

CITY OF SAN ANTONIO

HUMAN & WORKFORCE DEVELOPMENT SERVICES CONSOLIDATED FUNDING POOL

FUNDING GUIDE



FY 2019 – FY 2020

Collaborative Effort

City of San Antonio

Department of Human Services

Economic Development Department

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I. OVERVIEW

In an effort to maximize financial resources during fiscal years 2019 and 2020, the City of San Antonio (the "City") through its Department of Human Services and Economic Development Department has established a Consolidated Public Service Funding process. Since funds provided are competitively allocated, organizations interested in providing and administering these Public Service activities is encouraged to submit a proposal highlighting their specific programs and detailing current resources available to conduct the anticipated activities. The competitive solicitation period for this funding began in April 2018, and effectively culminates in submission of funding recommendations and budget adoption September 2018. The funding sources shall be available for release on or about October 1, 2018. FY 2020 is a renewal year and funding recommendations and awards will be approved by City Council in September 2019. Other funds, as they may become available throughout FY 2019 and FY 2020 for services procured through the consolidated RFP may be awarded at a later date with approval of City Council of the City of San Antonio.

Contractor understands and agrees that the funds provided to Contractor from the City's Consolidated Human and Workforce Development Funding Services Pool shall represent a limited percentage of Contractor's total agency revenues and expenses for the contract term. The percentage of the total agency revenues and expenses derived from sources other than City funds is sometimes referred to as the agency's "match" requirement. Contractor's total agency revenues and expenses derived from non-City sources and from the City is Contractor's Total Budget. Contractor shall comply with any matching fund requirements set by City Council that apply to Contractor's contract, regardless of when such requirements are passed. If Contractor receives an aggregate amount of \$1,000,000.00 or more in City funds from all City funded contracts, then Contractor shall obtain thirty-five percent (35%) of its Total Budget from non-City sources (i.e., no more than sixty-five percent (65%) of its Total Budget is derived from the City). If Contractor receives less than an aggregate amount of \$1,000,000.00 in City funds from all City funded contracts, then Contractor shall obtain fifty percent (50%) of its Total Budget from non-City sources (i.e., no more than fifty percent (50%) of its Total Budget is derived from the City). City shall require sufficient evidence that such funding is in place with their annual program budget prior to contract execution. Contractor understands that City shall have no obligation to provide any funds hereunder until Contractor demonstrates having secured the percentage of matching funds required of Contractor. Contractor understands and acknowledges that Pell grants and other awards received by individuals shall not count toward its matching fund requirements. Additionally, Contractor understands and acknowledges that in-kind contributions shall not count toward its matching fund requirements. (Contractor shall provide acceptable evidence, as determined solely by the City, that Contractor has expended a funding amount from non-City funds equal to or greater than the applicable matching funds percentage requirement. City reserves the right, to make such a request at the end of each quarter throughout the Contract term for evidence that Contractor has expended or is on course to expend the applicable percentage of funds constituting its match prior to the end of the Contract term. If Contractor does not provide City with acceptable evidence that funds have been expended as required herein, Contractor understands and agrees that City may reduce or recapture pursuant to 4.1 the amount of City funds provided to Contractor in order to comply with the required expenditure ratio of non-City funds to the Total Budget, without first obtaining the approval of City Council.

Funds reduced as a result of either of the requirements above may be reprogrammed.

Contractor agrees that all amendments to any of the applicable laws in this Contract including the **Funding Guide** and **Federal Compliance Manual** may be incorporated automatically into the Contract.

II. CONTRACT ADMINISTRATION

A. Department of Human Services Administered Contracts

All Contracts administered through the Department of Human Services shall comply with the following Special Provisions if requested by the City:

- 1) Contractor shall coordinate and disseminate information on the Pre-K 4 SA program to all program participants and to the general public as requested. Contractor shall maintain records on the amount and type of outreach efforts in its dissemination of information on the Readiness Guidelines, and shall submit on monthly basis reports of said records to City's Department of Human Services.
- 2) The contractor shall become familiar with other basic health and human service programs offered through the Texas Department of Health, the Texas Department of Human Services, Bexar County, the City of San Antonio or other private/public agencies that assist low income families. The contractor shall be prepared to offer basic referrals to these services based on the individual needs of the family.
- 3) Contractor shall disseminate information to the general public on the benefits and eligibility for the Federal Earned Income Tax and Child Care Credits. Contractor shall provide participants with referrals to the City of San Antonio, Department of Human Services and Volunteer Income Tax Assistance (VITA) program. If available, the contractor shall provide office space for VITA volunteers to complete tax returns.
- 4) Contractor shall allow City's Department of Human Services' Family Assistance Division staff to train Contractor's staff in certifying participants for SAWS Water Affordability Program in client verification, application processes and monitoring the Campaign. Contractor staff shall provide assistance in the implementation of the SAWS Water Affordability Program Campaign. Contractor shall complete necessary documents and a monthly summary report on the number of households assisted, and forward said monthly reports to the Family Assistance Division Main Office, located at 106 S. St. Mary's St., 7th Floor, San Antonio, TX 78205. The Family Assistance Division staff shall provide support for contractor in the execution of these tasks on an on-going basis. Specific instructions on providing these services shall be provided to Contractor upon execution of this contract.
- 5) Contractor agrees that it may be selected to provide eligibility determination services to the City for utility assistance credits through Projects **WARM** (*Winter Assistance Relief Mobilization*) and **REAP** (*Residential Energy Assistance Partnership, Inc.*) to low-income and

elderly residents who are City Public Service (“CPS”) customers. Contractors may, at the sole discretion of the City, be required to perform these duties.

If selected by City to conduct Project WARM and REAP eligibility determination services, Contractors understand and agree that said services are part of the consideration for the City’s award of funds. **Contractors further understand and agree that City may not compensate Contractors for said services. Contractor further understands and agrees that City may not reimburse Contractor for any costs or expenses associated with said services or for Contractor making assistance credit recommendations to City.** Contractor shall allow City’s Department of Human Services’ staff to train Contractor’s staff in providing eligibility determination services for Projects **WARM** and **REAP**. Specific instructions on providing these services shall be provided to Contractor upon execution of this contract.

- 6) Contractor agrees that it may be selected to participate in the Homeless Management Information System (HMIS) project City of San Antonio/Bexar County Continuum of Care funded through the U.S. Department of Housing and Urban Development. Participation in HMIS must meet all requirements of HMIS. Contractors may, at the sole discretion of the City, be required to perform these duties.
- 7) Contractor agrees to provide reports to the City of San Antonio, Department of Human Services in the format requested by the City.

B. Economic Development Department Administered Contracts

All Workforce Development Delegate Agency Contracts will be administered through the Economic Development Department. All Workforce Development Agency Contracts shall comply with the policies attached in **Exhibit 1** and the following:

- 1) Contractor shall comply with all Economic Development Department policies applicable to Delegate Agencies. Applicable policies shall be provided to Contractor by the Department upon execution of the contract.
- 2) Contractor shall become familiar with other basic workforce programs offered through the Texas Workforce Commission, Bexar County, the City of San Antonio or other private/public agencies that assist low income families. Contractor shall be prepared to offer referrals to these services based on the individual needs of the participant.
- 3) Contractor agrees to provide reports to the City of San Antonio, Economic Development Department in the form requested by the City.
- 4) Agency shall comply with applicable uniform administrative requirements, as promulgated in Title 24 CFR 570.502 as required including Cost Principles and Audit requirements.
- 5) Other special considerations as set forth by the Division of Grants Monitoring & Administration (GMA) depending on the nature of the activity.

Contractor shall ensure that all services are consistent with the City of San Antonio Consolidated Plan located at: <https://www.sanantonio.gov/GMA/Resources>

III. Statutory Guidelines and Special Provisions

A. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CFDA #14.218

The Community Development Block Grant (CDBG) is a grant provided by the U.S. Department of Housing and Urban Development (HUD) under Title I of the Housing and Community Development Act of 1974, (hereinafter referred to as Community Development Act), as amended. The Division of Grants Monitoring & Administration administers the CDBG program for the City of San Antonio for use in revitalizing neighborhoods, providing affordable housing, expanding economic opportunities, improving community facilities and services, and public service activities.

National Objectives:

An activity must meet one of the following CDBG National Objectives to be eligible to receive funds:

- (1) Benefit low- and moderate-income families,
- (2) Prevent or eliminate slums or blight, or
- (3) Meet other urgent community development needs.

Typically, public service programs will meet the first National Objective of benefiting low to moderate income families. HUD defines Public Service programs as “activities directed towards improving employment, crime prevention, child care, health, drug abuse, education, energy conservation, welfare, or recreational needs.”

Most public service programs require income certification of program participants to ensure the program meets certain income eligibility requirements for use of Community Development Block Grant (CDBG) in the program.

In most cases, as direct beneficiaries, clients benefiting from CDBG supported public service activities must be documented as having gross annual household incomes not exceeding 80% of San Antonio’s median income, adjusted for household size in accordance with HUD Section 8 Income Guidelines. Support documentation must be maintained demonstrating client income eligibility.

CDBG regulations allow up to 15% of the annual grant to be allocated to public service programs. However, the City will award funds to public services based on current priorities and funding availability. Public services include but are not limited to those programs concerned with employment, crime prevention, childcare, day care, health care, drug abuse prevention, education, mental health, energy conservation, welfare, or recreation.

Contractor shall ensure that all services are consistent with the City of San Antonio Consolidated Plan located at: <https://www.sanantonio.gov/GMA/Resources>

In addition, HUD CDBG regulations require the Public Service program to be a new service or demonstrate a quantifiable increase in the level of an existing service.

B. Child Care Development Fund Block Grant (CCDF) CFDA #93.575

The City of San Antonio receives CCDF funds through a contract with the Workforce Solutions Alamo. Based on availability, federal matching funds will support local initiatives that improve the quality of early care and education programs for young and school age children through Quality Improvement Activities (QIA) and family strengthening strategies. Funding may be awarded from multiple sources including U.S. Department of Health and Human Services Child Care Development Fund Block Grant (CCDF), Temporary Assistance to Needy Families (TANF), and the U.S. Department of Labor Welfare to Work or Workforce Investment Act (WIOA) programs.

1) Contractors funded through CCDF shall comply with the following laws:

- Child Care and Development Block Grant Act of 1990 - CFR Title 45, Sections 98 and 99 contain the regulations for the implementation and operation of the CCDBG
- Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (HR3734) (Welfare Reform) amends 42 USC 9858 which creates the Child Care Development Fund (CCDF).
- Public Law 104-193
- Public Law 105-33
- USC Title 42, Section 9858 (The Omnibus Reconciliation Act of 1990) created the Child Care and Development Block Grant (CCDBG) and authorizes payment for certain child care and quality improvement activities.
- USC Title 42, Chapter 7, Subchapter II Section 418 – Social Security Act, as amended entitled Federal Old-Age, Survivors, And Disability Insurance Benefits
- USC Title 42, Chapter 7, Subchapter IV, Section 601 through 679 entitled Grants to States for Aid and Services to Needy Families With Children and for Child-Welfare Services
- TAC Title 40 Part 20 – Texas Workforce Commission
- TAC Title 40, Part I, Chapter 73 Subpart A provides the processes and procedures for the administration of all programs and services receiving state financial assistance directly or through contractual arrangement, in accordance with applicable federal civil rights regulations.
- TAC Title 40, Chapter 801 and 809
- Texas Education Code, Section 33.902
- Labor Code, Title 2, Chapters 21, 81, 301 and 302
- Human Resource Code, Chapter 22 (all), Chapter 31, Section 31.0035, Chapter 44 (all), Chapter 73 (all), and Chapter 121 (all)
- Government Code Title 10, Chapters 771 and 2308
- Texas Workforce Commission Financial Manual for Grants and Contracts – available in hard copy format from the City of San Antonio, Department of Human Services upon request.
- Any other applicable federal, state, and local laws, including City and Workforce Solutions Alamo, rules regulations, policies, procedures and issuances promulgated under authority of the legislation and specific program requirements.

2) ADDITIONAL RIGHTS IN DATA

Workforce Solutions Alamo shall have the right to reproduce, publish or use the copy right of patent or rights in all data produced through this Contract.

3) ADDITIONAL ETHICS REQUIREMENTS

- a) No employee of Contractor or Sub-Contractor, no member of Contractor's or Sub-Contractor's governing board or body, and no person who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this Contract shall participate in any decision relating to this Contract which affect his/her personal pecuniary interest.
- b) Contractor shall take every reasonable course of action to maintain the integrity of this expenditure of public funds and to avoid favoritism and questionable or improper conduct. This Contract shall be administered in an impartial manner, free from efforts to gain personal, financial or political benefit, tangible or intangible. Contractor, its executive staff and employees, while administering this Contract, shall avoid situations, which could give the appearance that any decision was influenced by prejudice, bias, special interest or desire for personal gain.
- c) Contractor has disclosed any interest, fact or circumstance, which does or may present a potential conflict of interest. Contractor shall immediately inform the City of San Antonio at the address in Article XXVI, Section 26.1 of this Contract and Alamo Work Source at the address in Section (6) below, in writing of any potential conflict of interest which arises at any time during the term of this Contract.

4) ADDITIONAL COMMUNICATIONS/NOTICES

In addition to the parties listed in Article XXVI, Section 26.1 of this contract, Contractor shall also submit all communications and notices to Workforce Solutions Alamo in the same manner as set forth in Article XXVI, Section 26.1 of the contract to the address below:

Executive Director
100 N. Santa Rosa Suite 120
San Antonio, TX 78207

5) ADDITIONAL AUDIT / RECORDS INSPECTION

In addition to the requirements set forth in Article VII, Section 7.3 and Article VIII, Section 8.1 of this Contract, Contractor further agrees that all records and files with respect to all matters covered by or related to this Contract will be open for inspection and audit at any reasonable time during the term hereof by representatives of Workforce Solutions Alamo and shall continue to be available for a period of three (3) years after the termination date hereof. If at the end of three (3) years, there is litigation or if the audit report covering such agreement has not been accepted, the Contractor shall retain the records until the resolution of such litigation or audit.

6) ADDITIONAL REQUIREMENTS FOR AMENDMENT

In addition to the requirements set forth in Article XXIV, Section 24.1 of this Contract, Contractor further agrees that except when the terms of this Contract expressly provide otherwise, any alterations additions or deletions to the terms hereof shall be by amendment in writing and approved by Managing City Department and Workforce Solutions Alamo.

7) ADDITIONAL REQUIREMENT FOR ASSIGNMENTS

In addition to the requirements set forth in Article XXIII, Section 23.1 of this Contract, Contractor further agrees that Contractor shall not assign or transfer Contractor's interest in this agreement without the written consent of Workforce Solutions Alamo.

8) ADDITIONAL REQUIREMENT FOR SUBCONTRACTING

In addition to the requirements set forth in Article XXV, Section 25.1 of this Contract, none of the work or services covered by this agreement shall be sub-contracted without the prior written consent of Managing City Department and Workforce Solutions Alamo. Any work or services approved for sub-contracting hereunder, however, shall be sub-contracted only by written agreement, and unless specific waiver is granted in writing by Managing City Department and Workforce Solutions Alamo., shall be subject by its terms to each and every provision of this agreement. Compliance by sub-Contractors with this agreement shall be the responsibility of Contractor. Contractor agrees that payment for services of any approved sub-Contractor shall be submitted through Contractor, and Contractor shall be responsible for all payments to sub-Contractors.

C. Community Services Block Grant (CSBG) CFDA #93.569

Applicable Laws

The City of San Antonio receives CSBG funds through a contract with the Texas Department of Housing and Community Affairs.

1) Contractors funded through CSBG shall comply with the following laws:

- Public Law 103.252 which can be found at <http://www.ncaf.org/csbg/>
- Community Services Block Grant 42 USC Sections 9901 through 9926
- TAC Title 1, Part 1, Chapter 5, Subchapter A, Division 4, Rules § 5.144, §5.145, §5.150 and §5.167 – pertaining to Uniform Grants and Management Standards

- 2) Persons served through CSBG funds must meet income eligibility guidelines including having incomes at or below 125% of the Federal Poverty Income Level (FPIL) as established by the U.S. Department of Health and Human Services.
- 3) Contractor agrees to adhere to all the requirements of the Results Oriented Management and Accountability (ROMA) system; a tool designed to measure consistent results of the Contractor's service delivery throughout the Contractor's service delivery period. Texas Department of Housing and Community Affairs (TDHCA) mandate this requirement in accordance with CSBG Policy Issuance 98.12.8.

D. Emergency Solutions Grant (ESG) CFDA #14.231

Applicable Laws:

The City of San Antonio is the grantee that receives ESG funds through a contract with the U.S. Department of Housing and Urban Development. Through this RFP, the City makes ESG funds available to eligible recipients, which can be either local government agencies or private nonprofit organizations. The Emergency Solutions Grants replaces the Emergency Shelter Grants program and expands the eligible activities to include homelessness prevention and rapid re-housing components. The purpose of the ESG program is to assist individuals and families quickly regain stability in permanent housing after experiencing a housing crisis or homelessness.

ESG funds are available for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, data collection through the Homeless Management Information Systems (HMIS), and Administration. Recipients also receive administration funds with a statutory cap of 7.5 percent. Local government recipients may carry out all ESG activities directly, whereas state recipients may only carry out activities related to administrative costs and HMIS.

- 1) The following are eligible Emergency Solutions Grants program eligible costs:
 - Street Outreach: funds may cover costs related to essential services for unsheltered persons (including emergency health or mental health care, engagement, case management and services for special populations).
 - Emergency Shelter: funds may be used for renovation of emergency shelter facilities and the operation of those facilities, as well as services for residents (including case management, child care, education, employment assistance and job training, legal mental, substance abuse treatment, transportation, and services for special populations).
 - Homeless Prevention and Rapid Re-Housing: both components fund housing relocation and stabilization services (including rental application fees, security deposits, utility deposit or payments, last month's rent and housing search and placement activities). Funds may also be used for short- or medium term rental assistance for those who are at –risk of becoming homeless or transitioning to stable housing.
 - HMIS: funds may be used to pay the costs for contributing data to the HMIS designated by the Continuum of Care for the area. Eligible activities include (computer hardware,

software, or equipment, technical support, and office space, salaries of operators, staff training costs, and participation fees).

- Administration: Include general management, oversight and coordination; reporting on the program; costs for training; preparing and amending the Consolidated Plan, Annual Action Plan and CAPER; and Environmental Reviews responsibility.

2) Contractors funded through ESG shall comply with the following laws:

- USC Title 42, Section 11301 (1998) - Title IV, Subtitle B of the Stewart B. McKinney Homeless Assistance Act, as amended
- CFR Title 24 CFR, Subpart A, Part 84, Procurement Standards for Non-Profits
- ESG Regulations – CFR Title 24, Part 91, Section 576 can be found at <https://www.hudexchange.info/programs/esg/esg-law-regulations-and-notices/>
- CFR Title 49 which contains the government wide regulations implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (also found at USC Title 42 Sections 4601-4655)

3) Contractors receiving ESG funds agree to match ESG grant funds dollar for dollar with their own locally generated amounts. These local amounts can come from the contractor or other state and local grants **and must be in cash or cash equivalent for acquisition, rehabilitation, or new construction projects.** "In-kind" contributions such as the value of a donated building, supplies and equipment, new staff services, and volunteer time **may be used as match for service contracts such as operations of a facility or supportive services.**

4) Contractor shall not discriminate against "Committed Couples" which shall be defined as two adults of the opposite or same sex who may or may not have a marriage license and have been cohabitating prior to requesting services.

5) The following Special Condition Clauses are applicable to **all** ESG and HOPWA Contracts and loan documents:

CONTRACTOR acknowledges, understands and agrees to comply with the following federal regulations as promulgated in Section 3 Clause of the Housing and Urban Development Act of 1968, as amended:

A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 170(1)(u) (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135,

which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

- C. The contractor agrees to send to each labor organization or representative of workers with which the contract has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, where not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from further HUD-assisted contracts.
- G. With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provision of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

Contractor shall ensure that all services are consistent with the City of San Antonio Consolidated Plan located at:

<http://www.sanantonio.gov/Portals/0/Files/GMA/plans%20and%20performances/FY2015-2019ProposedConPlan.pdf>

E. Housing Opportunities for Persons with AIDS (HOPWA) CFDA #14.241

Applicable Laws

The City of San Antonio receives Housing Opportunity for Persons with Aids (HOPWA) entitlement funds through a contract with the U.S. Department of Housing and Urban Development (HUD). The HOPWA Program was established by (HUD) to address the specific needs of persons living with Human Immunodeficiency Virus (HIV/AIDS) and their families. HOPWA makes grants to local communities, States, and nonprofit organizations for projects that benefit low-income persons medically diagnosed with (HIV/AIDS), and their families. HOPWA funding provides housing assistance and related supportive services as part of HUD's Consolidated Planning initiative that works in partnership with communities and neighborhoods in managing federal funds appropriated to HIV/AIDS programs. HOPWA grantees are encouraged to develop community-wide strategies and form partnerships with area non-profit organizations.

- 1) Contractors funded through HOPWA shall comply with the following laws:
 - HOPWA Regulations – CFR Title 24, Part 91, Section 574 can be found at <https://www.hudexchange.info/programs/hopwa/hopwa-law-regulations-and-notices/>
 - Americans with Disabilities Act at USC 42 12101-12213 as codified under CFR Title 28
 - CFR Title 49 which contains the government wide regulations implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (also found at USC Title 42 Sections 4601-4655)
- 2) Contractor shall not discriminate against “Committed Couples” which shall be defined as two adults of the opposite or same sex who may or may not have a marriage license and have been cohabitating prior to requesting services.
- 3) The following Special Condition Clauses are applicable to **all** ESG and HOPWA Contracts and loan documents:

CONTRACTOR acknowledges, understands and agrees to comply with the following federal regulations as promulgated in Section 3 Clause of the Housing and Urban Development Act of 1968, as amended:

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 170(1)(u) (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to

this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

- C. The contractor agrees to send to each labor organization or representative of workers with which the contract has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, where not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from further HUD-assisted contracts.
- G. With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provision of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

Contractor shall ensure that all services are consistent with the City of San Antonio Consolidated Plan located at:

<http://www.sanantonio.gov/Portals/0/Files/GMA/plans%20and%20performances/FY2015-2019ProposedConPlan.pdf>

IV. GLOSSARY OF TERMS

Amendment – An agreement executed by all parties to a Contract subsequent to the original execution date of such Contract which modifies provisions of such Contract.

Audit – A systematic review by a CPA or other duly certified and licensed individual or organization to determine and report whether Contractor’s financial operations are being properly conducted, financial reports are being presented fairly and applicable laws and regulations are being complied with. All contractors must submit an audit of the program funded under this agreement as is further delineated herein. For purposes of this Funding Guide, an Audit shall mean an OMB Circular A-133 Audit or an audit conducted in accordance with State of Texas or other applicable federal agency requirements.

WSA – Workforce Solutions Alamo

WSAB – The Workforce Solutions Alamo Board

City – City of San Antonio, a Texas municipal corporation

Contractor – A service provider or program operator under contract with the City of San Antonio.

CCDF – Child Care Development Funds

CSBG – Community Services Block Grant

ESG – An acronym for the Emergency Solutions grant from HUD

Family – See definition in 24 CFR 812.2 (The National Affordable Housing Act definition required to be used in the Consolidated Plan differs from the Census definition). The Bureau of Census defines a family as a householder (head of household) and one or more other persons living in the same household who are related by birth, marriage or adoption.

Federal Poverty Income Limits (FPIL) – see Poverty Level

General Fund – Funds that originate from the tax base or fees and fines collected by the City of San Antonio. These funds are generally adopted for expenditure in the City’s budget through an ordinance.

Grantor – The organization that provides grant funds to the City.

HHS – U.S. Department of Health and Human Services

HOPWA – Housing Opportunities for Persons with AIDS grant from HUD

Household – One or more persons occupying a housing unit.

HUD – U.S. Department of Housing and Urban Development

HUD Income Definitions – Annual income as defined under the Section 8 Housing Assistance Payments program at (24 CFR 813.106) or Annual Income as reported under the Census long-form for the most recent available decennial Census. This definition includes:

- A. Wages, salaries, tips, commissions, etc.;
- B. Self-employment income from own non-farm business, including proprietorships and partnerships
- C. Farm self-employment income
- D. Interest, dividends, net rental income, or income from estates or trusts;
- E. Social Security or railroad retirement;
- F. Supplemental Security Income, Aid to Families with Dependent Children, or other public assistance or public welfare programs;
- G. Retirement, survivor, or disability pensions; and
- H. Any other sources of income received regularly, including Veterans' (VA) payments, unemployment compensation, and alimony; or adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040) for individual Federal annual income tax purposes.

Low- and moderate-income household – a household having an income equal to or less than the Section 8 income guideline limits established by HUD.

Low- and moderate-income person – a member of a family having an income equal to or less than the Section 8 low-income limit established by HUD. Unrelated individuals will be considered as one-person families for this purpose.

Moderate-income household – a household having an income equal to or less than the Section 8 low-income limit and greater than the Section 8 very low-income limit, established by HUD.

Moderate-income person – a member of a family that has an income equal to or less than the Section 8 low-income limit and greater than the Section 8 very low-income limit, established by HUD. Unrelated individuals shall be considered as one-person families for this purpose.

Monitoring – The process of observing and/or reviewing performance which may include on-site observation, review of paperwork and files, interviews with staff or customers, telephone conversations, and formal evaluation of compliance elements.

Ordinance – A law enacted by the City Council of the City of San Antonio

Participant – An individual who has been determined eligible for and who is receiving program services.

Policies – Guidelines for management of programs that have been developed using relevant federal and state laws, state rules, funding limitations, information from grantors, the public, and the goals of the individual programs.

Poverty Level – The annual income threshold at or below which families are considered to live in poverty as established by the U.S. Department of Health and Human Services. 2018 Poverty level is listed below. The Federal government changes/updates the Federal Poverty Income Levels (FPIL) annually. Updated FPIL can be found at <https://www.federalregister.gov/documents/2018/01/18/2018-00814/annual-update-of-the-hhs-poverty-guidelines>

**2018 POVERTY GUIDELINES FOR THE
48 CONTIGUOUS STATES AND THE
DISTRICT OF COLUMBIA**

Persons in family/household	Poverty guideline
1	\$12,140
2	16,460
3	20,780
4	25,100
5	29,420
6	33,740
7	38,060
8	42,380

For families/households with more than 8 persons, add \$4,320 for each additional person.

Procedures – A document that specifies the way to perform an activity and identifies the position responsible for its performance.

Profit – An amount in excess of the cost necessary to operate a program. Profit is allowable to the extent it is reasonable as determined during contract negotiations and not in excess of 10% of grant funds. It includes that amount which is associated with proprietary materials included in the cost of the program. Profit may be allocated among the cost categories for Workforce Innovation and Opportunity Act (WIOA) related costs and may be treated differently for other funding sources. Profit may only be earned by private for-profit organizations. Profit is not allowable with City of San Antonio General Funds.

Program Income – For purposes of this Contract, "program income" shall mean earnings of Contractor realized from activities resulting from this Contract or from Contractor's management of funding provided or received hereunder. Such earnings shall include, but shall not be limited to, interest income; usage or rental/lease fees; income produced from contract-supported services of individuals or employees or from the use of equipment or facilities of Contractor provided as a result of this

Contract; and payments from clients or third parties for services rendered by Contractor pursuant to this Contract. Contractor shall include this language, in its entirety, in all of its sub-contracts involving income-producing services or activities.

Section 8 Income Guidelines – Income limits established by the Department of Housing and Urban Development (HUD). The newest limits can be found at the HUD website <https://www.huduser.gov/portal/datasets/il/il2018/2018summary.odn>

HUD 2018 Section 8 Income Guidelines

Household Size	Low Income (80% of Median)
1	less than \$37,450
2	less than \$42,800
3	less than \$48,150
4	less than \$53,450
5	less than \$57,750
6	less than \$62,050
7	less than \$66,300
8	less than \$70,600

Service Provider – Also referred to as the contractor.

Supportive Services – May include the following: linkages to community services, assistance with transportation costs, assistance with child care, assistance with housing costs, referrals to medical services, and assistance with uniforms, work related attire, and work related tool costs including eyeglasses.

V. REFERENCES

The following list of resources may be used to find the laws, rules, regulations, and policies referenced in this document. If you are unable to access via the link provided, please copy the link and paste into your browser address line.

- **Age Discrimination in Employment Act** of 1967 (Public Law 90-202) as amended <https://www.eeoc.gov/laws/statutes/adea.cfm>
- **Americans with Disabilities Act**, Public Law 101-336, enacted July 26, 1990 <http://www.eeoc.gov/policy/ada.html>
- **City Charter of the City of San Antonio** <http://www.sanantonio.gov/Clerk/Legislative/City-Charter-City-Code>
- **City of San Antonio Ethics Code**

<http://www.sanantonio.gov/Ethics/About/Ethics-Code>

- **Civil Rights Act** of 1991 (Public Law 102-166)
<http://www.eeoc.gov/laws/cra91.html>
- Title VII of the **Civil Rights Act** of 1964 (Public Law 88-352)
<https://www.eeoc.gov/laws/statutes/cra-1991.cfm>
- **Code of Federal Regulations (CFR)**
<https://www.hudexchange.info/programs/esg/esg-law-regulations-and-notice/> for ESG and HOPWA funded activities
<https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR> for all other federally funded activities
- Title IX of the **Education Amendments** of 1972 (USC Title 20, Sections 1681-1688)
<http://www.dol.gov/oasam/regs/statutes/titleix.htm>
- Federal **Drug-Free Workplace Act** of 1988 as adopted by the Texas Worker's Compensation Commission Rules Chapter 169
<https://www.law.cornell.edu/uscode/text/41/8102>
<http://webapps.dol.gov/elaws/asp/drugfree/screen4.htm>
- **Equal Pay Act** of 1963 (Public Law 88-38)
<https://www.eeoc.gov/laws/statutes/epa.cfm>
- **Employee Retirement Income Security Act (ERISA)** of 1974 (Public Law 93-406)
<https://www.dol.gov/general/topic/health-plans/erisa>
- **Fair Labor Standards Act** of 1938, as amended
http://www.lawupdates.com/pdf/resources/employment/Fair_Labor_Standards_Act_of_1938,_as_amended.pdf
- **Internal Revenue Service (IRS)**
<https://www.irs.gov/> or
<https://www.irs.gov/newsroom/standard-mileage-rates-for-2018-up-from-rates-for-2017> (for mileage rates)
- **Occupational Safety and Health Act** regulations
<https://www.osha.gov/law-regs.html>
- **OMB Circulars**
https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl
- **Public Laws**
<https://www.archives.gov/federal-register/laws>

NOTE: For most public laws listed in this document, you will need to go to the section of the website entitled “Previous Congresses -- 104th (1995-96) through 108th (2003-04) Congress” then click Search. You search by the number of congress that is the first three numbers in the number of the Public Law. Example: Public Law 104-193 is found in the 104th Congress. Then type in the Public Law number and press Submit. When you get the Search Results simply look in the Hits until you find the Public Law you want to review.

- Sections 501 and 505 of the **Rehabilitation Act** of 1973 (Public Law 93-112)
<https://www.eeoc.gov/laws/statutes/rehab.cfm>
- Sections 501 through 509 of the **Rehabilitation Act** of 1973
<https://www.eeoc.gov/laws/statutes/rehab.cfm>
- Section 504 of the **Rehabilitation Act** of 1973 for ESG and HOPWA contracts
https://www.hud.gov/program_offices/fair_housing_equal_opp/disabilities/sect504faq
- For CSBG and CCDF contracts
https://www.tn.gov/content/dam/tn/human-services/documents/CSBG_Manual- FINAL_11-20-15.pdf
- Texas Administrative Code (TAC)
<https://www.sos.texas.gov/tac/index.shtml>
- **Texas Comptroller of Public Accounts** (for State Agency mileage rates)
<https://fm.xcpa.state.tx.us/fm/travel/milerate/index.php>
<http://www.window.state.tx.us/fm/statewise/05/10/5.html> (for State Agency per diem rates)
- **Texas Statutes (Codes)**
<http://www.capitol.state.tx.us>

NOTE: The web link takes you to the Texas Legislature Online. On the left menu, click on Texas Statutes for a list of Codes.

- **Texas Workforce Commission**
<http://www.twc.state.tx.us/>
- **Worker’s Compensation** statutory regulations <http://www.tdi.texas.gov/wc/act/index.html>
- **Unemployment Insurance** statutory regulations
<http://www.twc.state.tx.us/customers/rpm/rpmsub1.html>
- **United States Code (USC)**
<http://uscode.house.gov/>

- **United States General Services Commission** (travel per diem rates)
http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentId=17943&contentType=GSA_BAS_IC

Exhibit 1



CITY OF SAN ANTONIO
Economic Development Department

Purpose: This Economic Development Department (EDD) policy provides delegate agencies with procedures, allowances, and requirements for use of City of San Antonio (COSA) General Funds for education, job skills or life skills training and supportive services. The policy also stipulates internal EDD monitoring requirements to ensure compliance.

Executive Summary of This Policy:

1. Establishes a maximum household income eligibility level of 200 % of the current Federal Poverty Level for a participant to receive support services via an EDD-funded program. There is no income eligibility level for training.
2. Defines allowable expenses for training, education, and supportive services.
3. Establishes maximum dollar and time limitations per person for training, education and supportive services.
4. Describes participant conditions that must be met in order to receive various services via an EDD-funded program.
5. Establishes requirements for support documentation when training, education or supportive services are provided. Defines a waiver process that must be followed in situations that do not meet the requirements of the policy.
6. Identifies current target demand occupations for 2018.

Definitions:

Training costs include tuition, academic or training fees, books, testing or assessment fees, training supplies, tools, as well as items such as review fees, tutoring, uniforms, medical vaccinations, medical exam, and work related items required by the training provider for job training.

Support services include items such as (but not limited to) childcare, mortgage, rental, food or utility assistance, transportation, and other work related items.

Use of the term “*manager*” in this policy refers to the EDD division or program manager or the most senior delegate agency manager, as appropriate, unless otherwise specified. The word “*Director*” in this policy refers to the Director of EDD.

Policy: This policy applies to all EDD delegate agencies and subcontractors and is intended to provide uniform and consistent guidance for expenditures associated with training and supportive services for participants in EDD-funded programs. This policy will be incorporated into and become a part of all delegate agency and subcontractor contracts.

Conflicts: This EDD policy only supplements grantor requirements. In all cases, funding source procedures and program requirements for eligibility and supportive services will be followed if

they conflict with this policy. Additionally, funding source guidelines may be followed if they permit higher allowances than authorized by this policy.

Monitoring: EDD contract monitoring personnel will follow the Department Directive and will review delegate agency and subcontractor records to ensure eligibility, job training, and supportive service requirements are met and documented. EDD monitors will report non-compliance as required by the Directive. The Director will require the delegate agency or subcontractor to refund all costs incurred for services provided to ineligible participants.

Agencies that do not adopt all of the requirements and expenditure limitations of this policy are required to account for the expenditure of COSA funds separately from funds received from other sources to ensure that they are expended in compliance with this policy.

Basic Income Eligibility: Training is available to residents of the city of San Antonio regardless of income level. Support services may be available to individuals who meet EDD's basic income eligibility test.

Income Eligibility Test: To be eligible for initial and continued support services, an applicant's annual household income at the time support services are provided may not exceed 200% of the current Federal Poverty Level (FPL). Household income includes monies from those sources identified by IRS Publication 17 but also includes military disability benefits. For military personnel, income is identified as monies from those sources identified by IRS Publication 3. Excerpts from IRS publications 3 and 17 are included as Attachments A and may be downloaded in their entirety at <http://www.irs.gov/publications/index.html>. Certain types of support services may have more stringent income eligibility requirements. Any participant who exceeds the maximum income level while receiving support services may no longer receive support services unless the Director approves a written exception. Service providers must document their definition and calculation of annualized income.

EDD's income eligibility requirements should be deemed maximum levels. If a funding source requires more stringent income requirements, the more stringent requirements will be followed. Additionally, due to agency funding levels or service capacity, service providers may establish lower levels, at their discretion, provided they be used on a universal and consistent basis.

Residency Requirements: To be eligible for training and support services, an applicant must provide proof of residency within the city of San Antonio, as well as their intention to maintain residency in San Antonio upon completion of EDD-funded training. Proof of intention to maintain residency may be documented through various means, which include:

- Military Dependents: Permanent Change of Station orders.
- Non-Military: Purchase or ownership of a self-occupied home.
- All: Self-declaration of intent to remain in San Antonio as a resident

Any applicant not meeting these residency requirements or who is unable to provide proof of residency intent will be considered on a case-by-case basis via the exception process outlined

in this policy.

Exception Process: Dollar limitations or other eligibility requirements for training and supportive services may be waived on an individual basis for extenuating circumstances or unusual personal situations. Individuals not meeting income or other requirements of this policy may receive training or support services via a written exception to this policy as follows:

- a. *Income eligibility.* If an individual exceeds the EDD basic income eligibility requirements for a specific support service, a request may be submitted in writing to the Director for approval prior to the provision of the particular support service.
- b. *Crisis intervention.* If an income eligible participant requires immediate support services to address a crisis situation, such service(s) may be provided on a one-time basis for a period not to exceed seven calendar days and in an amount not to exceed \$250. The requirement to document service or denial from other agencies or service providers is waived.
- c. If a funding source specifically allows more generous training or support service allowances or allows a higher income level, such allowance will be documented once and forwarded to the Director for approval.

It is the delegate agency's responsibility to determine the type of EDD funds received and the eligibility and other requirements of the funding source. EDD will assist the agency as requested.

All exceptions require written approval by the Director, unless waiver or approval authority has been delegated by the Director, in writing, to the appropriate division/program or agency manager.

ELIGIBILITY & PROGRAM REQUIREMENTS

All funding source eligibility requirements must be met and documented in the participant file before any training or support services may commence.

All dollar or time limitations are for COSA funds expended per agency per applicant unless otherwise stated. Short-term and long-term dollar and time limitations may not be "stacked" or combined for a participant.

Individuals receiving education, training, or support services from any EDD program are strongly encouraged to participate in the Department of Human Services' Family Assistance Division (FAD). All service providers should advise participants of the features, benefits, and qualifications for:

- a. Financial Literacy programs; and
- b. Volunteer Income Tax Assistance (VITA) program;

REMEDIAL EDUCATION AND JOB/SKILL TRAINING REQUIREMENTS

EDD supports short-term remedial education necessary to receive training with a goal of

placing participants in permanent employment or transitioning them into self-sustaining employment.

All providers are responsible for knowing current Texas Workforce Commission (TWC) training and support services opportunities and requirements and for referring all eligible applicants to a Workforce Solutions Alamo American Job Center, if appropriate.

Long-term training may be provided only in targeted demand occupations (or a “first level” directly related occupation) as identified by Workforce Solutions Alamo. Long-term training may also be approved for customized training programs, if the employer has provided a written agreement to employ graduates of the training program at a wage not less than \$14.25 per hour. Occupations not on the target demand occupation list may be added via written request to the Director. A list of target demand occupations for 2018 is included as Attachment C.

Short-term training is supported if it has a goal of immediate “transitional” job placement. Delegate agencies may use EDD-funds to purchase direct training services from other providers, but only for approved occupations or programs as outlined above. Additionally, certain grant-funded programs for job training may require use of certain approved training vendors, as specified by the funding source. All COSA and funding source procedures and requirements for the procurement and payment of training services must be followed. EDD-provided funds may only be used to purchase training that result in a marketable skills certificate in a targeted or approved occupation.

Applicants who are skilled or have been previously employed in a target demand occupation may receive training or support services via an EDD-funded program if they meet eligibility requirements and:

- a. They are currently earning less than \$14.25 per hour, or receive prior written approval from the Director (or manager if so delegated), or
- b. Their previous skills training was not provided using COSA funds, or
- c. Their training was in an occupation that is no longer identified as a target demand occupation, or
- d. They are a displaced worker requiring re-training in order to become re-employed.

EDD supports both short and long-term job and occupational skill training and short-term remedial education as follows:

- a. Short-term training of six months or less is authorized for placement in transitional (less than a living wage) employment. The City’s Living Wage for 2017 - 2018 is \$14.25 per hour. Such short-term training must be intended to provide the participant with
 - i. Immediate placement and income;
 - ii. Basic employability skills;

- iii. Character trait development; and/or
- iv. Creditable job experience for transition to a living wage.

Total short-term training costs may not exceed \$1,000 per person per lifetime and total support services for income eligible participants may not exceed \$1,000 per person per lifetime, plus childcare (at the current Child Care Services Division (CCSD) rate) plus transportation (per limits below) for the duration of training, unless specifically authorized in writing by EDD or the funding source.

- b. Short-term training (including a compressed schedule) of six months or less is also authorized for permanent placement at or above the living wage, preferably in a demand occupation. Total training costs may not exceed \$2,000 per person per lifetime and total supportive services may not exceed \$1,000 per person per lifetime, plus childcare (at the current CCDS rate) plus transportation (per limits below) for the duration of training, unless specifically authorized in writing by EDD or the funding source.
- c. Long-term occupational training is authorized for permanent placement in a targeted (or approved) occupation. Total training costs may not exceed \$6,000 per person per lifetime Total supportive services may not exceed \$2,000 per person per lifetime plus childcare (at the current CCSD rate) plus transportation (per limits below) for the duration of training for income eligible participants, unless specifically authorized in writing by Director (or designee) or the funding source. For individuals participating in a long-term customized training program, total training costs will be limited to the actual cost of the customized training.
- d. Short-term remedial education of less than six months is authorized for individuals with a high school or high school equivalent. Total training costs may not exceed \$1,000 per person per lifetime and total support services may not exceed \$1,000 per person per lifetime, plus childcare (at the current CCDS rate) for the duration of training for income eligible participants, unless specifically authorized in writing by the Director or the funding source.
- e. Adult Basic Education (ABE) is authorized for any individual without a high school or high school equivalent... Total training costs may not exceed \$1,000 per person per lifetime and total support services may not exceed \$1,000 per person per lifetime for income eligible participants unless specifically authorized by the Director.

All direct (i.e. out-of-pocket) training and support service costs for each participant must be properly documented in the agency's fiscal records and in the participant's individual case or student file. If tools are provided to the participant for job training, the participant must acknowledge receipt of the tools on an inventory form and sign an agreement to return the tools if the training program is not completed. The cost of non-cash services such as case management, referral, follow-up, etc. need not be calculated or considered in terms of this policy.

All participants needing training should complete a career exploration process before any COSA funds are committed by the Agency. Once training has commenced, a change in the participants targeted demand occupation is allowed only once per participant.

Additionally, all participants who are eligible for Pell grants or other local, state, or federal sources of financial aid must show proof of application for such funds before COSA funds may be used for training or support services. Pell or scholarship funds can be used for training or living expenses or both, if permitted by the source of such funds.

SUPPORT SERVICE REQUIREMENTS

The City's Department of Human Services (DHS) support service programs are designed to facilitate the coordination of community resources and, when possible, minimize or eliminate the possible duplication of services with other service providers. Accordingly, when possible or appropriate, agencies should coordinate service referrals with the United Way 211 referral resource. When applicable, delegate agency or subcontractor staff should provide participants with a listing of other service agencies and refer participants to applicable programs for assistance. A coordinated effort is needed to ensure participants are made aware of all available services.

It is EDD's policy to provide support services to program participants only if the service is not available via another source and only after other providers of these (or comparable) services have declined to provide the service to the participant because of funding, capacity or eligibility requirements. If a participant is referred to DHS for support services, a record of the service (or denial) must be obtained from the servicing division and included in the case file if possible. For referrals outside of DHS a record of the participant's request and the provider's declination of the service (if available) must be included in the participant's file or, in the absence of a provider's declination, the participant may self-certify the declination.

Following are basic support services that are potentially available to program participants. Funding, time, or other program limitations specified may not be exceeded, except in cases where the delegate agency documents the funding source authorization for different support services or service levels. When such support services are provided, each (and all) services provided must be documented in the participant's case file.

Childcare: All applicants requesting or requiring purchased childcare services will first be referred to DHS's Child Care Services Division (CCSD) to determine whether Head start, Pre-Kinder, Homeless Childcare, Our City Cares or other programs are viable options in lieu of childcare. If no other programs are options, the applicant will be required to meet CCSD eligibility tests for income, employment, and training/education status before childcare services may be provided. Full or partial payment of childcare is available only to households that do not have an adult (responsible parent, relative, or guardian) available to provide this service. EDD funds may be used to support participants who meet CCSD eligibility requirements and who are wait-listed by CCSD, but only for the period they are wait-listed. Any participant not meeting CCSD eligibility requirements may request a waiver for a specific period of time, which must be submitted in writing by the delegate agency for a determination

by the Director prior to any services being provided. If the division or agency provides childcare internally without purchasing such services from another provider, the provisions of this section do not apply

Food Assistance: Program participants should first seek assistance through community food pantries, including the Food Bank, and other local, state, or federal agencies, and should apply for food stamps, if eligible. If such assistance is unavailable, support for food assistance may be authorized and cannot exceed \$150 per household per year. The non-availability of other support services must be documented in the case file.

Exceptions are allowed in emergency situations, declared natural disasters or catastrophes (e.g. fire or flood) but must be documented in the case file (if one exists) and approved by the Director.

Food Purchases: Delegate agencies and subcontractors may purchase food for participants only if the agency's EDD-approved budget supports the expenditure. Food purchase receipts must be retained by the delegate agency and show the food provider or store where the purchase was made, date of purchase, items purchased, and amount paid. COSA is prohibited by law from reimbursing any taxes paid for the purchase of food or other commodities. When food items are dispersed or consumed, a log must be retained that shows the date, the program purpose, and a roster of those participants attending the program. Each participant should sign the log to verify attendance. Customary refreshments for events or activities (as opposed to meals) may be provided for participants if the delegate agency's EDD-approved budget supports the expenditure. A record of who consumed the food is not required.

Health Care: All participants requiring health care services will be referred to health care providers. Unless required for a specific training or education program (e.g. nursing) EDD does not cover any health related expense other than medical, dental, vision, and pharmaceutical as specified below. The participant's case file must be documented to show when and to whom the medical referral was made.

Medical, Dental and Vision Care: Program participants may receive EDD support for medical, dental and vision care for participants up to \$100 per visit and a combined maximum of \$300 per year per person. Receipts for services provided must be placed in the participant's case file.

Pharmaceutical Assistance: Program participants may receive EDD support for prescription assistance up to \$150 per year per person.

Rental and Mortgage Assistance: If eligible, all applicants must first apply for assistance through DHS's Community Action Division, as well as any applicable local or state housing programs. Eligible applicants must have proof of rent/mortgage expenses and must also show proof of ability to continue payments after assistance is received. Assistance will first be provided via FEMA if the applicant is eligible. However, EDD allows rental and mortgage assistance for individuals who are not eligible for FEMA assistance provided that household income does not exceed the EDD's income eligibility requirements. Assistance is limited to

\$500/year. The non-availability of other support services must be documented in the case file.

Tax Assistance: Any participant requiring assistance preparing their federal income tax return should utilize the Department of Human Services (COSA) no-cost VITA service, provided they meet VITA eligibility requirements.

Transportation: EDD supports bus expenses not to exceed \$20 per month per participant (or the cost of a monthly bus pass) or gas and other automobile expenses of up to \$8 per day and \$40 per week. If mileage reimbursement is allowed, the participant will be required to provide the Division or Agency with proof of liability insurance, and a daily log showing the date, odometer reading and amount of transportation expenses that were incurred. The log must be supported by receipts, coincide with the participant's training schedule, and will be retained by the delegate agency for program review purposes. The participant and a delegate agency staff member must sign the log. Providers may opt to reimburse transportation costs at a flat per diem rate, provided the weekly rate does not exceed \$40. The Director or designee must approve any payment of more than \$40 in one week.

Utility Assistance: Program participants should first seek assistance through all available programs, including Bexar County programs such as CEAP or LI-HEAP, or Projects WARM, REAP, and AGUA and the Affordability Discount Program, which are administered by DHS in conjunction with SAWS and CPS. Individuals must qualify for each particular program based on income. If ineligible for assistance because of income, the Director or designee manager may approve an exception if the individual's income does not exceed 200% of the FPL. In any case, DHS support for utility assistance may not exceed the annual amount per household per year allowed under Project WARM, unless the exception process is followed. The non-availability of other support services must be documented in the case file. Utility assistance is authorized for any form of direct utility assistance to include connection, reconnection, and penalty fees but may not be used for utility deposits. All able-bodied individuals receiving utility assistance are expected to attend a course in personal financial literacy within six months of receiving the assistance.

Work-Related Expenses: EDD support may include, as training expenses, various work-related expenses that participants may incur while in training. Fees for testing or examinations for licenses or certifications, uniforms and special occupational footwear, tools, clothing, and related training supplies may be authorized to a maximum of \$250 per person per year. Individuals in long-term training for medical and technological occupations are authorized an additional maximum of \$1,000 per person per lifetime for "usual and customary" testing/licensing/certification fees. A maximum of \$1,000 per person per lifetime is authorized for tools that are required by the training provider for long-term training programs in the medical, dental, or automotive fields.

Other Support Services: Agencies may provide other services not specified in the policy by requesting approval from the Director in writing prior to providing such service.

ATTACHMENT A

Excerpts from IRS Publication 3 and 17

Included Items

These items are included in gross income, unless the pay is for service in a combat zone.

Basic pay

- Active duty
- Attendance at a designated service school
- Back wages
- CONUS COLA
- Drills
- Reserve training
- Training duty

Special Pay

- Aviation career incentives
- Career sea
- Diving duty
- Foreign duty (outside the 48 contiguous states and the District of Columbia)
- Foreign language proficiency
- Hardship duty
- Hostile fire or imminent danger
- Medical and dental officers
- Nuclear-qualified officers
- Optometry
- Pharmacy
- Special duty assignment pay
- Veterinarian
- Special compensation for assistance with activities of daily living (SCAADL)
- Voluntary Separation Incentive

Basic allowance for housing (BAH) - You can still deduct mortgage interest and real estate taxes on your home if you pay these expenses with your BAH.

Death gratuity - Any death gratuity paid to a survivor of a member of the Armed Forces is excluded from gross income.

Differential wage payments - Differential wage payments are any payments made by an employer to an individual for a period during which the individual is performing service in the uniformed services while on active duty for a period of more than 30 days and that represent all or a portion of the wages the individual would have received from the employer if the individual was performing services for the employer. These amounts are taxable and cannot be excluded as combat pay.

Military base realignment and closure benefit - Payments made under the Homeowners Assistance Program (HAP) generally are excluded from income. However, the excludable amount cannot be more than the maximum amount described in subsection (c) of 42 USC 3374 as in effect on November 6, 2009. Any part of the payment that is more than this limit is included in gross income. For more information about the HAP, see <https://www.military.com/topics/base-realignment-and-closure-brac>

Qualified reservist distribution (QRD) - A QRD is a distribution to an individual of all or part of the individual's balance in a cafeteria plan or health flexible spending arrangement if:

- The individual was a reservist who was ordered or called to active duty for more than 179 days or for an indefinite period, and

Bonus Pay

- Career status
- Enlistment
- Officer
- Overseas extension
- Reenlistment

Other Pay

- Accrued leave
- High deployment per Diem
- Personal money allowances paid to high-ranking officers
- Student loan repayment from programs such as the Department of Defense Educational Loan Repayment Program when year's service (requirement) is not attributable to a combat zone

Incentive Pay

- Submarine
- Flight
- Hazardous duty
- High altitude/Low altitude (HALO)

- The distribution is made no sooner than the date the reservist was ordered or called to active duty and no later than the last day reimbursements could otherwise be made under the arrangement for the plan year which includes the date of the order or the call to duty.

A QRD is included in gross income and is subject to employment taxes. The employer must include the QRD (reduced by after-tax contributions to the health flexible spending arrangement) as wages on Form W-2.

State bonus payments. Bonus payments made by a state (or a political subdivision thereof) to a member or former member of the uniformed services of the United States or to a dependent of such member are considered combat pay (and therefore may not be taxable) if the payments are made only because of the member's service in a combat zone. See [Combat Zone](#), later, for a list of designated combat zones.

Excluded Items

The exclusion for certain items applies whether the item is furnished in kind or is a reimbursement or allowance. There is no exclusion for the personal use of a government-provided vehicle.

Combat Zone Pay

- Compensation for active service while in a combat zone (Note: Limited amount for officers)

Other pay

- Defense counseling
- Disability, including payments received for injuries incurred as a direct result of a terrorist or military action
- Group-term life insurance
- Professional education
- ROTC educational and subsistence allowances
- State bonus pay for service in a combat zone
- Survivor and retirement protection plan premiums
- Uniform allowances
- Uniforms furnished to enlisted personnel

Death Allowances

- Burial services
- Death gratuity payments to eligible survivors
- Travel of dependents to burial site

Family Allowances

- Certain educational expenses for dependents
- Emergencies
- Evacuation to a place of safety
- Separation

Living Allowances

- BAH (Basic Allowance for Housing)
- BAS (Basic Allowance for Subsistence)
- Housing and cost-of-living allowances abroad paid by the U.S. Government or by a foreign government
- OHA (Overseas Housing Allowance)

Moving Allowances

- Dislocation

- Military base realignment and closure benefit (the exclusion is limited as described above)
- Move-in housing
- Moving household and personal items
- Moving trailers or mobile homes
- Storage
- Temporary lodging and temporary lodging expenses

Travel Allowances

- Annual round trip for dependent students
- Leave between consecutive overseas tours
- Reassignment in a dependent restricted status
- Transportation for you or your dependents during ship overhaul or inactivation
- Per Diem

In-kind Military Benefits

- Dependent-care assistance program
- Legal assistance
- Medical/dental care
- Commissary/exchange discounts
- Space-available travel on government aircraft

