

PHAC #3

OCT 22 2012



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MEMORANDUM CITY MANAGER/NR/HOUSING - PHAC Memo No. HD 12-15

DATE: OCTOBER 16, 2012

TO: PUBLIC HOUSING AUTHORITY COMMISSION

THRU: RICH DLUGAS, CITY MANAGER RD
JEFF CLARK, FIRE CHIEF
JENNIFER MORRISON, NEIGHBORHOOD RESOURCES DIRECTOR ^{JM}

FROM: KURT KNUTSON, HOUSING AND REDEVELOPMENT MANAGER ^{KK}

SUBJECT: RESOLUTION NO. H0102 - APPROVING AND ACCEPTING THE FY 2012 PUBLIC HOUSING AND INDIAN HOUSING FAMILY SELF SUFFICIENCY PROGRAM (PH FSS) GRANT IN THE AMOUNT OF \$66,746.00 AND AUTHORIZING THE HOUSING AND REDEVELOPMENT MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THE PH FSS PROGRAM

RECOMMENDATION

Staff and the Housing and Human Services Commission recommend to the Public Housing Authority Commission approval of Resolution No. H0102 - Approving and accepting the FY 2012 Public Housing and Indian Housing Family Self-Sufficiency program grant in the amount of \$66,746.00 and authorizing the Housing and Redevelopment Manager to execute any documents necessary for the implementation of the PH FSS program.

BACKGROUND

On September 27, 2012, the Housing and Redevelopment Division received notice from the United States Department of Housing and Urban Development (HUD) that Chandler's Public Housing program was awarded \$66,746.00 in PH FSS grant funds to implement a PH FSS program. HUD is providing these funds to certain public housing agencies to undertake family self-sufficiency programs by awarding funds for staffing associated with the program.

DISCUSSION

Since 1994, the City of Chandler Housing and Redevelopment Division has received funds to implement a Family Self-Sufficiency (FSS) program. The goal of the program is to provide individualized case management to program participants to enable them to increase earned income and financial literacy, reduce or eliminate the need for welfare assistance and make progress toward economic independence and self-sufficiency.

In the past, one FSS coordinator has served both the Public Housing and Section 8 Voucher programs. Through the years, Chandler's FSS program transitioned from one that provided the FSS program to both Public Housing and Section 8 program participants, to one that primarily assists Section 8 Voucher program participants. During the last decade the FSS Coordinator was funded in conjunction with the Section 8 program. Today, HUD's Public Housing FSS program and the Section 8 Voucher FSS program are restricted from serving each other and have separate FSS funding sources.

In June 2012, Housing and Redevelopment Division staff submitted an application to HUD for funding for a Public Housing FSS Coordinator. The grant application and subsequent funding award requires the Housing and Redevelopment Division to institute a Public Housing FSS Coordinator position and create a Public Housing Family Self-Sufficiency program with a minimum caseload of 25 participants. Once established, the PH FSS Coordinator would have to maintain a caseload of between 25 and 50 active cases per year.

Public Housing Authorities (PHAs) that administer FSS programs enter into five-year contracts with new families on an ongoing basis. To ensure continuity of services to families currently enrolled in the FSS program, families and coordinators must meet performance standards/thresholds that are established each year. PHA's that have received prior FSS Coordinator grants and meet threshold requirements receive priority funding in subsequent year FSS Coordinator grant awards. However, HUD grant funding for coordinator salaries is only awarded on an annual basis.

FINANCIAL IMPLICATIONS

Funding for the Public Housing Family Self-Sufficiency Program is provided 100% by the United States Department of Housing and Urban Development.

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PROPOSED MOTION

Move to approve Resolution No. H0102 - Approving and accepting the FY 2012 Public Housing and Indian Housing Family Self Sufficiency program grant in the amount of \$66,746.00 and authorizing the Housing and Redevelopment Manager to execute any documents necessary for the implementation of the PH FSS program.

Attachments: Resolution No. H0102
Grant Agreement

RESOLUTION NO. H0102

A RESOLUTION OF THE PUBLIC HOUSING AUTHORITY COMMISSION OF THE CITY OF CHANDLER, ARIZONA, APPROVING AND ACCEPTING THE FY 2012 PUBLIC HOUSING AND INDIAN HOUSING FAMILY SELF-SUFFICIENCY PROGRAM (PH FSS) GRANT IN THE AMOUNT OF \$66,746.00 AND AUTHORIZING THE HOUSING AND REDEVELOPMENT MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THE PH FSS PROGRAM

WHEREAS, the Public Housing Authority Commission of the City of Chandler recognizes that the Housing Authority may need to provide families with additional resources that facilitate the development of local strategies to coordinate the use of assistance for families transitioning from assistance to self-sufficiency in their life; and

WHEREAS, the United States Department of Housing and Urban Development (HUD), has advertised a Notice of Funding Availability for a FSS Coordinator to link to programs that promote economic independence through financial fitness, education, and literacy; and

WHEREAS, the Housing and Redevelopment Division (the Housing Authority) has experienced ongoing success with the Section 8 Housing Choice Voucher FSS program since 1994 through HUD's FSS Coordinator funding; and

WHEREAS, the receipt of Public Housing PH FSS grant funds would enable the Public Housing Authority to add another FSS Coordinator which will service the Public Housing residents in the same manner as the Section 8 FSS Coordinator has provided guidance and resources to Section 8 Housing Choice Voucher participants; and

WHEREAS, the Public Housing Authority has applied for and wishes to accept a PH FSS grant from the United States Department of Housing and Urban Development in the amount of \$66,746.00; and

WHEREAS, the Public Housing Authority desires to continue the PH FSS program through annual HUD grants for FSS Coordinator staffing and is empowered to apply for and accept annual PH FSS Coordinator grants.

NOW, THEREFORE, BE IT RESOLVED, by the Public Housing Authority Commission of the City of Chandler, that the Mayor/Chairman authorizes the Housing and Redevelopment Manager to sign and submit the necessary documents, agreements, contracts and certifications for receipt and use of PH FSS Coordinator Program funds. Furthermore, the Commission authorizes the Housing and Redevelopment Manager to take actions necessary to implement, complete and continue the PH FSS Coordinator activities.

PASSED AND ADOPTED by the Public Housing Authority Commission of the City of Chandler, Arizona this ____ day of _____, 2012.

ATTEST:

CITY CLERK

CHAIRMAN/MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. H0102 was duly passed and adopted by the Public Housing Authority Commission of the City of Chandler, Arizona at a regular meeting held on the ____ day of _____, 2012, and that a quorum was present thereat.

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY

GAB

Assistance Award/Amendment **U.S. Department of Housing and Urban Development**
Office of Administration

1. Assistance Instrument
 Cooperative Agreement Grant

2. Type of Action
 Award Amendment

3. Instrument Number: AZ028RFS148A012
 4. Amendment Number: [REDACTED]
 5. Effective Date of this Action: [REDACTED]
 6. Control Number: [REDACTED]

7. Name and Address of Recipient
 DUNS # 775249810000 Tax ID - 86-6000238
City of Chandler
 Mail Stop 101, P.O. Box 4008
 Chandler, AZ 85244-4008

8. HUD Administering Office
Phoenix Program Center
 One North Central Avenue 6th Floor
 Phoenix, AZ 85004 [REDACTED]

8a. Name of Administrator: Margaret Skiffer
 8b. Telephone Number: 623-379-7185

10. Recipient Project Manager
 -1 Kurt Knutson Housing Manager [REDACTED]

9. HUD Government Technical Representative
 [REDACTED]

11. Assistance Arrangement
 Cost Reimbursement
 Cost Sharing
 Fixed Price

12. Payment Method
 Treasury Check Reimbursement
 Advance Check
 Automated Clearinghouse

13. HUD Payment Office
 LOCCS

14. Assistance Amount		15. HUD Accounting and Appropriation Data	
Previous HUD Amount	\$0	15a. Appropriation Number	15b. Reservation Number
HUD Amount this action	\$66,746.00		
Total HUD Amount	\$66,746.00	862/14 0304	[REDACTED]
Recipient Amount	\$0	Amount Previously Obligated	\$ [REDACTED]
Total Instrument Amount	\$66,746.00	Obligation by this action	\$66,746.00
		Total Obligation	\$66,746.00

16. Description
Public and Indian Housing Family Self-Sufficiency (PH FSS) Program Coordinators

17. Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office
 18. Recipient is not required to sign this document.

19. Recipient (By Name)
 -1 Kurt Knutson Housing Manager

20. HUD (By Name)
 Public Housing Director
Barbara Gallegos

Signature & Title: [REDACTED] Date (mm/dd/yyyy): [REDACTED]

Signature & Title: *Barbara Gallegos* Date (mm/dd/yyyy): 9-24-12
 Program Center Coordinator

**FISCAL YEAR 201 RESIDENT OPPORTUNITIES AND SELF SUFFICIENCY
PROGRAM GRANT AGREEMENT**

FAMILY SELF-SUFFICIENCY PROGRAM
(Attachment to Form HUD-1044)

BACKGROUND

- The purpose of the Public Housing Family Self-Sufficiency (PHFSS) grant funds is to enable participating families to increase earned income and financial literacy, reduce or eliminate the need for welfare assistance, and make progress toward economic independence and self-sufficiency.

ARTICLE I: BASIC GRANT INFORMATION AND REQUIREMENTS

1. This Agreement is between the U. S. Department of Housing and Urban Development (HUD) and the recipient **City of Chandler Housing and Redevelopment Division, AZ**, identified in block 7 on the cover sheet of this agreement, form HUD-1044, hereinafter referred to as the Grantee. The Grantee's application and the HUD grant approval letter, including any special conditions, are incorporated into this agreement.
2. HUD will make **\$ 66,746.00** available in total grant funds as shown on form HUD-1044 upon grant award and HUD approval.
3. This agreement and the HUD-1044 shall be effective immediately upon signature of **both parties**.
4. Period of performance: The period of performance will be 12 months. *For renewal grantees, the 12 month period of performance will begin the day after the most recent FSS grant expires. The field office will establish an expiration date for this grant which will accommodate the timeline of the Grantee's most recent FSS grant. NOTE: Grantees cannot expend funds from multiple FSS grants at the same time.*
5. Award type: This is a cost-reimbursable, performance-based grant.
6. This Grant Agreement incorporates and will be governed by the following as they may from time to time be amended: the HUD Appropriations Acts, the United States Housing Act of 1937 as amended, the FSS NOFA dated 4/10/12, the Code of Federal Regulations (CFR) 24 CFR Part 24, 24 CFR Part 85, 24 CFR Part 984, any applicable OMB Circulars, Handbooks and Notices issued by HUD.
7. In executing this agreement, the Grantee agrees to abide by the provisions contained within all applicable Federal laws, Executive Orders, OMB Circulars, specifically OMB Circular A-110, any assurances and certifications in the final HUD-approved application (the original approved application may have required amendments by the field/applicant), and 24 CFR Part 984 as applicable.

ARTICLE II: HUD REQUIREMENTS

SUB-ARTICLE 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 execution of this Grant Agreement and implementation of HUD-approved grant activities, shall not be reimbursable by using funds from this grant.
4. The work to be performed under this Grant Agreement is outlined in the attached logic model which must be approved by the HUD field office overseeing the administration of this grant.
5. The grant funds shall be used only for eligible activities.
6. Grantees are required to submit for approval any deviations or revisions to their HUD-approved budget **prior to implementing them**. Should any of the following conditions arise, grantees are 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, objective, 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.
 - c. Other changes that may adversely affect the program.
7. Grantees needing to extend the term of their grant in order to fully accomplish their goals, must request an extension in writing sixty calendar days prior to the grant termination date. The request must be submitted to the field office for review and 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 special conditions of the grant agreement except those that would be fulfilled in the remaining period of the grant. This includes the performance and resolution of audit findings in a timely manner.

Grantees should be aware that any extensions may result in a negative impact on the Past Performance review in future grant applications.

8. 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 issued by a revised HUD-1044 cover sheet with any attached documents as needed to define changes approved. Amendments will become effective upon execution of the HUD-1044 between HUD and the Grantee when both parties have signed the HUD-1044.
9. If the Grantee's program is not implemented within **60 days of the grant start date (the start date is the date both parties sign the HUD-1044 and this Grant Agreement)**, the Grantee must report by letter to the appropriate HUD field office of the steps taken to initiate the program, resulting changes to the timetable, the reason for the delay, and the expected starting date. Any timetable revisions as a result of the delay must be included for HUD approval. Renewal grantees whose FSS funding continues through 2013 are not subject to this requirement. However, once those funds are fully expended, grantees must initiate their 2012 FSS program within 60 days. **NOTE:** Failure to comply with this requirement may result in termination of this agreement and recapture of grant funds.
10. 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 elapsing between drawdowns and disbursements of grant funds; does not adhere to agreement requirements or special conditions; engages in the improper award or administration of grant subcontracts; does not submit required reports; or produces unacceptable deliverables.

SUBARTICLE B: FINANCIAL RESPONSIBILITIES

1. 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. Applicants shall draw down funds using the electronic Line of Credit Control System (e-LOCCS). Any applicant that was granted a waiver to submit the application via paper instead of electronically may request to be exempted from this and may continue to use the Line of Credit Control System (LOCCS) voice response system (VRS).
2. As applicable, the Grantee agrees to comply with the organizational audit requirements of OMB Circular A-133 and HUD 24 CFR Part 85 including audit requirements. The final

audit report must cover the entire period of the grant. The audit must be submitted to HUD no later than **30 days** after the grant is closed, covering the entire award period originally approved or amended. An original and one identical copy of the report shall be sent to HUD. All other requirements of 24 CFR Part 85 shall apply. For grantees where an audit is required, a single audit or a program-specific audit is acceptable. 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. *According to OMB Circular A-133, grantees that expend less than \$500,000 in federal awards are exempt from the audit requirement, but records must be available for review or audit.*

3. The Grantee shall minimize the time elapsing between the transfer of funds from HUD and the disbursement of funds. The HUD funds are to be made available 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 when there are persistent violations. Funds requisitioned through LOCCS must be disbursed within **three calendar days after receipt of funds drawdown**. The Grantee must be in compliance with OMB Circulars A-87, A-122 or A-133, as applicable.

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 required by 24 CFR 87.110 concerning lobbying and by 24 CFR 24.510(b) regarding ineligibility, suspension and debarment. This also includes any other required certification forms, which must be completed and included as a part of this grant agreement.
 - b. All pre-conditions listed in form HUD-1044, this Grant Agreement, the NOFA or in the award letter, must be completed by the grantee and verified by HUD.
2. Payments of grant funds shall be through electronic funds transfer using eE-LOCCS unless approval has been made to use the Line of Credit Control System-Voice Response System (VRS). Initial drawdown cannot be earlier than the start date of the grant term. NOTE: Costs cannot be reimbursed for activities undertaken prior to the grant's start date. The basic procedure is as follows:
 - a. To establish a line of credit, the Grantee must complete and submit the following forms:
 - i. HUD-27054 *Voice Response System Access Authorization* (for VRS and 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.
 - 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 code.
 - b. To gain access to HUD Secure Systems in order to use e-LOCCS, the Grantee must complete the following:
 - i. Go to the following URL address:
www.hud.gov/offices/reac/online/reasyst.cfm
to access the login page to WASS.
 - ii **Select** 'Register Online' to begin the registration process and follow online instructions.
- 3. After HUD processes the above documents, the Grantee will receive two letters:
 - a. One certified letter will provide a user identification number and password for the individual who will be authorized to draw down the funds from LOCCS.
 - b. The second certified letter will contain specific instructions on how to use the LOCCS system.
- 4. After the Grantee receives these two letters, it will be technically equipped to request drawdowns. An eLOCCS Guide can be obtained from HUDClips.
- 5. When using the VRS, grantees should use HUD-50080-AP from HUDClips (this form can easily be found doing a search under forms for "LOCCS"). For FSS, the only line item to complete would be for the "Program Coordinator". The voucher prefix for ROSS is 090.

6. VRS-LOCCS or 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. The Grantee shall immediately contact the HUD field office when there is a question regarding the request or when the request has been referred to the HUD program office for review. A request will be referred to the 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 BLI;
 - iii. Failure to submit an annual HUD form SF-425 - *Financial Status Report*, or Logic Model, as defined by this agreement and 24 CFR 85. VRS-LOCCS or 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 LOCCS.
 - iv. If the Grantee repeatedly fails to submit required forms, 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.

SUB-ARTICLE D: AUTHORIZED FUNDS BY BUDGET LINE ITEM NUMBER

- 1. Please consult the NOFA for eligible activities and definitions. The Grantee’s budget must be broken down to fit the Voucher Budget Line Items as follows: (entered here or on the attached award letter or HUD-52768 from the application)

FOR FAMILY SELF-SUFFICIENCY GRANTEES

BUDGET LINE ITEM NO.	ACTIVITIES	FUNDS
1168	FSS Coordinator (salary & fringe)	\$ 66,746.00
Total funding amount		\$ 66,746.00

SUBARTICLE E: REPORTING REQUIREMENTS

1. The Grantee must evaluate its activities and submit a performance Logic Model and SF-425 to HUD. The grantee may also submit a narrative. The Logic Model must be submitted electronically. The Logic Model and SF-425 shall be submitted to the Grantee's local HUD field office within 30 days after the anniversary of the effective date in LOCCS. This is a requirement for all grantees. The reporting will cover the prior grant year. All Logic Model reports should include answers to the Management Questions.
2. The Logic Model and SF-425, covering the entire grant period is due to the Field Office **30 days** after the termination of the Grant Agreement. The Logic Model should be cumulative for the grant period and should include the answers to the Management Questions and a narrative indicating any positive or negative deviations from projected outputs and outcomes as contained in your approved Logic Model.
3. HUD shall determine the Grantee's progress based upon a comparison between the Grantee's actual performance and its performance objectives and timelines established in the HUD-approved budget and Logic Model.
4. The Grantee will use the performance measures HUD approved in the approved Logic Model to track its progress.
 - a. The Grantee shall use the Logic Model to report on the grant's performance (outputs and outcomes).
 - b. If the Grantee did not meet its promised objectives, the narrative should explain why such progress was not made. Other pertinent information, such as cost-overruns, should also be included.
5. During the term of the grant, HUD may ask Grantees to begin reporting using a web-based performance measurement tool. This tool will capture information contained in the Logic Model, but may also be designed to capture narrative and budget information in which case the Grantee may submit all its required reports via the Internet.
6. The HUD field office shall maintain official records on the Grantee's performance measures and its progress reports. However, the Grantee must also maintain such records, including the Logic Model, and SF-425, HUD review, and/or evaluations.
7. No grant payments shall be approved until **all** required reports (Logic Model and SF-425) are received and approved by the HUD field office.

SUBARTICLE F: ADMINISTRATIVE REQUIREMENTS

1. Grantees must comply with all current HUD program rules and regulations.

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 (such as a bank for example) 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.
4. The Grantee agrees to comply with the following requirements for which HUD has enforcement responsibility:
 - a. Administrative requirements of OMB Circular A-110. These include the procurement requirements of OMB Circular A-110 as applicable.
 - b. Depending upon the type of Grantee organization (nonprofit or State/local government) Grantees where applicable, are required to comply with the standards set forth in OMB Circular A-122 on Cost Principles for nonprofit organizations, or OMB Circular A-87 on Cost Principles for State and local governments.
5. Equal Opportunity Requirements. Grant funds must be used in accordance with 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.
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 may be undertaken with Federal 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 regulations in 24 CFR 87, related to lobbying, including the requirement that the Grantee obtain certifications and disclosures from all covered persons.
8. Drug-free Workplace Requirements (Grants) in 24 CFR 24 Subpart F.
9. Restrictions on participation by ineligible, debarred or suspended persons or entities at 24 CFR Part 24, Subparts A through E, which are applicable to contractors and subgrantees.
10. Other applicable regulations.
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 conversion 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) 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.

SUB-ARTICLE G: GRANT CLOSEOUT

1. OMB Circular A-110 prescribes uniform closeout procedures for non-profits for Federal grants and other agreements.
2. Code of Federal Regulations (CFR), 24 CFR Part 85 prescribes uniform closeout procedures for Federal cooperative agreements/grant agreements.
3. 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.
4. The Grantee shall initiate project closeout within 30 days of the grant's termination 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.
5. 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.
6. Within **30 days** after the end date of the grant or any approved extension (revised end-date), the following documents must be submitted by the Grantee to the HUD field office:
 - a. A certification of project completion which is a statement signed by the grantee.
 - b. A certification of compliance with all requirements of the grant agreement which is a statement signed by the grantee
 - c. **Logic Model and Financial Report (SF-425) (see Subsection E).** For FSS, the Grantee submits Logic Model and one SF-425 for the 12-month period of the grant. This submission also serves as the grant's final report which is a cumulative summary of expenditures to date 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, the HUD field office will establish the amount due to HUD or cancel (recapture) any unused grant funds as applicable.

7. 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.
8. The Closeout Agreement or clause will include the Grantee's agreement to abide by any continuing Federal requirements.
9. Failure to submit the required financial report, logic model, 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.

SUB-ARTICLE 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.
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 HUD Handbook 2210.17, 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.
3. 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.
4. 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.
5. Corrective or remedial actions that HUD may order under this Agreement include, but shall not be limited to, the following:
 - a. 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;
 - b. Canceling or revising the affected activities, revising the grant budget as necessary, and substituting other eligible activities;

- c. Discontinuing drawdowns under LOCCS and prohibiting payment or reimbursement for any grant activities or, if more appropriate, for only those activities affected by the default; and
 - d. Requiring reimbursement by the Grantee to HUD for grant amounts used improperly.
6. **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 LOCCS to some other available method of payment, 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 24 CFR Part 24 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 form HUD-1044 in whole or in part, at any time.
2. HUD or the Grantee, in accordance with OMB Circular A-110 may mutually agree to terminate the agreement for convenience, after 30 days advance written notice, if it is in the best interest of any of the parties. The termination notice must specify the reason for the termination action and the proposed effective date.

SUB-ARTICLE J: DISPUTES

During the performance of this grant, disagreements may arise between the Grantee and HUD on various issues. If a dispute concerning a question of fact arises, the grant Officer, after hearing from both parties, HUD and the Grantee, 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 local HUD Field Office Director, Public Housing Division/Office of Native American Programs of the HUD office administering this Grant Agreement. The decision of the Director shall be final.

ARTICLE III: GRANTEE PERFORMANCE

HUD will judge performance based upon whether the Grantee achieves the agreed upon activities within grant time limits and within budget and whether the Grantee has produced tangible results through the implementation of grant activities.

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.

WITNESS WHEREOF, the parties have executed this Grant Agreement by their duly authorized signatories as of the date signed by both parties.

Signature of Grantee
Name and Title
Agency or Organization

DATE

Signature of Director, Office of Public
Housing or Native American
Programs

DATE

CONTRACT ADMINISTRATOR PARTNER AGREEMENT

PHA applicants that are on the PHAS Troubled list generated by the Real Estate Assessment Center (REAC) on or before the application deadline date for this FSS NOFA are required to submit a signed Contract Administrator Partnership Agreement (CAPA). The agreement must be for the entire grant term. If an applicant that is required to have a Contract Administrator Partnership Agreement fails to submit one or if it is incomplete, incorrect, or insufficient, this will be treated as a technical deficiency. 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 24 CFR Part 85.

Contract Administrators are expressly forbidden from accessing HUD's Line of Credit Control System (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 24 CFR part 85. ***HUD Field Offices or Area ONAPs will have final approval of Contract Administrators at time of grant agreement execution.***



Office of Public and Indian Housing

US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-5000

September 27, 2012

Kurt Knutson
Housing Manager
City of Chandler
Mail Stop 101, P.O. Box 4008
Chandler, AZ 85244-4008

Dear -1 Knutson:

The Department of Housing and Urban Development is pleased to inform you that the City of Chandler, (2012-FSSR-AZ028-15184) has been selected to receive \$66,746.00 for the FY 2012 Public and Indian Housing Family Self Sufficiency Program (PH FSS), under the Resident Opportunities and Self-Sufficiency (ROSS) program to support the following positions:

Total new PH FSS program coordinator position(s):
1 [\$66,746]

Your local HUD Field Office will be contacting you regarding execution of the obligation documents, which include the Grant Agreement and Form HUD-1044.

By accepting this award, you assume certain administrative and financial responsibilities, including timely submission of all financial and programmatic reports, resolution of all interim ROSS audit findings and consent to on-site reviews. You will also be required to certify in the Grant Agreement, or other funding arrangement, that you will take reasonable steps to affirmatively further fair housing and maintain records of the steps and their impacts in accordance with Section III. C.4.e. of the General Section NOFA, dated September 19, 2011.

In addition, you will be required to submit a copy of your Code of Conduct to your local HUD Field Office if:

- you did not submit a copy with your application,
- the person who submitted the previous application is no longer your authorized organization representative,
- the legal name of the organization or the address of the organization has changed, or
- if you are not currently listed on the HUD Web site: <http://www.hud.gov/grants/index.cfm>.

Your Field Office will be requesting that your agency sign and return the Grant Agreement within 72 hours of receipt, so please initiate any approvals/board resolutions, etc., that may need to be in place in order for this expedited grant execution to take place.

Should you have questions concerning this award letter, please contact Ms. Andrea Edmond, Grant Administrator at 202/475-8851. Thank you for your interest in HUD and its programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Cedric A. Brown", with a long horizontal flourish extending to the right.

Cedric A. Brown
Director
Grants Management Center