

 U.S. Department of Veterans Affairs		Veterans Grant Program Grant Agreement		Page 1 of 9
1. Recipient/Grantee Name and Address:		2. Award Date: 10/01/20XX	3. Action: New Award	
		4. Project Period: From 10/01/20XX to 09/30/20XX Budget Period: From 10/01/20XX to 09/30/20XX		
5. Recipient DUNS Number:		6. Grantee IRS/Vendor Number:		
7. Unique Federal Award Identification Number (FAIN):		8. CFDA Number/Name: 64.024 / VA Homeless Providers Grant and Per Diem Program		
9. Amount of Federal Funds Obligated by this Action:	10. Total Amount of Federal Funds Obligated:	11. Total Amount of Federal Award:		
12. Budget Approved by the VA: Yes- 10/1/20XX	13. Total Approved Cost Sharing/Matching: 0%	14. Supplement Number: 0		
15. Is this a Research & Development Award: N		16. Indirect Cost Rate: 10% de minimis or as negotiated and previously approved. See 2 CFR 200.414.		
17. Project Title: VA Homeless Providers Grant and Per Diem Program				
18. Statutory Authority for Grant: Title 38, United States Code, Sections 2011, 2012, 2013 and 2061; Public Law 114-315, 130 Stat. 1536, Sec. 701.				
19. Method of Payment: Automated Clearing House				
20. Project Description: VA's Homeless Providers Grant and Per Diem (GPD) Program awards funding to the organization identified above to provide services for homeless Veterans or for Veterans at risk of becoming homeless.				
21. VA Contact: Jeffery Quarles, National Director, VA Grant and Per Diem Program Office, (877) 332-0334				
<b>AGENCY APPROVAL</b>		<b>GRANTEE ACCEPTANCE</b>		
22. Title and name of VA awarding official:		23. Title and name of authorized grantee official:		
24. Signature of VA awarding official:		25. Signature of authorized grantee official:		



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All applicable appropriations, statutes, regulations, terms of award, Notice of Funding Availability (NOFA) requirements, other relevant policies and information proposed in the application are hereby incorporated into the award. Some requirements are highlighted as follows.

**Terms related to Non-Construction funding**

- The grantee agrees to comply with government-wide certifications required of Federal grant recipients as evidenced by maintaining an active registration in the System for Award Management (SAM).
- The grantee certifies that the application, and information submitted as a part of the application, are in accordance with the standards promulgated by the Secretary of the Department of Veterans Affairs (VA) in 38 CFR Part 61.
- The grantee will create and operate the grant in accordance with the application it has submitted and comply with the transitional housing model(s) or service center description and performance metrics or other program monitoring requirements as outlined in the NOFA and referenced at the end of this grant agreement.
- The grantee will periodically assess, in accordance with the requirements of 38 CFR 61.80, the project and certify to the Secretary of the VA for payment such sums which it deems are payable by VA.
- The grantee must comply with any allowable cost requirements including those described in the NOFA, in 38 CFR Part 61 and in 2 CFR Part 200.
- The grantee will furnish to Veterans the level of care for which such application is made.
- If applicable, the grantee will ensure that not more than 25 percent of the grant awarded beds are occupied at any one time by non-Veterans.
- The grantee will ensure the project will be operated and maintained in conformance with all applicable Federal, state and local laws, codes, regulations and ordinances, and in conformance with the standards of care prescribed by VA.
- The grantee acknowledges awards are subject to the statutory requirements, regulatory requirements and annual inspections.
- The grantee agrees that it is responsible for the use of grant funds provided by VA. In accordance with 2 CFR 200.339, VA may terminate this award or take other action if the grantee materially fails to comply with any one of the terms and conditions of this award, whether stated in a Federal statute, regulation, assurance application.
- The grantee agrees to comply with the organizational audit requirements of 2 CFR Part 200 Subpart F, Audit Requirements, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from 2 CFR Part 200 Subpart F audits (and any other audits of VA grant funds) are not satisfactorily and promptly addressed.
- Grant funds may be used only for the purposes in the grantee's approved application and allocated as directed in 2 CFR Part 200 Subpart E. The grantee shall not undertake any work or activities that are not described in the grant application, or that use staff, equipment, or other goods or services paid for with VA grant funds, without prior written approval from VA.

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- The grantee agrees to comply with applicable requirements regarding SAM and applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number or other unique entity identifier (UEI) as appropriate. The grantee will work with VA to ensure that all subrecipients have current accounts in SAM. The details of grantee obligations are posted on the SAM website at <https://www.sam.gov/portal/public/SAM/>.
- The grantee agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the grantee and first-tier subrecipients of award funds. Bonuses to any individuals utilizing Federal funds must conform to 2 CFR and be approved in advance by the agency in writing. The details of grantee obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the FFATA Subaward Reporting System (FSRS) website at <https://www.frs.gov/>.
- The grantee will comply with Federal laws and regulations applicable to grants and grantees, including applicable provisions of 2 CFR Part 200.

#### Standard Requirements

Standards for financial management require that a recipient's financial system control and account for Federal funds and cost sharing under the award and produce financial reports.

- States must expend and account for funds under the award in accordance with State laws and procedures that apply to the expenditure of and the accounting for the State's own funds.
- In addition, the state's and other non-Federal entity's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit:
  - Preparation of the reports required under the award; and
  - Tracing of funds to a level of expenditures adequate to establish that award funds are used according to the Federal statutes, regulations and terms of the award for the purposes for which the grant was made.
- Cash management must comply with the cash management standards 2 CFR 200.205 and in 31 CFR Part 205, the Department of the Treasury's implementation of the Cash Management Improvement Act (31 U.S.C. Sec. 6503, as amended by Sec. 5 of P.L. 101-453).

The financial management system must enable recipients to meet the following Office of Management and Budget (OMB) requirements: 2 C.F.R. 200.300-345; 2 C.F.R. 200.400-475; and 2 C.F.R. 200.500-512.

- **Financial Reporting.** For financial reports required by the award, recipients must provide accurate, current, and complete financial information about the federally assisted activities. If subawards are executed under the award, recipients must have reasonable procedures for ensuring the receipt of financial reports from each subrecipient in sufficient time to allow the recipient to prepare reports.
- **Accounting Records.** Recipients must maintain records that adequately identify the sources of funds for federally assisted activities and the purposes for which funds are to be used. The records must contain information about the award and any subaward, including authorizations, obligations, un-obligated balances, assets, liabilities, outlays or expenditures, and any program income. The accounting records must be supported by source documentation, such as cancelled checks, paid bills, payrolls and time and attendance records.

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- **Internal Control.** Recipients must maintain effective control over and accountability for all cash, real and personal property, and other assets under the award. Recipients must adequately safeguard all of these assets and ensure that they are used only for authorized purposes.
- **Budget Control.** Recipients must be able to compare actual expenditures or outlays with the approved budget.
- **Allowable Costs.** Recipients must have established procedures for determining reasonableness, allocability and allowability of costs in accordance with the applicable Federal cost principles, program regulations or other OMB requirements.
- **Cash Management.** Recipients must have procedures for minimizing the time elapsing between the transfer of any advance payments of funds under the award and disbursement of the funds for direct program costs and the proportionate share of any allowable indirect or facilities and administrative costs. Recipients must ensure that the timing and amount of any payments to subrecipients under the award conform to this standard.
- **Requirement for Performance Data.** In comparing actual expenditures or outlays with budget amounts, as required, recipients must relate financial information to performance data. For this purpose, VA will accept estimates based on available documentation.
- **Review of Financial Management System.** VA may review the recipient's financial management system at any time to determine whether it complies with the requirements of this provision.

#### **Period of Availability of Funds**

- The project and budget periods for this award are indicated in box 4 on page 1 of this grant agreement. The recipient may charge to the award only allowable costs resulting from obligations incurred during the budget period. Expenditures for staff costs that are obligated during the award budget period may be charged to the award up to 90 days after the award expiration date. Grant monies are available for closeout activities, which is limited to the preparation of final reports. No other staff costs may be obligated and expended for closeout activities.

#### **Publication for Professional Audiences**

- Any publications or articles resulting from the award must acknowledge the support of the VA and will include a disclaimer of official endorsement as follows: "This [article] was funded [in part] by a grant from the United States Department of Veterans Affairs. The opinions, findings and conclusions stated herein are those of the author[s] and do not necessarily reflect those of the United States Department of Veterans Affairs." The recipient must ensure that this disclaimer is included on all brochures, flyers, posters, billboards or other graphic artwork produced under the terms of the award.

#### **Seal/Logo**

- The VA seal may not be used by recipients without the express written permission of VA.

#### **Post-award Requirements for Closeout**

- The Program Office will provide recipients with information regarding final report due dates and where to send the final reports. VA will notify the recipient in writing of any changes to the reporting requirements before the project period end date. Copies of any required forms and instructions for their completion are included with the award and are provided to each recipient by VA.
- Recipients must submit, within 90 calendar days after the project period end date of the award, all final financial, performance, and other reports as required by the terms and conditions of the award. VA may approve written requests for extensions by the recipient.

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- Unless VA authorizes an extension, a recipient must liquidate all obligations incurred under the award not later than 90 calendar days after the project period end date.
- VA must make prompt payments to recipients for allowable reimbursable costs under the award being closed out. The recipient must promptly refund any balances of un-obligated cash that VA has advanced or paid and that is not authorized to be retained by the recipient for use in other projects. OMB Circular A-129 and 2 CFR 200.345 Collection of amounts due govern unreturned amounts that become delinquent debts.
- When authorized by the award, VA must make a settlement for any upward or downward adjustments to the Federal share of costs after closeout reports are received, not to exceed the amount of the award. Unless otherwise prohibited by statute or regulation.
- The recipient must account for any real and personal property acquired with Federal funds or received from the Federal Government in accordance with applicable rules, regulations and laws.
- In the event a final audit has not been performed before the closeout of the award, VA will retain the right to recover an appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.
- The recipient agrees that it will submit annual financial status reports to VA using the SF 425 Federal Financial Report form, not later than 30 days after the end of each calendar year. The final report shall be submitted not later than 90 days following the end of the award period. Failure to provide this report may result in the de-obligation of grant funds and the project to be closed at the discretion of the government.

#### Retention and Access Requirements for Records

The recipient must maintain financial records, supporting documents, statistical records and all other records pertinent to an award for a period of three years from the date of submission of the final expenditure report. For awards that are renewed quarterly or annually, these same records must be maintained from the date of the submission of the quarterly or annual financial report as authorized by VA. The only exceptions are the following:

- If any litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken.
- Records for real property and equipment acquired with Federal funds must be retained for three years after final disposition.
- When records are transferred to or maintained by VA, the three-year retention requirement is not applicable to the recipient.

#### Timely and Unrestricted Access

VA, the Inspector General, Comptroller General, or any of their duly authorized representatives have the right of timely and unrestricted access to any books, documents, papers or other records of recipients and subrecipients that are pertinent to the award, in order to make audits, examinations, excerpts, transcripts and copies of such documents. This right also includes timely and reasonable access to a recipient's and subrecipient's personnel for the purpose of interview and discussion related to such documents. The rights of access in this paragraph are not limited to the required retention period but must last as long as records are retained.

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Except for federally required restrictions on lobbying, the grantee may not place any restrictions on subrecipients that limit the right or ability of the subrecipients or their agents to contract or otherwise conduct business with the Federal government. The VA Office of the Inspector General (OIG) maintains a toll-free number (1-800-488-8244) for collecting information concerning fraud, waste or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to [vaoi hotline@va.gov](mailto:vaoi hotline@va.gov) or by mail to VA Inspector General Hotline (53E), P.O. BOX 50410, Washington, DC 20091-0410. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

#### Federal Debt Status

The recipient may not be delinquent in the repayment of any Federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefits that were overpaid (OMB Circular A-129). The recipient must notify VA immediately if the recipient becomes delinquent during the project period. We cannot release award funds until the recipient provides documentation showing a repayment plan has been accepted by the Internal Revenue Service and payments have been made.

#### Nondiscrimination Policies

The recipient must execute the project (e.g., productions, workshops, programs) in accordance with the following laws, where applicable.

- **Title VI of the Civil Rights Act of 1964**, as amended, provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with limited English proficiency (42 U.S.C. Sec. 2000d et seq.).
- **Title IX of the Education Amendments of 1972** provides that no person in the United States shall, on the basis of sex or blindness, be excluded from participation in, be denied benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance (20 U.S.C. Sec. 1681 and Sec. 1684 et seq.).
- **Section 504 of the Rehabilitation Act of 1973**, as amended, provides that no otherwise qualified individual with a disability in the United States, shall, solely by reason of his/her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (29 U.S.C. Sec. 794).
- **The Age Discrimination Act of 1975** provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. Sec. 6101 et seq.).
- **The Americans with Disabilities Act of 1990 (ADA)**, as amended, prohibits discrimination on the basis of disability in employment (Title I), state and local government services (Title II), places of public accommodation and commercial facilities (Title III) (42 U.S.C. Sections 12101-12213).

#### Environmental and Preservation Policies

- The National Environmental Policy Act of 1969 (NEPA), as amended, applies to any Federal funds that would support an activity that may have environmental implications. VA has concluded that activities undertaken pursuant to the GPD grant program are categorically excluded from further NEPA analysis. If in the future, the GPD program is amended or revised in such a way to permit activities that may impact the environment, VA may ask you to respond to specific questions or provide additional information in accordance with NEPA. If there are environmental implications, we will determine whether a categorical exclusion may apply, to undertake an environmental assessment or to issue a "finding of no significant impact," pursuant to applicable regulations and 42 U.S.C. Sec. 4321 et seq.

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- The National Historic Preservation Act of 1966, as amended, applies to any Federal funds that would support either the planning or major renovation of any structure eligible for or on the National Register of Historic Places, in accordance with 54 U.S.C. Sec. 306108. This law also applies to project activities, such as new construction and renovation, that would affect such properties. VA has concluded that activities undertaken pursuant to the GPD grant program would not impact historic properties. If in the future, the GPD program is amended or revised to permit activities such as renovation or construction of structures, VA will consult with your State Historic Preservation Officer and other consulting parties, as appropriate, to address potential impacts to historic properties. Any design, renovation or construction plans must be submitted to GPD for review and approval prior to undertaking any such activities. You may be asked to provide additional information on your project to ensure compliance with the NHPA (54 U.S.C. Sections 300101-307108).

### Debarment and Suspension

You must comply with requirements regarding debarment and suspension in Subpart C of 2 CFR Part 180.

There are circumstances under which we may receive information concerning your fitness to carry out a project and administer Federal funds; for instance:

- Conviction of, or a civil judgment for, the commission of fraud, embezzlement, theft, forgery, making false statements;
- Any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility; and/or
- Any other cause of so serious or compelling a nature that it affects an organization's present responsibility.

In these circumstances, we may need to act quickly to protect the interest of the government by suspending your funding while we undertake an investigation of the specific facts. We may coordinate our suspension actions with other Federal agencies that have an interest in our findings. A suspension may result in your debarment from receiving Federal funding government-wide for up to three years.

**The Drug Free Workplace Act** requires you to publish a statement about your drug-free workplace program. You must give a copy of this statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out.

You must maintain on file the place(s) where work is being performed under this award (i.e., street address, city, state and zip code). You must notify VA's Program Office of any employee convicted of a violation of a criminal drug statute that occurs in the workplace (41 U.S.C. Sec. 8101 et seq. and 38 CFR Part 48).

### Lobbying

- You may not conduct lobbying, as defined in the statutes and regulations listed below, within your federally-supported project. In addition, you may not use Federal funds for lobbying specifically to obtain awards. For definitions and other information on these restrictions, refer to the following:
- No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official,

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through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities (18 U.S.C. Sec. 1913. Lobbying with appropriated moneys).

- 2 CFR 200.450 – "Lobbying." This regulation clarifies that lobbying is an unallowable project cost. The regulation generally defines lobbying as conduct intended to influence the outcome of elections or to influence elected officials regarding pending legislation, either directly or through specific lobbying appeals to the public.
- Section 319 of Public Law 101-121, codified at 31 U.S.C. Sec. 1352, prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract or loan. While non-Federal funds may be used for such activities, they may not be included in your project budget, and their use must be disclosed to the awarding Federal agency. Disclosure of lobbying activities by long-term employees (employed or expected to be employed for more than 130 days) is, however, not required. In addition, the law exempts from definition of lobbying certain professional and technical services by applicants and awardees.
- We strongly advise you to review these regulations carefully published at 38 CFR Part 45 and found at [www.ecfr.gov](http://www.ecfr.gov).

#### Site Visits

The grantor, through authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and to provide such technical assistance as may be required. If any site visit is made by the grantor on the premises of the recipient, a subrecipient or a contractor, the recipient shall provide, and shall require its subrecipients and contractors to provide all reasonable facilities and assistance for the safety and convenience of the government representatives in the performance of their duties. All site visits and evaluations shall be performed in such a manner that will not unduly interfere with or delay the work.

#### Trafficking in Persons

This government-wide award term implements Section 106 (g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. Sec. 7104), located at 2 CFR Part 175. In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to unilaterally terminate the award, without penalty, if the recipient or a subrecipient —

- Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
- Procures a commercial sex act during the period of time that the award is in effect; or
- Uses forced labor in the performance of the award or subawards under the award.
- Full text of the award term is provided at 2 CFR 175.15.

#### Prompt Payment Act

Federal funds may not be used by the recipient for the payment of interest penalties to contractors when bills are paid late nor may interest penalties be used to satisfy cost sharing requirements. Obligations to pay such interest penalties will not be obligations of the United States.

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### **Veteran Definition**

The recipient acknowledges Public Law 114-315 added Title 38, U.S.C. Sec. 2002(b) to define the term “Veteran” for purposes of sections 2011, 2012, 2013, 2044, and 2061, as a person who served in the active military, naval, or air service, regardless of length of service, and who was discharged or released therefrom. The term “Veteran” excludes a person who “(A) received a dishonorable discharge from the Armed Forces; or (B) was discharged or dismissed from the Armed Forces by reason of the sentence of a general court-martial.” In addition, the length of service restrictions under 38 U.S.C. Sec. 5303A do not apply. 38 U.S.C. Sec. 5303A(b)(3)(F).

### **Payments**

Per 2 CFR 200.305(b)(3) and 38 CFR Part 61, reimbursement for services rendered will be the method of payment. Grantees must disclose any other sources of income that may defray the daily cost of care. Per diem will be paid in accordance with 38 CFR 61.33.

Grantees will submit requests for payment via one of two methods. The first is through the U.S. Department of Veterans Affairs Vendor Inquiry System (VIS) and the second is through the U.S. Department of Health and Human Services Payment Management System. The Grant and Per Diem Program Office will notify grantees of which of the two methods of payment to use and how to enroll in the system.

Grant recipients may submit requests monthly as costs are incurred. If circumstances dictate, they may also, upon approval by the GPD Program Office, submit requests as frequently as required to meet needs to disburse funds for program purposes.

### **Performance Metrics and/or Monitoring Requirements**

The grantee will have a liaison appointed from a nearby VA medical facility to provide oversight and monitor services provided to homeless Veterans in the program.

The grantee will participate in VA’s national program monitoring and evaluation as these procedures will be used to determine successful outcomes for each grant.

VA will complete regular monitoring evaluations of each grantee to include, at a minimum, a quarterly review of the grantee’s performance, helping Veterans attain or maintain housing stability, adequate income support, and self-sufficiency as identified in each application. Monitoring may also include a financial review of the agency’s income and expenses as they relate to this project to ensure payment is accurate and to ensure compliance with program requirements. The grantee will be expected to demonstrate adherence to the grantee’s proposed program concept, as described in the grantee’s application. All grantees are subject to audits conducted by VA or its representative.

As outlined in the NOFA, the grantee will be assessed based on their ability to meet critical performance measures and required minimum performance metrics/targets set for the initial funding year of this award. VA may, at its discretion, update these targets during the option year renewal process, if applicable. In addition, the grantee must meet program requirements defined by the regulations and the applicable NOFA.

### **Electronic Signature**

If GPD Program Office identifies discrepancies or concerns with any electronic or scanned signature provided, VA reserves the right to request that the document be resubmitted with a true ink signature.

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