

October 03, 2024

BCC Agenda Date/Item: _____

Board of Commissioners
 Clackamas County

Approval of a Revenue Grant Agreement with the US Department of Housing and Urban Development for HOME Investment Partnership Grant funds. Agreement value is \$921,867 for 9 years. Funding is through the US Department of Housing and Urban Development. No County General Funds are involved.

Previous Board Action/Review	Grant Application Approval: 06/06/2024 - 20240613 IV.B.8 Briefed at issues: 10/01/2024		
Performance Clackamas	1. This funding aligns with the County’s Performance Clackamas goal to ensure safe, healthy, and secure communities.		
Counsel Review	Yes	Procurement Review	N/A
Contact Person	Mark Sirois	Contact Phone	503-351-7240

BACKGROUND: On behalf of the Housing and Community Development Division (HCDD), Health, Housing & Human Services requests approval of a revenue grant agreement with the US Department of Housing and Urban Development (HUD) for this fiscal year’s award of HOME Investment Partnership Grant (HOME) funds.

HOME funds are designed to create affordable housing for low-income households. HOME funds are used for program administration and affordable housing project loans throughout Clackamas County. These funds can be used for activities including building, buying, and/or rehabilitating affordable housing and may even be used to provide limited rental assistance. Each HOME fund loan awarded by Clackamas County to a community partner is brought back to the Board for consideration and approval.

The HOME funding award of \$921,867 for eight years is funded through HUD, and the 25% match requirement is provided yearly through the value of foregone property taxes on past affordable housing projects.

RECOMMENDATION: Staff recommends the Board approve the revenue grant agreement with HUD for HOME funding allocation for FY 2024.

Respectfully submitted,

Rodney A. Cook
 Rodney A. Cook
 Director of Health Housing and Human Services

For Filing Use Only

Attachments:

- HOME Grant Award
- HUD Transmittal letter

Financial Assistance Application Lifecycle Form

Use this form to track your potential award from conception to submission.

Sections of this form are designed to be completed in collaboration between department program and fiscal staff.

If renewal or direct appropriation, complete sections I, II, IV & V only. Section III is not required.

If Disaster or Emergency Relief Funding, EOC will need to approve prior to being sent to the BCC

****CONCEPTION****

Section I: Funding Opportunity Information - To Be Completed by Requester

Direct Appropriation (no application)

Award type: Subrecipient Award Direct Award

Award Renewal? Yes No

Lead Fund # and Department:	Fund 240_H3S - 240
Name of Funding Opportunity:	HOME INVESTMENT PARTNERSHIPS - 2024 Action Plan

Funding Source: Federal – Direct Federal – Pass through State Local

Requestor Information: (Name of staff initiating form)	MARK SIROIS
Requestor Contact Information:	marksir@clackamas.us
Department Fiscal Representative:	Scott Vandecovering
Program Name & Prior Project #: (please specify)	CFDA 14.239 HOME Investment Partnerships

Brief Description of Project:

The Department of Health, Housing and Human Services (H3S) programs and services to assist low-income and vulnerable populations including homelessness, low income neighborhoods, disabled persons, unemployed persons, and food insecure people. This HOME annual allocation grant provides funds for community based affordable housing projects.

Name of Funding Agency: U.S Department of Housing and Urban Development (HUD)

Notification of Funding Opportunity Web Address: https://www.hud.gov/program_offices

OR

Application Packet Attached: Yes No

Completed By: Mark Sirois Date: 5-7-24

**** NOW READY FOR SUBMISSION TO DEPARTMENT FISCAL REPRESENTATIVE ****

Section II: Funding Opportunity Information - To Be Completed by Department Fiscal Rep

Competitive Application Non-Competing Application Other

Assistance Listing Number (ALN), if applicable:	CFDA 14.239	Funding Agency Award Notification Date:	May 7, 2024
Announcement Date:	5-7-24	Announcement/Opportunity #:	CFDA 14.239
Grant Category/Title	HOME Investment Partnerships	Funding Amount Requested:	\$921,867
Allows Indirect/Rate:	Yes	Match Requirement:	Yes, met through the value of foregone property taxes of existing affor
Application Deadline:	July 6, 2024	Total Project Cost:	NA
Award Start Date:	July 1, 2024	Other Deadlines and Description:	NA
Award End Date	June 30, 2025		
Completed By:	Mark Sirois	Program Income Requirements:	Program Income must be spent on HOMEProjects
Pre-Application Meeting Schedule:			

Additional funding sources available to fund this program? Please describe:

None

How much General Fund will be used to cover costs in this program, including indirect expenses?

None

How much Fund Balance will be used to cover costs in this program, including indirect expenses?

None

In the next section, limit answers to space available.

Section III: Funding Opportunity Information - To Be Completed at Pre-Application Meeting by Dept Program and Fiscal Staff

Mission/Purpose:

1. *How does the grant/funding opportunity support the Department and/or Division's Mission/Purpose/Goals?*

2. *Who, if any, are the community partners who might be better suited to perform this work?*

3. *What are the objectives of this funding opportunity? How will we meet these objectives?*

4. *Does the grant/financial assistance fund an existing program? If yes, which program? If no, what is the purpose of the program?*

Organizational Capacity:

1. *Does the organization have adequate and qualified staff? If no, can staff be hired within the grant/financial assistance funding opportunity timeframe?*

2. *Are there partnership efforts required? If yes, who are we partnering with and what are their roles and responsibilities?*

3. *If this is a pilot project, what is the plan for sun setting the project and/or staff if it does not continue (e.g. making staff positions temporary or limited duration, etc.)?*

4. *If funded, would this grant/financial assistance create a new program, does the department intend for the program to continue after initial funding is exhausted? If yes, how will the department ensure funding (e.g. request new funding during the budget process, supplanted by a different program, etc.)?*

Collaboration

1. List County departments that will collaborate on this award, if any.

Reporting Requirements

1. What are the program reporting requirements for this grant/funding opportunity?

2. How will performance be evaluated? Are we using existing data sources? If yes, what are they and where are they housed? If not, is it feasible to develop a data source within the grant timeframe?

3. What are the fiscal reporting requirements for this funding?

Fiscal

1. Are there other revenue sources required, available, or will be used to fund the program? Have they already been secured? Please list all funding sources and amounts.

2. For applications with a match requirement, how much is required (in dollars) and what type of funding will be used to meet it (CGF, In-kind, local grant, etc.)?

3. Does this grant/financial assistance cover indirect costs? If yes, is there a rate cap? If no, can additional funds be obtained to support indirect expenses and what are those sources?

Other information necessary to understand this award, if any.

Program Approval:

Korene Mather

5/22/2024



Name (Typed/Printed)

Date


Signature

**** NOW READY FOR PROGRAM MANAGER SUBMISSION TO DIVISION DIRECTOR ****

****ATTACH ANY CERTIFICATIONS REQUIRED BY THE FUNDING AGENCY. COUNTY FINANCE OR ADMIN WILL SIGN****

Section IV: Approvals

DIVISION DIRECTOR (or designee, if applicable)

Vahid Brown	May 23, 2024	 Vahid Brown (May 23, 2024 18:56 PDT)
Name (Typed/Printed)	Date	Signature

DEPARTMENT DIRECTOR (or designee, if applicable)

Adam Brown	May 23, 2024	 Adam Brown (May 23, 2024 20:27 PDT)
Name (Typed/Printed)	Date	Signature

FINANCE ADMINISTRATION

Elizabeth Comfort	May 31, 2024	 Elizabeth Comfort
Name (Typed/Printed)	Date	Signature

EOC COMMAND APPROVAL **WHEN NEEDED FOR DISASTER OR EMERGENCY RELIEF APPLICATIONS ONLY**

Name (Typed/Printed)	Date	Signature
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Section V: Board of County Commissioners/County Administration

(Required for all grant applications. If your grant is awarded, all grant awards must be approved by the Board on their weekly consent agenda regardless of amount per local budget law 294.338.)

For applications \$150,000 and below:

COUNTY ADMINISTRATOR	Approved:	Denied:
Name (Typed/Printed)	Date	Signature

For applications up to and including \$150,000 email form to BCC staff at CA-Financialteam@clackamas.us for Gary Schmidt's approval.

For applications \$150,000.01 and above, email form with Staff Report to the Clerk to the Board at ClerktotheBoard@clackamas.us to be brought to the consent agenda.

BCC Agenda Item #: 20240613 IV.B.8

Date: 06/13/2024

OR

Policy Session Date:



County Administration Attestation

County Administration: re-route to department at
and
Grants Manager at financegrants@clackamas.us
when fully approved.

Department: keep original with your grant file.



U.S. Department of Housing and Urban Development
Region X Portland Field Office
Community Planning & Development Division

1220 Southwest Third Avenue, Suite 400
Portland, OR 97204-2830
(971) 222- 2610
FAX (971) 222-0357

September 5, 2024

Mark Sirois, Manager
Clackamas County Health, Housing, and Human Services
2051 Kaen Road, #245
Oregon City, OR 97045-1284

SUBJECT: Fiscal Year 2024 Grant Agreement Transmittal

Dear Mr. Sirois:

The Portland Field Office would like to thank you for your continued partnership in providing quality affordable housing, a suitable living environment, and expanding economic opportunities for low-and moderate-income persons through the Department of Housing and Urban Development (HUD) programs.

One Grant Agreement is attached for each program awarded as follows:

Community Development Block Grant Program (CDBG)	\$2,177,287
HOME Investment Partnerships (HOME)	\$921,867
Emergency Solutions Grants (ESG)	\$193,672
Total FY 2024 Award	\$3,292,826

Plan Approval

Transmittal of a grant agreement does not constitute approval of the activities described in your Consolidated Plan. You are reminded that you, as grantee, are responsible for ensuring that all grant funds are used in accordance with all program requirements. By executing the Grant Agreement (or Funding Approval/Agreement) you will be entering into a legally binding agreement with HUD to use the awarded funds and carry out the funded activities in accordance with all Federal statutes, regulations, and award terms and conditions that apply to those funds and activities.

Please note the special conditions that may be attached to each agreement.

HOME Program Resale/Recapture Requirements

In accordance with the HOME regulations at 24 CFR 92.254(a)(5), a Participating Jurisdiction (PJ) must establish resale and/or recapture requirements that comply with the standards of the regulation. Furthermore, the resale and/or recapture requirements must be set forth in the PJ's Consolidated Plan. HUD must determine if the PJ's provisions comply with the requirements of

the regulations and notify the PJ in writing of its determination. HUD has reviewed your resale and/or recapture provisions and has determined that the provisions included in the Plan comply with the requirements at 24 CFR 92.254(a)(5).

Affirmatively Furthering Fair Housing

On February 9, 2023, HUD published in the Federal Register a [Notice of Proposed Rulemaking \(NPRM\) entitled “Affirmatively Furthering Fair Housing.”](#) The proposed rule implements the Fair Housing Act’s statutory mandate to affirmatively further fair housing (AFFH), which directs HUD to ensure that the agency and its program participants proactively take meaningful actions to overcome patterns of segregation, promote fair housing choice, eliminate disparities in opportunities, and foster inclusive communities free from discrimination. The public comment period ended on April 24, 2023, and HUD is in the process of finalizing the rule. More information, including a Fair Housing Planning Toolkit, updates, and, once published, the final rule, is available [here](#). *The AFFH Interim Final Rule (86 FR 30779) remains in effect during proposed rulemaking.*

Preventing Waste, Fraud, and Abuse and Whistleblower Protections

Preventing waste, fraud, and abuse of Federal funds is a shared responsibility and any person who becomes aware of the existence or apparent existence of fraud, waste or abuse of any HUD award must report such incidents to both the HUD official responsible for the award and to HUD’s Office of Inspector General (OIG). HUD OIG is available to receive allegations of fraud, waste, and abuse related to HUD programs via its hotline number (1-800-347-3735) and its [online hotline form](#).

Please be reminded of the Whistleblower Protection requirements contained in 41 U.S.C. § 4712, which, as amended, protect employees of a government contractor, subcontractor, grantee, and subgrantee from retaliation or reprisal as a result of protected disclosures of gross mismanagement, gross waste, abuse of authority, and other violations in connection with Federal contracts or grants. Grantee must inform employees in writing of their rights and remedies.

Federal Funding Accountability and Transparency Act (FFATA)

The FFATA Subaward Reporting System (FSRS) is a reporting tool that Federal prime awardees (i.e., prime grant recipients and prime contractors) use to capture and report subaward and executive compensation data to meet the FFATA reporting requirements. For FSRS reporting, prime awardees will report on all subawards they make. In accordance with 2 CFR part 170, prime awardees awarded a Federal grant are required to file a FFATA subaward report by the end of the month following the month in which the prime awardee awards any subaward equal to or greater than \$30,000 in Federal funds. Additional information can be found on the FSRS website, at <https://www.fsrs.gov/>.

Revised Federal Uniform Guidance (2 CFR Part 200)

In April 2024, the Office of Management and Budget (OMB) issued revised OMB Guidance for Grants and Agreements, which is now called the OMB Guidance for Federal Financial Assistance.

In this update, there have been significant changes made to 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, commonly known as the “Uniform Guidance.” More information on these revisions is available [here](#) and [here](#). Of particular note, the revisions increase of the **Single Audit threshold** from \$750,000 to \$1 million and the *de minimis* indirect cost rate will increase from 10 percent to up to 15 percent of Modified Total Direct Costs (MTDC). The revisions to 2 CFR Part 200, Subpart F (Audit Requirements) will be effective for fiscal years beginning on or after October 1, 2024. The rest of the changes will take effect on October 1, 2024, for (1) awards issued on or after October 1, 2024, and (2) awards HUD has expressly made subject to the regulations as may be amended.

Environmental Review Requirements

You are reminded that all activities are subject to the provisions at 24 CFR Part 58 (Environmental Review Procedures). Furthermore, funds for certain activities may not be obligated or expended until HUD has approved a Request for Release of Funds (RROF) and issued an Authority to Use Grant Funds (AUGF). A RROF must be signed by a certifying officer and submitted to HUD along with proof of public notice. Until the AUGF has been issued, no HUD funds can be committed. If the project or activity is Exempt per 24 CFR 58.34 or Categorically Excluded Not Subject to 58.5 per 24 CFR 58.35(b), no RROF is required.

On April 23, 2024, HUD published the [Federal Flood Risk Management Standard \(FFRMS\) Final Rule](#) to better protect communities from flooding. This Rule amends HUD’s existing floodplain regulations to require a greater level of flood protection for HUD-funded projects. The Rule, with a compliance date of June 24, 2024, applies to all CPD programs (with the exception of HTF) as part of the environmental review process. Additional information can be found at https://www.hud.gov/program_offices/comm_planning/environment_energy/ffrms.

Build America, Buy America (BABA)

The Build America, Buy America (BABA) Act established a Buy America Preference (BAP) which requires that certain CPD-funded infrastructure projects procure all iron and steel, construction materials, and manufactured products from domestic sources, unless exempted by a general or project-specific waiver. HUD issued a Phased Implementation Waiver that phases in the BAP based on the program funding and materials used. In FY24, the BAP will apply to additional covered CPD programs and materials. Grantees are encouraged to utilize BABA resources on the [HUD Exchange](#), including the CPD BABA Implementation Guidance, for information on how to determine if the BAP applies to a specific project and resources to maximize the flexibilities provided by current HUD general waivers.

Executing the Agreement

Please execute each agreement with electronic signature and date and return to this office to the attention of Mark Mitchell, Director, Community Planning and Development. Please ensure the Chief Elected Official or authorized official electronically signs the agreement and maintain a copy of each signed agreement in your local program files.

Indirect Cost Rate Addendum: New for FY2024, the authorized official **must** complete the Indirect Cost Rate Addendum to each agreement. Please mark one (and only one) checkbox to reflect how indirect costs will be calculated and charged under the grant. Complete this section in full by applying the authorized official's name, title, date, and signature. For grantees electing to use the *de minimis* indirect cost rate: As noted above, under the 2024 Revisions to 2 CFR Part 200, the *de minimis* indirect cost rate will increase from 10 percent to up to 15 percent of MTDC. For FY2024 grants, any grantee that elects to use the *de minimis* indirect cost rate, and indicates this selection on the Indirect Costs Rate Addendum to the agreement (2nd checkbox), is permitted to utilize the *de minimis* rate of up to 15 percent when the 2 CFR revisions become effective on October 1, 2024, regardless of whether the grant agreement is executed before, on, or after October 1, 2024. However, Grantees using the *de minimis* rate may only apply the higher rate to MTDC amounts that are incurred on or after October 1, 2024.

For additional information and guidance on grant-based accounting, please refer to the HUD Exchange at: <https://www.hudexchange.info/manage-a-program/grant-based-accounting/>.

To establish a Line of Credit for Fiscal Year 2024 grant funds, you will need to sign, execute and return one copy of each agreement. If you need to add or remove individuals authorized to access the Integrated Disbursement Information System (IDIS), please complete an IDIS Online Access Request Form (HUD 27055), notarize it, and return it to this office. Additionally, if you need to establish or change the depository account where these funds are to be wired, a Direct Deposit Sign-Up form (SF-1199A) must be completed by your financial institution and returned to this office with a copy of a voided check.

HUD congratulates Clackamas County on your grant award, and we look forward to assisting you in accomplishing your programs goals. If you have any questions or need further information or assistance, please contact Jason Triplett, Senior CPD Representative at (971) 222-2617 or Jason.t.triplett@hud.gov.

Sincerely,

MARK MITCHELL	Digitally signed by MARK MITCHELL Date: 2024.09.05 12:14:50 -07'00'
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Mark Mitchell, Ph.D. Director
Office of Community Planning and
Development

Enclosure(s)

Funding Approval and HOME Investment Partnerships Agreement

Title II of the National Affordable Housing Act
Assistance Listings #14.239 – HOME Investment Partnerships Program

1. Grantee Name (must match the name associated with 3b.) and Address Health, Housing, & Human Services Department Housing & Community Development Division County of Clackamas 2051 Kaen Road		2. Grant Number (Federal Award Identification Number (FAIN)) M24-UC410201	
		3a Tax Identification Number 93-6002286	3b. Unique Entity Identifier (formerly DUNS) NVWKA VB8JND6
		4. Appropriation Number 86 4/7 0205	5. Budget Period Start and End Date FY 2024 through FY 2032
6. Previous Obligation (Enter "0" for initial FY allocation)			\$0.00
a. Formula Funds		\$	
7. Budget Approved by the Federal Awarding Agency/Current Transaction (+ or -)			\$921,867.00
a. Formula Funds		\$921,867.00	
1. CHDO (For deobligations only)		\$	
2. Non- CHDO (For deobligations only)		\$	
8. Revised Obligation			\$
a. Formula Funds		\$	
9. Special Conditions (check applicable box) <input type="checkbox"/> Not applicable <input checked="" type="checkbox"/> Attached		10. Federal Award Date (HUD Official's Signature Date) 8/29/2024	
11. Indirect Cost Rate* See Addendum		12. Period of Performance Start and End Date Date in Box #10 - 09/30/2033	

This Agreement between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Grantee's approved Consolidated Plan submission/Application, the HUD regulations at 24 CFR Part 92 (as is now in effect and as may be amended from time to time) and this HOME Investment Partnership Agreement, form HUD-40093, including any special conditions, constitute part of this Agreement. Subject to the provisions of this Agreement, HUD will make the funds for the Fiscal Year specified, available to the Grantee upon execution of this Agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Grantee's execution of the amendment or other consent. HUD's payment of funds under this Agreement is subject to the Grantee's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. To the extent authorized by HUD regulations at 24 CFR Part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Grantee without the Grantee's execution of the amendment or other consent. The Grantee agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Grantee agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58.

The Grantee must comply with the applicable requirements at 2 CFR part 200 that are incorporated by the program regulations, as may be amended from time to time. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the program regulations, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the 2 CFR part 200 requirements as replaced or renumbered by the part 200 amendments.


The Grantee must use the Grant Funds only for costs (including indirect costs) that meet the applicable requirements in 2 CFR part 200 (including appendices). The Grantee must complete the Addendum to Agreement Grantee Indirect Cost Rate(s) (Addendum) and return it to HUD with this Agreement. The Addendum will be incorporated into and made part of this Agreement, if, and only if, the rate information provided by Grantee in the Addendum is consistent with the applicable requirements under 2 CFR part 200. The Grantee must immediately notify HUD upon any change in the Grantee's indirect cost rate, so that HUD can amend the Agreement to reflect the change if necessary.

The Grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Universal Numbering System and System for Award Management (SAM) requirements in Appendix I to 2 CFR part 200, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

The Period of Performance for the funding assistance shall begin on the date specified in item 12 and shall end on September 1st of the 6th fiscal year after the expiration of the period of availability for obligation. Funds remaining in the account will be cancelled and thereafter not available for obligation or expenditure for any purpose. Per 31 U.S.C. 1552. The Grantee shall not incur any obligations to be paid with such assistance after the end of the Period of Performance.

The Grantee must comply with the requirements of the Build America, Buy America (BABA) Act, 41 U.S.C. 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001) [2023-05698.pdf \(govinfo.gov\)](https://www.gpo.gov/fdsys/pkg/2023-05698/pdf/govinfo.gov), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.

Waste, Fraud, Abuse, and Whistleblower Protections: Any person who becomes aware of the existence or apparent existence of fraud, waste or abuse of any HUD award must reports such incidents to both the HUD official responsible for the award and to HUD's Office of Inspector General (OIG). HUD OIG is available to receive allegations of fraud, waste, and abuse related to HUD programs via its hotline number (1-800-347-3735) and its online hotline form. You must comply with 41 U.S.C. § 4712, which includes informing your employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a government contractor, subcontractor, grantee, and subgrantee- as well as personal services contractor- who make a protected disclosure about a Federal grant or contract cannot be discharged, demoted, or otherwise discriminated against as long as they reasonably believe the information they disclose is evidence of: 1. Gross mismanagement of a contract or grant; 2. Waste of Federal funds; 3. Abuse of authority relating to a Federal contract or grant; 4. Substantial and specific danger to public health and safety; or 5. Violations of law, rule, or regulation related to a Federal contract or grant.

13. For the U.S. Department of HUD (Name and Title of Authorized Official) Mark Mitchell, CPD Director		14. Signature 	15. Date 8/29/2024
16. For the Grantee (Name and Title of Authorized Official) Tootie Smith, Chair of Board of Clackamas County		17. Signature	18. Date / /

Initial Agreement Amendment #

20. Funding Information: *HOME*

Source of Funds	Appropriation Code	PAS Code	Amount
2024	86 4/7 0205	HMF (N)	\$920,838.30
2023	86 3/6 0205	HMF (M)	\$1,028.70

General Instructions: This Agreement is used for one of three purposes: 1) the initial Agreement between HUD and the Participating Jurisdiction (PJ) that obligates HOME formula funds; 2) the initial Agreement between HUD and the PJ/entity that obligates Community Housing Development Organization (CHDO) competitive reallocation funds; 3) the amendment to the Agreement that deobligates an amount of a PJ/entity's HOME funds previously obligated because of a reduction of funds by HUD.

For all initial Agreements - The Agreement (HUD-40093) must have an original or electronic signature by the appropriate HUD official, who is usually the Community Planning and Development (CPD) Director in the Field Office. After the HUD official signs the Agreement, it must be sent to the jurisdiction (or entity) for signature. The jurisdiction (or entity) must sign or electronically sign the Agreement and should retain a copy for its records. The jurisdiction (or entity) must return the signed Agreement to the HUD Field Office. The HUD Field Office must forward the executed Agreement to the CFO National Accounting Center for recording and retain a copy for the Field Office files.

For amendments to the Agreement that deobligate funds because of a reduction by HUD - after notification from the Headquarters' Office of Affordable Housing (OAHP) to proceed, the Agreement (HUD-40093) must be signed or electronically signed by the appropriate HUD official, who is usually the CPD Director in the Field Office. **It is not** necessary to have the jurisdiction sign the form. (Also, please See #8 below) The Field Office should send one copy to the jurisdiction (or entity) for its records. Forward the HUD signed amendment to the CFO National Accounting Center to initiate the deobligation. Email a copy to Headquarters, OAHP, Financial and Information Services Division so that Headquarters can track the deobligation. Retain a copy for the Field Office files.

1. **Participant Name and Address.** The participating jurisdiction's (or entity's) name and address as shown in Box 4 of Standard Form 424.
2. **Grant Number.** The applicable grant number assigned by the HUD for the PJ/entity that corresponds to the fiscal year source of funds for this transaction.
- 3a. **Tax Identification Number. Enter the Tax (Employer).** Identification Number (TIN) shown in Box 8b of Standard Form 424. For jurisdictions (or entities) that are already participating in the HOME Program, this must be the TIN associated with the jurisdiction (or entity) for the HOME Program.
- 3b. **Unique Entity Identifier.** The identifier required for SAM registration to uniquely identify business entities shown in Box 8c of Standard Form 424 (formerly known as DUNS). For jurisdictions (or entities) that are already participating in the HOME Program, this must be the Unique Entity Identifier associated with the jurisdiction (or entity) for the HOME Program.
4. **Appropriation Number.** The Appropriation Number from the HUD-185 sub-assigning funds for the Fiscal Year source of funds for this transaction.
5. **Budget Start and End Date.** Indicate the fiscal years of funds for this transaction.
6. **Previous Obligation.** Enter the total amount of funds that have been previously obligated for this participant for this FY source of funds.
 - a. **Formula Funds.** Enter the total amount of formula funds previously obligated to the participant. If this is the funding approval form for the participant's initial allocation for the fiscal year, the amount will be "0". If this is a funding approval form for reallocating or deobligating funds, enter the amount from Box 7 of the previously submitted form HUD-40093 for the FY identified in Box 5.
 - b. **Community Housing Development Organization (CHDO) Competitive Reallocation.** Enter the amount of funds previously obligated to the PJ/entity by competition for CHDOs. If this is a funding approval form for reallocating or deobligating funds previously allocated by competition for CHDOs, enter the amount from Box 7 of the previously submitted form HUD-40093 for the FY identified in Box 5.
7. **Current Transaction.** Enter the total amount of funds for this action. Indicate a deobligation either by placing parentheses around the amount deobligated or a minus sign before the amount deobligated.
 - a. **Formula Funds.** Of the amount indicated in Box 7, indicate the amount that is for formula funds. If this is a formula fund deobligation, show the distribution of that amount of funds in Box 7a.1 CHDO funds and/or Box 7a.2 non-CHDO funds.
 1. **CHDO.** Of the amount indicated in Box 7a, indicate the amount that is CHDO funds. If none, enter "0." Note: If this is a CHDO competitive reallocation, enter the amount in 7b.

Instructions for Completing the Funding Approval and HOME Investment Partnerships Agreement

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- 2. Non-CHDO.** Of the amount indicated in Box 7a, indicate the amount that is Non-CHDO funds. If none, enter “0.”
- b. CHDO Competitive Reallocation or Deobligation.** Of the amount indicated in Box 7, indicate the amount that is reallocated or deobligated from the CHDO competition funds.
- 8. Revised Obligation.** Enter the total amount of funds available to the jurisdiction (or entity) after this transaction (Box 6 plus/minus Box 7). Most grants have several source years of funds, therefore, the funding information in #20 must be filled out with the applicable source year of funds and amounts to be deobligated.
- a. Formula Funds.** Enter the total amount of formula funds available to the participating jurisdiction after this transaction (Box 6a plus/minus Box 7a).
- b. CHDO Competitive Reallocation.** Enter the total amount of funds available to the PJ/entity as a competitive reallocation for CHDOs after this transaction (Box 6b plus/minus Box 7b).
- 9. Special Conditions.** If applicable, check the box and attach any special conditions that are part of the Agreement.
- 10. Federal Award Date.** This is the date of obligation which is the **initial date of the HUD Authorized Official’s signature** (Box 15) This date of the initial obligation does not change regardless of the Agreement being amended for a deobligation because of a reduction by HUD.
- 11. Indirect Cost Rate.** If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, complete the Addendum to Agreement Grantee (Indirect Cost Rate(s), including the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414(f)), and the direct cost base to which the rate will be applied (for example, Modified Total Direct Costs (MTCD)). If the rate information provided by Recipient in the Addendum is consistent with the applicable requirements in 2 CFR Part 200, the Addendum will be incorporated into and made part of the Agreement. The Recipient also shall provide HUD with a revised schedule if changes occur, and shall become incorporated herein upon HUD’s amendment to the Agreement. If there are more than four agencies/departments carrying out activities with the Funding Assistance, attach a list with the additional agencies/departments that will carry out activities with the Funding Assistance. Do not include indirect cost rates for subrecipients.
- 12. Period of Performance.** Performance begins on the **initial date of the HUD Authorized Official’s signature** (Box 15 and Box 10) and ends on September 30th¹ of the 6th fiscal year after the expiration of the period of availability for obligation.
- 13. For the U.S. Department of HUD (Name and Title of Authorized Official).** Enter the name and title of the HUD official who is authorized to sign the Agreement on behalf of HUD. This is usually the Field Office CPD Director.
- 14. Signature.** The authorized HUD official signs the Agreement here.
- 15. Date.** Enter the date the authorized HUD official signed the form. In the case of initial agreements. This is also the same date as the **Federal Award Date**, date of obligation (Box 10).
- 16. For the Participating Jurisdiction/Entity (Name and Title of Authorized Office).** Enter the name and title of the official authorized to sign on behalf of the participating jurisdiction/entity. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD.
- 17. Signature of PJ/Entity Official.** The PJ/entity official signs the Agreement here. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD.
- 18. Date.** Enter the date the PJ/Entity official signs the Agreement. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD.
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Instructions for Completing the Funding Approval and HOME Investment Partnerships Agreement

19. Type of Agreement. Check either Initial Agreement or Amendment #. If an amendment, indicate the amendment number.

20. Funding Information. For each source year of funding, the following information is provided: Source year of Funds, Appropriation Code, PAS Code (with fiscal year indicator code), and amount.