



COMMISSIONERS COURT
COMMUNICATION

REFERENCE NUMBER _____

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DATE: 09/17/2024

SUBJECT: **CONSIDERATION OF A GRANT AGREEMENT BETWEEN
TARRANT COUNTY AND THE U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT FOR PROGRAM YEAR 2024
EMERGENCY SOLUTIONS GRANT FUNDING**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider a grant agreement between Tarrant County and the U.S. Department of Housing and Urban Development (HUD) for Program Year (PY) 2024 Emergency Solutions Grant (ESG) funding, Project # E-24-UC-48-0001.

BACKGROUND

On June 18, 2024, the Commissioners Court, through Court Order #143320, approved the 2024 Action Plan. The Action Plan includes provisions for the Tarrant County ESG program for PY 2024 (July 1, 2024 - June 30, 2025).

The Tarrant County ESG program provides funding for emergency shelter operations and homelessness prevention. Through the ESG program, Tarrant County reimburses local shelters for the cost of rent, electricity, water and gas utilities to ensure continued operation of emergency shelters for homeless persons. The ESG homelessness prevention initiative also provides case management and short-term rental assistance for income-qualified renters with eviction notices.

With approval, Tarrant County will receive grant funding in the amount of \$254,138.00 from HUD for PY 2024 for the continuation of ESG program support.

The Criminal District Attorney's Office has approved this grant agreement as to form.

FISCAL IMPACT

Funding in the amount of \$254,138.00 will be received by HUD for Project #E-24-UC-48-0001.

Match requirements, if any, are fulfilled by the subrecipient agency.

SUBMITTED BY:	Community Development	PREPARED BY: APPROVED BY:	Susan Au James A. McClinton
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Funding Approval/Agreement

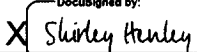

Emergency Solutions Grants Program
 Subtitle B of Title IV of the McKinney-Vento Homeless
 Assistance Act,
 42 U.S.C. 11371 et seq.
 Assistance Listing Number 14.231

U.S. Department of Housing and Urban Development
 Office of Community Planning and Development

1. Recipient Name and Address TARRANT COUNTY 100 E WEATHERFORD ST FORT WORTH, TX 76196-0206		2. Unique Federal Award Identification Number: E-24-UC-48-0001
		3. Tax Identification Number: 756001170
		4. Unique Entity Identifier: DBH1UNN8U5J3
5. Fiscal Year (yyyy): 2024		
6. Previous Obligation (Enter "0" for initial Fiscal Year allocation)		\$ 0
7. Amount of Funds Obligated or Deobligated by This Action (+ or -)		\$254,138
8. Total Amount of Federal Funds Obligated		\$254,138
9. Total Required Match		\$254,138
10. Total Amount of Federal Award Including Match		\$508,276
11. Start Date of Recipient's Program Year (07/01/2024)	12. Date HUD Received Recipient's Consolidated Plan Submission 6/25/2024	13. Period of Performance and Budget Period Start Date/ Federal Award Date (the date listed in Box 19 for initial Fiscal Year allocation) (mm/dd/yyyy) 9/5/2024
14. Type of Agreement (check applicable box) <input checked="" type="checkbox"/> Initial Agreement (Purpose #1 – Initial Fiscal Year allocation) <input type="checkbox"/> Amendment (Purpose #2 – Deobligation of funds) <input type="checkbox"/> Amendment (Purpose #3 – Obligation of additional funds)		15. Specific Conditions <input type="checkbox"/> Not applicable <input checked="" type="checkbox"/> Attached 16. Period of Performance and Budget Period End Date (24 months after the date listed in Box 13) (mm/dd/yyyy) 9/4/2026

General Terms and Conditions: This Agreement between the U.S. Department of Housing and Urban Development (HUD) and the Recipient is made pursuant to the authority of Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.) and is subject to the applicable appropriations act for the specified Fiscal Year. The Recipient's Consolidated Plan submissions (including the Recipient's approved annual Action Plan and any amendments completed in accordance with 24 CFR Part 91), the Emergency Solutions Grants Program regulations at 24 CFR Part 576 (as now in effect and as may be amended from time to time), and this Agreement, including any specific conditions HUD applies under 2 CFR 200.208, constitute part of this Agreement. Subject to the terms and conditions of this Agreement, HUD will make the funds for the specified Fiscal Year available to the Recipient upon execution of this Agreement by the Recipient and HUD. The Recipient must complete the Addendum to Agreement "Recipient Indirect Cost Rate(s)" and return it to HUD with this Agreement. The addendum HUD receives from the Recipient will be incorporated into and made part of this Agreement, provided that the rate information is consistent with the applicable requirements under 2 CFR part 200. The Recipient must immediately notify HUD upon any change in the Recipient's indirect cost rate, so that HUD can amend the Agreement to reflect the change if necessary. The funds may be used for costs incurred before the Budget Period under the conditions specified in HUD Notice CPD-24-01 or another prior written approval by HUD, or if the Recipient is not covered by Notice CPD-24-01, under the condition that the costs are otherwise allowable and were incurred on or after the date listed in box 11, the date listed in box 12, or 90 calendar days before the date in box 13 (whichever is later). The Recipient agrees to assume responsibility for environmental review, decision making, and action under 24 CFR Part 58; except that if the Recipient is a state and distributes funds to a unit of general local government, the Recipient must require the unit of general local government to assume that responsibility and must comply with the state's responsibilities under 24 CFR 58.4. To the extent authorized by applicable law, HUD may, by its execution of an amendment, deobligate funds under this Agreement without the Recipient's execution of the amendment or other consent. The Recipient must comply with the applicable requirements at 2 CFR part 200, 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 24 CFR part 576, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the part 200 requirements as replaced or renumbered by the part 200 amendments. The Recipient must comply with the Award Term in Appendix A to 2 CFR Part 25, "System for Award Management and Universal Identifier Requirements," and the Award Term in Appendix A to 2 CFR Part 170, "Reporting Subaward and Executive Compensation Information." If the amount in Box 8 exceeds \$500,000, the Recipient must comply with Appendix XII to 2 CFR part 200—Award Term and Condition for Recipient Integrity and Performance Matters. The Recipient must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Recipient's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver. Despite any requirements that provide otherwise, youth aged 24 and under who seek assistance (including shelter, services or rental assistance) shall not be required to provide third-party documentation that they meet the homeless definition in 24 CFR 576.2 as a condition for receiving assistance, and unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under) who have an unsafe primary nighttime residence and no safe alternative to that residence shall be considered homeless for purposes of assistance provided by any private nonprofit organization whose primary mission is to provide services to youth aged 24 and under and families headed by youth aged 24 and under. Any person who becomes aware of the existence or apparent existence of fraud, waste or abuse of any HUD award must report such incidents to both the HUD official responsible for the award and to HUD's Office of Inspector General (OIG). HUD OIG is available to receive allegations of fraud, waste, and abuse related to HUD programs via its hotline number (1-800-347-3735) and its online hotline form. The Recipient must comply with 41 U.S.C. § 4712, which includes informing employees in writing of their rights and remedies, in the predominant native language of

the workforce. Under 41 U.S.C. § 4712, employees of a government contractor, subcontractor, grantee, and subgrantee—as well as a personal services contractor—who make a protected disclosure about a Federal grant or contract cannot be discharged, demoted, or otherwise discriminated against as long as they reasonably believe the information they disclose is evidence of: 1. Gross mismanagement of a Federal contract or grant; 2. Waste of Federal funds; 3. Abuse of authority relating to a Federal contract or grant; 4. Substantial and specific danger to public health and safety; or 5. Violations of law, rule, or regulation related to a Federal contract or grant. Nothing in this Agreement shall be construed as creating or justifying any claim against the federal government or the Recipient by any third party.

17. For the U.S. Department of HUD (Name, Title, and Contact Information of Authorized Official) Shirley J. Henley, CPD Director	18. Signature <div style="border: 1px solid black; padding: 2px; display: inline-block;"> <small>DocuSigned by:</small>  </div>	19. Date (mm/dd/yyyy) 9/5/2024
20. For the Recipient (Name and Title of Authorized Official) Tim O'Hare-Tarrant County Judge	21. Signature 	22. Date (mm/dd/yyyy) 9/17/2024
Funding Information (HUD Accounting Use Only): <div style="display: flex; justify-content: space-between;"> <div> PAS Code: SOE Appropriation Number: 1192 FYI:(N) </div> <div> Program Code: SOE Appropriation Symbol: 86 4/6 0192 </div> <div> Region: 06 Office: 01 </div> </div>		

Addendum # 1 to Agreement # E-24-UC-48-0001**Recipient's Indirect Cost Rate(s)**

As the duly authorized representative of the Recipient, I certify that the Recipient:


- ☒ Will not use an indirect cost rate to calculate and charge indirect costs under the grant.
- ☐ Will calculate and charge indirect costs under the grant by applying a *de minimis* rate as provided by 2 CFR 200.414(f), as may be amended from time to time.
- ☐ Will calculate and charge indirect costs under the grant using the indirect cost rate(s) listed below, and each rate listed is included in an indirect cost rate proposal developed in accordance with the applicable appendix to 2 CFR part 200 and, *if required*, was approved by the cognizant agency for indirect costs.

Agency/department/major function	Indirect cost rate	Type of Direct Cost Base
	0 %	
	%	
	%	

Name of Authorized Official:

Tim O'Hare

Signature:

X 

Date (mm/dd/yyyy):

9/17/2024

Title:

Tarrant County Judge

Instructions for the Recipient's Authorized Representative:

You must mark the one (and only one) checkbox above that best reflects how the Recipient's indirect costs will be calculated and charged under the grant. Do not include indirect cost rate information for subrecipients.

The table following the third box must be completed only if that box is checked. When listing a rate in the table, enter both the percentage amount (e.g., 10%) and the type of direct cost base to be used. For example, if the direct cost base used for calculating indirect costs is Modified Total Direct Costs, then enter "MTDC" in the "Type of Direct Cost Base" column.

If using the Simplified Allocation Method for indirect costs, enter the applicable indirect cost rate and type of direct cost base in the first row of the table.

If using the Multiple Allocation Base Method, enter each major function of the organization for which a rate was developed and will be used under the grant, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied.

If the Recipient is a government and more than one agency or department will carry out activities under the grant, enter each agency or department that will carry out activities under the grant, the indirect cost rate(s) for that agency or department, and the type of direct cost base to which each rate will be applied.

To learn more about the indirect cost requirements, see 2 CFR part 200, subpart E, and Appendix VII to Part 200.