



Photo Credit: David Witthaus

Application Deadline

All complete applications must be submitted electronically through our Neighborly Software **NO LATER THAN 3:00 p.m. on Thursday, April 29, 2021.**

→ <https://portal.neighborlysoftware.com/lewistonid/Participant>

NO HARD COPIES WILL BE ACCEPTED
Proposals must be by electronic submission through our subrecipient Neighborly Software before the deadline Thursday, April 29, 2021 no later than 3:00 p.m.

Only those proposals that arrive prior to the deadline will be considered for funding.

For technical questions, or more information:

Tanya Brocke, Community Development Specialist

Ph. 208.746.1318 x 7265

Email: tbrocke@cityoflewiston.org.

Applications can also be found on the city website at:

<https://www.cityoflewiston.org/193/Community-Development>

2021 Community Development Block Grant (CDBG) Application Guide

The City of Lewiston is accepting applications for its 2021 CDBG Program Year (PY) from eligible entities. Application submittal deadline is 3:00 p.m., Thursday, April 29, 2021.

This program is made possible through a grant from the U.S. Department of Housing and Urban Development, Office of Community Planning and Development.

This packet includes an overview of the CDBG program, City of Lewiston's Five-Year Priority needs, application instructions and required forms.

The City of Lewiston reserves the right to reject any application that is not completed in accordance with the following instructions.

APPLICATION DEADLINE

THURSDAY, APRIL 29, 2021

Community Development Block Grant PY 2021

The Community Development Block Grant (CDBG) Program provides annual funding on a formula basis to entitled cities and counties to develop viable urban communities. The program's principal beneficiaries are low-income households. The goals of the program are to provide decent, safe, and sanitary housing, provide a suitable living environment and to expand economic opportunities.

Activities that receive CDBG funding must be both eligible within the program regulations published in the Code of Federal Regulations as 24 CFR Part 570 and meet one of the three National Objectives of the program as established by congress: (1) activities must provide a benefit to low and moderate income persons, (2) prevent or eliminate slum and blight; or (3) meet an urgent community need that threatens the health or welfare of residents.

CDBG Basic Eligible Activities (24 CFR 570.201 Basic Eligible Activities) LINK: https://www.hud.gov/sites/documents/DOC_17133.PDF

The following are all the activities that are currently eligible provided such an activity meets a national objective of the CDBG program:

- Housing Rehabilitation
- Public Facilities and Public Improvements directly benefitting low-income persons
- Property Acquisition benefitting low-income persons
- Demolition and Clearance of blighted properties
- Historic Preservation: Residential
- Facilities or the Removal of Architectural Barriers for the elderly or handicapped adults
- Public Service projects must be either a new service or quantifiable increase in the level of service, which support the community development effort (15% cap; \$33,000 approximate FUNDING FOR THIS CATEGORY) directly benefitting low-income persons.
- Administrative and Planning costs for CDBG program management (20% cap)
- Other projects in compliance with 24 CFR Part 570 for CDBG

See Appendix A for Descriptions of Federally Eligible Activities.

Ineligible Activities (24 CFR 570.207)

The general rule is that any activity that is not authorized under the provisions of Section 570.201-570.206 is ineligible to be assisted with CDBG funds.

The following activities may not be assisted with CDBG funds:

- Buildings or portions thereof, used for the general conduct of government
- General government expenses
- Political activities
- Acquisition of property or the construction or rehabilitation (including historic preservation and removal of architectural barriers) or structures to be used for religious purposes or which will otherwise promote religious interests

National Objectives (24 CFR 570.208)

In order to be eligible for funding, every CDBG-funded activity must qualify as meeting one of the three national objectives of the program. This requires that each activity, except Program Administration and Planning, meet specific tests for either:

A. Benefitting Low and Moderate Income (LMI) persons: Activities considered benefitting LMI persons are divided into four categories.

1. Area benefit activities meet the identified needs of LMI persons residing in an area where at least 51% of the residents are LMI persons.
2. Limited clientele activities that benefit a specific group of people (rather than all the residents in a particular area), at least 51% of whom are LMI persons.
3. Housing activities, this adds or improves permanent, residential structures, which will be occupied by LMI households upon completion.
4. Job creation or retention activities that create or retain permanent jobs, at least 51% of which are either taken by LMI persons or considered to be available to LMI persons.

B. Aiding in the Prevention or Elimination of Slums or Blight: an activity must meet ALL of the following to qualify:

1. Designated by the grantee (City of Lewiston) and meet a definition of slum, blighted, deteriorated or deteriorating area under State or local law.
2. There must be a substantial number of deteriorated or deteriorating buildings or public improvements throughout the area.
3. Documentation maintained on the boundaries of the area and the condition that qualified the area at the time of its designation.

C. Meeting Other Community Development Needs having a Particular Urgency: Because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs. (This category is rarely used).

2018-2022 Consolidated Plan Goals and Priority Needs

| | | |
|---|---------------------------|--|
| 1 | Priority Need | HOUSING AFFORDABILITY |
| | Priority Level | High |
| | Population Served | Very low income Low income Moderate income |
| | Associated Goals | <ul style="list-style-type: none"> • Preserve and expand affordable housing • Support housing and services for the homeless |
| | Description | <ul style="list-style-type: none"> • Support the development of affordable rental and owned housing, including projects located near employment and transportation • Extend the useful life of existing affordable housing through weatherization, repair, and rehabilitation programs |
| | Basis for Priority | Interviews with community stakeholders, public meeting input, survey data, CHAS and other data |
| 2 | Priority Need | HOMELESSNESS & HOMELESSNESS PREVENTION |
| | Priority Level | High |
| | Population Served | Very low income Low income Moderate income Disabled (physical, mental, behavioral health) Elderly and frail elderly Children and youth Homeless and at-risk populations |
| | Associated Goals | <ul style="list-style-type: none"> • Preserve and expand affordable housing • Support emergency housing and services for the homeless |
| | Description | <ul style="list-style-type: none"> • Assist persons who are homeless through emergency, transitional, and permanent housing and supportive services • Assist households at risk of homelessness |
| | Basis for Priority | Interviews with community stakeholders, public meeting input, survey data, homeless need and existing homeless resources |
| 3 | Priority Need | NON-HOUSING COMMUNITY DEVELOPMENT |
| | Priority Level | High |

| | | |
|----------|---------------------------|---|
| | Population Served | Very low income Low income Moderate income Disabled (physical, mental, behavioral health) Elderly and frail elderly Children and youth |
| | Associated Goals | <ul style="list-style-type: none"> • Improve public facilities and infrastructure |
| | Description | <ul style="list-style-type: none"> • Fund non-housing community development activities that eliminate blight, improve safety, and support new affordable housing development, such as sidewalk construction and repair, street improvements, transportation improvements, ADA improvements, and other allowable infrastructure or facility improvements not listed here |
| | Basis for Priority | Interviews with community stakeholders, public meeting input, survey data |
| 4 | Priority Need | PUBLIC SERVICES AND ECONOMIC OPPORTUNITY |
| | Priority Level | High |
| | Population Served | Very low income Low income Moderate income Disabled (physical, mental, behavioral health) Elderly and frail elderly Children and youth Victims of domestic violence Homeless |
| | Associated Goals | <ul style="list-style-type: none"> • Provide services and economic opportunity |
| | Description | <ul style="list-style-type: none"> • Fund projects that provide supportive services to low and moderate-income households, as well as special needs populations. Includes but is not limited to medical and dental services, childcare, mental health and substance abuse services, services for victims of domestic violence, transportation assistance, and other allowable public services not listed here. |
| | Basis for Priority | Interviews with community stakeholders, public meeting/focus group input, survey data |
| 5 | Priority Need | FAIR HOUSING EDUCATION AND ENFORCEMENT |
| | Priority Level | High |
| | Population Served | All |
| | Associated Goals | <ul style="list-style-type: none"> • Provide fair housing education and enforcement |
| | Description | <ul style="list-style-type: none"> • Provide fair housing education activities to the general population and vulnerable groups • Fund targeted fair housing activities, such as complaint handling services and enforcement |
| | Basis for Priority | Interviews with community stakeholders, public meeting input, focus group input |

Important Information/Items to Consider

General:

This application briefly summarizes some of the main requirements for this funding. These requirements are not all inclusive. Potential applicants should consider their capacity and program/project concept in relation to all requirements. It is an applicant's responsibility to thoroughly review all funding regulations and guidance before preparing an application for funding to ensure they have the ability to comply with all Federal requirements and funding regulations.

Note: Resources for funding information are included online at www.hudexchange.info/programs/cdbg

CAPACITY: Demonstrates the ability to carry out the proposed program activities, including 1) meeting the stated goals and objectives, 2) maintaining all required documentation, 3) submitting all required reports, 4) adhering to acceptable financial management and recordkeeping, 5) sufficient staff to administer the funding, and 6) staff trained in federal funding.

The City may request supplemental written information from an applicant concerning the applicant's ability to perform the services, or if the amount awarded is different from the amount requested. If an applicant fails to provide supplemental information within the time stated in the request, the City may refuse to consider the application.

If an applicant provides false or misleading information, it will be grounds to dismiss their application.

In cases of doubt or differences of opinion concerning the interpretation of this packet, the City reserves the exclusive right to determine the intent, purpose, and meaning of any provision in this packet.

Successful applicants must certify that they will comply with all applicable Federal regulations, State and City statutes, rules, regulations and record keeping requirements governing the use of funds. The applicant selected by the City will be required to enter into a written agreement requiring compliance with the application and any modifications and conditions imposed by the City including funding terms applicable to the program/project. If awarded funding, it is the responsibility of the applicant to understand and comply with a written agreement and federal regulations.

Funds will be available upon completion of all regulatory requirements for use of federal funds including, but not limited to, completion of a HUD Environmental Review. If awarded, funds may be reimbursed from the effective date of a contract, but will not be disbursed until the subrecipient agreement is executed by both parties.

If an acquisition and/or rehabilitation project is proposed, the applicant can have no financial or legal commitment to purchase or begin rehabilitation.

Acquisition, Rehabilitation or Construction projects cannot start until the City has conducted a HUD Environmental Review. Agencies failing to wait until the HUD environmental review is complete will forfeit the allocated funds.

DUNS Number

This is a nine-digit number in a data universal numbering system that identifies business entities on a location-specific basis. A DUNS number is mandatory to receive federal funding. If you do not have a DUNS number, you can register with Dun and Bradstreet at <http://fedgov.dnb.com/webform> (can take up to 30 days to complete) or by calling 866.705.5711 (takes 10-15 minutes to complete).

System for Award Management (SAM)

The System for Award Management (SAM) includes information regarding entities debarred, suspended, proposed for debarment, excluded or disqualified under the non-procurement common rule, or otherwise declared ineligible from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits. In order to be eligible to receive funding, applicants must register on SAM. Registration must be renewed and revalidated at least every 12 months. To register, go to www.sam.gov and create an account by clicking the “Create User account” and follow the directions. You will need your DUNS number and about 30 minutes to complete the process. If you need help, call 1.866.606.8220. Registration is FREE!

Relocation of Occupants and URA Requirements

An acquisition or rehabilitation project may trigger Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) requirements even when it may seem they are unrelated. It is important to have a clear understanding of these and other important terms as defined in the URA and the regulations. The phrase “program or project” is defined in 49 CFR Part 24 as “any activity or series of activities undertaken by a federal agency or with federal financial assistance received or anticipated in any phase of an undertaking in accordance with the federal funding agency guidelines.”

Generally, a displaced person under the URA is an individual, family, partnership, association, corporation, or organization, which moves from their home, business, or farm, or moves their personal property, as a direct result of acquisition, demolition or rehabilitation for a federally funded project. Displaced persons are eligible for relocation assistance under the URA.

The URA regulations require three notices to be issued to eligible persons. These notices provide important information about the project, the affected persons’ resulting rights, their protections, and their eligibility for relocation assistance and payments under the URA. It is critical for agencies to issue appropriate notices to affected persons at the appropriate time and one of the first notices must be issued at the time a project application is submitted to the City of Lewiston. Refer to the Tenant Assistance, Relocation and Real Property Acquisition Handbook (HUD Handbook 1378.0) for more information on this topic. (<https://www.hudexchange.info/resource/310/hud-handbook-1378-tenant-assistance-relocation-and-real-property-acquisition/>)

Any application for HUD funds must contain an accurate determination of the number of household or businesses to be potentially displaced, their incomes, and an estimate of relocation costs associated with the project. Early in the process of project planning, relocation concerns must be explored so decisions about rents, construction timing (phasing), and project feasibility can be fully explored.

Construction Project and Federal Wage Rates

For construction projects over \$2,000, workers must be paid Federal Davis-Bacon wage rates (except housing rehab in which case eight or more units must be involved in a single undertaking). These rates are established by specific trades (examples: plumbers, electricians, carpenters, laborers, etc.) and are based on either a “residential” or “commercial” rate. Generally, these wages are higher than accepted local rates. This may increase the cost of the project since these workers must be paid Federal Davis-Bacon wages on the entire project, not just the portion funded by HUD. There is also additional record keeping requirements for the contractor and City staff must conduct site interviews with employees while the work is underway.

Lead Based Paint

For any project involving an existing residential structure that was built before 1978, the project must meet the requirements of the HUD regulation to control lead-based paint hazards in housing receiving federal assistance, 24 CFR Part 35. This regulation, effective September 15, 2000, establishes procedures for evaluating whether a lead-based paint hazard may be present, controlling or eliminating the hazard, and notifying occupants of what was found and what work was done in such housing. City staff will provide technical assistance in determining the regulations that apply and the required lead abatement process. However, the applicant is responsible for conducting all required lead-based paint abatement procedures, and should accommodate these activities in the project.

Funding Available

The 2021 CDBG Allocation for the City of Lewiston is \$239,129.

- Approximately \$19,129 of CDBG funds will be programmed towards CDBG Administration and Planning activities.
- Approximately \$220,000 in CDBG funds will be considered on an individual basis for other proposed projects in FY 2021.
- Owner occupied housing rehabilitation will continue to be administered through the Community Development Department’s Home Repair Program.

CDBG FUNDS WILL BE SUBJECT TO RECAPTURE IF PROJECTS ARE NOT COMPLETED WITHIN THE PRESCRIBED CONTRACT PERIOD.

Application Process

Application forms and instructions are included with these guidelines. In general, the application should describe the project need, the results anticipated, the eligibility and justification, and the quantities of results (e.g. linear feet of sidewalk replaces, number of meals provided to Senior Citizens, or number of persons benefitting from activity, etc.)

Organizations/agencies requesting funding for more than one project must submit a separate application for each project.

Eligible Applicants

Eligible recipients, known as subrecipients, include non-profit corporations, neighborhood preservation organizations, economic development agencies, and health or job development agencies.

Applications seeking CDBG funds must also submit a current Financial Audit or, if the organization receives less than a total of \$750,000 in federal funds from all sources, an Independent Accountant Statement.

If a private “nonprofit” entity or “for profit” is to be a subrecipient, the organization is responsible for the compliance of the program. In some instances, organizations may be required to provide matching funds for the amount of CDBG funds requested. Additionally, organizations will be required to submit the following documents with the application:

- Prior year financial statements
- Source of matching funds
- Program budget for CDBG assisted year (including sources of anticipated revenue)
- Detail of organized fund raising activities (if applicable)

Category Limits

The City of Lewiston, as the grantee, must certify that in the aggregate at least 70% of CDBG funds to be expended during the program year will be for activities that benefit LMI persons. This is distinct from the requirement for individual activities meeting a national objective by benefitting persons at least 51% of who are LMI and Lewiston residents. In determining the percentage of CDBG funds spent for LMI benefit activities, the costs of planning and overall program administration are excluded. The amount of CDBG funds obligated within a program year to support public service activities must not exceed 15% of the total funding awarded to the grantee (City of Lewiston) for the year and public services cap is being determined. No more than 20% of the sum of any CDBG funds plus program income that is received during the program year can be expended for planning and administrative costs.

Performance Measures

Performance measures was developed to measure performance at a state or local level. Since the City is given the flexibility to make choices about how to use program funds, it is only logical that the City be accountable, at a local level, for those choices. There are two critical components of performance measurement: (1) productivity and (2) program impact.

Productivity reflects the level of efficiency (quantity, quality and pace) with which the City undertakes its activities. Program impact, on the other hand, reflects the extent to which those activities yield the desired outcomes in the community or in the lives of persons assisted.

Goals

The proposed activity meets which of the following goals (select only one):

Goal #1 – Creates a suitable living environment

This objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment (such as poor quality infrastructure) to social issues such as crime prevention, literacy or elderly health services.

Goal #2 – Provides decent housing

This objective focuses on housing programs where the purpose of the program is to meet individual, family, or community needs and not programs where housing is an element of a larger effort, since such programs would be more appropriately reported under suitable living environment.

Goal #3 – Creates economic opportunities

This objective applies to the types of activities related to economic development, commercial revitalization, or job creation.

Objectives

Select the most appropriate objective for the proposed activity.

Improve availability/accessibility

This category applies to activities that make services, infrastructure, public facilities, housing or shelters available or accessible to low/moderate income persons, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living available and accessible to low/moderate income people where they live.

Improve affordability

This category applies to activities that provide affordability in a variety of ways in the lives of low/moderate income persons. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.

Improve sustainability

This category applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit

to persons of low/moderate income or by removing or eliminating slums or blighted areas through multiple activities or services that sustain communities or neighborhoods.

Outcomes (Goals and Objectives of Proposed Activity)

| Availability/Accessibility | Affordability | Sustainability |
|---|---|--|
| <input type="checkbox"/> Enhance suitable living environment through new/improved accessibility | <input type="checkbox"/> Enhance suitable living environment through new/improved affordability | <input type="checkbox"/> Enhance suitable living environment through new/improved sustainability |
| <input type="checkbox"/> Create decent housing with new/improved availability | <input type="checkbox"/> Create decent housing with new/improved affordability | <input type="checkbox"/> Create decent housing with new/improved sustainability |
| <input type="checkbox"/> Provide economic opportunity through new/improved accessibility | <input type="checkbox"/> Provide economic opportunity through new/improved affordability | <input type="checkbox"/> Provide economic opportunity through new/improved sustainability |

Performance Measurement Outcome Statement

Combine the elements from the categories above to summarize why the proposed activity is needed and what outcomes will be achieved from the proposed project or program. Outcomes are the changes you expect to occur in clients' lives and/or the community as a result of the proposed activity. A complete statement includes output (quantified) + outcome (from categories above) + activity (description) + objective.

Program Guidelines

The following program guidelines will be reviewed of all applications that satisfy the federal eligibility requirements:

1. **Displacement/Relocation:** Due to the potential liability for long-term assistance, the City will make every effort to minimize permanent residential displacement. In consideration of this policy, it will be the City's general practice not to approve any proposed CDBG activities, which involve permanent relocation of tenants, businesses or owners unless circumstances warrant it.
2. **Fair Housing:** "Public Law 90-284" refers to Title VIII of the Civil Rights Act of 1968, popularly known as the Fair Housing Act. Within constitutional limitations, for fair housing throughout the United States and prohibits and person from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage, services, including otherwise making unavailable or denying a dwelling to any person, because of race, color, religion, sex or national origin.

Title VIII further requires the Secretary of HUD to administer the programs and activities relating to housing and urban development in a manner affirmatively furthering the policies of Title VIII. Furthermore, Section 104 (b) (2) of the Act requires that each grantee (City)

receiving funds under Section 106 of the Act (entitlement or small cities grantees) certify to the satisfaction of the Secretary that it will further fair housing.

3. **Labor Standards:** All applicants must agree to include Davis Bacon or any other federally required documents in bidding documents to follow the City of Lewiston's required bidding process, if applicable.
4. **Certification:** All applicants, except in economic development cases, must verify incorporation under state law and have/or have applied for 501(c) (3) tax status.
5. **Matching Funds:** All applicants must include documentation of efforts to solicit alternative sources of funds. This is to include copies of the applicant's letters and the funding sources' responses. All applications must include documentation of any outside funding actually secured for FY 2021. Preference for funding will be given to applications demonstrating secure commitments from other funding sources.
6. **Audits:** The City of Lewiston has a program obligation to ensure that its subrecipients keep accurate records of the CDBG funds received. The manner with which this is executed varies on the amount of CDBG funds received. Subrecipient of awards over \$750,000 are expected to conduct external audits. To facilitate the administration of the City's program, there will be a uniform requirement that all agencies must complete an outside fiscal audit prior to receiving its PY 2021 CDBG funds unless an alternate arrangement has been made with the City of Lewiston's Community Development Department.
7. **Agreements:** Each subrecipient of CDBG funds must agree to sign a written agreement with the City covering, at a minimum, the following provisions: statement of work, records and reports, program income, uniform administrative requirements, suspension and termination, and reversion of assets, if any.

PY 2021 Program Year Timetable

The FY 2021 Program Year commences on August 1, 2021; however, funds are not anticipated to be released from the U.S. Department of Housing and Urban Development until approval of the 2021 Action Plan.

Subrecipients receiving awards may **not obligate or expend** any funds until all contract agreements are in place, fully executed and written notification from the Community Development Department is received. Failure to comply with this procedure could result in voiding your award.

If you have questions concerning the application process or funding cycles, please contact the Community Development Specialist at 208-746-1318 x 7265 for technical assistance.

2021 Application Dates

THE CITY OF LEWISTON RESERVES THE RIGHT TO POSTPONE OR AMEND THE DATES SET FORTH AND WILL GIVE NOTICE IF CHANGES ARE MADE.

| | |
|------------------------|--|
| <i>March 14, 2021</i> | Publish RFP Notice |
| <i>March 15, 2021</i> | Availability of RFP Applications |
| <i>April 29, 2021</i> | RFP Application submittal deadline – 3:00 p.m. ONLY ELECTRONIC SUBMISSIONS WILL BE ACCEPTED. Website: https://portal.neighborlysoftware.com/lewistonid/Participant |
| <i>May 3 – 7, 2021</i> | RFP Application review and scoring |
| <i>May 15, 2021</i> | Public Notice of proposed 2021 Action Plan and start of 30 day comment period |
| <i>June 7, 2021</i> | Present Applications to City Council at work session for review |
| <i>June 14, 2021</i> | 2021 Action Plan to City Council for Public Hearing and Approval |
| <i>June 15, 2021</i> | Last Day to submit Annual Action Plan to HUD |

Application Submittal Deadline

NO LATER THAN THURSDAY, APRIL 29, 2021 BY 3:00 P.M.

The Subrecipient Portal is hosted by Neighborly Software and is accessible via any internet connect device. You must first register, if you are not already, before submitting an application.

Application Portal link: <https://portal.neighborlysoftware.com/lewistonid/Participant>

ONLY ELECTRONIC APPLICATIONS WILL BE ACCEPTED.

Contact us at 208-746-1318 x 7265 for any technical questions or concerns.

Cost Estimate

Applicants requesting CDBG funds are required to complete the project budget section of the application. Indicate if the project can be completed solely with Community Development funds, or if other State, Federal, or local funds will be used, and their source. This information is helpful in preventing organizations from under-estimating project costs. When preparing cost estimates, consideration should be given to prevailing wage, procurement, and other applicable regulations.

Applicants are encouraged to utilize other sources of funding, as a higher priority will be given to these projects. These other funds should be reasonably certain, in order to avoid having a project held up waiting for matching funds.

Application Ranking Scoring Criteria

The City will score applications based on a weighted scale of **110 points** and the following criteria:

Local Support/Leveraging

30 Points Maximum

Ability to leverage CDBG funds through matching funding sources from other agencies, grants, private funds or infusion of the organizations own funds evidenced.

Percentage of budget funded with CDBG:

100% - 0 points

75% - 99% - 5 points

50% - 74% - 10 points

26% - 49% - 15 points

25% or less – 30 points

Quality/Cost Effectiveness

30 Points Maximum

Design of the program provides maximum benefit for clients to be served. Program or enhancements that do not duplicate an existing service/program/activity. Activities that provide a new or quantifiable increase in a general service program, transportation services, and substance abuse services, employment training, youth programs, the elderly, etc. (low/mod or limited clientele benefit).

Experience/Community Support

20 Points Maximum

Ability to manage the project if funded; areas to consider are staff capabilities, other available resources, organizations years of experience, leadership, management history and support letters from the community.

Prior Spending Experience

20 Points Maximum

Expended 100% of funds awarded – 20 points

Expended 75% of funds awarded – 15 points

Expended funds in a timely manner – 10 points

Did not spend funds in time awarded – 0 points

First Time Applicant – 5 points

Bonus Points

10 Points Maximum

Uniqueness of project – are there other programs available to the community similar to this project?

Appendix A: Description of Federally Eligible Activities

1. **Acquisition of Real Property:** CDBG funds may be used to acquire real property (land, air rights, easements, water rights, rights-of-way, buildings and other real property improvements, and other interests in property) in whole or in part by purchase, long-term lease, donation, or otherwise. In order to be considered acquisition, a permanent interest in the property must be obtained. Long-term leases are considered to constitute a permanent interest for this purpose if the lease is for a period of 15 years or more.
2. **Disposition of Real Property:** CDBG funds may be used to pay costs incidental to disposing of real property acquired with CDBG funds. Disposition costs include fees paid for appraisals, surveys, marketing, legal services, financial services, transfer taxes and other costs involved in the transfer of ownership of property.
3. **Public Facilities and Improvements:** CDBG funds may be used by the City or other public or private nonprofit entity for acquisition, construction, reconstruction, rehabilitation or installation of public improvements or facilities. Public facilities and improvements include, but are not limited to, shelters for the homeless; water and sewer facilities; flood and drainage improvements; fire protection facilities/equipment; community, senior and health centers, streets, curbs, gutters and sidewalks, parks and playgrounds.
4. **Clearance:** CDBG funds may be used for clearance, demolition, removal of buildings and improvements, and movement of structures to other sites.
5. **Public Services:** CDBG funds may be used to provide public services (including labor, supplies and materials) provided that the following is met: The public services must be either: a new service or a quantifiable increase in the level of a service above that which has been provided by or on behalf of the unit of general local government (through funds raised by such unit, or received by such unit from the State in which it is located) during the 12 months prior to submission of the City's final report.
6. **Relocation:** CDBG funds may be used for relocation payments and assistance to displaced persons, including individuals, families, businesses, non-profit organizations and farms.
7. **Removal of Architectural Barriers:** CDBG funds may be used to remove material and architectural barriers that restrict the mobility and accessibility of elderly and handicapped persons to publicly or privately owned buildings, facilities and improvements.
8. **Housing Rehabilitation:** CDBG funds may be used to finance the rehabilitation of any publicly or privately owned residential property for housing.
9. **Code Enforcement:** Code enforcement involves the payment of salaries and overhead costs directly related to the enforcement of local codes. CDBG funds may be used for code enforcement only in deteriorating or deteriorated areas where such enforcement, together

with public improvements, rehabilitation and services to be provided, may arrest decline of the area.

10. ***Historic Preservation:*** CDBG funds may be used to rehabilitation, preserve and restore historic properties, either publicly or privately owned.
11. ***Special Activities by Subrecipients:*** Activities that are not specifically listed as eligible in the CDBG regulations may not be undertaken by the City or subrecipients, except for Neighborhood-based nonprofit organizations.
12. ***Planning and Capacity Building:*** CDBG funds may be used for studies, analyses, data gathering, preparation of plans, and identification of actions that will implement plans.
13. ***Program Administration Costs:*** CDBG funds may be used to pay reasonable program administration cost and carrying charges related to the planning and execution of community development activities assisted in whole or in part with funds provided under the CDBG program.

2021 Community Development Block
Grant (CDBG)
Sample Application for Funding



DEADLINE

**All complete applications must be submitted electronically
through our Neighborly Software**

NO LATER THAN 3:00 p.m. on Thursday, April 29, 2021

Call for Technical Questions only

Phone: 208.746.1318 x 7265

Link: <https://portal.neighborlysoftware.com/lewistonid/Participant>

PART A – APPLICANT INFORMATION

| | |
|---|--|
| 1. Applicant Agency Legal Name | |
| 2. Main Administrative Address | |
| 3. City & State | 4. Zip Code: |
| 5. Mailing Address, City, State, Zip Code | 6. Email address |
| 7. Administrative Telephone Number () | 8. Fax Number () |
| 9. CEO/Executive Officer | 10. Office Phone Number () |
| 11. Chief Financial Officer | 12. Office Phone Number () |
| 13. Contact Person's Name | 14. Phone Number including area code () |
| 15. Type of Entity (check all that apply) ___ Private For-Profit ___ Private Not-for-Profit ___ Public Agency ___ Other (Specify) _____ | |

16. Federal Identification Number: _____

17. DUNS #: _____

DUNS NUMBER REQUIREMENT

All organizations applying for federal dollars must provide their Dun & Bradstreet (D&B) Data Universal Numbering System (DUNS) number in the application for funding. Organizations should verify that they have a DUNS number or take steps needed to obtain one as soon as possible. Applicants may obtain a DUNS number by calling 1-866-705-5711 or online at <http://fedgov.dnb.com/webform>.

18. System for Award Management (SAM) Commercial and Government Entity (CAGE) Code:

SYSTEM FOR AWARD MANAGEMENT (SAM) REQUIREMENT

In order to be eligible to receive funding, applicants must register on SAM. Registration must be renewed and revalidated at least every 12 months. To register, go to www.sam.gov and create an account by clicking the “Create User account” and follow the directions. You will need your DUNS number and about 30 minutes to complete the process. If you need help, call 1.866.606.8220.

PART B – ORGANIZATION INFORMATION

| | |
|--|----|
| Total Organization Annual Operating Budget | \$ |
| (Previous Year): | |

If your organization received CDBG funds for their program in the past, please list amount below:

| Year | Amount of Award |
|-----------|-----------------|
| 2020-2021 | \$ |
| 2019-2020 | \$ |
| 2018-2019 | \$ |

PART C – PROGRAM SUMMARY

Program Name:

CDBG funds requested: \$ _____

National Objective Claimed:

- Benefit low moderate income persons
- Prevent/Eliminate Slum or Blight

Program Category:

- | | |
|---|--|
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Rehabilitation/Preservation |
| <input type="checkbox"/> Public Facilities & Improvements | <input type="checkbox"/> Acquisition |
| <input type="checkbox"/> Disposition | <input type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> Clearance | <input type="checkbox"/> Code Enforcement |
| <input type="checkbox"/> Fair Housing | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Economic Development | |

Proposed output type and number

(SELECT ONLY ONE OUTPUT TYPE):

- | | |
|--|---|
| <input type="checkbox"/> Persons served | <input type="checkbox"/> Housing units rehabilitated/acquired |
| <input type="checkbox"/> Households served | <input type="checkbox"/> Jobs created / retained |
| | <input type="checkbox"/> Other: _____ |

ESTIMATED NUMBER OF SELECTED OUTPUT TYPE TO BE ASSISTED:

Designated Project Area if less than Citywide: *(Provide a detailed map that shows the project site and defines service area. For Capital Improvement Projects, please include photos.)*

AREA BENEFIT: (If applicable) Total number of low and moderate income persons served in the Area:

| CENSUS TRACT | BLOCK GROUP | TOTAL POPULATION | LOW/MOD INCOME POPULATION | % LOW/MOD INCOME |
|--------------|-------------|------------------|---------------------------|------------------|
| | | | | |
| | | | | |

LIMITED CLIENTELE BENEFIT: (If applicable)

1. Presumed Benefit:

| | |
|--------------------------|--|
| Qualifying Group | |
| Number of persons served | |

-OR-

2. Low- and Moderate-Income Persons *Served:

| | |
|--|--|
| Moderate-Income | |
| Low-Income | |
| Very Low-Income | |
| Extremely Low-Income | |
| TOTAL SERVED (ADD ABOVE LINES) | |
| | |
| Number of Female-Headed Households: | |

***How will income be verified? Check below:**

- Income Verification Request Forms (Attach Sample)**
- Eligibility Status for other Governmental Assistance Program**
- Self-Certification** *(Must request source documentation of 20% of certifications and must inform beneficiary that all sources of income and assets must be included when calculating annual income)*
- Presumed benefit** *(HUD presumes the following to be low and moderate-income: abused children, battered spouses, elderly persons*, severely disabled persons**, homeless persons, persons living with AIDS, migrant farm workers)*

** Elderly persons are defined by HUD as the following: a) 65 years of age or older; or b) on Medicare; or c) on Social Security benefits*

*** Severely disabled adults are defined by HUD as the following: a) if a person uses a wheelchair or another special aid for six months or longer; b) are unable to perform one or more "functional activities" or need assistance with activities of daily life such as getting around the home, bathing, cooking, eating, and toileting. It includes seeing, hearing, have one's speech*

understood, lifting and carrying, walking up a flight of stairs, and walking; c) are prevented from working at a job or doing housework; or d) have a selected condition including autism, cerebral palsy, Alzheimer's disease, senility or dementia, or mental retardation. Persons under 65 years of age and who are covered by Medicare or receive Social Security Income (SSI) are considered to meet "severely disabled".

ESTIMATE OF POPULATION TO BE SERVED:

| RACE AND ETHNICITY DATA FOR PY 2021 | | |
|---|--------------|-----------------|
| RACE | TOTAL | |
| Single Race | All | Hispanic |
| (1) White | | |
| (2) Black/African American | | |
| (3) Asian | | |
| (4) American Indian/Alaskan Native | | |
| (5) Native Hawaiian/Other Pacific Islander | | |
| (6) American Indian/Alaskan Native & White | | |
| (7) Asian and White | | |
| (8) Black/African American and White | | |
| (9) American Indian/Alaskan Native and Black/African American | | |
| (10) Other Multi-racial | | |
| TOTAL NUMBER | | |
| NUMBER OF FEMALE-HEADED HOUSEHOLDS | | |

Fair Housing Activities: must be completed by all applicants. Describe what actions will be taken to further Fair Housing.

Describe how your agency coordinates with other agencies to avoid duplication of services:

Submit a complete timetable of all significant activities: *(Please note: Public Services and organizations funded with administrative funds must complete their activities within 12-month grant year)*

Check one HUD-defined objective that best relates to your potential CDBG-Funded Program:

- Create Suitable Living Environment** ⇒ applies to programs that benefit communities, families, or individuals by addressing issues in their environment, including social and physical barriers.
- Provide Decent Affordable Housing** ⇒ applies to programs that involve meeting individual, family, or neighborhood housing needs, rather than community-wide housing needs.
- Expand Economic Opportunity** ⇒ applies to programs that promoted community economic development, including business expansion, commercial revitalization, or job creation.

Check one HUD-defined outcome that best relates to your potential CDBG-funded program:

- Availability/Accessibility** ⇒ applies to programs that make basic services, more readily available and/or accessible low- and moderate-income persons, including elderly and disabled.
- Affordability** ⇒ applies to programs that make basic services more affordable for low- and moderate-income persons in a variety of ways, including housing assistance or transportation.
- Sustainability** ⇒ applies to programs that improve the overall viability of communities through elimination of blighted areas and/or provision of benefits to low- and moderate-income persons.

State your primary objective(s) and outcome(s) associated with the program that seeks CDBG funding:

Briefly describe data that will be collected and/or analysis used to measure success in achieving your objectives and outcomes for the target population identified above.

Will any households or businesses be temporarily or permanently displaced by the proposed activity?

Yes No

If yes, explain:

Will the proposed activity involve the testing for or abatement/mitigation of any environmental hazard, i.e.: Lead-based paint, asbestos, or petroleum contamination? Yes No

If yes, explain:

Economic Development

Complete this section ONLY if you are proposing to provide an “Economic Development” project

| | | | | |
|---|--|------------|------------|-------------|
| 1 | Please list the DUNS Number of your business: . | | | |
| 2 | This is a: | non-profit | for-profit | faith-based |
| 3 | Describe how your project will make the most effective use of CDBG funds? . | | | |
| 4 | Is there leverage of other funds? . | | | |
| 5 | How will you assure that CDBG funds are not substituted for other non-federal investment? . | | | |
| 6 | Can you demonstrate that your project will meet the minimum federal CDBG threshold of providing one full time equivalency job (32 hours per week) per \$35,000 of CDBG funds, or provide goods or services to residents of a low-moderate income (LMI) area, such that the number of LMI persons residing in the area served amounts to at least one LMI person per \$350 of CDBG investment, and that at least more than one half (51%) of the total jobs created will be filled by very low, low and moderate-income persons? How will you make sure that the jobs will be made available to very low, low and moderate-income persons? | | | |
| 7 | Is your request being used for business incentives or for recruitment of a business from another city or state? If yes, describe in detail. Are the proposed jobs existing positions or are they new? . | | | |
| 8 | Show the number of new permanent jobs projected to be created (seasonal jobs do not count): . | | | |

| Job Title | # FTE Jobs Created | # Part Time Jobs Created | # FTE Jobs Filled by LMI | # Part Time Jobs Filled by LMI |
|------------------|-------------------------------|-------------------------------------|-------------------------------------|---|
| | | | | |
| | | | | |
| | | | | |

**** LMI jobs refer to any job that can be held by a person with no advanced training or education beyond high school – or a job that the business agrees to hire unqualified persons for and provide training.**

PART E – PROJECT BUDGET

Project Budget

| | | | |
|--------------------------|-----------------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | New Project | <input type="checkbox"/> | One-Time Funding Request |
| <input type="checkbox"/> | Ongoing Project with CDBG Support | <input type="checkbox"/> | On-going Project with Other Support |

**** NOTE: Another budget form may be substituted for this FORM**

An alternative format providing the information below is acceptable
(must include all itemized costs above \$500)

PLEASE IDENTIFY ALL SOURCES OF LEVERAGING

| | Source: CDBG/HOME | Source: Fundraising | Source: Grants | Source: Other | Total Project Cost: |
|---|--|--|--|--|--|
| <i>Revenue Sources</i> | \$ | \$ | \$ | \$ | \$ |
| <i>Is this source confirmed and committed to the project?</i> | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Project Costs (include all costs directly related to delivering this service or accomplishing this project)

| | | | | | |
|---------------------------------------|--|--|--|--|--|
| Salaries & Wages | | | | | |
| Employee Benefits | | | | | |
| Professional Contract Services | | | | | |
| Office Supplies | | | | | |
| Postage / Printing | | | | | |
| Notices / Subscriptions | | | | | |
| Utilities | | | | | |
| Travel / Training | | | | | |
| Rent / Facility Costs | | | | | |
| Insurance, Legal & Financial Services | | | | | |
| Fundraising | | | | | |
| Subtotal: Project Costs | | | | | |

Explain Other Costs

(include other costs over \$500 needed to implement this service or project)

| | | | | | |
|-----------------------|--|--|--|--|--|
| | | | | | |
| | | | | | |
| | | | | | |
| Subtotal: Other Costs | | | | | |
| Grand Total: | | | | | |

A budget justification narrative that thoroughly explains the rationale or basis for all proposed line item budget costs for the proposed project MUST accompany the budget. The narrative should explain:

- a) line item costs for the CDBG funds requested;*
- b) matching funds (or staff in-kind or citizen volunteer services in lieu of cash match, to be supplied by applicant);*
- c) Other sources and amounts of County, state, federal, or private funds to be involved.*

PART F – ATTACHMENTS / INSTRUCTIONS

Please attach the following information relating to your organization:

- Audited financial audit with management letter (most current)
- Articles of Incorporation
- Agency's Bylaws
- Board of Directors
- Current Certificate of Good Standing
- Conflict of Interest Statement
- Mission Statement
- Scope of Work
- Annual Report of your organization (most current)
- Organizational Budget (most current)
- IRS 501 (c) (3) Determination Letter
- Resumes of Chief Program Administrator and Chief Fiscal Officer
- Project Cost Estimates
- Other Supporting Documents

PART G - CERTIFICATIONS AND AUTHORIZATION

| I hereby certify by reading and initialing each statement listed below that the: | Please check each box as applicable |
|--|--|
| Information contained in this application is complete and accurate. | <input type="checkbox"/> |
| Applicant has read and understands the application instructions and requirements of the program. | <input type="checkbox"/> |
| Project will serve low- to moderate-income residents in the qualified CDBG areas. | <input type="checkbox"/> |
| Applicant acknowledges that only an executed contract with the City authorizes the initiation of project services or activities and incurring expenditures. | <input type="checkbox"/> |
| Applicant acknowledges that a National Environmental Policy Act (NEPA) review is required for CDBG funded projects, which may delay the project start. | <input type="checkbox"/> |
| Applicant acknowledges that the project should be completed within the fiscal year awarded; if not, CDBG funds <u>may</u> be subject to reprogramming. | <input type="checkbox"/> |
| Applicant will comply with all federal and City statutes, regulations and requirements imposed on the project funded in full or in part by the CDBG program. | <input type="checkbox"/> |
| Applicant certifies that the organization has the capacity to comply with all requirements of the program. | <input type="checkbox"/> |
| Applicant will not use funds for grant writing, fundraising or lobbying per OMB Circular A-87. | <input type="checkbox"/> |
| Applicant confirms that the organization has an antidiscrimination policy. | <input type="checkbox"/> |
| Applicant acknowledges that current policies for general liability, automobile and workers compensation insurance are required to contract with the City. | <input type="checkbox"/> |
| Applicant acknowledges that CDBG funds are subject to review of supporting expenditure documentation and must be approved by City staff prior to payment. | <input type="checkbox"/> |
| Applicant has the ability to perform the duties for the activity or services applied for in accordance with CDBG program regulations. | <input type="checkbox"/> |

| | |
|---|--------------------------|
| Applicant possesses the legal authority to apply for CDBG funds and to execute the project. | <input type="checkbox"/> |
| Applicant does not have any unresolved audit findings for prior CDBG or other federally funded project. | <input type="checkbox"/> |
| Applicant has no pending lawsuits that would impact the implementation of this project. | <input type="checkbox"/> |
| Person named below is authorized to execute the application on behalf of the agency. | <input type="checkbox"/> |

PART H – STATEMENT OF ASSURANCES

I, _____ certify that
 (Name/Title)

 (Organization)

- ✍ Will minimize displacement of persons or businesses as a result of activities associated with CDBG funds;
- ✍ Will conduct and administer its program in conformance with Title IV of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, and affirmatively further fair housing;
- ✍ Will comply with 24 CFR 570.608 regarding notification, inspection, testing and abatement procedures concerning Lead-Based Paint;
- ✍ Will comply with the other provisions of the CDBG program, including Labor Standards;
- ✍ Documentation of compliance with the above certification will be maintained in the organization’s files.

Signature of Authorized Signatory:

Date: _____

CERTIFICATION #1
CERTIFICATION REGARDING CIVIL RIGHTS ACT, AMERICANS WITH
DISABILITIES ACT AND LOBBYING

The Applicant certifies that:

- (a) It possesses legal authority to make a funding submission and to execute a community development and housing program.
- (b) Its governing body has in an official meeting open to the public duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the subrecipient to submit the final statement and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the subrecipient to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (c) The funding will be conducted and administered in compliance with:
 - 1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. Subsection 2000 et seq.);
 - 2) The Fair Housing Act (42 U.S.C. 3601-20).
- (d) It will affirmatively further fair housing.
- (e) It has developed its proposed activity so as to give maximum feasible priority to activities that benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The proposed use of funds may also include activities which the subrecipient certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, where other financial resources are not available to meet such needs.
- (f) It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Act or with amounts resulting from a guarantee under section 108 of the Act by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (1) funds received under section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than Title 1 the Act; or (2) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient funds received under section 106 of the Act to comply with the requirements of subparagraph (1).

(g) It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1990 as required under Section 570.606(a) and Federal implementing regulations; the requirements in Section 570.606(b) governing the residential anti-displacement and relocation assistance plan under section 104(d) of the Act (including a certification that the subrecipient is following such a plan); the relocation requirements of Section 570.606(c) governing displacement subject to section 104(k) of the Act; and the relocation requirements of Section 570.606(d) governing optional relocation assistance under section 105(a)(11) of the Act.

(h) To the best of my knowledge and belief that:

- No Federal appropriated funds have paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- It will require that the language of paragraph (h) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(i) It will comply with the other provisions of the Act and with other applicable laws.

Signature of Authorized Agent

Date

Please Print Name and Title

CERTIFICATION #2

CERTIFICATION OF COMPLIANCE WITH THE CITY OF LEWISTON'S CONFLICT OF INTEREST AND PROCUREMENT POLICIES

Name of Applicant: _____

HEREBY TAKES NOTICE OF AND WARRANTS that it is not in violation of, or has not participated, and will not participate, in the violation of any of the following Conflict of Interest and Procurement Policies:

I. City of Lewiston and HUD Requirements

(A) Conflict of Interest

It shall be unlawful for any employee of the city to participate, directly or indirectly, through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering advice, investigation, auditing or otherwise, in any proceeding or application, request for ruling or other determination, claim or controversy or other matter pertaining to any contract or subcontract and any solicitation or proposal therefore to the employee's knowledge there is a financial interest possess by:

- (1) The employee or the employee's immediate family;
- (2) A business other than a public agency in which the employee or a member of the employee's immediate family serves as an officer, director, trustee, partner or employee; or
- (3) Any other person or business with whom the employee or a member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment.

(B) Gratuities and Kickbacks Prohibited.

Gratuities - It is unlawful for any person to offer, give or agree to give to any person, while a city employee, or for any person, while a city employee, to solicit, demand, accept or agree to accept from another person, anything of a pecuniary value for or because of:

- (1) An official action taken, or to be taken, or which could be taken;
- (2) A legal duty performed, or to be performed, or which could be performed; or
- (3) A legal duty violated, or to be violated, or which could be violated by such person while a city employee.

Anything of nominal value shall be presumed not to constitute a gratuity under this section.

Kickback - It is unlawful for any payment, gratuity or benefit to be made by or on behalf of a subcontractor or any person associate therewith as an inducement for the award of a subcontract or order.

(C) 24 CFR 576.57(d) and 24 CFR 92.356 - Conflict of interest

No person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee, nonprofit recipient that receives emergency shelter grant amounts and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect to thereto, or the proceeds there under, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure, or for one year thereafter. HUD may grant an exception to this exclusion as provided in 24 CFR 570.611 (d) and (e) and/or 92 CFR 92.356 (f) (2).

(D) OMB Super circular - Code of Conduct and Procurement

The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub-agreements. However, recipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient.

The recipient shall maintain written procurement procedures, which comply with both state and Federal laws and regulations, and at least prescribe the following five procurement methods, described in more detail at 2 CFR Part 200:

1. Procurement by micro-purchases (new procedure, \$3,000 threshold, no competition required).
2. Procurement by small purchase procedures (simplified acquisition threshold).

3. Procurement by sealed bids (formal advertising).
4. Procurement by Competitive Proposal (used when sealed bid method ID is not appropriate).
5. Procurement by noncompetitive proposals (sole source).

Other Applicable Laws and Regulations:

2 CFR Part 200 – Uniform Administrative Requirements

24 CFR Part 570 – Community Development Block Grant

Executive Orders 11246 & 11478 – Equal Employment Opportunity

Applicant address: _____

Authorized signature: _____

Print Name of Authorized Signer: _____

Date signed: _____

CERTIFICATION #3

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT, INELIGIBILITY AND OTHER RESPONSIBILITY MATTERS

1. By signing and submitting these certifications, the undersigned certifies to the best of its knowledge and belief, that it and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;
- b. Have not within a three-year period preceding this award, been convicted of or had a civil judgement rendered against them for: commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, State, local) contract or subcontract; violation of federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, State, or local) with commission of any of the offenses enumerated in b. above;
- d. Have not within a three-year period preceding this award, had one or more contracts (federal, State, or local) terminated for cause or default;
- e. Will not knowingly enter into any subcontract with a person who is, or organization that is, debarred, suspended, proposed for debarment, or declared ineligible from award of contracts by any federal agency; and
- f. Will require that the language of this certification to be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

2. "Principals", for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity.

3. Where the undersigned is unable to certify to the statements listed in section (1) in this certification, an explanation shall be attached. The Agency shall provide immediate written notice if, at any time prior to or during the negotiated contract period, the Agency learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (1) of this provision. The knowledge and information of Agency is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

5. This certification submitted to the City of Lewiston is a material representation of fact upon which reliance will be placed when evaluating Agencies application and entering into a contract agreement upon an award of funds. If it is later determined that the Agency knowingly rendered and erroneous certification, in addition to other remedies available, the City of Lewiston may terminate the contract for default.

Applicant address: _____

Authorized signature: _____

Print Name of Authorized Signer: _____

Date signed: _____

CERTIFICATION #4
CERTIFICATION FOR A DRUG-FREE WORKPLACE

Every Agency awarded a contract or funding by the City of Lewiston for the provision of services shall certify to the City that it will provide a drug-free workplace. By signing and submitting this certification, the undersigned certifies that it, and its subcontractors, shall provide a drug-free workplace by doing all of the following:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the Agency's workplace and specifying the actions that will be taken against employees for violations of the prohibition.
- 2) Establishing a drug-free awareness program to inform employees about all of the following:
 - a) The dangers of drug abuse in the workplace.
 - b) The Agency's policy of maintaining a drug-free workplace.
 - c) Any available drug counseling, rehabilitation, and employee assistance programs.
 - d) The penalties that may be imposed upon employees for drug abuse violations
- 3) Posting the statement required by Section A. 1) of this certification in a prominent place at the Agency's main office. For projects large enough to necessitate a construction trailer at the job site, the required signage would also be posted at the job site.

Agencies shall include in each subcontract agreement language, which indicates the subcontractor's agreement to abide by the provisions of Sections A. 1) through 3) of this certification. Agencies and subcontractors shall be individually responsible for their own drug-free workplace programs.

This certification submitted to the City of Lewiston is a material representation of fact upon which reliance will be placed when evaluating Agencies application and entering into a contract agreement upon an award of funds. If it later determined that the Agency knowingly rendered an erroneous certification, in addition to other remedies available, the City of Lewiston may terminate the contract for default.

Applicant address: _____

Authorized signature: _____

Print Name of Authorized Signer: _____

Date signed: _____