



U. S. Department of Housing and Urban Development
Strom Thurmond Federal Building
1835 Assembly Street
Columbia, South Carolina 29201-2480
www.hud.gov

February 21, 2018

Teresa Wilson, City Manager
City of Columbia
1737 Main Street
Columbia, South Carolina 29217

SUBJECT: City of Columbia
Community Development Block Grant Disaster Recovery (CDBG-DR)


Ms. Wilson:

The Department is pleased to approve the City of Columbia's Action Plan Amendment #1 for the Community Development Block Grant Disaster Recovery (CDBG-DR) funds appropriated under the Consolidated Appropriations Act, 2017 Public Law (P.L.) 115-31. The previous allocation under Consolidated Appropriations Act, 2016 (P.L. 114-113), enacted December 18, 2015, has been combined with this award and will be administered as one grant for a total amount of \$26,155,000 for the 2015 disasters under grant number B-16-MH-45-0001.

This action assigns an additional \$6,166,000 to the City of Columbia under P.L. 115-31 as identified in the August 7, 2017 *Federal Register* Notice (82 FR 36812). The combined amount is reflected in the enclosed grant agreement to obligate these funds. Note the attached grant conditions are special terms governing the use of funds under this agreement. Please sign all three copies and return all copies with original signatures to my attention.

Upon receipt, the grant agreement will be executed by the Department. An executed copy of the final grant agreement will be returned to you for your files. The date that the Department signed the previous grant agreement was January 26, 2017, which is also the obligation date for these combined funds. All funds obligated by this grant agreement must be expended within six years of this date. The Department will add these additional funds to the City of Columbia's line of credit account for this grant upon execution of the agreement. The DRGR reporting requirements are outlined in detail in the Department's applicable *Federal Register* Notices and related policy guidance.

If you have any questions, please contact me at (803) 765-5344 or Steven Edwards, Community Planning and Development Specialist at (803) 765-5292.

Sincerely,

Bradley S. Evatt, Director
Community Planning and Development

Enclosures

Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)
 HI-00515R of 20515R

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

OMB Approval No.
 2506-0193 (exp 5/31/2018)

1. Name of Grantee (as shown in item 5 of Standard Form 424) City of Columbia	3a. Grantee's 9-digit Tax ID Number 57-6000229	3b. Grantee's 9-digit DUNS Number 073707366
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) 1737 Main Street Columbia, SC 29217	4. Date use of funds may begin (mm/dd/yyyy) 10/05/2015	
	5a. Project/Grant No. 1 B-16-MH-45-0001	6a. Amount Approved \$26,155,000
	5b. Project/Grant No. 2	6b. Amount Approved

Grant Agreement: This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development (By Name) Bradley S. Evatt	Grantee Name Teresa Wilson		
Title Director, Community Planning and Development	Title City Manager		
Signature	Date (mm/dd/yyyy)	Signature	Date (mm/dd/yyyy)

7. Category of Title I Assistance for this Funding Action (check only one) <input type="checkbox"/> a. Entitlement, Sec 106(b) <input type="checkbox"/> b. State-Administered, Sec 106(d)(1) <input type="checkbox"/> c. HUD-Administered Small Cities, Sec 106(d)(2)(B) <input type="checkbox"/> d. Indian CDBG Programs, Sec 106(a)(1) <input type="checkbox"/> e. Surplus Urban Renewal Funds, Sec 112(b) <input type="checkbox"/> f. Special Purpose Grants, Sec 107 <input type="checkbox"/> g. Loan Guarantee, Sec 108 <input checked="" type="checkbox"/> h. P.L.114-113 and P.L. 115-31 (combined)	8. Special Conditions (check one) <input type="checkbox"/> None <input checked="" type="checkbox"/> Attached	9a. Date HUD Received Submission (mm/dd/yyyy) 11/09/2017	10. check one <input type="checkbox"/> a. Orig. Funding Approval <input checked="" type="checkbox"/> b. Amendment Amendment Number #1	
		9b. Date Grantee Notified (mm/dd/yyyy) 08/07/2017		
		9c. Date of Start of Program Year (mm/dd/yyyy)		
11. Amount of Community Development Block Grant				
a. Funds Reserved for this Grantee		FY (2016) \$26,155,000	FY ()	FY ()
b. Funds now being Approved		\$6,166,000		
c. Reservation to be Cancelled (11a minus 11b)		N/A		

12a. Amount of Loan Guarantee Commitment now being Approved N/A	12b. Name and complete Address of Public Agency
Loan Guarantee Acceptance Provisions for Designated Agencies: The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.	12c. Name of Authorized Official for Designated Public Agency
	Title
	Signature

HUD Accounting use Only

Batch	TAC	Program	Y	A	Reg	Area	Document No.	Project Number	Category	Amount	Effective Date (mm/dd/yyyy)	F
	153											
	176		Y									
			Y									

Date Entered PAS (mm/dd/yyyy)	Date Entered LOCCS (mm/dd/yyyy)	Batch Number	Transaction Code	Entered By	Verified By
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Amended Grant Special Conditions CDBG Disaster Recovery Assistance

Columbia, SC

Continuing Appropriations Acts (P.L. 114-113 & P.L. 115-31)

1. The grantee must use these Community Development Block Grant disaster recovery (CDBG-DR) funds in accordance with Public Law (P.L.) 114-113 and P.L. 115-31. These special conditions are incorporated into the amended Funding approval/Agreement form HUD-7082 that governs the use of all funds made available to the grantee under grant number B-16-MH-45-0001 (“amended Grant Agreement”). The amended Grant Agreement replaces all previous grant agreements that governed grant number B-16-MH-45-0001.
2. The amended Grant Agreement covers all funds awarded under grant number B-16-MH-45-0001, a total amount of \$26,155,000. The funds must be used to fund eligible disaster recovery activities described in the grantee’s HUD approved Action Plan.
3. The period of performance for this grant begins on January 26, 2017, and ends on January 26, 2023, except that the grantee may reimburse costs dating back to the date of the disaster as permitted in the *Federal Register* notices referenced in paragraph 4. All funds made available under P.L. 114-113 and P.L. 115-31 will have the period of performance specified under this Grant Agreement, regardless of when the funds were obligated by HUD.
4. The grantee must comply with all of the requirements, waivers, and alternative requirements in the June 17, 2016, and August 7, 2017, *Federal Register* Notices, “Allocations, Common Application, Waivers, and Alternative Requirements for Community Development Block Grant Disaster Recovery Grantees,” 81 FR 39687 and 82 FR 36812. The grantee must also comply with any future *Federal Register* Notices that HUD publishes to issue additional waivers and alternative requirements.
5. The grantee must comply with the Housing and Community Development Act of 1974, as amended, and the regulations governing the CDBG program at 24 CFR part 570, unless the Department has waived requirements or established alternative requirements.

6. In addition to the grantee's submissions, regulations, and these special conditions, which are incorporated into the amended Grant Agreement, these special conditions incorporate the Notices referenced in paragraph 4 (above). Submissions incorporated into the amended Grant Agreement include the CDBG-DR Action Plans and amendments, including the certifications and assurances and any information or documentation required to meet any grant award conditions.

7. The grantee must adhere to the description of its Preaward Implementation Plan that the grantee previously submitted to HUD in its certification and risk analysis documentation pursuant to the June 17, 2016, *Federal Register* Notice referenced in paragraph 4 (above).

8. The grantee must comply with the requirements of 24 CFR part 5, subpart K, Application, Registration, and Submission Requirements, and 2 CFR part 25 Universal Identifier and System for Award Management (SAM). The grantee must have an active registration in SAM in accordance with 2 CFR part 25, Appendix A, and must have a Data Universal Numbering System (DUNS) number. The grantee must also comply with provisions of the Federal Funding Accountability and Transparency Act, which includes requirements on executive compensation, and 2 CFR part 170 Reporting Subaward and Executive Compensation Information.

9. Pursuant to the Notices identified in paragraph 4 (above), the grantee is required to develop a needs assessment and amend its Action Plan as conditions change and additional needs are identified. In its Action Plan, grantees must also describe the connection between identified unmet needs and the allocation of CDBG-DR resources.

10. If grant funds may be used for payment of indirect costs pursuant to 2 CFR part 200, subpart E - Cost Principles, the grantee shall attach a schedule in the format set forth below to the executed amended Grant Agreement that is returned to HUD. The schedule shall identify each department/agency that will carry out activities with the Funding Assistance, the indirect cost rate applicable to each department/agency (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 indirect cost rates for subrecipients.

Administering Department/Agency	Indirect cost rate	Direct Cost Base*
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____

*Specify the type of cost base utilized - e.g., Modified Total Direct Costs (MTDC). Do not include amounts.

11. In accordance with 2 CFR 200.113, the grantee must report all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this grant to SAM. The grantee's responsibilities are further described in the term and condition in **Attachment A**.

12. The grantee shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by these funds.

13. Pursuant to 2 CFR 200.207, HUD has determined specific risks associated with this grantee and therefore sets forth the following additional grant special conditions. The grantee shall develop and maintain policies and procedures to ensure effective intra-governmental communication and coordination related to all disaster recovery related issues. The policies and procedures shall outline each program, eligible activities, required records management, subrecipient oversight, technical assistance, and monitoring procedures. The policies and procedures shall be submitted to HUD prior to awarding funds to subrecipients.

14. Funds must be drawn by the grantee in accordance with the schedule shown below:

Columbia, SC	
TOTAL ALLOCATION	
Minimum amount to be expended in the HUD-identified "most-impacted" areas	\$26,155,000
Maximum Award Amount that can be obligated for Administration (Administration Cap)	\$1,307,750
Maximum Award Amount that can be obligated for Planning (Planning Cap)	\$3,923,250
Minimum Award Amount that must be expended on activities that benefit low- and moderate-income households (70% of grant award)	\$18,308,500

Attachment A

(Appendix XII to 2 CFR Part 200—Award Term and Condition for Recipient Integrity and Performance Matters)

1. General Reporting Requirement

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings About Which You Must Report

Submit the information required about each proceeding that:

- a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
- b. Reached its final disposition during the most recent five-year period; and
- c. Is one of the following:
 - (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;
 - (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - (3) An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or

(4) Any other criminal, civil, or administrative proceeding if:

(i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

(ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and

(iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent five-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions

For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (*e.g.*, Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a

Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

(1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.