

# IHBG-ARP IMPLEMENTATION TRAINING

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## TRAINING COMPONENTS

- Training Purpose
- NAHASDA
- ARP Act Background
- Authority & Purpose of Waivers
- Eligible Activities
- Waivers and Alternatives
- Project & Program Development
- Concept Phase
- Administrative Requirements
- Site Control
- Procurement & Indian Preference
- The Team
- Environmental
- Applying for IHBG-ARP
- Reporting
- Monitoring
- Sample Policy Statements
- Sample Program Descriptions
- Resources

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## SUMMARY



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# NAHASDA BACKGROUND

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**NAHASDA Regulatory Sections (24 CFR 1000)**



Subpart A: General Objectives

Subpart B: Affordable Housing Activities

Subpart C: IHP

Subpart D: Allocation Formula

Subpart E: Federal Guarantees for Financing of Tribal Housing Guarantees

Subpart F: Recipient Monitoring Compliance, Oversight, & Accountability

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**Key Regulations**

§1000.10 – Definitions	§1000.101 – Affordable housing
§1000.12 – Nondiscrimination	§1000.102 – Eligible affordable housing activities
§1000.14 – Relocation & real property acquisition	§1000.103 – Tenant/project-based rental assistance
§1000.18 – Environmental review requirements	§1000.104 – Eligible families
§1000.26 – Administrative requirements	§1000.106-108 – Families requiring HUD approval
§1000.30-34 - Conflict of interest	§1000.110 – Conditions for non-low-income Indian families participation
§1000.36 – Records retention	§1000.120 – Tribal Indian preference or tribal preference in selecting families for housing

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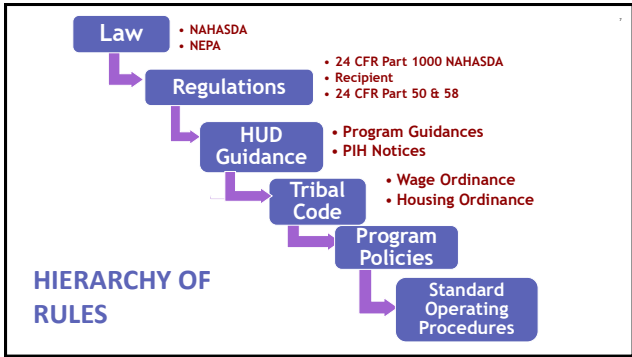
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Other Laws, Regulations Impacting Our NAHASDA Programs

- Uniform Administrative Requirements Recipient
- Alaska Uniform Residential Landlord and Tenant Act
- American Disabilities Act
- Generally Accepted Accounting Principals
- Uniform Relocation Act

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### Uniform Administrative Requirements Recipient

- Management systems
  - Written policies
  - Written procedures
- Insurance
- Drug-Free Workplace
- Procurement
- Reporting & recordkeeping
- Conflict of interest
- Audit
- Allowable, unallowable costs

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### Compliance Criteria

Admissions and Occupancy (24 CFR §§1000.104-.110, 1000.120, 1000.124-.156, NAHASDA Sec. 203(a)(1))	Management/Personnel (Recipient)	Maintenance (NAHASDA Sec. 203 (b) and 203 (e))	Travel (2 CFR §200.474)
Procurement (2 CFR §§200.317-326, 24 CFR §1000.26)	Real Property Acquisition (24 CFR §1000.14, 49 CFR Part 24)	Relocation (24 CFR §1000.14, 49 CFR Part 24)	Conflict of Interest (24 CFR §§1000.30-36)

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### Compliance Criteria

- Indian Preference (24 CFR §§1000.48-.54)
- Labor standards (24 CFR §§1000.16)
- Environmental clearance (24 CFR §§1000.18-.24, 24 CFR Part 58)
- Lead based paint (24 CFR §1000.40, Section 302 of the Lead based Paint Poisoning Prevention Act)
- Accessibility (24 CFR §1000.12, 24 CFR Part 8, Section 504 of the Rehabilitation Act of 1973)
- Flood Insurance (24 CFR §1000.38)

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### ARP BACKGROUND

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## American Rescue Plan Act of 2021 (ARP) (Public Law 117-2) Background

- March 11, 2021, President Biden signed the American Rescue Plan (ARP) into law.
- Additional \$450,000,000 in IHBG formula funding for eligible Indian tribes and TDHEs
- All funding through the IHBG program
- Allocated based on the 2021 Formula
- Prevent, prepare for, and/or respond to COVID-19, including maintaining normal operations and funding eligible NAHASDA activities during recipient's impact period
- Authority to waive or specify alternative statutory/regulatory requirements to facilitate or expedite the use of IHBG-ARP grant funds
- IHBG-ARP grants will be awarded as separate IHBG grants. On March 25, 2021, HUD published IHBG-ARP grant allocations for all Indian tribes that are eligible to receive funding. These allocations are available at: [https://www.hud.gov/sites/dfiles/PIH/documents/IHBG-ARP\\_for\\_Codetalk3.24.21.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/IHBG-ARP_for_Codetalk3.24.21.pdf)

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## ARP Implementation Resources

IHBG-ARP grant allocations are available at:  
[https://www.hud.gov/sites/dfiles/PIH/documents/IHBG-ARP\\_for\\_Codetalk3.24.21.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/IHBG-ARP_for_Codetalk3.24.21.pdf)

COVID-19 Related Frequently Asked Questions  
(FAQs) for Tribes and Tribally Designated  
Housing Entities (TDHEs)

PIH Notice 2021-11 IHBG-ARP Implementation  
Notice: Provides Recipients with instructions on  
how to apply for IHBG Program funding under  
ARP and other program requirements

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## AUTHORITY AND PURPOSE WAIVERS

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## Authority for Waivers

- Waivers and alternative requirements are established under the authority of the
  - CARES Act,
  - ARP Act, and
  - Secretary's finding that all waivers provided under this notice are necessary to expedite or facilitate the use of IHBG and Indian Community Development Block Grant (ICDBG) funds.
- IHBG waiver and alternative requirement ends when funds subject to the waiver and alternative requirement are Expended
- Use of funds MUST
  - Prevent,
  - Prepare for, and
  - Respond to the coronavirus.
- Recipients are encouraged to submit additional waiver requests.

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## Waivers and Alternative Requirements

- ▶ HUD waives various IHBG rules in order to
  - ▶ Expedite the delivery of services
    - Reduce administrative burden associated with normal operations.(PIH Notice 2021-22, COVID-19 Statutory and Regulatory Waivers are effective as of the date a Recipient TDHE began preparing for COVID-19.
  - ▶ Applies retroactively to the date that the IHBG recipient began preparing for COVID-19.
- Waivers are effective as of the date a Recipient TDHE began preparing for COVID-19
- Applies to IHBG funding provided
  - Under the CARES Act, ARP Act, and
  - FY 2020 IHBG formula funds under the Further Consolidated Appropriations Act, 2020.
  - **These waivers and alternative requirements do not apply to IHBG funds appropriated in any other prior year.**

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## IHBG-ARP Purpose of Eligible Activities

- ▶ **Prepare For**  
Examples include housing activities designed to reduce severe overcrowding, providing food delivery services to eligible families (including the elderly, disabled, and other high-risk populations) to allow them to shelter in place, and public health campaigns designed to educate families on how to prepare for a possible outbreak in the community and ways to minimize community spread.
- ▶ **Prevent**  
Examples include distributing Personal Protective Equipment to housing maintenance staff, residents, and members of the community, using IHBG-ARP funds to clean common areas to prevent infections, using IHBG-ARP funds to facilitate the vaccination of IHBG assisted residents and IHBG recipient staff, and etc.
- ▶ **Respond to:**  
Examples include to provide care for those infected and to limit the exposure and spread of the virus, rent assistance to eligible families that cannot pay rent, carrying out activities to reduce severe overcrowding, prevent homelessness to ensure families are stably housed, and operations.

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**IHBG-ARP Purpose of Eligible Activities**

- ▶ One example of maintaining normal operations is using
  - IHBG-ARP funds to carry out eligible IHBG activities that the recipient initially planned to carry out with its regular IHBG funds but did not because it had to use its regular IHBG funds to carry out an unplanned activity to prevent, prepare for, or respond to COVID-19.
  - In this scenario, the IHBG- ARP grant funds can be used to carry out the original IHBG activity that the recipient planned on carrying out but did not due to COVID-19.

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**Activities Tied to IHBG-ARP Purposes**

- All activities must be tied to at least one of the following three eligible purposes:
  1. Activities, Projects, or Programs to Prevent COVID-19
  2. Activities, Projects, or Programs to Prepare for COVID-19
  3. Activities, Projects, or Programs to Respond to COVID-19

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**ELIGIBLE ACTIVITIES**

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## Eligible Purposes

**Prevent, Prepare for, and/or Respond to COVID-19**

- Including maintaining normal operations and funding eligible NAHASDA activities during recipient's impact period
- Grant funds may also be used to **cover or reimburse allowable costs** (only private funds) incurred by the recipient provided: the funds to be reimbursed were
  - used to prevent, prepare for, and/or respond to COVID-19;
  - costs to be reimbursed were paid with **non-Federal funds**; and
  - costs incurred "after January 21, 2020" (i.e., from 1/22/2020)

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## Reimbursement of Costs

- IHBG-ARP grant funds may cover or reimburse any eligible and allowable costs to **Prevent, Prepare for, and/or Respond** to COVID-19 paid by the IHBG recipient with other non-Federal funds, and dating from January 21, 2020 and later (date of first confirmed case of COVID-19)
- **Section 1** of the Abbreviated IHP/APR identifies the date the recipient began preparing for COVID-19
- There should be a program activity in the Abbreviated IHP/APR specific to reimbursement costs
- **Unique Identifier (Line 1 of Section 3)** must be titled COVID-19 reimbursement costs
- Recipients should maintain:
  - Start date documentation
  - Documentation to support any costs the recipient plans to reimburse with grant funding
  - Must show what is being reimbursed (must be non-federal funds, cannot be program income)

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## Public Health Services

Facilitate access to vaccination such as

- Paying the transportation costs to get IHBG-assisted families and staff to and from a vaccination site;
- Coordinating with health clinics to provide on-site vaccinations;
- Paying the costs of providing public health information to staff and residents so they can learn about the benefits of getting vaccinated and how to get vaccinated; and
- Supporting IHBG-assisted families and staff with online registration for vaccination appointments and keeping them informed as vaccination efforts continue.

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**Eligible Activities Examples** 25

Carrying out activities eligible under IHBG provided those activities will prevent, prepare for, and respond to COVID-19;

- Providing essential housing services to shelter residents including childcare, education services, employment assistance, outpatient health services, legal services, mental health services, and transportation, provided such services are not duplicative of other Federally-funded services;
- Working with resident groups to help educate residents on social distancing and other practices designed to minimize the risk of community spread of COVID-19;
- Acquiring, constructing, converting, or rehabilitating structures to reduce and prevent homelessness, and reduce vulnerability to COVID-19;

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**Eligible Activities Examples (Continued)**

- ▶ Carrying out activities eligible under IHBG provided those activities will prevent, prepare for, and respond to COVID-19;
  - ▶ Payment of tenant and homebuyer utilities;
  - ▶ Installing a lockbox or other method for collecting rent payments without the need for personal contact;
  - ▶ Supporting laundry facilities to assist residents with eliminating the spread of COVID-19;
  - ▶ Paying for IHBG operating costs due to a significant reduction in rent receipts caused by COVID-19;

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**Eligible Activities Examples (Continued)**

**Emergency Response (Continued)**

- Carrying out activities that would prevent individuals from becoming homeless and rapidly rehousing homeless individuals;
- Acquiring, constructing, converting, or rehabilitating structures that can serve as temporary emergency shelters, or converting existing facilities for this purpose, to ensure homeless persons are provided safe shelter and to minimize the risk of community spread of COVID-19;

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**Eligible Activities Examples (Continued)**

**Emergency Response**

- Providing short- term rental assistance to homeless persons in hotel/motels to minimize infection and spread of COVID-19;
- Providing units or other space for temporary quarantine purposes as a result of COVID-19;
- Providing emergency housing for health care workers;
- Purchasing Telehealth equipment to allow assisted residents access to health care providers from home;
- Purchasing and distributing personal protective equipment (PPE) such as gloves, surgical masks and goggles, hand hygiene products, soap, paper towels, hand sanitizer, hand wipes, tissues, and thermometers;

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**Eligible Activities Examples (Continued)**

**Administrative Activities**

- Preparing housing or TDHE staff and Board of Commissioners to conduct business in a remote working environment, and providing them with necessary supplies to carry out the IHBG program;
- Setting up web-based communication options for program participants and staff;
- Implementing policies, procedures, and other measures to protect vulnerable populations; and
- Revising the approval process for policies and procedures in order to limit person-to-person contact;

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**Eligible Activities Examples (Continued)**

**Administrative Activities (Continued)**

<p>Paying staff salaries including the salaries of employees who must shelter in place or are otherwise prohibited from interacting with community members due to COVID-19;</p>	<p>Paying hazard pay for essential workers that are managing or maintaining units, or staffing emergency or isolation centers, provided such costs are considered necessary and reasonable under 2 C.F.R. Part 200;</p>	<p>Paying transportation costs of staff to perform IHBG program functions or assist tenants in accessing food, medical care, or prescriptions.</p>
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# WAIVERS AND ALTERNATIVE REQUIREMENTS

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- ## Waivers
- ▶ Reduced IHP/APR requirements - Abbreviated
  - ▶ Recipients application process
  - ▶ Verification
  - ▶ Recertification
  - ▶ Total Development Costs (TDC) (exceed 20% without
  - ▶ Investment of funds is prohibited
  - ▶ IHBG-ARP Funds excluded from counting towards an Indian tribe's undisbursed funds factor
  - ▶ Useful life
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## Recipient's Application Process

- ▶ IHBG-ARP recipients may deviate from their current written admissions and occupancy policies, and may allow less frequent income recertifications; and
- ▶ IHBG-ARP recipients may carry out intake and other tasks necessary to verify income of applicants and residents remotely if the IHBG recipient or eligible families chooses to do so, including allowing income self-certification over the phone (with a written record by the IHBG recipient's staff), or through an email with a self-certification form signed by the family.

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**Income Limits**

- ▶ All low-income families will be assisted regardless of
  - Income and
  - Classification of unit, meaning FCAS or NAHASDA unit.

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**Low-Income, Non-Low-Income, and Non-Indian Families**

Provide assistance to all affected and threatened people without regard to income limits for services such as:

- Temporary shelter-in-place,
- Isolation centers,
- Purchasing and making medical testing kits available,
- Purchasing and distributing masks and other personal protection equipment, emergency food preparation and distribution,
- Cleaning and decontamination, and other directly related activities.

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**Justification for Assisting Non-Low-Income and Non-Indian Families**

- ▶ **JUSTIFICATION**
  - ▶ Persons infected with the virus, regardless of income or tribal membership, pose a health risk to the entire community, and low-income families are especially vulnerable given the severe overcrowding in Indian Country, infrastructure challenges, and the lack of access to running water and readily available health care services in many remote communities.
- ▶ **TERM**
  - ▶ Provided during the COVID-19 pandemic; if it is designed to protect the health and safety of low-income Native American families; if it is provided on an urgent basis (as documented by the IHBG recipient); and if it is temporary in nature.

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### Prohibited Non-Low-Income and Non-Indian Families

Permanent rental assistance, mortgage assistance, housing rehabilitation, and new housing construction **will not be provided** except under all of the following conditions:

- It is provided during the COVID-19 pandemic.
- It is designed to protect the health and safety of low-income Native American families.
- It is provided on an urgent basis (as documented by the Recipient).

**AND**

- It is temporary in nature.

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### Allowable Assistance for Non-Low-Income and Non-Indian Families

- Purchasing and making medical testing kits available,
- Purchasing and distributing masks and other personal protection equipment,
- Emergency food preparation and distribution,
- Cleaning and decontamination, and
- Other directly related to prevent, prepare, and respond to COVID-19.

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### Useful Life

- Useful life requirements (period of affordability) are waived if assistance is related to cleanup of pandemic contamination and temporary use dwelling units for purposes of housing and quarantining families to inhibit the spread of disease to low-income Indian families and the Tribal community.
- This waiver only applies during the period that a unit is being temporarily used to prevent, prepare for, or respond to COVID-19.
- Useful life restrictions are required for other housing activities conducted with IHBG-ARP funding and are also required after a unit is no longer needed to temporarily quarantine families and is no longer needed for other COVID-19 purposes.

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### Continued Operations During the COVID-19 Pandemic

- Waiver is intended to provide administrative relief, and
- Allow for alternative approaches to various aspects of recipient operations that are necessary to expedite or facilitate the use of the IHBG-ARP funds.
- Alternative processes may include:
  - electronic transmission of information to families,
  - conducting briefings online,
  - conducting conference calls, or using self-service features of an Indian tribe's or TDHE's website, and
  - providing business-reply envelopes or secure drop-box apparatuses for document or rent submission for assisted families that do not have access to the Internet.

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► 24 C.F.R. §§ 1000.312 and 1000.314 identifies FCAS units as low rent, Mutual Help, and Turnkey III housing units owned and operated by an IHBG recipient. 24 C.F.R. § 1000.318 establishes when these units can be considered FCAS for purposes of the IHBG formula. These regulations are also waived and modified to the extent necessary to not impact the FCAS eligibility of FCAS units used for this purpose of addressing COVID-19 regardless of income or Indian status, provided such units are operated as low-income housing dwelling units once no longer needed to shelter-in-place persons, and upon a determination that such units are safe to be occupied again by low-income families not infected with COVID-19.

### FCAS Units

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### Duplication of Benefits

- Before expending IHBG-ARP grant funds on any eligible activity, recipient must conduct a duplication of benefits analysis.
- Ensure that no insurance proceeds or other financial assistance has been received or is available to pay costs INTENDED TO BE charged to the IHBG-ARP grant.
- Recipient retains a copy of the duplication of benefits analysis for monitoring purposes.

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# PROJECT & PROGRAM DEVELOPMENT

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TOTAL DEVELOPMENT PROCESS				
Concept	Predevelopment	Development	Construction	Operations
Determine need, Identify site	More site studies	Release of Funds (ROF)	Build it	Selection
	Prelim A & E	Appraisal	Manage issues	Lease-up
Develop a Concept	Site control	Full A&E drawings	Draw funds	Conduct Monthly One-on-One session
	Surveys	Construction docs, General Conditions		
Political support, Community Meetings	Enviro studies, FONSI Phase 1	Bidding Selector Contractor	Indian Pref and Employee Interviews	Property Management Asset Management
	Early site studies	Apply for funds	Close Loans, Execute Contract.,	Inspect, Monitor Program Direction, Staff Supervision
Rough Devel Budget, ID\$ sources, Preliminary Sources & Uses	Cost estimates, Redo Devel Budget, Proforma	Notice to Proceed	Orientation, Prequalify families	Monitoring, Monthly Reporting
	Dev. Program Docs	Qualify Families	Projection Completion	
Identify Staffing and TA Needs	Community Meetings, Housing Counseling	Continue Program Docs, Housing Counseling	Housing Counseling	Housing Counseling

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- ### Estimated Time by Phase
- Concept
    - 1 – 2 years
  - Predevelopment
    - 2 - 5 years
  - Development
    - 1 - 2 years
  - Construction and Rent Up or Sale
    - 12 - 23 months
  - Operations - Rental
    - 30 years, 55 years, or other depending on financing
  - Sale - Homeownership
    - Possibly no involvement once homes are sold; however, there may be warranty/call back or resale issues
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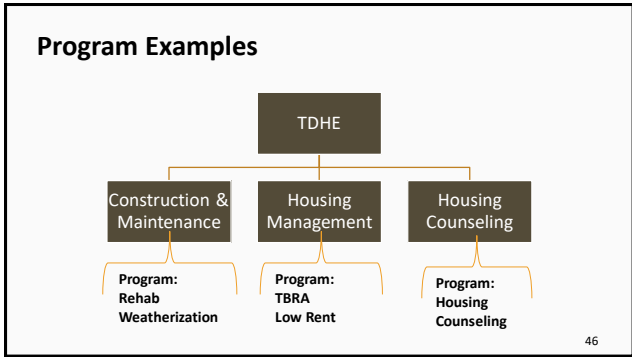
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- ### Project Examples
- Rehabilitation of 60 owner-occupied units in need of major energy improvements
  - Construction of a rental housing subdivision
  - Construct a community center
  - Identify a site to construct a 20-unit low-income senior citizen facility
  - Development of a housing counseling department
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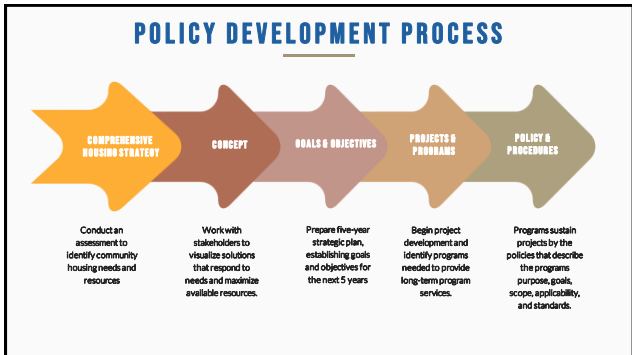
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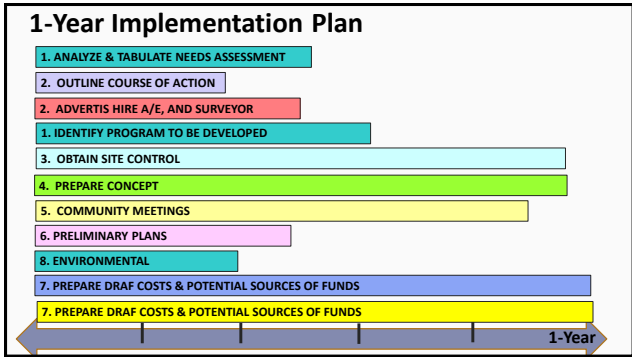
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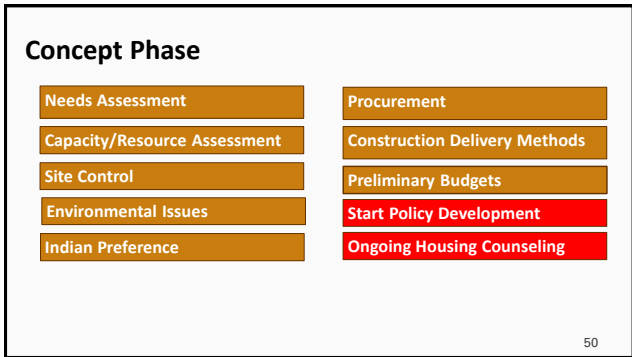
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- ### Concept Phase - Preliminary Planning Tasks
- Mobilize
  - Conduct needs assessment
  - Develop mission, goals and objectives
  - Develop planning team and identify additional resources needed
  - Determine preliminary course of action
  - Prepare preliminary list of sources of funds to investigate
  - Prepare rough development budget
  - Rough Concept
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### Management Capacity Overview

Successful development involves the following:

- Resources
- Relationship to the Tribe and/or Tribally Designated Housing Entity (TDHE)
- Capacity to administer or use NAHASDA
- Development capacity
- Project management capacity

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RESPONSIBILITIES	STAFF		TECHNICAL ASSISTANCE
	ON STAFF	NEED TO HIRE	
Development Director			
Planner/Grant Writer			
Project Coordinator			
Financial Packager			
Community Assessor			
Marketing Analyst			
Architect/Engineer			
Environmental			
• Part 58 EA			
• Phase 1			
Soil Testing			
Surveyor			
• Topo			
• boundary			
• Alta			
Appraiser			
Developer			
Attorney			
Project Manager			
Construction Manager			
General Contractor			
Force Account Crew			
• Superintendent			
• Foreman			
• Electrician			
• Plumber			
• Specialized areas			
Housing Counselor			
Property Management Staff			

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ARE YOU READY TO DEVELOP?			
DEVELOPMENT DOCUMENTS	NA	I don't know what the [it]	I'll have to get it, make it or pay for it.
			This is in my office.
1. Project Description			
2. Number of Units (apartments, homes)			
3. Summary of Need for the Project			
4. Market Study			
5. Development Team Members & Experience			
6. Site Survey			
7. Site Control Documentation			
8. Lease			
9. Sublease			
10. TRS recording lease			
11. TRS recording sublease			
12. Preliminary Title Report			
13. Site Plan			
14. Evidence of Zoning and Master Plan Compliance			
15. Evidence of Final Header Plan Compliance			
16. Geotechnical (Soil) Report			
17. Capital Needs Assessment			
18. Environmental Assessment (HEA)			
19. Environmental Assessment (EIA)			
20. FONSI			
21. ROP			
22. Phase I Environmental Report			
23. Source and Use Budget			
24. Relocation Plan			
25. Evidence of Utility Availability			
Totals for this section			

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### HANDOUT: HOUSING CONSTRUCTION ESTIMATES

- ❖ Preparing the Preliminary development budget
- ❖ Line items to consider

Project Staff
Procurement
HEA/Environmental Assessment
Survey Costs
Soils Study (Geotechnical Study)
Project Management (Owner)
Construction Supervision (Owner)
Architecture Fees
Engineering Fees
Fees & Permits
Infrastructure/Hard Costs
Sewer
Streets, paths, retention pond, access roads, guardrails
Misc. Site work/hard costs
Infrastructure Contingency
Direct Home Construction
Construction Contingency
Soft Cost Contingency
Appraisal Costs
Legal Expense
Funding Application Fees
Market Study
Marketing
Occupancy Ramp Up Reserve
Totals

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Use/Description	Estimated Budget	Uses Before Construction Starts			Total Predev.	Notes
		Concept	Predevelopment	Development		
Project Staff					\$	-
Procurement					\$	-
HEA/Environmental Assessment					\$	-
Survey Costs					\$	-
Soils Study (Geotechnical Study)					\$	-
Project Management (Owner)					\$	-
Construction Supervision (Owner)					\$	-
Architecture Fees					\$	-
Engineering Fees					\$	-
Fees & Permits					\$	-
Infrastructure Hard Costs					\$	-
Sewer					\$	-
Streets, paths, retention pond, access roads, guardrails					\$	-
Misc. Site work/hard costs					\$	-
Infrastructure Contingency					\$	-
Direct Home Construction					\$	-
Construction Contingency					\$	-
Soft Cost Contingency					\$	-
Appraisal Costs					\$	-
Legal Expense					\$	-
Funding Application Fees					\$	-
Market Study					\$	-
Marketing					\$	-
Occupancy Ramp Up Reserve					\$	-
Totals	\$	\$	\$	\$	\$	-

57

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	Sources	Estimated	Concept	Predevelopment	Development	Total Predev	Notes
	IHBG						
	Recipient, Unrestricted Funds						
	Other						

58

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## ADMINISTRATIVE REQUIREMENTS

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**§1000.26 What are the administrative requirements under NAHASDA?**

"Uniform Administrative Requirements, Cost Principles, And Audit Requirements for Federal Awards", except for the following sections:

- (1) Section 200.113 applies, except that, in lieu of the remedies described in §200.338, HUD shall be authorized to seek remedies under subpart F of this part.
- (2) Section 200.302(a), "Financial management."
- (3) Section 200.305, "Payment," applies, except that HUD shall not require a recipient to expend retained program income before drawing down or expending IHBG funds.
- (4) Section 200.306, "Cost sharing or matching."
- (5) Section 200.307, "Program income."
- (6) Section 200.308, "Revision of budget and program plans."
- (7) Section 200.311, "Real property," except as provided in 24 CFR 5.109.
- (8) Section 200.313, "Equipment," applies, except that in all cases in which the equipment is sold, the proceeds shall be program income.
- (9) Section 200.314, "Supplies," applies, except in all cases in which the supplies are sold, the proceeds shall be program income.
- (10) Section 200.317, "Procurement by states."

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**§1000.26 What are the administrative requirements under NAHASDA?**

(11) Sections 200.318 through 200.326 apply, as modified in this paragraph (a)(11):

(i) De minimis procurement. A recipient shall not be required to comply with 2 CFR 200.318 through 200.326 with respect to any procurement, using a grant provided under NAHASDA, of goods and services with a value of less than \$5,000.

(ii) Utilizing Federal supply sources in procurement. In accordance with Section 101(j) of NAHASDA, recipients may use Federal supply sources made available by the General Services Administration pursuant to 40 U.S.C. 501.

(12) Section 200.325, "Bonding requirements," applies. There may be circumstances under which the bonding requirements of 2 CFR 200.325 are inconsistent with other responsibilities and obligations of the recipient. In such circumstances, acceptable methods to provide performance and payment assurance may include:

(i) Deposit with the recipient of a cash escrow of not less than 20 percent of the total contract price, subject to reduction during the warranty period, commensurate with potential risk;

(ii) Letter of credit for 25 percent of the total contract price, unconditionally payable upon demand of the recipient, subject to reduction during any warranty period commensurate with potential risk; or

(iii) Letter of credit for 10 percent of the total contract price, unconditionally payable upon demand of the recipient, subject to reduction during any warranty period commensurate with potential risk, and compliance with the procedures for monitoring of disbursements by the contractor.

(13) Section 200.328(b) through (d) and (f), "Monitoring and reporting program performance."

(14) Section 200.333, "Retention requirements for records."

(15) Section 200.338, "Remedies for noncompliance."

(16) Section 200.343, "Closeout."

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Uniform Administrative Requirements

- Management systems
- Conflict of interest
- Transparency
- Procurement
- Reporting & recordkeeping
- Financial management
- Audit
- Cost principles
- Allowable, unallowable costs

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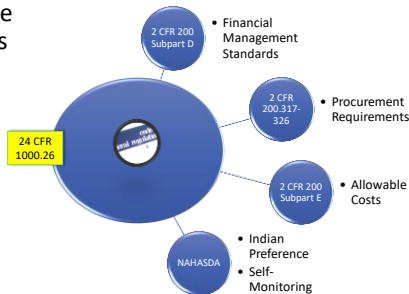
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**2 CFR Part 200 Administrative Requirements**



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### Standards for Financial Management Systems

Standards include:

#### Federal Awards

Recipients must establish a chart of accounts code, identifying the following:

- ❖ CFDA title and number
- ❖ Federal award identification number and year, name of the Federal agency
- ❖ Fiscal year awarded
- ❖ Name of the pass-through entity (if any)
- ❖ Classification system for charges and disbursements



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### Records

- Identifying the source and application of funds
- Contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest
- Supported by source documentation

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### Accountability Standards

Standards include:

- The Recipient's obligation to account for its activities
- Accept responsibility and disclose the results

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### Budget

- A financial plan for a Recipient’s project
- Must be prepared according to performance measures for program evaluation
- Chart of accounts must be established to reflect job and unit costs

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### Procedures

- The Recipient must maintain written procedures describing:
- Staff responsibilities
  - Tasks
  - Activities for Federal award implementation
  - Costs must be:
    - Reasonable
    - Allowable
    - Allocable

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### Reporting

- The Recipient must maintain accurate, current, and complete disclosure of the financial results.
- Maintain the following essential reports:
    - Quarterly SF 425 financial status reports
    - Year-end financial statements
    - Audit reports
    - Annual performance reports
    - Self-monitoring
    - Annual audits

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### Audits

- Audits - (2 CFR Part 200 Subpart F and 24 CFR Part 1000.544 – 550)
- New threshold: \$750,000 Federal funds expended in FY
- Independent auditor
- In accordance with generally accepted government auditing standards covering financial audits
- Due 9 months after end of FY (must submit to clearinghouse and HUD ONAP)

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### Allowable Costs

▶ EXPENSES MUST BE DOCUMENTED

Source documentation can include:

- ▶ Purchase orders and trip authorizations
- ▶ Procurement records
- ▶ Bills, invoices, timesheets, payroll records, travel vouchers, and receipts
- ▶ Check register, cancelled checks, check stubs, and bank statements

**SOURCE DOCUMENTATION**

This is the most common reason for costs being disallowed.

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### CASH MANAGEMENT

▶ **WHAT YOU NEED:**

- ▶ Cash receipts and disbursement journal
- ▶ Recipient should expend funds from LOCCS within 3 days of funds being electronically transferred to the recipient's financial institution
- ▶ Excess funds must be returned to LOCCS if not expended within 3 days of draw
  - ▶ Return funds via [www.pav.gov](http://www.pav.gov).

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### Internal Controls

- ▶ WHAT YOU NEED TO REVIEW:
  - ▶ Equipment and Supplies Regulations –
    - ▶ 2 CFR § 200.313 (Equipment) – over \$5,000
    - ▶ 2 CFR § 200.314 (Supplies) – under \$5,000
    - ▶ 24 CFR § 1003.501(a) 9 & 10
  - ▶ Real Property Regulations –
    - ▶ 2 CFR § 200.311 (Real Property)
    - ▶ 24 CFR § 1003.504 (Use of Real Property)

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### FINANCIAL MANAGEMENT

- ▶ INTERNAL CONTROLS – OVER PROPERTY
- ▶ Inventory property as it is received and then also every two years at a minimum
- ▶ Establish a system to assure property is not lost, damaged or stolen – things to consider:
  - ▶ Where property is kept
  - ▶ Who is responsible for it
  - ▶ Who can use the property
  - ▶ How to keep the property in good condition
  - ▶ Who investigates loss, theft or damage

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### FINANCIAL MANAGEMENT

- ▶ BUDGET CONTROL
- ▶ The recipient is responsible for completing the project within budget
- ▶ Project must be completed as described in the Cost Summary, HUD-4123, submitted with the ICDBG application

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## PREDEVELOPMENT

Procurement

The Team

Site Issues and Control

Timeline

Environmental Issues

Preliminary Plans, Cost Estimates, Surveys, Soil Testing

Market Analysis - Market Study

Appraisals

Construction Delivery Methods

Preliminary Budgets

Ongoing Policy Development

Ongoing Housing Counseling

79

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## Goal of Predevelopment Phase

- Analysis of all assumptions regarding market, site, operation pro forma, development pro forma, financial requirements, financing, team and roles, environmental, site control. including suggested modifications for the concept to be feasible.



Test the assumptions of your concept with hard data.

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## PREDEVELOPMENT

SITE CONTROL

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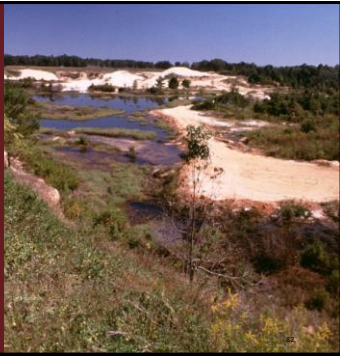
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### Site Suitability Issues

- Flood Zone
- Coastal Management Zone
- Cultural Significance
- Access to the site
- Access to water and sewer
- Drainage
- Soil Composition
- Underground Springs
- Existing Easements/rights of ways
- Zoning
- Covenants
- Topography



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### Slippery When Wet



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**ENERGY IMPROVEMENTS**



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**PREDEVELOPMENT**

PROCUREMENT AND INDIAN PREFERENCE

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### Procurement Requirements

- ▶ Ensure fair and equitable treatment
- ▶ Document procurement procedures reflecting applicable federal, state, and Tribal laws and regulations
- ▶ Assure that goods and services procured efficiently and economically,
- ▶ Avoid purchasing unnecessary or duplicative items, and at the most favorable prices and the highest quality.
- ▶ Ensure compliance with Indian preference
- ▶ Promote competition
- ▶ Award contracts only to responsible, qualified contractors
- ▶ Provide safeguards for maintaining a procurement system of quality and integrity
- ▶ Provide oversight ensuring contractors and vendors perform in accordance with terms, conditions, and specifications of their contracts or purchase orders.
- ▶ Maintain written standards of conduct covering conflicts of interest, and governing selection, award, and administration of contracts.

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### Indian Self-Determination and Education Assistance Act (ISDEA)

- ▶ To the greatest extent feasible, preference in selection, subcontracting, job training and employment
- ▶ Federal law 25 USC 450e(b)
- ▶ NAHASDA regulations 24 CFR 1000.48
- ▶ Includes federally recognized and state recognized tribes

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### 51% Ownership & 51% Control

- ▶ Control includes voting rights, management, decision making, and allocation of profits.

- Entity owned by a tribe or a tribal member must show evidence of 51% ownership AND 51% control.




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### Indian Preference Final Rule

- ▶ The Final Rule amended 24 CFR Sections 1000.48, 1000.50, and 1000.52 to provide for tribal preference in employment and contracting.
- ▶ 24 CFR 1000.52(a) TDHE certifies that they have policy that will afford Indian preference that is consistent with ISDEA 25 USC 450e(b)
  - ▶ OR solicit bids from Indian owned & controlled entities only
  - ▶ OR use two-stage process (more...)
- ▶ Program Guidance 2013-07 (R) dated July 11, 2013, provides additional information on administering these revisions.

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### Tribal Action

- ▶ Tribe passes adopts law, code, or regulations regarding Tribal Preference.
- ▶ Such law may provide preferential treatment
  - ▶ over other Indians that are not members of the tribe in employment and **Contracting**
  - ▶ in reductions in workforce and layoffs.

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### Indian Preference

- ▶ Certify policies and procedures (§1000.52)
- ▶ Preference clauses must be incorporated into contracts
- ▶ Include Indian Preference reference in notices and advertisements

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### Preference in Solicitation Process

- ▶ Required by federal (and often tribal) law
- ▶ Clarify preference standards in your procurement policy
- ▶ Clarify preference standards from the outset




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**QUIZ:** \_\_\_\_\_ TDHE certifies that they have a policy that will afford Indian preference that is consistent with ISDEA 25 USC 450e(b)...

- A. 24 CFR 1500.55(c)
- B. 24 CFR 3300.52(e)
- C. 24 CFR 1000.52(a)
- D. 26 CFR 2400.54(z)

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### Indian Preference

#### The Two-Stage Method

- 1 – solicit **statements of intent** from Indian owned & controlled entities
- 2 – If two or more are received from qualified entities, then solicit bids/proposals from Indian owned & controlled entities only
- **Otherwise, solicit bids/proposals from all entities using your established method of applying Indian preference**

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## Indian Preference

24 CFR 1000.52(b)

- ▶ If any method of Indian preference results in only one bid or proposal being received, then
  - ▶ Re-advertise using any approved method of Indian preference under (a), OR
  - ▶ Re-advertise to all entities using Indian Preference Policy OR
  - ▶ Ask HUD-ONAP for approval (remember, you must justify!)

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## Document, Document, Document

- ▶ Carefully record decision in writing
- ▶ Make a brief decision in writing
- ▶ Be prepared to provide further explanation to anyone you disqualify
- ▶ Explain to any disqualified party that they may still submit a bid or proposal




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## PREDEVELOPMENT

- THE TEAM

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### The Players During the Design Phase

- ▶ Owner & Development Coordinator
- ▶ BIA/IHS/Tribe Land Office
- ▶ Surveyor
- ▶ Architect/Engineers
  - ▶ Mechanical
  - ▶ Electrical
  - ▶ Structural
  - ▶ Civil – Sometimes separate contract
- ▶ Geotechnical
- ▶ Cost Estimator

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### Designing the Project

- ▶ Boundary & topographic surveys
- ▶ Engineering study – all infrastructure/utilities
- ▶ Phases
  - ▶ Schematics
  - ▶ Preliminary Design
  - ▶ Final Design
  - ▶ Specifications
  - ▶ Plan Review (code compliance)
  - ▶ Wage Determination, if applicable
- ▶ Permitting

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## PREDEVELOPMENT

- ENVIRONMENTAL CONSIDERATIONS

102

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## Environmental

- ▶ Must be completed prior to the commitment of any funds!
- ▶ References
  - ▶ §1000.18 What environmental review requirements apply?
  - ▶ §1000.20 Is an Indian tribe required to assume environmental review responsibilities?
  - ▶ §1000.21 Under what circumstances are waivers of the environmental review procedures available to tribes?
  - ▶ §1000.22 Are the costs of the environmental review an eligible cost?
  - ▶ §1000.24 If an Indian tribe assumes environmental review responsibility, how will HUD assist the Indian tribe in performing the environmental review?
  - ▶ 24 CFR Part 58 & Part 50

103

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## NEPA Applicability

All proposals for Federal actions that have the potential to affect the quality of the human environment.

- Natural and physical, as well as social and economic

Federal actions include funding and insuring (e.g., loan guarantee, program income).

- No "trigger level" - all levels of funding are covered.

104

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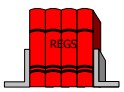
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## Relevant Laws and Authorities

- ▶ The NEPA process requires that you look at ALL federal laws that address the environment:
  - ▶ Air
  - ▶ Water
  - ▶ Land
  - ▶ Flora
  - ▶ Fauna
  - ▶ Human health & safety



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### Major Relevant Laws & Authorities (24 CFR Part 58.5)

- ▶ Sole Source Aquifers
- ▶ Endangered Species Act
- ▶ Wild and Scenic Rivers Act
- ▶ Clean Air Act
- ▶ Farmland Protection Policy Act
- ▶ National Historic Preservation Act
  - ▶ Historic structures and archaeological sites
- ▶ Clean Water Act
- ▶ Wetlands
- ▶ Coastal Zone Management Act

106

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### Other Requirements (24 CFR 58.6)

- ▶ Flood Disaster Protection Act
  - ▶ Flood insurance coverage
- ▶ Coastal Barrier Resource Act
- ▶ Runway Clear Zone or Clear Zone (24 CFR Part 51, Subpart D)
  - ▶ Disclosure statement

107

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### Limits on Activities Prior to Clearance

- ▶ Neither a recipient nor any participant may commit or expend HUD funds prior to receiving HUD approval of their certification (unless the activity is exempt or categorically excluded not subject to §58.5).
- ▶ "Participant" includes public or private nonprofit or for-profit entities or their contractors.

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### Limits on Activities Prior to Clearance

- ▶ Neither a recipient nor any participant may commit or expend non-HUD funds (even local \$) on an activity prior to approval IF:
  - ▶ the activity would have an adverse environmental impact, or
  - ▶ limit the choice of reasonable alternatives.

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### Limits on Activities Prior to Clearance

- ▶ Recipients considering applications from prospective subrecipients or beneficiaries must ensure actions are not taken prior to receiving HUD approval.
- ▶ Commitment does not include (and therefore is OK to make...):
  - ▶ A statement of funding reservation (i.e., IHP, ICDBG Application.
  - ▶ A non-legally binding agreement (i.e., option agreement).

110

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### Limits on Activities Prior to Clearance

- ▶ For land acquisition projects, an option agreement (to purchase land) is allowable prior to HUD approval only when:
  - ▶ It is subject to a RE determination of environmental desirability, and
  - ▶ The option payment is of a nominal amount.
- ▶ One exception – When required by 24 CFR Part 42, relocation funds may be committed before approval of the certification.

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**ENVIRONMENTAL REVIEW STEPS**




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**QUIZ:** 24 CFR Part 58.5 includes the following major laws and authorities (select all that apply):

- A. Endangered Species Act
- B. Clean Air Act
- C. Clean Water Act
- D. Coastal Zone Management Act
- E. National Prehistoric Management Group

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**QUIZ:** Regulations for implementing NEPA state that \_\_\_\_\_ shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment.

- A. Human interaction
- B. Human contradiction
- C. Human greed
- D. Human malfeasance

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# PREDEVELOPMENT

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ENVIRONMENTAL CONSIDERATIONS




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# IHP/APR ABBREVIATED FORM

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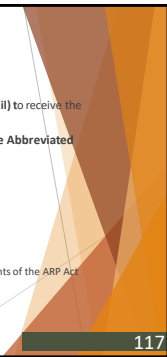

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## Abbreviated IHP/APR Form

- Submit an Abbreviated IHP to the ONAP Area Office **electronically (via email)** to receive the IHBG-ARP grant,
- **You must click IHBG CARES checkbox in Section 1 in order to access the Abbreviated IHP**
- Abbreviated IHP/APR
- Modified version of the regular IHP/APR
- Requesting less information
- Amended certain data fields
- Fillable PDF – open with free version of Adobe Acrobat reader
- Abbreviated Indian Housing Plan (IHP):
- how the IHBG recipient will carry out activities or projects that meet the requirements of the ARP Act
- If no FY 2021 IHP submitted: submit Abbreviated IHP
- may be required to submit additional information


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**SECTION 1: COVER PAGE**

(1) Grant Number:

(2) Request Program Year:

(3) Federal Fiscal Year:

(4)  IHBG-CARES-ARP Amount (This amount is entered in Section 3 or in Approved IHP)  
 Annual Performance Report (Complete Items 21-30 and proceed to Section 3)  
 Title  
 ISAC  
 (5) Name of Recipient:

(6) Contact Person:

(7) Telephone Number with Area Code (202) 559-2899:

(8) Mailing Address:

(9) City:  (10) State:  (11) Zip Code (00000 or 00000-9999):

(12) Fax Number with Area Code (if available) (202) 559-9999:

(13) Email Address (if available):

(14) If ISAC, List Title(s) Below:

(15) Tax Identification Number:

(16) DUNS Number:

(17) IHBG-CARES-ARP Amount:

(18) Date Started Preparing for COVID-19:

(19) Name of Authorized IHP Administrator:

CDAP Office Use Only

Release Date: 8/17/2021

Report to IAC:

Report YAC:

**Abbreviated IHP/APR Form**

**NOTE:** You must check the IHBG-CARES-ARP box to populate the Abbreviated IHP

You must enter the IHBG-ARP amount

You must enter the date you are preparing for COVID

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- 1.1. Program Name and Unique Identifier:  
Modernization of 1937 Act Housing; Accessibility Modifications to Rental Units – 2101.1
- 1.2. Program Description (This should be the description of the planned program.):  
Modification of rental units to comply with Section 504 accessibility standards.
- 1.3. Eligible Activity Number (Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):  
(1) Modernization of 1937 Act Housing [202(1)]
- 1.4. Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):  
(9) Provide accessibility for elderly/disabled persons  
  
Describe Other Intended Outcome (Only if you selected "Other" above.):
- 1.5. Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

119

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**Describe Other Intended Outcome (Only if you selected "Other" above.):**

- 1.6. Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):  
Low income Native Americans and Alaska Natives.
- 1.7. Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):  
Vacated rental units in substandard condition will be modernized and rehabilitated to Section 504 accessibility standards. Work will be performed by Housing Authority staff or contractors at no cost to residents. Level of assistance is estimated to be \$85,000 or less per unit.
- 1.8. APR: (Describe the accomplishments for the APR in the 12-month program year. In accordance with 24 CFR § 1000.512(b)(3), provide an analysis and explanation of cost overruns or high unit costs.):

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### Use of FY 2020 IHBG for COVID-19

- The alternative requirements in Notice PIH 2020-05 apply to FY2020 IHBG formula funds only
  - Other years of IHBG formula funds can be used for COVID-19 purposes, but the **alternative requirements do not apply**.
  - **Notify** Area ONAP **before** using regular IHBG formula funds for COVID-19 purposes, and identify how much will be used.
  - Area ONAP will move the identified amount of FY 2020 funds to the new COVID-19 Budget Line Item (BLI) in LOCCS.
  - Recipient can then select the COVID-19 BLI when in LOCCS to pay for COVID-19 activities.
- PIH Notice 2020-06 describes FY2020 IHBG amendment requirements and how to reprogram FY 2020 IHBG funds.
  - Amendments don't have to be submitted before using funds for COVID-19 purposes, but you **must** notify Area ONAP **before** using funds so that they can move the funds to the COVID-19 BLI
- Investment Funds
  - If recipient has invested FY 2020 funds, invested funds can be used for COVID-19 purposes with the alternative requirements.
  - ONAP will provide more guidance on tracking and reporting of invested FY 2020 funds.

121

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### Abbreviated IHP Review

- Determine if Abbreviated IHP complies with the ARP Act and NAHASDA
- **Will be done as quickly as possible.**
- If IHP is noncompliant
  - Recipient will be asked to revised and resubmit ASAP
  - Area ONAP will provide technical assistance to modify Abbreviated IHP, as appropriate
    - Ensure compliance with the ARP Act
- Abbreviated IHP may be amended to adjust any planned eligible activities or programs

122

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### Grant Agreement and Award Letter

- After Abbreviated IHP is found in compliance
- Area ONAP emails the recipient an award letter and grant agreement package to sign and return via email
- Grant agreement package
  - Grant Agreement
  - Grant Addendum
- Grant agreement is signed, scanned, and sent back to Area ONAP electronically
- Recipient maintains all documents with wet signatures in their records
- Funds available in LOCCS once the fully executed grant agreement is returned and processed by HUD

123

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## Keep Accounts Separated

Due to the number of different funding sources, it is critical that your TDHE keep accounts separated as much as possible.

- Separate coding.
- Bank accounts.
- Keep documentation for all expenditures (as usual).
- Plan ahead for reporting.

124

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## Reporting

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Required Reporting	IHBG-CARES Grant # 20BV-	IHBG-ARP Grant # 21AH-
Indian Housing Plan (IHP)	Abbreviated IHP Due at application.	
Annual Performance Report (APR)	Due 90 Days after Program Year End and 90 Days after project completion.	
Federal Financial Report (SF-425)	Due 30 Days after quarter end, and Final SF-425 due 90 Days after project completion. Reports Cumulative expenditure for the life of the grant.	
Annual IPA Audit	If grantee meets annual \$750,000 federal funds expended threshold, required IPA audit due 9 months after Fiscal Year End.	
FFATA	Due for all contracts and sub-grants that meet the thresholds.	
Other Reporting	Quarterly CARES ACT reporting due in CARS Portal (once website is live).	

## Summary of Reporting Requirements

126

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## ARP Reporting Requirements

Abbreviated APR (continued)

- Total amount of IHBG-ARP grant funding received from HUD.
- Total amount of IHBG-ARP grant funding that was expended or obligated during the tribal program year to:
  - (a) prevent COVID-19
  - (b) prepare for COVID-19; or
  - (c) respond to COVID-19
- List of all activities for which IHBG-ARP grant funds were expended or obligated under each of the above eligible purpose categories, including:
  - description of the activity, including whether the activity is:
    - (i) eligible under the IHBG program; or
    - (ii) an eligible activity pursuant to a waivers and alternative requirement set forth in PIH Notice 2021-14 related to prevention, preparation for, and response to COVID-19.

127

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## Reporting Requirements

Abbreviated APR (continued)

- (c) an explanation of how the activity addresses one or more of the eligible purposes identified in (2), above;
- (d) an evaluation of the completion status of the activity;
- (e) an estimate of the number of eligible families that were assisted by this activity, including the number of low-income Indian families, non-low-income Indian families, and non-Indian families that were assisted by the activity; and
- (f) the name of the person to contact at the Tribe or TDHE if there are concerns with or questions about the activity.

128

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## MONITORING

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### HUD MONITORING

#### ■ HUD Areas of Review -

1. Procurement and Contract Administration
2. Indian Preference
3. Relocation – if applicable
4. Lead Based Paint – if applicable
5. Sub-recipient Agreements
6. Environmental Review
7. Compliance with approved grant application activities
8. Financial Systems Expenditure Report
9. Accountability – Procurement, Matching, TDC




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### ALLOWABLE COSTS:

- Receipts
- Invoices
- Cancelled checks
- Bank statements
- Check register
- Tax records
- Payroll records

Line Item Number	Account No.	Amount	Date	Amount	Balance
00000001	10000000	1000.00	07/28/2022	1000.00	1000.00
00000002	10000000	500.00	07/28/2022	500.00	500.00
00000003	10000000	500.00	07/28/2022	0.00	0.00




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#### MONITORING OF CONTRACTORS AND SUBRECIPIENTS –

- Documents that show the grantee has monitored contractors and subrecipients on ongoing basis

#### PERSONAL PROPERTY MANAGEMENT –

- Property records
- Inventory of tools and equipment
- Disposition records

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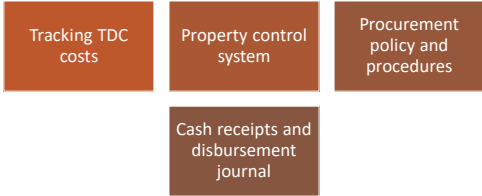
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### FINANCIAL & OVERALL MANAGEMENT SYSTEM




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### SAMPLE POLICY STATEMENTS

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### Alternative Approach – Sample Policy

When the situation is urgent and time is of the essence, the TDHE may adopt alternative approaches and/or documentation concerning the following;

- Proof of homeownership
- A completed W-9 Form from financial institution.
- Evidence of unit as primary residence.
- Proof of established Alaska Residency within K/S TDHE's services area (i.e., eligible for AK PFD, vehicle registration, photo ID, federal tax form, etc.).
- Proof of income information to the greatest extent feasible.
- Completion of self-certification in extreme circumstances.

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### Possible Uses – Sample Policy

- Mortgage payment for a home already occupied by the applicant family
- Rental assistance occupied by the applicant family.
- Prepayment of rental assistance to homeless families
- Late fees
- Delinquent taxes
- Security deposit plus first and last month's rent on a unit where the lease payment does not exceed 70% of the combined deposit;
- Utility assistance
- Housing services related to the provision of self-sufficiency in accordance with IHBG regulations.

136

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### Eligible Circumstances – Sample Policy

Emergency housing assistance may be provided for circumstances that are beyond the family's control such as, but not limited, to the following situations:

- An inability to earn income as the result of a loss of childcare due to a pandemic or other catastrophic incident;
- An inability to earn income as the result of mandated isolation and quarantine due to contracting an infectious disease during a pandemic;
- An inability to secure goods and services as the result of mandated isolation and quarantine due to a pandemic or other catastrophic incident;
- A catastrophic illness resulting in inability to maintain essential housing costs;
- A natural disaster recognized by the state of Alaska proclamation
- An event which means the death of, or mental incapacity of or abandonment of the home by all of the persons who have executed the agreement as lessees.
- Inadequate housing
- Temporary housing
- Cost burden - paying more than 50% of gross income
- At risk of homelessness or homeless

137

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### Assistance Amount – Sample Policy

#### Amount

- Participants will receive no more than \$3,000.00 in a five (5) year period, subject to the availability of funds

#### Factors

- The factors used to determine the amount of assistance to be awarded on behalf of the participant are:
  - Present annual income of the household
  - Family budget
  - Fair Market Rent (FMR) for area in the State of \_\_\_\_\_ as determined by HUD.
  - Family circumstances
  - Type of assistance needed

138

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### Payment of Assistance – Sample Policy

At no time will assistance be made directly to the family. NAHASDA program staff will develop procedures regarding the process for disbursing emergency assistance funds. The following cites typical examples of payment disbursement:

- Directly to a landlord
- Directly to a vendor
- Directly to a financial institution
- Other as determined by NAHASDA program staff

139

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### Costs – Sample Policy

#### Allowable Costs

- Administrative costs are allowable, but limitations on the amount are set by the grantor.

#### Impermissible Use of Funds

- Assistance will not be provided to pay rent to an immediate family member (i.e., father, mother, son, daughter, husband, wife, sibling, or grandparent) with whom the applicant currently resides, unless there is a documented history of prior payments.
- Assistance may not be used for which duplicate assistance exists.
- Homeownership assistance may not be used simultaneously with a rental assistance for a boarder in the homeowner's home.

140

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### Service Area - Policy Sample



▶ Assistance will be provided to eligible applicants who have established residence within the Recipient's Service Area: \_\_\_\_\_

141

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**SAMPLE PROGRAM DESCRIPTIONS**

142

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**NORMAL OPERATIONS**

The Crow Creek Housing Authority (CCHA) plans to maintain normal operations and fund eligible affordable housing activities under NAHASDA during the period CCHA is impacted by COVID-19. All standard CCHA activities and services have been and will continue to be significantly impacted by the COVID situation. This activity covers the time frame starting June 2020 and is projected to end June 2021. This activity represents a portion (22%) of the operation costs projected for this period. During this time frame, the CCHA will operate at a baseline level at a modified level of efficiency with a primary focus on resident and staff health and safety.

Provide temporary shelter-in-place rental assistance to protect Indian families from the further spread of COVID-19.

**CCHA**

143

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**PPE DISTRIBUTION**

CCHA plans to acquire and distribute "CARES" packages consisting of Personal Protective Equipment (PPE) (masks, gloves, etc.), health supplies (thermometers, tissues, hand soap, hand sanitizer, etc.) and cleaning and disinfecting supplies (disinfectant, bleach, spray bottles, disinfectant wipes, etc.) to current participants in our housing assistance programs as well as the CCHA employees. Supplies will be replenished as necessary if requested.

All families will receive an initial allocation of PPE and cleaning supplies to help them prepare for and protect their families from COVID-19 with an approximate cost of up to \$250 per family. Any remaining funds for this activity will be used for replenish requests. CCHA plans to provide up to 500 CARES packages throughout the 12 months covered by this plan.

**CCHA**

144

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TEMPORARY SHELTER-IN PLACE

Provide temporary shelter-in-place rental assistance to protect Indian families from the further spread of COVID-19.

CCHA plans to provide temporary shelter-in-place rental assistance to a member or members of an Indian family who have to isolate infected persons from others. CCHA will provide temporary assistance to families in facilities designed to shelter-in-place including privately owned units, hotels, and similar facilities designed to shelter-in-place or isolate infected persons from others. It's anticipated that up to 20 families will need this assistance over the 12-month period covered by this plan with an estimated cost of up to \$1,000 per family.

CCHA

145

Horizontal lines for notes or comments.

INFRASTRUCTURE

In 2018 ESHA was awarded a \$690,000 Indian Community Development Block Grant (ICDBG) to construct infrastructure that will support the development of affordable housing in Fort Washakie, WY. The infrastructure will consist of installing water, sewer, and power lines as well as constructing roads on a 15-acre parcel of land for the development of 24 units of low-income rental housing. In 2020, ESHA was awarded a \$4,200,000 Competitive Indian Housing Block Grant (IHBG) to construct the units. These projects represent a continuation of our long-range affordable housing assistance program to provide safe and healthy homes for eligible tribal families. The development of the infrastructure followed by development of the new homes will alleviate homelessness and overcrowded conditions and will prevent the spread of COVID-19 by protecting the health and safety of our low-income families. ESHA is committing \$230,000 in leverage for the ICDBG project. This COVID-19 prevention activity consists of using IHBG-ARP funds as 45% percent of our committed leverage amount (\$103,500), which will be spent during the period covered by this plan.

The type of assistance that will be provided consists of using our IHBG-ARP funds as leverage for the development of infrastructure during this plan year, which will help us prevent the spread of COVID-19 by providing healthy and safe homes for our tribal families who are currently homeless or living in overcrowded, unsafe, and unhealthy living conditions. The level of assistance will be using \$103,500 of IHBG-ARP funds as leverage.

146

Horizontal lines for notes or comments.

INFRASTRUCTURE

ESHA plans to modernize up to 14 low-income rental units during this plan year using FY 2019-20 ICDBG funds. The modernization of the homes will help prevent the spread of COVID-19 because the homes will provide a healthier and safer living environment for our low-income tribal families that reside in our rental units. An integral part of our modernization program is repairing and replacing the HVAC systems in each unit with more energy efficient components that will provide better air filtration and circulation systems that keep the families safer and healthier in an effort to prevent the spread of COVID-19. ESHA has committed \$250,000 in leverage for this project. This COVID-19 prevention activity consists of using IHBG-ARP funds as approximately 40% of our committed leverage amount (\$94,500) for this modernization project during this plan year.

The type of assistance that will be provided consists of using our IHBG-ARP funds as leverage to accomplish the modernization activities, which will help us prevent the spread of COVID-19 by providing healthier and safer homes.

ESHA

147

Horizontal lines for notes or comments.

**RESOURCES** 148

**General Resources:**

- Office of Native American Programs COVID-19 Recovery Programs website: [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/ih/COVID Recovery](https://www.hud.gov/program_offices/public_indian_housing/ih/COVID Recovery)
- IHBG-ARP Waivers and Alternative Requirements, PIH Notice 2020-33: <https://www.hud.gov/sites/dfiles/PIH/documents/PIH2020-33.pdf>
- Office of Native American Programs website, including updated COVID-19 related Frequently Asked Questions: <https://www.hud.gov/codetalk>
- HUD COVID Resources and Fact Sheets: <https://www.hud.gov/coronavirus>

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