both generic and program specific) of each payment request. Failure of one of the program edits will cause the payment request to be referred to the HUD field office for review.
  - b. The HUD field office will complete the review. The request will remain in the system and further drawdowns will not be allowed until that review is complete and the drawdowns approved or rejected.
  - c. Some HUD field offices, as a matter of office policy, may place all grantees on manual review. This means that all requests for reimbursement will be reviewed by LOCCS (see sub-paragraph a above) as well as the HUD field office Grant Manager with oversight responsibility prior to approving a drawdown request.
  - d. The Grantee shall immediately contact the HUD field office when there is a question regarding the request. Some requests may be referred to the HUD Headquarters program office for review. A request will be referred to the HUD Headquarters program office for review when:
    - i. There are requests for over 10% of total grant funds per calendar month;
    - ii. The grantee attempts to draw over 100% of any Budget Line Item (BLI);

- iii. Failure to submit an annual HUD form SF-425 - *Financial Status Report*, Standard for Success Report, or any other relevant documents as defined by this agreement and 2 CFR Part 200, Subpart D, e-LOCCS shall not accept a request for funds if required reports from the Grantee are ten or more days overdue and will not accept future requests until the HUD field office confirms receipt and approval of the reports in e-LOCCS.
- iv. If the Grantee repeatedly fails to submit required forms, e-LOCCS will be converted to a system in which the HUD Field Office will **manually** review each drawdown request prior to releasing funds to the Grantee.

#### **SUBARTICLE D: REPORTING REQUIREMENTS**

1. In accordance with the schedule below, the Grantee must submit a SF-425 to the local HUD field office as well as annual performance data using the Standard for Success (Inform) tool.
2. Annual Reporting: On an annual basis, the Grantee must submit performance and financial reports to the HUD field office.
  - The financial reports shall be submitted using HUD form SF-425.
  - Performance metrics will be submitted using the Standards for Success (Inform) tool. If the Grantee is not meeting its promised objectives, the grantee may be required to submit a narrative to explain why objectives are not being met. Other pertinent information, such as cost-overruns, should also be included.
3. Data Source. The grantee must keep on file the source of the data used to enter performance data in Standard for Success. This includes data sources used for tracking client referrals, outcomes as well as information about where and in what form the data is housed. This is a requirement for all grantees. Grantees must submit annual reports by:
  - 10/30/18 (Year One Annual Report)
  - 10/30/19 (Year Two Annual Report)
  - 10/30/20 (Year Three Annual Report)
  - 07/14/21 (Final Report)
4. Each year, HUD may determine the Grantee's progress based upon a comparison between the Grantee's performance reported in the Standards for Success tool with other ROSS grantees. HUD may also use Year 1 and Year 2 reports as baseline data to determine progress of the grantee's program.
5. Final Report. The Final Report consists of the financial report form SF-425 as well as the annual performance data covering the entire grant term. The Final Report performance report must be submitted in Standards for Success 90 days after the end of the grant term. The SF-425 must be submitted to the HUD field office 90 days after the end of the grant term.

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6. During the grant term, HUD may ask grantees to use a different performance measurement tool.
7. HUD shall maintain official records on the Grantee's performance measures and its progress reports. However, the Grantee must also maintain such records, including the SF-425, review and comments from HUD, sources of data used to populate Standards for Success, and/or relevant evaluations.
8. No grant payments shall be approved until **all** required reports (Standards for Success, other relevant documents, and SF-425) are received and approved by the HUD field office.

#### **SUBARTICLE E: ADMINISTRATIVE REQUIREMENTS**

1. Grantees shall comply with all current HUD statutes, regulations, program rules, and program guidance.
2. The Grantee shall maintain, and have access to, copies of documents relating to the award and administration of this grant for at least three years after final closeout date of the grant for inspection by HUD, the General Accounting Office, or their duly authorized representatives.
3. The accounting systems of the Grantee must ensure that HUD funds are not co-mingled with funds from other Federal, State, Tribal, or local government agencies or other HUD program funds. Funds specifically budgeted and/or received for one program may not be used to support or reimburse another. Where the Grantee's accounting system cannot comply with this requirement, the Grantee must establish a system to provide adequate fund accountability for each program for which it has been awarded funds. The Grantee's selection of depository facility (e.g., a bank) shall be compliant with Federal regulations and have insurance from the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund to insure the established account. PHAs must enter into a General Depository Agreement (HUD 51999) with its depository.
4. The Grantee agrees to comply with the following requirements for which HUD has enforcement capability:
  - a. Administrative requirements of 2 CFR Part 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." These include the procurement requirements of 2 CFR Part 200 as applicable.
  - b. Grantees are required, as applicable, to comply with the standards set forth in 2 CFR Part 200 Subpart E on Cost Principles which applies to nonprofit organizations, State, or local governments.

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5. Equal Opportunity Requirements. Grant funds must be used in accordance with all applicable civil rights and equal opportunity laws and regulations, including the following:
  - a. The requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1.
  - b. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8.
  - c. The requirements of Executive Order 11246 (Equal Employment Opportunity) and the implementing regulations issued at 41 CFR Chapter 60.
  - d. The requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) state that: (1) to the greatest extent feasible, opportunities for training and employment arising in connection with the planning and carrying out of any project assisted with grant funds be given to low-income persons residing within the unit of general local government or the metropolitan area (or non-metropolitan county) as determined by HUD, in which the project is located; and (2) to the greatest extent feasible, contracts for work to be performed in connection with any such project be awarded to business concerns, including but not limited to individuals or firms doing business in the field of planning, consulting, design, architecture, building construction, rehabilitation, maintenance, or repair, which are located in or owned in substantial part by persons residing in the same metropolitan area (or non-metropolitan county) as the project.
  - e. The requirements of Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107.
  - f. The requirements of the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) and implementing regulations at 28 CFR Part 36, as applicable.
6. A grantee may lease space for program activities only if the lease is for existing facilities not requiring rehabilitation or construction. No repairs to or renovations of the property leased for ROSS activities may be undertaken with ROSS-SC funds and Federal funds may not be used to lease property in the Coastal Barrier Resources System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) as identified on maps prepared by the U.S. Fish and Wildlife Service. Grantees using federal funds to lease facilities must certify to HUD that either: (1) The leased facilities are not in communities with coastlines along the Atlantic Ocean, Gulf of Mexico or Great Lakes or (2) if the leased facilities are in such communities,

that they have viewed Fish and Wildlife Maps and based on their review of those maps, certify that the leased facilities are not in areas that are part of the Coastal Barrier Resources System under the Coastal Barrier Resources Act, 16 U.S.C. 3501 et seq. or (3) if for any reason they cannot make such a determination, obtain and submit a determination from the Fish and Wildlife Service that the proposed leased property is not within the Coastal Barrier Resources System. The relevant Fish and Wildlife Service maps can be located online by going to:

<http://www.fws.gov/CBRA/>

7. The Grantee must comply with the regulations in 2 CFR 200.450 related to lobbying.
8. The Grantee must comply with Drug-free Workplace Requirements (Grants) in 2 CFR Part 2429.
9. The Grantee must comply with restrictions on participation by ineligible, debarred or suspended persons or entities at 2 CFR 200.213, which are applicable to contractors and sub-grantees.
11. The Grantee's computer systems must operate in accordance with HUD's computer systems and software to facilitate any and all electronic documents for submission to HUD computer systems and software. That is, when sending/transferring documents, computer disks, e-mail, or CDs to HUD, the systems must be compatible so that HUD receives an exact copy.
12. The Grantee's computer and information systems must be able to access HUD's website(s) and [www.grantsolutions.gov](http://www.grantsolutions.gov) so that data can be inputted as may be required by the grant; information can be retrieved; and funding through HUD's e-LOCCS system may be accessed.

#### **SUBARTICLE F: CONTRACT ADMINISTRATOR PARTNERSHIP AGREEMENT**

1. PHA applicants that were on the PHAS Troubled list generated by the Real Estate Assessment Center (REAC) on or before the application deadline date (10/23/2017) for this ROSS NOFA were required to submit a signed Contract Administrator Partnership Agreement (CAPA) with their application. The agreement must be for the entire grant term. The Contract Administrator must ensure that the financial management system and procurement procedures that will be in place during the grant term will fully comply with 2 CFR 200.302 "Financial Management" and the procurement standards outlined in 2 CFR Part 200 (beginning at 2 CFR 200.317). **NOTE: Resident Associations are also required to have a CAPA.**
2. Contract Administrators are expressly forbidden from accessing HUD's Line of Credit Control System (e-LOCCS) and submitting vouchers on behalf of grantees. Contract Administrators must also assist grantees to meet HUD's reporting requirements. Contract



Administrators may be: local housing agencies; community-based organizations such as community development corporations (CDCs), churches, temples, synagogues, mosques; nonprofit organizations; state/regional/local associations, agencies and organizations. Troubled PHAs are not eligible to be Contract Administrators. Organizations that the applicant proposes to use as the Contract Administrator must not violate or be in violation of other conflicts of interest as defined in 2 CFR 200.112 "Conflict of Interest." and provisions of 2 CFR 200.318 regarding conflicts of interest ***HUD Field Offices or Area ONAPs will have final approval of Contract Administrators at time of grant agreement execution.***

#### SUBARTICLE G: GRANT CLOSEOUT

1. 2 CFR 200.343 "Closeout" prescribes uniform closeout procedures for recipients of Federal grants. It is the responsibility of the Grantee to comply in full with all closeout reporting requirements and to submit closeout reports in a timely manner.
2. The Grantee shall initiate project closeout within 30 days of the grant term end date. At HUD's option, the Grantee may delay initiation of project closeout until the resolution of any HUD monitoring findings. If HUD exercises this option, the Grantee must promptly resolve the findings.
3. The Grantee recognizes that the closeout process may entail review by HUD to determine compliance with the grant agreement. The Grantee shall cooperate with any and all reviews which may include making available records requested for on-site HUD inspection.
4. Within **90 days** after the end of the grant term or any approved extension (revised end-date), the following documents must be submitted by the Grantee to HUD:
  - a. A certification of project completion which is a statement signed by the grantee; this certification should be submitted to the HUD field office.
  - b. A certification of compliance with all requirements of the grant agreement which is a statement signed by the grantee; this certification should be submitted to the HUD field office.
  - c. **Final Financial Report (SF-425)**. The final report will be a cumulative summary of expenditures over the entire grant term and must indicate the exact balance of unexpended funds. (Report shall cover grant start date to the end of grant). When the final HUD form SF-425 is approved, HUD will establish the amount due to HUD or cancel (recapture) any unused grant funds as applicable. Additionally, unexpended funds may cause a reduction in the award of future ROSS-SC grant funds. The SF-425 should be submitted to the HUD field office.
  - d. **Final Standards for Success data**. The Standards for Success report must be completed to reflect all grant outputs and outcomes achieved during the term of the

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grant. The performance outcomes must be submitted through the Standards for Success reporting tool.

5. When the HUD field office has determined to its satisfaction that the grant activities were completed and all Federal requirements were satisfied, the HUD field office will execute a closeout amendment to the Grant Agreement with the Grantee.
6. The Closeout Agreement or clause will include the Grantee's agreement to abide by any continuing Federal requirements.
7. Failure to submit the required financial report (SF-425), Standards for Success report, or any required audit report; or to resolve program, financial or audit issues, may result in a suspension or termination of any and/or all HUD grant payments.

#### SUBARTICLE H: DEFAULT

1. **Definition.** A default under this Agreement shall consist of *using grant funds for a purpose other than as authorized by this agreement*; any noncompliance with legislative, regulatory, or other requirements applicable to this Agreement; any other material breach of this Agreement; or any material misrepresentation in the application submissions. A Grantee's failure to comply with any term of this agreement may be deemed a material breach.
2. **HUD Preliminary Determination of Default.** If HUD makes an initial determination that the Grantee is in default, HUD will give the Grantee written notice of this determination and of the corrective or remedial action the Grantee must take in order to avoid default. The Grantee shall have an opportunity to demonstrate, per 24 CFR part 907, and on the basis of substantial facts and data, that it is not in default, or that the proposed corrective or remedial action is inappropriate, before HUD implements the remedial action.
  - a. HUD shall provide the Grantee with an opportunity at the earliest possible time to demonstrate that it is not in default or that the proposed remedial action is inappropriate or unnecessary.
  - b. If HUD determines that there is an imminent probability that the Grantee will continue to expend grant funds contrary to this agreement unless HUD takes immediate action, HUD may, at the time of written default notification to the Grantee, order a remedial action appropriate to prevent such expenditure to be effective immediately.
  - c. Corrective or remedial actions that HUD may order under this Agreement include, but shall not be limited to, the following:

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- i. Requiring the Grantee to prepare and follow a HUD approved schedule of actions and/or a plan for properly completing the activities approved under the grant;
  - ii. Canceling or revising the affected activities, revising the grant budget as necessary, and substituting other eligible activities;
  - iii. Discontinuing drawdowns under e-LOCCS and prohibiting payment or reimbursement for any grant activities or, if more appropriate, for only those activities affected by the default;
  - iv. Other remedial actions as outlined in 2 CFR Part 200.338 "Remedies for Non-Compliance," contained in 2 CFR Part 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;" and
  - v. Requiring reimbursement by the Grantee to HUD for grant amounts used improperly.
3. **Grantee Failure to Remedy Default.** Where HUD determines that remedial actions required by HUD to be taken by the Grantee have not been undertaken as instructed, or will not be effective in correcting the default and to prevent further default, HUD may take the following additional corrective and remedial actions under this Agreement:
- a. Change the method of payment from e-LOCCS which involves HUD manual review and approval of every drawdown request and permits draws only on a reimbursement basis;
  - b. Suspend the Grantee's authority to make drawdowns for affected activities for no more than ninety (90) days pending action to cure the default and to prevent further default by the Grantee, or pending final remedial action by HUD;
  - c. Reduce the grant in the amount affected by the default;
  - d. Terminate the grant and initiate closeout procedures;
  - e. Take action against the Grantee under 2 CFR Part 2424 "Non-procurement Debarment and Suspension" with respect to future HUD or Federal grant awards;
  - f. Require reimbursement by the Grantee to HUD for grant amounts used improperly; and
  - g. Take any other remedial action legally available.

**SUBARTICLE I: GRANT MODIFICATION OR TERMINATION  
BY AGREEMENT BETWEEN HUD AND GRANTEE**

1. HUD and the Grantee may mutually agree to modify this agreement as to time, cost, or activity using the Notice of Award and terms and conditions in whole or in part, at any time.
2. HUD or the Grantee may terminate this agreement in accordance with 2 CFR 200.339 "Termination." Pursuant to 2 CFR 200.399(a)(3), HUD and the grantee may mutually agree to terminate the agreement, including for convenience. If either HUD or the grantee seeks to terminate this agreement, it must provide at least 30 days' advance written notice. The termination notice must specify the reason for the termination action and the proposed effective date.

**SUBARTICLE J: DISPUTES**

During the grant term, disagreements may arise between the Grantee and HUD on various issues. If a dispute concerning a question of fact or an interpretation of this agreement arises, the Public Housing Director in the Field Office (Grant Officer) after hearing from both parties, shall prepare a final decision, taking into account all facts and documentation presented. The decision shall be mailed to the Grantee. The Grantee may appeal any decision by letter to the Director of Community and Supportive Services, Office of Public Housing Investments, 451 7<sup>th</sup> Street, SW, Room 4130, Washington, D.C. 20410. The decision of the Director of Community and Supportive Services shall be final.

**ARTICLE III: GRANTEE PERFORMANCE**

HUD will assess performance based upon whether the Grantee achieves the agreed upon activities within the grant term and whether the Grantee has produced tangible results through the implementation of grant activities. HUD will assess the grantee's performance bases on the grant term (04/15/2018 – 04/14/2021) established in this grant agreement even if the grantee requests and receives a grant extension.

**ARTICLE IV: GRANTEE MISREPRESENTATION**

The Grantee or any subcontractor to the Grantee bound by this instrument who makes or causes to be made a false statement, claim, or misrepresentation, which the Grantee or entity knows or has reason to know is false, may be imprisoned and/or fined in accordance with civil or criminal penalties and/or fines applicable under law, including Title 18 of the United States Code (U.S.C.), Title 31, et seq. (Program Fraud Civil Remedies Act) and any other applicable provisions of Federal, State or local law.