



Interoffice Memorandum

AGENDA ITEM

October 7, 2021

TO: Mayor Jerry L. Demings
—AND—
County Commissioners

FROM: Jon V. Weiss, P.E., Director
Planning, Environmental, and
Development Services Department

**CONTACT PERSON: Mitchell Glasser, Manager
Housing and Community Development Division
407-836-5190**

SUBJECT: October 26, 2021 – Consent Item
HOME ARP Grant Agreement

On March 11, 2021, the American Rescue Plan (ARP) was signed into law to provide relief funding to address the continued impact of the COVID-19 pandemic. To address the need for housing and supportive services for homeless and those with the greatest risk of housing instability, a portion of ARP funds was appropriated through the HOME Investment Partnerships (HOME) Program. Orange County, as a recipient of HOME funds, is receiving an allocation of \$10,554,916 in HOME-ARP dollars to be expended on eligible activities that must primarily serve specified qualifying populations.

Qualifying populations for HOME-ARP are those defined as: homeless; at-risk of homelessness; fleeing/attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; and other populations where assistance would either prevent the individual or family's homelessness, or serve those with the greatest risk of housing instability, such as extremely low-income households that are severely rent-burdened. Families that include a veteran family member who meets one of these qualifying population criteria are also eligible to receive HOME-ARP assistance. Eligible activities under HOME-ARP must serve qualifying populations and include development and support of affordable housing, tenant-based rental assistance, provision of supportive services, and acquisition and development of non-congregate shelter units.

On September 13, 2021, the Department of Housing and Urban Development (HUD) published Notice CPD-21-10 to outline requirements for the use of HOME-ARP funds and a process for allocating funds to eligible activities. The process includes the following steps:

- Execution of a HOME ARP Grant Agreement - Upon execution, Orange County will have access to five percent of its HOME-ARP allocation to be utilized for eligible program administration and planning activities outlined in the subsequent steps.
- Development of HOME-ARP Allocation Plan – The HOME-ARP Allocation Plan that is based on the needs assessment and gap analysis. The Allocation Plan must identify activities (strategies) Orange County intends to pursue with HOME-ARP funds, estimated production goals, any population preferences for qualified population groups, and refinancing guidelines. The Allocation Plan must also include public participation and consultation with agencies and service providers whose clientele include qualified populations to identify unmet needs and gaps in housing or services delivery systems.
- Amendment to the 2021-2022 One-Year Action Plan – Once approved by the Board, the HOME-ARP Allocation Plan and required certifications must be submitted to HUD as an amendment to the 2021-2022 One-Year Action Plan. Upon submittal to and acceptance of the Allocation Plan to HUD, the remaining grant amount (inclusive of an additional 10% administrative and planning set-aside funds) will be available to Orange County.

The HOME ARP Grant Agreement is a required first step in the process of receiving HOME-ARP funds allocated to Orange County. The budget period for the HOME-ARP funds ends on September 30, 2030.

ACTION REQUESTED: Approval and execution of HOME ARP Grant Agreement Title II of the Cranston-Gonzalez National Affordable Housing Act Assistance Listings #14.239 – HOME Investment Partnership Program Grant Number M21-UP120213 between Orange County, Florida and the U.S Department of Housing and Urban Development Office of Community Planning and Development. All Districts.

JVW:MG
Attachment

OCT 26 2021
HOME ARP Grant Agreement

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

1. Grantee Name and Address Orange County 525 E South Street Orlando, FL 32801-2817		2. Grant Number (Federal Award Identification Number (FAIN)) M21-UP120213 <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; vertical-align: top;"> 3a. Tax Identification Number 596000773 </td> <td style="width:50%; vertical-align: top;"> 3b. Unique Entity Identifier (formerly DUNS) 064797251 </td> </tr> <tr> <td style="vertical-align: top;"> 4. Appropriation Number 861/50205 </td> <td style="vertical-align: top;"> 5. Budget Period Start and End Date FY 2021 – 09/30/2030 </td> </tr> </table>		3a. Tax Identification Number 596000773	3b. Unique Entity Identifier (formerly DUNS) 064797251	4. Appropriation Number 861/50205	5. Budget Period Start and End Date FY 2021 – 09/30/2030											
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4. Appropriation Number 861/50205	5. Budget Period Start and End Date FY 2021 – 09/30/2030																	
6. Previous Obligation (Enter "0" for initial FY allocation)		\$0																
a. Formula Funds		\$																
7. Current Transaction (+ or -)		\$10,554,916.00																
a. Administrative and Planning Funds Available on Federal Award Date		\$527,745.80																
b. Balance of Administrative and Planning Funds		\$1,055,491.60																
c. Balance of Formula Funds		\$8,971,678.60																
8. Revised Obligation		\$																
a. Formula Funds		\$																
9. Special Conditions (check applicable box) <input type="checkbox"/> Not applicable <input type="checkbox"/> Attached		10. Federal Award Date (HUD Official's Signature Date) 09/20/2021																
11. Indirect Cost Rate* <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Administering Agency/Dept.</th> <th style="width:20%;">Indirect Cost Rate</th> <th style="width:20%;">Direct Cost Base</th> </tr> </thead> <tbody> <tr><td>—</td><td>—%</td><td></td></tr> <tr><td>—</td><td>—%</td><td></td></tr> <tr><td>—</td><td>—%</td><td></td></tr> <tr><td>—</td><td>—%</td><td></td></tr> </tbody> </table>		Administering Agency/Dept.	Indirect Cost Rate	Direct Cost Base	—	—%		—	—%		—	—%		—	—%		12. Period of Performance Date in Box #10 - 09/30/2030	
Administering Agency/Dept.	Indirect Cost Rate	Direct Cost Base																
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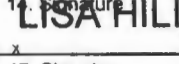
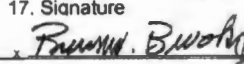
* If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be applied. Do not include cost rates for subrecipients.

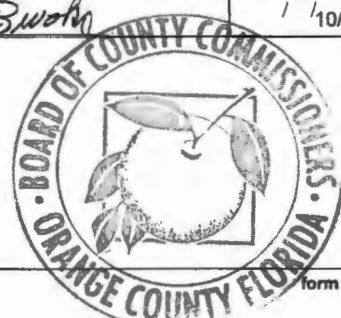
The HOME-ARP Grant Agreement (the "Agreement") between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.) and Section 3205 of the American Rescue Plan (P.L. 117-2) (ARP). HUD regulations at 24 CFR part 92 (as may be amended from time to time), the CPD Notice entitled "Requirements for the Use of Funds in the HOME-American Rescue Plan Program" (HOME-ARP Implementation Notice), the Grantee's HOME-ARP allocation plan (as of the date of HUD's approval), and this HOME-ARP Grant Agreement, form HUD-40093a, including any special conditions (in accordance with 2 CFR 200.208), constitute part of this Agreement. 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 and the HOME-ARP Implementation Notice. 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 HOME-ARP activities under the HOME-ARP Implementation Notice are repayable in accordance with the requirements of the HOME-ARP Implementation Notice. 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, as well as the HOME-ARP Implementation Notice.

The Grantee must comply with the applicable requirements at 2 CFR part 200, as amended, that are incorporated by the program regulations and the HOME-ARP Implementation Notice, 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 or HOME-ARP Implementation Notice, activities carried out under the grant after the effective date of the 2 CFR part 200 amendments will be governed by the 2 CFR part 200 requirements, as replaced or renumbered by the part 200 amendments.

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.

Funds remaining in the grantee's Treasury account after the end of the budget period 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 Budget Period.

13. For the U.S. Department of HUD (Name and Title of Authorized Official) Lisa A. Hill, CPD Director		14. Signature  X		15. Date 09/20/2021								
16. For the Grantee (Name and Title of Authorized Official) Byron Brooks, County Administrator		17. Signature  X		18. Date 10/26/2021								
19. Check one: <input checked="" type="checkbox"/> Initial Agreement <input type="checkbox"/> Amendment #												
20. Funding Information: <table style="width:100%;"> <tr> <td style="width:20%;">Source of Funds</td> <td style="width:20%;">Appropriation Code</td> <td style="width:20%;">PAS Code</td> <td style="width:20%;">Amount</td> </tr> <tr> <td>2021</td> <td>861/50205</td> <td>HMX</td> <td>\$10,554,916.00</td> </tr> </table>					Source of Funds	Appropriation Code	PAS Code	Amount	2021	861/50205	HMX	\$10,554,916.00
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2021	861/50205	HMX	\$10,554,916.00									



21. Additional Requirements: These additional requirements are attached and incorporated into this Agreement. The Grantee agrees to these additional requirements on the use of the funds in 7., as may be amended from time to time by the Secretary.

- a) As of the Federal Award Date, the Grantee may use up to the amount identified in 7.a. of this Agreement for eligible administrative and planning costs in accordance with the HOME-ARP Implementation Notice.
- b) Until the date of HUD's acceptance of the Grantee's HOME-ARP allocation plan, the Grantee agrees that it will not obligate or expend any funds for non-administrative and planning costs, in accordance with the HOME-ARP Implementation Notice.
- c) In accordance with the HOME-ARP Implementation Notice, as of the date of acceptance by HUD of the Grantee's HOME-ARP allocation plan, HUD shall make the amount identified in line 7. of this Agreement available to the Grantee.
- d) If the Grantee does not submit a HOME-ARP allocation plan or if the Grantee's HOME-ARP allocation plan is not accepted within a reasonable period of time, as determined by HUD, the Grantee agrees that all costs incurred and HOME-ARP funds expended by the Grantee will be ineligible costs and will be repaid with non-Federal funds.

22. Special Conditions