

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. **Budget Detail**

Grantee has been awarded the Grant amount set forth in this Agreement.

2. **Conditions of Disbursement**

The Department will disburse the full amount of the Grant award to the Grantee after this Agreement has been fully executed and after the Department receives the Grantee's request for funds, with all required supporting documents appended thereto. The Grantee shall append the following supporting documents to the request for funds, all in form and substance acceptable to the Department:

- A. Payee Data Record (STD 204) or Government Agency Taxpayer ID Form, as applicable;
- B. An authorizing resolution or set of authorizing resolutions that, in the Department's reasonable determination, materially comports with the Program Requirements (if the Grantee has not already submitted).
- C. Documentary evidence of any eligible costs incurred on or after January 1, 2022, and before the execution of this Agreement;
- D. Certification of compliance with [California's prevailing wage law, as well as all applicable federal prevailing wage law] or [Trially Determined Prevailing Wages];
- E. [For Projects located outside Indian Country, a copy of the Department-approved relocation plan for the Project, or a copy of a Department-issued Certification Regarding Non-Application of Relocation Benefits and Indemnification Agreement which has been duly executed by the Grantee and approved by the Department] or [For projects located within Indian Country where NAHASDA funds are used to fund the Project, certification of compliance with relocation requirements under 24 C.F.R. §1000.14] or [For projects located within Indian County where no NAHASDA funds are used to fund the Project, certification of compliance with relocation requirements under federal law];
- F. Evidence of the insurance coverages required under the Program and/or a written acknowledgment of self-insured status;

Homekey Tribal Program – (HKT)
NOFA Date: 06/27/2023, as amended 03/15/2024
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G. Documentary evidence of capacity to provide operating funds for the Project for at least five (5) years;

H. A current title report (dated within 15 days of the request for funds); or

For projects located on land held in trust by the BIA, or subject to a restriction against alienation, prior to disbursement for projects on trust or restricted land, the Grantee shall submit:

- 1) A Certified Title Status Report (TSR).
 - 2) If a Certified TSR from the BIA is not available at time of initial disbursement, a five percent of the HKT Awardee's capital grant shall be retained by HCD until HKT Awardee submits a copy of the Certified TSR prior to final disbursement.
 - 3) A Certified TSR shall be provided prior to and certified within 30 days of the final disbursement of grant funds. Upon receipt of the Certified TSR in accordance with this Agreement, HCD will release the final disbursement to Recipient.
- I. Any forms, certifications, or documentation required pursuant to Section 1, paragraph (F), Additional Conditions Precedent to Disbursement of Exhibit E of this Agreement; and
- J. Any other forms, certifications, or documentation deemed necessary by the Department prior to disbursement of Grant funds.

3. **Performance**

After disbursement of the funds, the Grantee shall meet each Performance Milestone set forth in Exhibit E by the relevant Milestone Completion Date. After satisfaction of each Performance Milestone, the Grantee shall promptly report its progress, in writing, to the Department. Grantee may apply to the Department for an extension of a Milestone Completion Date as allowed by the NOFA and this Agreement.

Failure to satisfy any one of the performance milestones and the above extension allowance, for reasons that are not due to an act or omission of the Department, will constitute a breach of this Agreement and entitles the department to mandate the Grantee to return to the Department any funds disbursed; in ANY such instance, the Department may also cancel this Agreement without owing any damages or other payment to Grantee.

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4. **Fiscal Administration**

- A. Grantee shall either deposit the Grant funds with an escrow company licensed to do business in the State of California and in good standing or deposit the Grant funds in an interest-bearing checking or savings account that is insured by the Federal Deposit Insurance Corporation (“**FDIC**”). All interest earned from the deposit of Grant funds shall be used for eligible Program activities.
- B. Any capital expenditure award funds that have not been expended by the Expenditure Deadline for Capital Funds must be returned to the Department with accrued interest, if any. Any operating subsidy award funds that have not been expended by the Expenditure Deadline for Operating Funds must be returned to the Department with accrued interest, if any. Checks shall be made payable to the Department of Housing and Community Development and shall be mailed to the Department at the address below, no later than thirty (30) calendar days after the applicable Expenditure Deadline.

Department of Housing and Community Development
Accounting Division, Suite 400
651 Bannon Street
Sacramento, California 95811

5. **Duplication of Benefit**

Homekey Tribal funding is not required to be used as funding of last resort. However, Grantee may not use Homekey Tribal funding to cover expenditures that have already been funded through other sources. Expenses that have been or will be reimbursed under any federal program are not eligible uses of Homekey Tribal funding.

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