



Oklahoma County, Oklahoma

Asian District Cultural Association, We Have Arrived – Boat Project: Memorandum of Understanding

December 2024

Table of Contents

Memorandum Overview.....	2
Obligation Update	2
Asian District Cultural Association, We Have Arrived – Boat Project, Obligation	3
Memorandum.....	3
<i>I. Introduction</i>	<i>3</i>
<i>II. Project Details.....</i>	<i>3</i>
<i>III. Conditions on the Use of Funds.....</i>	<i>4</i>
<i>IV. Provision of Funds.....</i>	<i>4</i>
<i>V. Scope of Work.....</i>	<i>5</i>
<i>VI. Procurement of Goods or Services.....</i>	<i>5</i>
<i>VII. Binding Effect.....</i>	<i>5</i>
<i>VIII. Signatures.....</i>	<i>5</i>

Memorandum Overview

Obligation Update

Treasurys [FAQ 17.1](#) clarifies how a recipient may incur an obligation.

- Under the rule adopted in 2021, an “obligation” means an order placed for property and services and entering into contracts, subawards, and similar transactions that require payment.
- Under the amendment to the rule adopted in 2023, an obligation also includes a requirement under federal law or regulation or provision of the SLFRF award terms and conditions to which a recipient becomes subject as a result of receiving or expending SLFRF funds.
- Treasury considers an interagency agreement meeting certain conditions to constitute a transaction requiring payment similar to a contract or subaward and therefore an obligation.

Per [FAQ 17.6](#) Treasury considers an interagency agreement, including an agreement in the form of a memorandum of understanding (MOU), to constitute a “transaction requiring payment” similar to a contract or subaward and therefore an obligation for purposes of the SLFRF rule, if the agreement satisfies one of the following conditions:

- it imposes conditions on the use of funds by the agency, department, or part of government receiving funds to carry out the program;
- it governs the provision of funds from one agency, department, or part of government to another to carry out an eligible use of SLFRF funds; or
- it governs the procurement of goods or services by one agency, department, or part of government from another

and the agreement also satisfies each of the following conditions:

- it sets forth specific requirements, such as a scope of work and project deliverables;
- it is signed by the parties to the agreement, or otherwise evidences that each party has assented to the agreement; and
- it does not disclaim any binding effect or state that it does not create rights or obligations

Asian District Cultural Association, We Have Arrived – Boat Project, Obligation

Memorandum

To: Department of Treasury
From: Project Management Office
Date: 12/24/24

I. Introduction

This project is designed to address the ongoing and evolving needs of communities in the aftermath of the COVID-19 pandemic, a global crisis that has had lasting social, economic, and public health impacts.

The "We Have Arrived" project is a profound initiative that seeks to intertwine art, history, and community engagement to honor the legacy of the Vietnamese "boat people" who found refuge in Oklahoma City following the Vietnam War. This project is a testament to the resilience and courage of those who embarked on perilous journeys in search of safety and a new beginning. By utilizing ARPA funds under the State and Local Fiscal Recovery Funds (SLFRF), this initiative aims to create a lasting tribute to the Vietnamese community's contributions and experiences, fostering a deeper understanding and appreciation of their journey and cultural heritage.

The history of the Vietnamese boat people is a poignant chapter in the narrative of migration and survival. Following the end of the Vietnam War in 1975, thousands of Vietnamese fled their homeland by boat, facing unimaginable hardships and dangers at sea. Despite the perilous journey, many found their way to the United States, with a significant number settling in Oklahoma City. Today, the vibrant Asian District in Oklahoma City stands as a testament to their resilience and the sacrifices made to achieve the American Dream. The community's growth and success are a reflection of their enduring spirit and the rich cultural tapestry they have woven into the fabric of the city.

The "We Have Arrived" project is a multi-disciplinary, multi-year endeavor designed to preserve and celebrate the stories of the Vietnamese refugees and their descendants. The first stage of this initiative, funded by ARPA, focuses on the creation and installation of a public art sculpture in the form of a boat. This sculpture is not only a physical representation of the vessels that carried Vietnamese refugees to safety but also a symbolic gathering space for reflection and community engagement.

Through a three-stage process, the project will also serve as a storytelling space and produce a comprehensive anthology of the community's experiences. This initiative not only honors the past but also engages the current community, ensuring that the voices and stories of the Vietnamese refugees are preserved for future generations.

By fostering ongoing community engagement, the project aims to build bridges of understanding and respect, highlighting the importance of cultural preservation and storytelling in shaping a more inclusive society.

II. Project Details

The "We Have Arrived" project is envisioned as a three-stage initiative that combines public art, storytelling, and education to honor the Vietnamese refugee experience in Oklahoma City.

The first stage, which will use ARPA funds, involves the construction of a public art sculpture designed as a "gathering space" that represents the boats that carried Vietnamese refugees to safety. This sculpture will serve as a physical and symbolic space for reflection and community gathering.

The subsequent stages will focus on using the sculpture as an intimate storytelling space, where the stories of the Vietnamese community will be recorded and preserved. This process will culminate in the production of a hardbound anthology book, featuring written stories, photos, original artwork, essays, and audio recordings from interviews. Through these efforts, the project aims to create a lasting impact, fostering understanding and appreciation of the Vietnamese community's journey and contributions to Oklahoma City.

III. Conditions on the Use of Funds

Through this memorandum the Asian District Cultural Association will abide by the following conditions:

- a. Any funds not expended as authorized under this agreement must be refunded to the County before December 31, 2026.
- b. Any funds that are not expended by December 31, 2026, are subject to recapture by the County for return to the United States Department of the Treasury
- c. The Association has responsibility for identifying and recovering grant funds that were expended in error, disallowed, or unused.
- d. To ensure compliance with the existing ARPA guidelines set forth by the US Treasury, the Association shall provide on a quarterly basis to the COUNTY a comprehensive and detailed list of all ARPA-related expenditures on an itemized invoice and shall also provide any backup documentation to support such expenditures. The Association will also provide performance updates for all programs to show they are meeting key performance indicators.
- e. The Association will comply with all closeout procedures for the awards, including full compliance with the agreement terms and conditions, ARPA, SLFRF rule and guidance, and 2 CFR 200. Key tasks will be closeout communications, confirmation for maintenance of records and financial documents, receipt of all final reimbursement requests or payment requests, receipt of all financial reports and performance reports, fulfillment of any requests to reconcile reports and payment requests. The retention period per SLFRF compliance and reporting is 5 years.

IV. Provision of Funds

The Oklahoma Board of County Commissioners has authorized SLFRF to the Asian District Cultural Association to cover costs related to the design, permitting, construction, painting and installation of the Boat through December 31, 2026.

The funding mechanism is as follows:

- **Total Authorization: \$55,000.00**
- Total Timeframe: December 24, 2024 – December 31, 2026.

These funds are designated to cover the following costs related to the "Stage 1 – The Boat" of the project:

- Pre-production, Design and Permits
- Construction – materials, labor, insurance

- Painting and sealing
- Installation

The Oklahoma Board of County Commissioners and the Asian District Cultural Association have agreed to the terms within this Memorandum of Understanding for the continuation of payment to cover County costs associated with the construction of library through December 31, 2026, utilizing Project (30412) We Have Arrived – Boat Project.

V. Scope of Work

Project 30412: We Have Arrived – Boat Project

The Asian District Cultural Association agrees to the following project conditions:

- Allocated funds will be used to cover construction costs incurred by the City when building the library for the underserved community until December 31, 2026.
- Eligible project expenditures will occur from 12/24/2024 – 12/31/2026.
- All funds must be expended by December 31, 2026, or they will be forfeited back to the Department of Treasury.
- The updated total authorized amount for this project **is not to exceed \$55,000.00**. With all funds remaining to expend (\$55,000.00) as of 12/24/2024.

VI. Procurement of Goods or Services

The Asian District Cultural Association will:

- a. Comply with 2 CFR 200 (Uniform Guidance) for accounting standards and cost principles.
- b. Comply with all STATE, COUNTY and 2 CFR 200 laws/rules related to procurement, including the Oklahoma County and 2 CFR 200 standards relating to conflict of interest.
- c. 2 CFR § 200.317 - When procuring property and services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State will comply with §§ 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327. All other non-Federal entities, including subrecipients of a State, must follow the procurement standards in §§ 200.318 through 200.327.

VII. Binding Effect

The Oklahoma Board of County Commissioners and the Asian District Cultural Association have agreed to the terms within this Memorandum of Understanding for the continuation of the We Have Arrived – Boat Project (30412) until December 31, 2026, with the remaining grant amount of \$55,000.00.

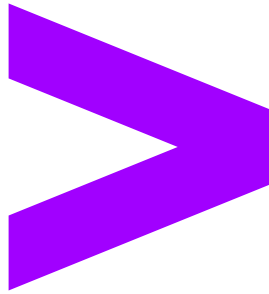
VIII. Signatures

Date:

THE ASIAN DISTRICT CULTURAL ASSOCIATION
[AGENCY/DEPARTMENT HEAD]

BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY
[CHAIRMAN]

ATTESTED BY: COUNTY CLERK
[COUNTY CLERK]



All rights reserved.
Accenture and its logo are trademarks of Accenture.