2016-2017
Grant Application
Handbook

For funding under the

CDBG and HOME Programs

TABLE OF CONTENTS

2016-2017 Housing & Community Development AAP Planning Schedule 4
Estimated 2016-2017 Year Budget 6
Community Development Department Staff Assignments 7
Community Development Advisory Committee 8

Application Process and Basic Eligibility
General Information 9
2016-2017 CDBG Application 18
2016-2017 HOME Application 24
Community Development Goals, Strategies and Outcomes 41
24 CFR 570 Subpart C 43
CDBG Target Area Demographics 64
History of HUD Funding 65
History of CDBG and HOME Projects Money Has Been Used 66
CDBG Target Area Map 67
Family Income Limits 68
Policy on Requests to Renovate 69
Guide for Citizen Participation 70

Implementation and Administration
Responsibilities of Recipients 85
Funding Agreement for Structural Modifications 87
Lien to Secure encumbrance on Projects over $25,000 92
Funding Agreement for Public Services 93
Part II Assurance and Conditions 97
Procedures for Non-Profit Agencies to Bid CDBG Projects 101
Community Development Block Grant Pre-Bid Procedures and Scheduling 103
Community Development Block Grant Reimbursement Procedures – Major Projects 104
Community Development Block Grant Reimbursement Procedures – Small Projects 105
Building Safety Minimum Submittal Documents for Commercial Permits 106
Sample Bid documents 108
CDBG Risk Analysis 110
Sub-recipient Monitoring – CDBG Activities 111
Sample Invoice for Services 114
Record Keeping Requirements 115
CDBG Client Participation Report 116

2015-2016 HOUSING AND COMMUNITY DEVELOPMENT
PLANNING AND DEVELOPMENT SCHEDULE
Annual Action Plan
PHA Annual Plan
CAPER
Updated December 9, 2015

DECEMBER 8 Tuesday 7:00PM	**CDAC PUBLIC HEARING** Hold public hearing on the 2014-2015 CAPER (Consolidated Annual Performance Evaluation Report) Downtown Library, Harrington Library Consortium Room, 4th and Buchanan
FEBRUARY 15 Monday	**Notice of Grant Application Workshop Assistance and Training** Post on City website and distribute to United Way list-serve and CDBG mailing list, newspaper
MARCH 1 Tuesday 2:00PM	**Grant Application Workshop** Community Organizations and Agencies Seeking CDBG and HOME Funding Availability of CDBG and HOME grant application Simms Building, Room 275
MARCH 16 Wednesday	**Post Notice and Agenda for March 22nd Tenant Advisory Meeting**
MARCH 22 Tuesday 6:00PM	**PHA Tenant Advisory Meeting** Solicit comments and recommendations regarding the Public Housing Agency (PHA) Annual Plan Downtown Library, Harrington Library Consortium Room, 4th and Buchanan
April 11 Monday 4:00PM	**DEADLINE TO SUBMIT REQUESTS FOR CDBG AND HOME PROJECTS** Due to Community Development Department, Simms Building, 808 S Buchanan St, Room 133 by 4:00pm
APRIL 14 Tuesday	**CDAC BUS TOUR**
APRIL 13 Wednesday	**POST NOTICE OF CDAC MEETING**
APRIL 26 Tuesday 6:30PM Tuesday 7:00PM	**PUBLIC HEARING ON PHA ANNUAL PLAN** **ANNUAL ACTION PLAN COMMUNITY MEETING #1** Discuss Project Requests from Agencies and City Departments Downtown Library, Harrington Library Consortium Room, 4th & Buchanan

APRIL 28 Thursday 7:00PM	**ANNUAL ACTION PLAN COMMUNITY MEETING #2** Discuss Project Requests from Agencies and City Departments Downtown Library, Harrington Library Consortium Room, 4th & Buchanan
MAY 1	**Publish Notice of Availability of the PHA Annual Plan**

MAY 1 TO JUNE 15 – 45 DAY COMMENT PERIOD FOR PHA PLAN

MAY 19 Thursday 5:00 PM Thursday 7:00 PM	**CDAC MEETING** **WORK SESSION** **PUBLIC HEARING on ANNUAL ACTION PLAN** Develop CDBG and HOME Funding Recommendations Downtown Library, Harrington Library Consortium Room, 4th & Buchanan
MAY 29	**PUBLISH NOTICE OF AVAILABILITY OF 2016 ANNUAL ACTION PLAN**

MAY 29-JUNE 28 30 DAY COMMENT PERIOD FOR 2016 ANNUAL ACTION PLAN

JUNE 21 Tuesday 5:00PM	**PUBLIC HEARING ON PHA ANNUAL PLAN** City Council Conducts Public Hearing on PHA Annual Plan City Hall, City Council Chambers
JUNE 23 Thursday	**PHA Annual Plan Submitted to HUD**
JULY 12 Tuesday 5:00PM	**FINAL PUBLIC HEARING** City Council conducts Public Hearing on and approves the 2016 Annual Action Plan City Hall, City Council Chambers
AUGUST 12	**Annual Action Plan Submitted to HUD**
AUGUST 18 Thursday	**Mandatory Contracts and Reporting Meeting with Funded Agencies**
AUGUST 22 Monday	**Post Notices of Finding of No Significant Impact on the Environment and Intent to Request Release of Funds**
SEPTEMBER 9 Friday	**Environmental Review Process Completed** Request for Release of Funds Submitted to HUD
SEPTEMBER 16	**Contracts Back for City Manager Signature**
OCTOBER 1	**Funds Available for Implementation of CDBG and HOME Projects**
OCTOBER 28	**Submit MBE Report via email to HUD Field Rep**

NOVEMBER 22	**Post Notice of Availability of 2015-2016 Consolidated Annual Performance Evaluation Report (CAPER) for 15 Day Public Comment Period and Notice of Public Hearing by CDAC**
DECEMBER 6 Tuesday 7:00PM	**CDAC PUBLIC HEARING** Hold public hearing on the 2015-2016 CAPER (Consolidated Annual Performance Evaluation Report) Downtown Library, Harrington Library Consortium Room, 4th and Buchanan
DECEMBER 10	**2015-2016 Consolidated Annual Performance Evaluation Report submitted to HUD**
DECEMBER 10	**Submit Section 3 Report online when CAPER is submitted.**

FY 2016 Estimated Available Funding*

CDBG		**$1,427,939**
15% Cap on Public Services	$214,190	
HOME		**$499,454**
15% Set-Aside for CHDO Projects	$74,918	
5% Cap on CHDO Operating	$24,972	
Total Funding Available		**$1,927,393**

*Based on current year's allocation.

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF ASSIGNMENTS

808 S Buchanan St, Room 133
P.O. Box 1971
Amarillo, TX 79105-1971

PHONE: (806) 378-3098
FAX: (806) 378-9389

WEBSITE: http://comdev.amarillo.gov/

ALL PROGRAMS:

James Allen
Community Development Administrator
(806) 378-3023
james.allen@amarillo.gov

RENTAL ASSISTANCE PROGRAMS:

James Allen
Community Development Administrator
(806) 378-3023
james.allen@amarillo.gov

HOME AND CDBG HOUSING ACTIVITIES:

Michelle Martinez
Affordable Housing Program Coordinator
(806) 378-9319
michelle.martinez@amarillo.gov

CDBG NON-HOUSING AND ESG ACTIVITIES:

Kathryn Foster
Program Coordinator
(806) 378-3005
kathryn.foster@amarillo.gov

Community Development Advisory Committee

Member Name	Area Represented
Bill Bandy	Chairman
Ruben Rivera	Southeast
Sabrina Sisneros	Target
Jeffery (Lee) Studer	Southwest
Glenda Grisham	Northwest
Rita Saldierna	Northeast
Thomas Jones	Northeast
Mary Jane Nelson	Southeast
Lo Van Pham	Southwest
Julian Reese	Target
Gilbert Guzman	Northwest

General Information

The City of Amarillo is soliciting applications for its 2016–2017 Community Development Block Grant (CDBG), and HOME Investment Partnership Program funds. Eligible organizations include nonprofits, local government entities, Community Development Housing Organizations (CHDO's), Community Based Housing Organizations (CHBO's), Public Housing Authorities, or private for-profit developers. Successful applications will address a significant need for low-income city residents and must meet the guidelines articulated in this application package. Funds awarded will be available after October 1, 2016, with the complete expenditure of awarded funds expected by September 30, 2017.

Background

CDBG and HOME program funds are made available to the City of Amarillo through the US Department of Housing and Community Development (HUD). The City is an entitlement community. This means that the City receives an annual award of CDBG and HOME funds through a formula that distributes the congressional allocation.

CDBG and HOME funds are intended to benefit low- and moderate-income persons and lower-income areas of the City. These funds are restricted to certain types of uses and annual expenditures for some categories are limited.

The City of Amarillo has developed and adopted a five-year Consolidated Plan that describes the needs of the community and establishes priorities for funding. The Consolidated Plan also establishes long-term goals for the programs. Each year, the City must submit an annual plan to HUD that describes the specific use of funds and states annual goals. This annual Action Plan is due to HUD by August 15th of each year. Funds are available on a fiscal year basis beginning in October. All awards will include deadlines for commitment and expenditure of funds.

CDBG and HOME is used both by the City for its own programs and projects, and is also made available to community-based organizations. Agencies wishing to receive CDBG or HOME funding must complete and submit an application. Applications will be reviewed by City staff. All requests for CDBG or HOME funds will be considered by the Community Development Advisory Committee, which will make recommendations to the City Council. (See Citizen Participation Guide on page 63.)

Agencies awarded funding will be required to enter into an agreement with the City. A sample of that agreement is included in this packet. (Refer to sample funding agreement on page 87.)

An award of CDBG or HOME funds carries with it the obligation to meet all administrative and management requirements that come with federal funding.

Estimate of Available Funds

The City estimates receiving $1,427,939 in CDBG funds and $499,454 in HOME funds for the 2016-2017 fiscal year. The CDBG program rules limit annual expenditures on program administration to 20 percent of the annual award. Annual expenditures on CDBG public service projects are limited to 15 percent of the total award. The HOME program rules limit program administration to 10% of the total annual award and require a minimum of 15% to be designated for CHDO activities.

CDBG		HOME	
Estimated Award	$1,427,939	Estimated Award	$499,454
Program Admin (20% cap)	$285,587	Program Admin (10% cap)	$49,945
Public Services (15% cap)	$214,190	CHDO Projects (15% minimum)	$74,918
Other Eligible Activities	$928,162	CHDO Operating Costs (5% cap)	$24,972
		Other Activities	$349,619

***NOTE: The estimates of funds allocated to Amarillo in 2016 are based on funding levels of the previous year and are subject to change.**

Project and Program Requirements

Low-Income Benefit

To be eligible for consideration, all projects and programs must primarily benefit low-income persons. This may be done in one of several ways.

- Limit access to persons who are documented as being low income.
- Limit access to persons who are presumed to be low income under the CDBG rules (see below).
- Provide a service or improve a facility which by its nature or location will primarily benefit low-income persons.
- Provide a service or improve a facility which primarily benefits an area that is defined as a primarily low-income area (See CDBG Target Area Demographic Statistics Chart on Page 56).
- Rehabilitate housing occupied by low-income households. (New construction can be done by qualified community development-based organization (CDBO) only.)
- Assisting qualified micro-enterprises and/or low-income business owners.
- Preserving jobs held by low-income persons or creating jobs made available to low-income persons.

Low-income households are those with gross annual incomes at or below 80 percent of the area median family income (MFI) for the Amarillo Metropolitan Statistical Area (MSA) as published by the US Department of Housing and Urban Development. Income limits are adjusted for family size. (See Family Income Limits Chart on page 60.)

Presumed Benefit to Low-Mod Income Persons

The HUD regulations presume the following categories of persons to be low-mod income and do not require individual documentation of income:

- Abused Children
- Battered Spouses
- Severely Disabled Adults
- Homeless Persons
- Illiterate Adults
- Persons with AIDS
- Migrant Farm Workers
- Elderly

Area Targeting

It is the policy of the City of Amarillo that if a neighborhood facility is to be renovated, expanded, or constructed with CDBG funding, it must be located within the CDBG target area. Housing and public services may be located in any area of the city and may provide services citywide. (See map of CDBG Target Area included on page 59.)

Replacement Reserve Requirements for Renovations

Agencies must establish a restricted reserve account to amortize the cost of renovations to the facility over the anticipated useful life of the project. Expansion or new construction projects are exempt from this requirement.

Use of Liens in Construction Projects

For construction projects in excess of $25,000, the City will file a lien on the property for 10 to 20 years to ensure compliance with the contract. (See sample of lien document on page 81.)

CDBG Program Facts

This section of the applicant information packet is intended to provide basic information about the Community Development Block Grant (CDBG) program. It includes both information about the federal program and the CDBG program as implemented locally by the City of Amarillo. The CDBG program is governed by the rules and regulations established by the federal Department of Housing and Urban Development (HUD) as well as the policies and practices of the City of Amarillo. The CDBG regulations can be found at Title 24 Part 570 of the Code of Federal Regulations.

What is CDBG?

Every year, the CDBG program provides over $3 billion to states, counties, and cities to meet locally determined housing and community development needs. These funds are made available through HUD, which uses a formula to distribute the annual congressional allocation to all eligible communities. The City of Amarillo has received over $1.5 million per year in recent years.

How does Amarillo plan for the use of CDBG funds?

Every five years, the City must conduct a long-range planning process and produce a plan that meets HUD's requirements. This Consolidated Plan describes the planned uses of both CDBG and HOME funding. Each year, the City plans for the use of its annual award of CDBG funds through the annual Action Plan. The Consolidated Plan describes long-range goals and establishes the priority needs to be addressed with CBDG funding. The Action Plan describes the specific activities that the City will undertake to meet the goals set out in the Consolidated Plan.

What is the process for deciding how CDBG funds will be used each year?

Every year in February, the City will announce the application process. This will be followed by a workshop for interested applicants and a meeting of the Community Development Advisory Committee to determine the annual funding priorities. After applications are submitted, the Community Development Advisory Committee will review all requests for funding (internal and external to the City) and make recommendations to the City Council. The Council's final allocations are included in the annual Action Plan that is submitted to HUD no later than August 15 of each year.
Please see the application instructions, the annual planning calendar, and the Citizen Participation Plan for more detail.

Who is eligible for CDBG funds?

The City provides funding to projects and programs implemented by the City as well as to nonprofit community-based organizations. The City of Amarillo's policy is that all applicants must be incorporated in Texas as nonprofit corporations, and that neighborhood groups may apply for neighborhood-based projects.

Can faith-based organizations receive CDBG funding?

The City of Amarillo welcomes CDBG applications from faith-based organizations. Such organizations that also engage in inherently religious activities such as worship, religious instruction, or proselytization may receive CDBG funds, but may not use CDBG funds for such activities. In addition, religious or other organizations that participate in the CDBG program shall not, in providing program assistance, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief.

What types of activities may be funded with CDBG?

A broad range of activities may be funded under the rules of the CDBG program. In general, activities must primarily benefit low-income populations. Eligible types of activities include the following:

- Acquisition and disposition of real property
- Clearance or demolition
- Homeownership assistance
- Rehabilitation of housing
- Infrastructure in support of affordable housing
- Public facilities and improvements
- Public services
- Special economic development activities
- Micro-enterprise assistance

Are there activities prohibited by CDBG?

Yes, there are certain activities that are specifically ineligible for CDBG funding. CDBG funds may not be used to fund them. These include the following:

- Improvements to buildings used for the general conduct of government.
- Local government expenses not directly related to the administration of the CDBG program.
- Political or religious activities.
- Purchase of equipment or general operating expenses (except in certain circumstances when related to a public service or special economic development activity).
- New housing construction (except when done by a qualified nonprofit)
- Income payments (with certain exceptions).

How do I know if what I want to do is eligible?

The CDBG program rules and published HUD guidance provide specific direction for determining if an activity meets a national objective and is eligible. City staff members are available to discuss eligibility with applicants and discuss factors in program design that can impact eligibility.

Are there limits on how the City spends CDBG funds?

Yes. Each year, the City may not allocate more than 20 percent of its annual award for costs related to planning and administration. Also, no more than 15 percent of the City's annual award may be allocated to providing public services.

HOME Program Facts

The HOME Investment Partnerships Program (HOME) program was created under Title II of the National Affordable Housing Act of 1990. Under the HOME program, the U.S. Department of Housing and Urban Development (HUD) allocates funds to Participating Jurisdictions (PJ) to be used to implement housing strategies in accordance with Federal HOME regulations (24 CFR Part 92). The City of Amarillo (City) has been designated as a PJ and receives HOME funds for the City. The Amarillo Community Development Department administers the City's HOME funds. HOME funds may be used for acquisition, new construction or rehabilitation of affordable housing for low-income families.

The intent of the HOME program is to:

- Provide decent, safe and affordable housing to low-income families;
- Expand the capacity of nonprofit housing providers;
- Strengthen the ability of state and local governments to provide housing; and
- Leverage participation of government and private sector partners and funds.

Specific priorities for City HOME funding are developed during the Consolidated Planning process every five years. It is this process, along with the Annual Action Plan that guides funding decisions for each fiscal year.

HOME funding is used to support housing activities that benefit low-income (up to 80% of median income) and very low-income (50% or less of median income) households.

Eligible Activities

Eligible activities for HOME funding include:

- Acquisition, rehabilitation or construction of rental housing
- Acquisition, rehabilitation or construction of homeownership units
- Owner-occupied rehabilitation
- Site improvements for housing activities
- Homebuyer assistance
- Tenant-based rental assistance
- CHDO operating expenses and capacity building activities
- Conversion and Manufactured Housing projects may be considered

Ineligible Activities

Activities NOT Eligible for HOME Funding include:

- Public housing modernization
- Tenant subsidies for special mandated purposes under Section 8

- Matching funds for other programs
- Annual contributions contracts
- Operating subsidies for rental housing

Eligible Project Costs

The following project costs are eligible for HOME funding:

- Development Hard Costs
- Refinancing Costs
- Related Soft Costs
- CHDO Operating Expenses and Capacity Building Costs
- Acquisition Costs
- Tenant-Based Rental Assistance (TBRA)
- Homebuyer Assistance
- Administrative Costs

Project Threshold Criteria

All housing development projects submitted for funding consideration through the City of Amarillo HOME Program should meet the following threshold criteria to be eligible for a funding commitment:

1. Contributes to Implementation of Consolidated Plan Goals

Proposed project must match one or more of the City of Amarillo's funding priorities as listed in the Annual Action Plan, and there is evidence of market need for development projects.

2. Site Control

Successful applicants will have site control or opportunity of site control of all properties needed for project completion.

3. Financial Feasibility

Successful applicants will have submitted information to provide evidence of a financially feasible project, evidenced by a complete listing of anticipated funding sources available to the project, anticipated uses of funds, confidence in availability of funds, evidence of market need, pro forma projections that illustrate reasonable assumptions regarding the development, and its near and long-term success and satisfaction of underwriting criteria.

4. Project Time Frame

Successful applicants will have submitted a timeline for project completion that makes reasonable assumptions concerning land acquisition and site preparation, funding cycles and parameters for all funding sources, construction time and sales absorption or rent-up period. Applicant's history in project development/completion will also be considered.

5. Leverage of Other Funds

Priority consideration will be given to projects with budgets that require less than 50% of permanent funds from City HOME funds. Although projects that serve very low-income households may require higher public subsidies, leveraging other funds is strongly encouraged. For awarded projects, the City will make conditional commitments early in the project development process to assist the developer in seeking funds from other sources, though evidence of 100% financing will be required

before final commitment of HOME funds. The City may elect to transmit funds to projects later in the process. A subsidy layering review shall be conducted on all projects through thorough examination of the sources and uses of funds, the certification of federal assistance, the project development budget and the operating pro forma.

6. Capacity of Development Team

Applicants should provide information regarding its track record of successful project development, timely completion and projects-in-service or, in the case of a new or emerging developer, evidence of real estate development and project management expertise. Application should indicate what skills and roles the developer staff will be assuming and any other members of the project development team.

The City is interested in investing HOME funds only in viable projects that will provide quality affordable housing in an efficient and timely manner. Housing developers with minimal development experience are encouraged to partner with experienced builders to enhance their ability to produce and deliver housing efficiently. All applications for HOME funding will be reviewed for tangible evidence that the capacity of the development and construction team is solid. Projects with strong development capability will receive higher consideration for HOME funding.

7. Community Support

Project should provide evidence of outreach, involvement and cooperative intent with residents or organizations representative of the residents within the target neighborhood(s). Evidence of support must be project specific and current, i.e. a letter stating that the project is addressing an identified need in a manner consistent with overall community development planning.

Projects that involve significant partnerships to help accomplish comprehensive, lasting neighborhood revitalization are encouraged. Partnerships could include neighborhood groups, churches, employers, for-profit/non-profit alliances and strong support from homeowners, rental residents and non-resident property owners.

8. Readiness to Proceed

Funding priority will be given to projects that are considered to have best met the overall tests for feasibility, comprehensiveness of planning and timeliness of completion and funding drawdown. Priority is given to projects that are most ready to proceed (assuming all other threshold criteria are met). The City is willing to consider early conditional funding commitments to projects that demonstrate strong potential for acquiring additional funding partners in a reasonable time frame.

How do I know if what I want to do is eligible?

The HOME program rules and published HUD guidance provide specific direction for determining if an activity meets a program objective and is eligible. City staff members are available to discuss eligibility with applicants and discuss factors in program design that can impact eligibility.

Are there limits to how HOME funds may be allocated?

Yes. Each year, the City may not allocate more than 10 percent of its annual award for costs related to planning and administration of the HOME program. Also, a *minimum* of 15 percent of

the City's annual award must be allocated to Community Development Housing Organizations (CHDO's). A 5 percent cap is allowable for CHDO operating costs.

How do I submit an application for CDBG or HOME funding?

If you are interested in submitting an application, you must complete the application forms with all required documentation and deliver to the Community Development Office by:

Monday, April 11th, 2016 at 5:00PM

1. Download the CDBG grant application from the Community Development website at: http://www.comdev.amarillo.gov/?page_id=6

2. Organizations applying for Housing projects may download the HOME Application at: http://www.comdev.amarillo.gov/?page_id=295

Return all forms and required attachments to the Community Development Department, Simms Municipal Building, Room 133, no later than 5:00PM on Monday, April 11th, 2016.
Only applications submitted for eligible activities in accordance with the requirements will be considered for funding.
If you are considering submitting a grant application and have not previously received CDBG or HOME funding, please contact Kathryn Foster, CDBG Program Coordinator, at 378-3005 or James Allen, Community Development Administrator, at 378-3023 for assistance in determining activity eligibility.

Where can I find out more about CDBG and HOME?

General information on the CDBG and HOME programs is available on the HUD website and the City of Amarillo website at the following:

- **"Basically CDBG: Course Training Manual"** http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/training/basicallycdbg
- **"CDBG: Guide to Eligible Activities"** http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/library/deskguid
- **"HOME Investment Partnerships Program"** http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/programs/home/.

Application Checklist- CDBG

The following must be included as part of your application. It will be noted where materials or responses are optional or applicable only under certain circumstances.

EXHIBITS TO APPLICATION FOR CDBG ASSISTANCE

The following documentation must be submitted with all requests.

- ☐ Resolution, minute action, or other documentation indicating the governing body authorizes the submission of the application.
- ☐ A list of current and immediate past members of the Board of Directors.
- ☐ Certificate of Incorporation under authority of the State of Texas.
- ☐ Articles of Incorporation.
- ☐ If applicable, State Tax-Exempt Certificate, and/or IRS Letter of Designation as 501 (c)(3).
- ☐ Current fiscal year's financial statement.
- ☐ Proposed operating budget for grant period.
  - ☐ If applicable, documentation of commitment letters from other funding sources.
  - ☐ Documentation of quotes or proposals for cost of project.
  - ☐ Timeline for completion of project.
- ☐ Most current fiscal year's audit report.
- ☐ List of key personnel and their major responsibilities.
- ☐ If applicable, a history of funding from CDBG or HOME funds.

Project/Program Title	

Part I – Applicant Information

Applicant			
Tax ID Number		DUNS Number	
Type of Organization	☐ Nonprofit ☐ Government ☐ CHDO ☐ CBDO ☐ Faith-Based ☐ Private for-profit		
Application Contact Name		Title	
Telephone		Fax	
E-mail Address			
Project/Program Address			
Type of Project	☐ HOUSING New construction, rehabilitation, acquisition (Attach Supplemental Application) ☐ PUBLIC SERVICE Social service assistance, community event, operational costs of a service or program ☐ PUBLIC FACILITY Acquisition, new construction, rehabilitation of a facility where a public service or program will be located ☐ ECONOMIC DEVELOPMENT Job creation/retention ..... ☐ OTHER		
Brief Description of Project			
Requested Funding			
Other Contributions			
Applicant Contributions			
Total Project Cost			
CEO/Director Name		Title	
Telephone		Fax	
E-mail Address			
Signature		Date	

Part II – Application Narratives

Section 1 - Program Design

Provide a concise description of the proposed activity. *A more detailed description may be provided in Appendix A.*

Describe the facility where services will be offered or the facility to be improved or constructed.

What hours will the services be provided or what hours will the facility be open to the public?

CDBG grant funds are paid out to subrecipient organizations on a reimbursement basis only. Describe how the organization will cover costs of the project expenses up front.

Does your organization currently employ staff qualified and experienced in undertaking similar projects, or will additional staff or workload reassignments be required?

Describe how the facility where services will be offered, or the facility to be improved or constructed, will be accessible to the elderly and persons with disabilities.

Describe any program modifications or accommodations that will be made available to persons with disabilities.

What languages will services be offered in? What languages are spoken by the staff at the facility?

Section 2- Need and Justification

What is the need that your proposed activity meets?

Who are the intended beneficiaries of the activity?
Describe the level of need and documentation that supports the unmet need. *Please be brief. Additional narrative and supporting documentation may be attached in Appendix B.*

How will the activity meet the identified need and serve the intended beneficiaries?

Are there similar services being provided by other agencies or agencies that serve the same population? If yes, please describe how your activity is necessary.

Is this a service that you are currently providing or a facility you currently operate?	☐ Yes ☐ No

Is this a service that you are currently providing? If so, please describe how additional funding would increase the level of service, preserve an increased level of service, or serve a currently underserved population or area.

If this is an improvement to or construction of a public facility, please describe how this will increase or preserve the capacity of the facility, or serve a currently underserved population or area.

Section 3 – Community Benefit

When answering the following questions, please refer to the income limits table provided in the applicant information packet. The percentages should reflect the percent of the total. If the proposed service is currently being provided or the facility is currently being operated, please complete the table on the following page.

For the service or public facility to be funded under this request, for a period of one year October 2016–September 2017.	Total	
	Number	Percent
How many unduplicated persons are expected to benefit?		100%
How many are expected to be low income? ≤ 80% AMI		
… very low income? ≤ 50% AMI		
… extremely low income? ≤ 30% AMI		

If a service, will it be limited to a specific area? If yes, please describe the area and how the service will be limited to that area.	☐ Yes ☐ No

If a public facility, will the improvements or construction primarily benefit a neighborhood or are they of contiguous neighborhoods? If yes, please describe the area, attach a letter-sized map, and describe how the benefit will be limited to that area.	☐ Yes ☐ No

Has this service been continuously provided or facility continuously operated? If yes, what year was it first provided or operated?	☐ Yes ☐ No

Please indicate if you are serving one or more of the identified special needs populations. Please see the definitions provided.	☐ Abused/neglected children ☐ Elderly persons (62+) ☐ Battered spouses ☐ Severely disabled adults ☐ Illiterate adults ☐ Persons living with HIV/AIDS ☐ Migrant farm workers ☐ Homeless persons

Will the proposed activity assist the chronically homeless? If yes, please describe how.	☐ Yes ☐ No
Will the proposed activity serve to prevent homelessness? If yes, please describe how.	☐ Yes ☐ No
Describe the methods used to document the number and income of the persons who benefit from your service or facility. Attach past reports and samples of any written tools you use to collect information.	

Indicate the beneficiary information you currently collect, compile, and report.	☐ Income ☐ Persons in the household ☐ Gender ☐ Race ☐ Hispanic ethnicity ☐ Elderly ☐ Disabled ☐ Female head of household ☐ Homeless

Complete the following table only if the proposed service is currently being provided or the facility is currently being operated.

For the service or public facility to be funded under this request, for a period of one year October 2016–September 2017. (Projected.)	Total	
	Number	Percent
How many unduplicated persons are expected to benefit?		100%
How many are expected to be low income? ≤ 80% AMI		
… very low income? ≤ 50% AMI		
… extremely low income? ≤ 30% AMI		
For the service or public facility to be funded under this request, for a period of one year October 2015–September 2016.	Total	
	Number	Percent
How many unduplicated persons benefited?		100%
How many persons were low income? ≤ 80% AMI		
… very low income? ≤ 50% AMI		
… extremely low income? ≤ 30% AMI		
For the service or public facility to be funded under this request, for a period of one year October 2014–September 2015.	Total	
	Number	Percent
How many unduplicated persons benefited?		100%
How many persons were low income? ≤ 80% AMI		
… very low income? ≤ 50% AMI		
… extremely low income? ≤ 30% AMI		

Application Checklist- HOME

The following must be included as part of your application. It will be noted where materials or responses are optional or applicable only under certain circumstances.

EXHIBITS TO APPLICATION FOR HOME ASSISTANCE

The following documentation must be submitted with all requests

CHECKLIST FOR REQUIRED DOCUMENTS Please Submit in Order Below (use all check lists that apply to application)	Rental – New Construction	Rental – Acquisition/Rehab	Homeownership – New Construction	Homeownership – Rehabilitation	CHDO Operating	Pre-Development & Needs Assess.	Private Activity Bonds – Rental NC or Acq/rehab	Project Based Assistance	**Applicable**	**Received**
Att. A – Statement of Assurances	X	X	X	X	X	X	X	X	Yes ☐	
Att. B – URA/Relocation Plan	X	X	X	X		X	X	X	Yes ☐	
Att. C – Acquisition of Land or Building	X	X	X			X	X		Yes ☐	
Att. D – Davis-Bacon Exception Checklist	X	X	X	X	X	X	X		Yes ☐	
Att. E – Insurance Requirements	X	X	X	X	X	X	X	X	Yes ☐	
Att. F – W-9, Tax Payer Identification #	X	X	X	X	X	X	X	X	Yes ☐	
A list of current and immediate past members of the Board of Directors	X	X	X	X	X	X	X	X	Yes ☐	
Certificate of Incorporation under authority of the State of Texas	X	X	X	X	X	X	X	X	Yes ☐	
IRS Determination Letter	X	X	X	X	X	X	X	X	Yes ☐	
Current fiscal year's financial statement	X	X	X	X	X	X	X	X	Yes ☐	
Proposed operating budget for grant period	X	X	X	X	X	X	X	X	Yes ☐	
Most Recent Audit	X	X	X	X	X	X	X	X	Yes ☐	
List of key personnel and their major responsibilities	X	X	X	X	X	X	X	X	Yes ☐	
A history of funding from HOME funds	X	X	X	X	X	X	X	X	Yes ☐	
Staff Allocation Plan (if not in budget)					X				Yes ☐	
Construction Cost Estimates	X		X						Yes ☐	
Market Study/Needs Assessment	X	X	X					X	Yes ☐	
Appraisal (or data on comparables)	X	X	X				X		Yes ☐	
Letters of Funding Commitment	X	X	X	X	X	X	X	X	Yes ☐	
Relocation: General Notice to Tenants and Proof of Delivery		X					X		Yes ☐	
Relocation: Current Rent Roll with Residents' Income		X					X		Yes ☐	
Relocation Plan (only if relocation will occur)		X					X		Yes ☐	
Developer Capacity Workbook	X	X	X						Yes ☐	

City of Amarillo

Application for: Affordable Housing Loan/Grant Assistance

GRAY SHADED AREAS ARE FOR STAFF USE ONLY

Date Received

Project #

AMOUNT REQUESTED: **$ _____ Loan _____ Grant**

APPLICANT INFORMATION

Organization Name and Address:

Chief Elected Official, Executive Director, or President:

Name: Title: President
Address (if different from above):
Phone #:
Fax #:
Email:

Applicant Federal Tax ID #:

DUNS #:
To register: https://www.bpn.gov/ccr/default.aspx

Designated Contact Person for Application:

Name:
Title:
Address (if different from above):
Phone #:
Fax #:
Email:

Type of Organization *(check as many as apply)*

	Municipality/County/Consortia
	Nonprofit
	CHDO (Community Housing Development Organization)
	CBDO (Community Based Development Organization)
	Public Housing Authority
	Private For-Profit Developer

PROJECT OR PROGRAM INFORMATION

Project Name:

Project Location:

Street Address:____*(If not available, please describe the specific location)*_____.

City _____ County _____ Zip _____ # Acres _____.
**Attach Legal Description.

House District_____ Senate District_____

TYPE OF PROJECT or PROGRAM		TYPE OF ACTIVITIES (check all of the activities involved in project or program)	
	Rental		**New Construction**
	Homeownership		**Pre-Development**
	Rental Assistance		**CHDO Operating**
	Group Home or Shelter		**Down Payment Program**
	Other (Specify) _____.		**Acquisition**
			Rehabilitation
			Tenant-Based Rental Assistance
			Project-Based Rental Assistance
			Other (Specify) _____

PROJECT INFORMATION SHEET

PROJECT DESCRIPTION (100 words or less):

SITE CONTROL STATUS: (choose one and attach documentation)	**__ OWNED**	**__ UNDER CONTRACT** Expiration Date: _____.	**__ LEASED** Term: _____.

ZONING AND SITE PLAN STATUS:

Site is presently zoned (fill in zoning type and attach documentation): _____.

Is the present zoning conforming? Yes _____ No _____.
If nonconforming, when will zoning change or PUD be granted? (provide target date) _____

Is the site plan for your project approved? Yes _____ No _____.
If not, when will site plan be approved? (provide target date)
_____.

SERVICES TO SITE: Are utilities and infrastructure in place to service site?

Street access?	Yes ☐	No ☐	If no, expected completion date _____
Gas?	Yes ☐	No ☐	If no, expected completion date _____
Electric?	Yes ☐	No ☐	If no, expected completion date _____
Water?	Yes ☐	No ☐	If no, expected completion date _____
Sanitary sewer?	Yes ☐	No ☐	If no, expected completion date _____
Storm sewer?	Yes ☐	No ☐	If no, expected completion date _____

COMMUNITY SUPPORT: Describe efforts made to build local support for this specific project and the results of those efforts. **Attach letters of commitment for funds or services from local sources & any letters of support.
LOWERING THE COST OF AFFORDABLE HOUSING: What specific steps has the city, county or state government taken to lower the cost of affordable housing and/or otherwise help the project? (I.e. deferral of water tap fees, local funding, etc.)
APPLICATIONS FOR PROJECT BASED VOUCHERS
Census Tract Number: _____ Poverty Rate of Census Tract: _____%
Total Proposed City PBV units: _____ Other PBV units: _____ Non-PBV units: _____
Written Commitment for Other Agency PBV Units: Yes ☐ No ☐ **TOTAL UNITS:**_____
PBV units serve special needs population? Yes ☐ No ☐ Population Served _____

NARRATIVE

1. **Type of Housing**

2. **Location: include the project's proximity to community amenities and services such as public transportation, employment, social services, etc. For programs, describe the geographic area it will serve.**

3. **Population served**

4. **Bedroom Mix**

5. **Unit and Project Amenities**

6. **Source of Financing**

7. **Local, State and Federal Subsidies**

8. **Timeline**

9. **Experience: identify similar projects that the applicant has completed and summarize their outcomes. Describe the skills and knowledge of staff and project consultants, to ensure project completion as well as compliance with federal regulations**.

10. **Service Commitments**

11. **Any other relevant information**

12. **"Green Build" materials and designs to be used for energy efficiency**.

REGULATORY INFORMATION

Please answer the following questions to the best of your ability, the City staff may provide technical assistance on compliance with applicable federal regulations. For more information, contact your City staff person.

Relocation and 1-for-1 Replacement		
Will the proposed project activity directly cause any demolition or conversion of any existing residential or commercial units resulting in permanent, temporary or economic displacement of existing tenants? *See HUD Handbook 1378, 24 CFR 92.354* *http://www.hud.gov/offices/cpd/library/relocation/policyandguidance/handbook1378.cfm*	Yes ☐ No ☐	**If yes,** attach General Notice and Rent Roll
If yes, are the displaced households considered low-income? **If yes**, attach Residential Anti-displacement and Relocation Assistance Plan (Att. D) describing the steps taken to minimize displacement, including what assistance/benefits will be provided to displaced households and what plans have been developed to replace the units and ensure that they stay at or below Fair Market Rent for 10 years.		Yes ☐ No ☐
Davis- Bacon Wages		
Does the project include Davis-Bacon wages? (see Att. F) *See HUD Guidebook 1344*		Yes ☐ No ☐
Environmental Review		
Have you started the Environmental Release of Funds (ROF) Process? *See 24 CFR Parts 58*		Yes ☐ No ☐
Will the project be undertaken in flood hazard areas? *All applicants must attach a flood plain map.*	Yes ☐ No ☐	**If yes,** attach a description of your mitigation plans
Will the project be near a geological hazard area, or affect historical, archeological or cultural resources? *For questions contact State Historical Society*	Yes ☐ No ☐	**If yes,** attach a description of your mitigation plans
Will the project be located within 1,000 feet of a major highway, 3,000 feet of a railroad, 15 miles of a commercial airport or near military airfields or some other major noise source?	Yes ☐ No ☐	**If yes,** attach a description of your mitigation plans
Will the project be located within one-mile of aboveground storage tanks, transmission pipelines or loading facilities for explosive or fire-prone substances?	Yes ☐ No ☐	**If yes,** attach a description of your mitigation plans

Lead-Based Paint		
If the property was built before 1978, is it exempt from lead-based paint abatement? http://edocket.access.gpo.gov/cfr_2003/aprqtr/pdf/24cfr35.115.pdf List reason_____	Yes ☐ No ☐	Attach record indicating year of construction or proof of exemption
If no, has the property been evaluated?	Yes ☐ No ☐	Attach record indicating year of construction and proof of exemption
Does the property need remediation? **If yes,** the regulations at *24 CFR Parts 35 apply* *http://www.hud.gov/offices/lead/library/enforcement/24CFR35_SubpartA.pdf*	Yes ☐ No ☐	
Asbestos		
For projects involving rehabilitation, has there been an evaluation of asbestos hazards?	Yes ☐ No ☐	**If Yes,** attach a copy of the report(s).
Does property need Asbestos remediation? **If yes,** contact a state-certified asbestos inspector.		Yes ☐ No ☐
ADA Accessibility & Visitability		
Does the project have 5 or more units? **If yes**, for new construction or substantial rehabilitation, at least 5% (or 1, whichever is greater) must be accessible to persons with mobility impairments and 2% (or 1, whichever is greater) must be accessible to persons with sensory impairments. The remaining units must meet the accessibility requirements of the Federal and State Fair Housing Act, which require that all units in elevator buildings and ground units in other buildings be ADA accessible. *http://www.hud.gov/offices/fheo/disabilities/fhguidelines/fhefha5.cfm#sect3*		Yes ☐ No ☐
Number of units for persons with mobility impairment? (5%)		
Number of units for persons with sensory impairment? (2%)		
Number of visitable units?		
Send copy of Agency's Section 504 Compliance plan *See 24 CFR Part 8*		

Fair Housing	
Has the agency established Steps to Affirmatively Further Fair Housing? *See 24 CFR 570.487(b) & 24 CFR 92.351* *See Att. N http://www.hud.gov/offices/adm/hudclips/forms/files/935-2a.pdf*	Yes ☐ No ☐
Procurement	
Will City funds be used for purchasing goods or services? **If yes**, which procurement policies will be followed?	Yes ☐ No ☐
Will City funds be used for construction? **If yes**, the Debarred Checklist applies *See https://www.epls.gov/*	Yes ☐ No ☐
Will there be over $200,000 of federal funds in the project?	Yes ☐ No ☐
Financial Management	
Does the applicant's financial management comply with OMB Circular A-87 & 24 CFR Part 85	Yes ☐ No ☐
Does the applicant's audit/records comply with OMB Circular A-133 & 24 CFR 570.490(d)	Yes ☐ No ☐
Program Income	
Will the project generate Program Income? **If yes,** indicate which: ☐HOME ☐CDBG	Yes ☐ No ☐
Projected Program Outcomes	
ENERGY STANDARDS: List the Energy Efficiency Standard the project will follow? How many units will meet Energy Star Standards or standard listed above?	
SPECIAL NEEDS: Number of units designated for persons with disabilities?	
HOMELESSNESS: Number of units designated for homeless persons? Of those, number of units designated for the chronically homeless?	
HIV/AIDS: Number of units designated for persons with HIV/ AIDS? Of those, number of units for chronically homeless with HIV/AIDS?	

AUTHORIZED SIGNATURE SHEET

I certify to the best of my knowledge and belief, statements and data in this application, including the required Statement of Assurances and Certifications (Attachment A), attached tables and other documentation, are true and correct.

Signature	Signature	Signature
Name (Typed or Printed)	Name (Typed or Printed)	Name (Typed or Printed)
President	Board President	
Title	Title	Title
Date	Date	Date
Signature	Signature	Signature
Name (Typed or Printed)	Name (Typed or Printed)	Name (Typed or Printed)
Title	Title	Title
Date	Date	Date

The above must be signed by the Chief Elected Official of the governmental unit, officer of the private corporation or other appropriate and authorized signatory for the applicant. <u>Documentation proving signer is authorized must be provided.</u>

ATTACHMENT A
APPLICANT STATEMENT OF ASSURANCES AND CERTIFICATIONS

The application must adhere to the following assurances and certification, that it:

1) possesses legal authority to apply for the loan/grant and to execute the proposed project, and its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances required, and directing and authorizing the applicant's chief executive officer and/or other designated official representatives to act in connection with the application and to provide such additional information as may be required;

2) will give the City, the U.S. Department of Housing and Urban Development (HUD), and any City authorized representatives access to and the rights to examine all records, books, papers or documents related to the application and grant;

3) has provided for and encouraged citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of areas in which CDBG and/or HOME funds are proposed to be used; by:

   I. providing citizens with reasonable and timely access to local meetings, information, and records relating to its proposed and actual use of CDBG, and/or HOME funds;

   II. furnishing citizens information concerning the amount of funds available for proposed housing activities and the range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income. Its plans for minimizing displacement of persons as a result of activities assisted with CDBG and/or HOME funds and its plan for assisting persons actually displaced as a result of such activities;

   III. publishing a proposed project plan/application in such a manner to afford citizens an opportunity to examine its content and to submit comments on the proposed project plan/application and on the community development performance of the jurisdiction(s);

   IV. holding one or more public meetings, to obtain citizens view and responses to proposals and questions related to community development and housing needs, proposed activities and past CDBG and/or HOME performances. All meetings were held no sooner than five days after notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped.

   V. providing for a timely answer to written complaints and grievances, within 15 working days where practicable; and

   VI. identifying how the needs of non-English speaking residents will be met in the case of public meetings where a significant number of non-English speaking residents can be reasonably expected to participate.

_____ _____

Signature, Executive Director/President Date

ATTACHMENT B
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

The _____ will replace all occupied and vacant occupy-able low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with CDBG funds, as required by Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act), and implementing regulations at 24 CFR 570.496a.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the ___ will make public and submit to the City the following information in writing:

1. Description of the proposed assisted activity;

2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate dwelling units as a direct result of the assisted activity;

3. A time schedule for the commencement and completion of the demolition or conversion;

4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;

5. The source of funding and a time schedule for the provision of replacement dwelling units; and,

6. The basis for concluding that each replacement dwelling unit will remain in a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

The _____ will provide relocation assistance, as described in 570.496a(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the _____ will take the steps indicated below to minimize the displacement of persons from their homes:*

* **The following are examples of steps to minimize displacement. The first two are required. The others are optional. Only check those which are appropriate for the project and local circumstances. Add other steps as necessary or appropriate.**

__ Consider all practical alternatives to any proposed project that may result in residential displacement. Alternatives to be considered include other sites for the proposed facilities/project. Also to be considered are the costs and benefits, both financial and nonfinancial, of each alternative.

__ Provide counseling and referral services to assist displaced find alternative housing in the community.

__ Work with area landlords and real estate brokers to locate vacancies for households facing displacement.

__ Stage rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation, working with empty buildings or groups of empty units first so they can be rehabilitated first and tenants moved in before rehab on occupied units or buildings is begun.

__ Establish temporary relocation facilities in order to house families whose displacement will be of short duration, so they can move back to their neighborhoods after rehabilitation or new construction.

__ Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent their placing undue financial burden on long-established owners or on tenants of multi-family buildings.

__ Develop displacement watch systems in cooperation with neighborhood organizations to continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

_____ _____

Signature of Executive Director/President Date

ATTACHMENT C
ACQUISITION OF LAND AND/OR BUILDINGS
SUGGESTED FORMAT FOR LETTER TO OWNER
(Replace this form with your signed letter on agency letterhead)

Date:

Owner Name:
Owner Address:

Re: Property at: (list address here)
Purchase Price:
Buyer: (agency, developer, or community name)

This is to inform you that (buyer) would like to purchase the property listed above. We have offered you the purchase price listed above for clear title to the property under the conditions described in the contract of sale.

Because Federal funds may be used in the purchase, however, we are required to disclose to you the following information:

1. This sale is voluntary. If you do not wish to sell, (buyer) will not acquire your property. (Insert buyer's name) does not have the authority to acquire your property by force.

2. We estimate the fair market value of the property to be $ _____: (value).

Since the purchase would be a voluntary, arm's length transaction, you would not be eligible for relocation payments or other relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), or any other law or regulation.

If you have any questions about this matter, please contact (contact person) at (phone number).

Sincerely,

Applicant signature: _____ Date: _____

I have read the above and agree with the statements therein:

Owner signature: _____ Date: _____

☐ Check here if this is **not applicable** to your project

Reason: _____

ATTACHMENT D
DAVIS-BACON EXCEPTION CHECKLIST

EXCEPTIONS

The Applicant _____affirms that (part/all) of its CDBG/HOME project is excepted from Davis-Bacon Prevailing Wage Rate Provision because:

____ (a) The prime construction contract funded in whole or in part with CDBG/HOME funds is less than $2,000.

____ (b) The entire project consists solely of demolition. (CDBG Only)

____ (c) CDBG funds will be used for rehabilitating property that was designed for fewer than eight (8) households (See Note* Below)

____ (d) HOME funds will be used for construction or rehabilitating property that was designed for fewer than 12 HOME- designated units (See Note ** Below)

____ (e) Part/all of the project consists solely of delivery of goods or services. (No construction contract.)

____ (f) Part/all of the project will be done through a force account. (See Note* Below)

____ (g) There are no federal monies in the construction contract.

____ (h) All or a portion of the CDBG/HOME funds shall be used for the purchase of equipment:

____ 1) Installation of equipment is incidental (less than 13%) of the total cost (equipment PLUS installation - this requires a separate quote for equipment and the installation);

____ 2) NO installation costs are included in the purchase of equipment.

____ (i) Proceeds of the CDBG/HOME loan shall be used for working capital ONLY.

____ (j) The CDBG funds are used for acquisition ONLY and there is no construction.

NOTE:
*Any employees hired through a force account for a CDBG funded project will be considered Section 3 employees.
**Grantee should confirm with the City monitor regarding this option. Clarification is necessary because some housing type projects will qualify as PUBLIC facilities and not as HOUSING.

NO EXCEPTIONS – DAVIS BACON APPLICABLE

☐ If there is no exception, check here if Davis-Bacon is **applicable** to your project

Reason Davis-Bacon is triggered: _____

Are Davis-Bacon wages included in construction cost estimates? ☐ YES ☐ NO

What staff member will monitor compliance with Davis- Bacon?_____

_____ _____
Signature, Executive Director/President Date

ATTACHMENT E
STANDARD INSURANCE REQUIREMENTS

City of Amarillo insurance requirements are as follows and apply to all City-funded projects. Grantee and its sub-grantees and subcontractors shall obtain and maintain insurance as specified in this section at all times during the term of this Grant: All policies evidencing the insurance coverage required hereunder shall be issued by insurance companies satisfactory to Grantee and the City.

Grantee

Public Entities

If Grantee is a "public entity" within the meaning of the Texas government, Grantee shall maintain at all times during the term of this Grant such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under such Act. Grantee shall show proof of such insurance satisfactory to the City, if requested. Grantee shall require each grant or contract with a sub-grantee or subcontractor which is a public entity, providing Goods or Services in connection with this Grant, to include the insurance requirements necessary to meet sub-grantees liabilities under the Act.

Non-Public Entities

If Grantee is not a "public entity" within the meaning of Texas State laws. Grantee shall obtain and maintain during the term of this Grant insurance coverage and policies meeting the same requirements with respect to sub-grantees and sub-contractors which are not "public entities".

Sub-grantees and Subcontractors

Grantee shall require each contract with a sub-grantee or subcontractor, other than those that are public entities, providing Goods or Services in connection with this Grant, to include insurance requirements substantially similar to the following:

Worker's Compensation

Worker's Compensation Insurance as required by City and State statute, and Employer's Liability Insurance covering all of sub-grantee or subcontractor employees acting within the course and scope of their employment.

General Liability

Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent contractors, products and completed operations, blanket contractual liability, personal injury, and advertising liability with minimum limits as follows:

- $1,000,000 each occurrence;
- $1,000,000 general aggregate;
- $1,000,000 products and completed operations aggregate; and
- $50,000 any one fire

If any aggregate limit is reduced below $1,000,000 because of claims made or paid, sub-grantee or subcontractor shall immediately obtain additional insurance to restore the full aggregate limit and furnish to Grantee a certificate or other document satisfactory to Grantee showing compliance with this provision.

Automobile Liability

Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of $1,000,000 each accident combined single limit.

Additional Insured

Grantee and the City shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies (leases and construction contracts require additional insured coverage for completed operations on endorsements CG 2010 11/85, CG 2037, or equivalent).

Primacy of Coverage

Coverage required of the sub-grantee or subcontractor shall be primary over any insurance or self-insurance program carried by Grantee or the City.

Cancellation

The above insurance policies shall include provisions preventing cancellation or non-renewal without at least 45 days prior notice to the Grantee and the City by certified mail.

Subrogation Waiver

All insurance policies in any way related to the Grant and secured and maintained by Grantee's sub-grantees or subcontractors as required herein shall include clauses stating that each carrier shall waive all rights of recovery, under subrogation or otherwise, against Grantee or the City, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

Malpractice/Professional Liability Insurance

Professional Liability Insurance Policy may apply in the minimum amount of $1,000,000 per occurrence and $3,000,000 in the aggregate, written on an occurrence form that provides coverage for its work undertaken pursuant to this Grant. If a policy written on an occurrence form is not commercially available, the claims-made policy shall remain in effect for the

duration of the Grant and for at least two years beyond the completion and acceptance of the work under the Grant, or, alternatively, a two year extended reporting period must be purchased.

Certificates

Each of Grantee's subcontractors and subgrantees shall provide certificates showing insurance coverage required hereunder to Grantee within seven business days of the Effective Date, but in no event later than the commencement of the Services or delivery of the Goods under the subcontract or subgrant. No later than 15 days prior to the expiration date of any such coverage, each subcontractor or subgrantee shall deliver to Grantee certificates of insurance evidencing renewals thereof upon request by the Department or at any other time during the term of a subcontract or subgrantee, Grantee may request in writing, and the subcontractor or subgrantee shall thereupon within 10 days supply to Grantee, evidence satisfactory to Grantee and the Department of compliance with the provisions of this section.

I agree to provide and maintain the insurance as described above

_____ _____

Signature, Executive Director/President Date

ATTACHMENT F
W-9

Substitute Form
W-9

REQUEST FOR TAXPAYER IDENTIFICATION NUMBER (TIN) VERIFICATION

State of Colorado
Do NOT send to IRS

PRINT OR TYPE

RETURN TO ADDRESS BELOW

Legal Name (OWNER OF THE EIN OR SSN AS NAME APPEARS ON IRS OR SOCIAL SECURITY ADMINISTRATION RECORDS)
DO NOT ENTER THE BUSINESS NAME OF A SOLE PROPIETORSHIP ON THIS LINE - See Reverse for Important Information

Trade Name -- complete only if doing business as (D/B/A)

Remit Address

Purchase Order Address -- Optional

PART II See Part II Instructions on Back of Form

Check legal entity type and enter 9 digit Taxpayer Identification Number (TIN) below:
(SSN = Social Security Number EIN = Employer Identification Number)

Do Not enter an SSN or EIN that was not assigned to the legal name entered above

☐ Individual (Individual's SSN) ___ ___ ___ - ___ ___ - ___ ___ ___ ___
NOTE: If no name is circled on a Joint Account when there is more that one name, the number will be considered to be that of the first name listed.

☐ Sole Proprietorship (Owner's SSN or Business EIN) SSN ___ ___ ___ - ___ ___ - ___ ___ ___ ___
Note: Enter both the owner's SSN and the business EIN (if you are required to have one) EIN ___ ___ - ___ ___ ___ ___ ___ ___ ___

☐ Partnership ☐ General ☐ Limited (Partnership'S EIN) ___ ___ - ___ ___ ___ ___ ___ ___ ___

☐ Estate/Trust (Legal Entity's EIN) ___ ___ - ___ ___ ___ ___ ___ ___ ___
NOTE: Do not furnish the identification number of the personal representative or trustee unless the legal entity itself is not designated in the account title. List and circle the name of the legal trust, estate, or pension trust.

☐ Other > _____ (Entity's EIN) ___ ___ - ___ ___ ___ ___ ___ ___ ___
Limited Liability Company, Joint Venture, Club, etc.

☐ Corporation Do you provide medical services? ☐ Yes ☐ No (Corp's EIN) ___ ___ - ___ ___ ___ ___ ___ ___ ___
Includes corporations providing medical billing services

☐ Government (or Government Operated) Entity (Entity's EIN) ___ ___ - ___ ___ ___ ___ ___ ___ ___

☐ Organization Exempt from Tax under Section 501(a) (Org's EIN) ___ ___ - ___ ___ ___ ___ ___ ___ ___
Do you provide medical services? ☐ Yes ☐ No

☐ Check Here if you do not have a SSN or EIN, but have applied for one. See reverse for information on *How to Obtain A TIN*
Licensed Real Estate Broker? ☐ Yes ☐ No

Under Penalties of Perjury, I certify that:

(1) The number listed on this form is my correct Taxpayer Identification Number (or I am waiting for a number to be issued to me) AND

(2) I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding (does not apply to real estate transactions, mortgage interest paid, the acquisition or abandonment of secure property, contribution to an individual retirement arrangement (IRA), and payment other than interest and dividends).

CERTIFICATION INSTRUCTIONS -- You must cross out item (2) above if you have been notified by the IRS that you are currently subject to backup withholding because of under reporting interest or dividends on your tax return. (See Signing the Certification on the reverse of this form.)

THE INTERNAL REVENUE SERVICE DOES NOT REQUIRE YOUR CONSENT TO ANY PROVISION OF THIS DOCUMENT OTHER THAN THE CERTIFICATIONS REQUIRED TO AVOID BACKUP WITHHOLDING.

NAME (Print or Type) _____ TITLE (Print or Type) _____
AUTHORIZED SIGNATURE _____ DATE _____ PHONE (_____)_____

DO NOT WRITE BELOW THIS LINE **RETURN BOTH COPIES TO ADDRESS ABOVE**

AGENCY USE ONLY

Agency ____ ____ ____ Approved by _____ Date _____
1099: Yes ____ No ____ Action Completed by _____ Date _____
VENDOR: Addition ____ Change ____

615-82-50-7093 (R 4/97)

Community Development Goals, Strategies and Outcomes

Identify the Priority Need that applies to the activity or project for which funding is requested. **Choose only one**. Describe how the requested activity or project will address these goals, strategies and outcome in the narrative. (Reference the Consolidated Plan 2015-2019, pages 95 to 107)

Priority Need	Priority Level	Population
Administration	High	Other
Housing Rehabilitation and Reconstruction	High	Extremely Low, Low, Moderate Income, Large Families, Families with Children, Elderly
Emergency Home Repairs	High	Extremely Low, Low, Moderate Income, Large Families, Families with Children, Elderly
Housing Assistance	High	Extremely Low, Low, Moderate Income, Large Families, Families with Children, Elderly
Housing Development	High	Extremely Low, Low, Moderate Income, Large Families, Families with Children, Elderly
Demolition/Removal of Slum and Blight	High	Non-housing community development
Special Populations Housing	High	Extremely Low, Low, Moderate Income, Large Families, Families with Children, Elderly
Fair Housing Education and Outreach	High	Extremely Low, Low, Moderate Income, Large Families, Families with Children, Elderly
Public Improvements	High	Non-housing community development
Infrastructure	High	Non-housing community development
Public Transportation	High	Non-housing community development
Technical Assistance to Small Business	High	Non-housing community development
Small Business Loans	High	Non-housing community development
Job Training and Workforce Development	High	Non-housing community development
Employment Training	High	Non-housing community development
Job Development/Creation	High	Non-housing community development
Public and Community Facilities	High	Non-housing community development
Parks and Recreational Facilities	High	Non-housing community development
Youth Services	High	Extremely Low, Low, Moderate Income, Non-Housing Community Development
Child Care Services	High	Extremely Low, Low, Moderate Income, Non-Housing Community Development
Disability Services	High	Extremely Low, Low, Moderate Income; Persons with mental, physical, developmental disabilities; Or persons with HIV/AIDS and their families

Senior Services	High	Extremely Low, Low, Moderate Income; Elderly; Frail Elderly
Health Services/Substance Abuse	High	Extremely Low, Low, Moderate Income; Individuals, Families with Children, Chronic Substance Abuse, Elderly, Frail Elderly, Persons with Alcoholism or other addictions
Domestic Violence/Child Abuse	High	Extremely Low, Low, Moderate Income; Victims of Domestic Violence
Meals/Food Pantry/Meals on Wheels	High	Extremely Low, Low, Moderate Income; Individuals, Families with Children, Elderly, Frail Elderly
Homeless Prevention/Emergency Assistance	High	Extremely Low, Low, Moderate Income; Large Families, Families with Children, Elderly
Mental Health/Supportive Services	High	Extremely Low, Low, Moderate Income; Individuals, Families with Children, Mentally Ill
Domestic Violence Shelters	High	Extremely Low, Low, Moderate Income; Victims of Domestic Violence
Transitional Housing	High	Extremely Low, Low, Moderate Income; Individuals, Families with Children
Homeless Facilities	High	Extremely Low, Low, Moderate Income; Individuals, Families with Children
Emergency Housing Assistance	High	Extremely Low, Low, Moderate Income; Individuals, Families with Children
Code Enforcement	High	Non-housing community development

CHAPTER V - - OFFICE OF ASSISTANT SECRETARY FOR COMMUINITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SOURCE: 53 FR 34439, SEPT. 6, 1988

24 CFR 570 Subpart C

Revised: February 4, 2010

§ 570.200 General policies.

(a) Determination of eligibility. An activity may be assisted in whole or in part with CDBG funds only if all of the following requirements are met:

(1) Compliance with section 105 of the Act. Each activity must meet the eligibility requirements of section 105 of the Act as further defined in this subpart.

(2) Compliance with national objectives. Grant recipients under the Entitlement and HUD-administered Small Cities programs must certify that their projected use of funds has been developed so as to give maximum feasible priority to activities which will carry out one of the national objectives of benefit to low and moderate income families or aid in the prevention or elimination of slums or blight; the projected use of funds may also include activities which the recipient 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. Consistent with the foregoing, each recipient under the Entitlement and HUD-administered Small Cities programs must ensure, and maintain evidence, that each of its activities assisted with CDBG funds meets one of the three national objectives as contained in its certification. Criteria for determining whether an activity addresses one or more of these objectives are contained at Sec. 576.208.

(3) Compliance with the primary objective. The primary objective of the Act is described in section 101 (c) of the Act. Consistent with this objective, Entitlement recipients and recipients of the HUD-administered Small Cities program in Hawaii must ensure that over a period of time specified in their certification not to exceed three years, not less than 70 percent of the aggregate of CDBG fund expenditures shall be for activities meeting the criteria under Sec. 570.208 (a) or Sec. 570.208 (d) (5) or (6) for benefiting low- and moderate-income persons; insular area recipients must meet this requirement for each separate grant. The requirements for the HUD-administered Small Cities program in New York are in Sec. 570.420 (e) (2). Additional requirements for the HUD-administered Small Cities program in Hawaii are in Sec. 570.430 (e). In determining the percentage of funds expended for such activities:

(i) Cost of administration and planning eligible under Sec. 570.205 and Sec. 570.206 will be assumed to benefit low and moderate income

persons in the same proportion as the remainder of the CDBG funds and, accordingly shall be excluded from the calculation;

(ii) Funds deducted by HUD for repayment of urban renewal temporary loans pursuant to Sec. 570.802 (b) shall be excluded:

(iii) Funds expended for the repayment of loans guaranteed under the provisions of subpart M shall also be excluded:

(iv) Funds expended for the acquisition, new construction or rehabilitation of property for housing that qualifies under Sec. 570.208 (a) (3) shall be counted for this purpose but shall be limited to an amount determined by multiplying the total cost (including CDBG and non-CDBG costs) of the acquisition, construction or rehabilitation by the percent of units in such housing to be occupied by low and moderate income persons.

(v) Funds expended for any other activities qualifying under Sec. 570.208 (a) shall be counted for this purpose in their entirety.

(4) Compliance with environmental review procedures. The environmental review procedures set forth at 24 CFR part 58 must be completed for each activity for project as defined in 24 CFR part 58, as applicable.

(5) Cost principles. Costs incurred, whether charged on a direct or an indirect basis, must be in conformance with OMB Circulars A-87, “Cost Principles for State, Local and Indian Tribal Governments”; A-122, “Cost Principles for Non-profit Organizations”; or A-21, “Cost Principles for Educational Institutions:, as applicable.

All items of cost listed in Attachment B of these Circulars that require prior Federal agency approval without prior approval of HUD to the extent they comply with the general policies and principles stated in Attachment A of such circulars and are otherwise eligible under this subpart C, except for the following: These circulars are available from the American Communities Center by calling the following toll-free numbers: (800) 998-9999 or (800) 483-2209 (TDD).

(i) Depreciation methods for fixed assets shall not be changed without HUD’s specific approval or, if charged through a cost allocation plan, the Federal cognizant agency.

(ii) Fines and penalties (including punitive damages) are unallowable costs to the CDBG program.

(iii) Pre-award costs are limited to those authorized under paragraph (h) of this section.

(b) Special policies governing facilities. The following special policies apply to:

(1) Facilities containing both eligible and ineligible uses. A public

facility otherwise eligible for assistance under the CDBG program may be provided with CDBG funds even if it is part of a multiple use building containing ineligible uses, if:

(i) The facility which is otherwise eligible and proposed for assistance will occupy a designated and discrete area within the larger facility; and

(ii) The recipient can determine the costs attributable to the facility proposed for assistance as separate and distinct from the overall costs of the multiple-use building and/or facility. Allowable costs are limited to those attributable to the eligible portion of the building or facility.

(2) Fees for use of facilities. Reasonable fees may be charged for the use of the facilities assisted with CDBG funds, but charges such as excessive membership fees, which will have the effect of precluding low and moderate income persons from using the facilities, are not permitted.

(c) Special assessments under the CDBG program. The following policies relate to special assessments under the CDBG program:

(1) Definition of special assessment. The term "special assessment" means the recovery of the capital costs of a public improvement, such as streets, water or sewer lines, curbs, and gutters, through a fee or charge levied or filed as a lien against a parcel of real estate as a direct result of benefit derived from the installation of a public improvements, or a one-time charge made as a condition of access to a public improvement. This term does not relate to taxes, or the establishment of the value of real estate for the purpose of levying real estate, property, or ad valorem taxes, and does not include periodic charges based on the use of a public improvement, such as water or sewer user charges, even if such charges include the recovery of all or some portion of the capital costs of the public improvement.

(2) Special assessments to recover capital costs. Where CDBG funds are used to pay all or part of the cost of a public improvement, special assessments may be imposed as follows:

(i) Special assessments to recover the CDBG funds may be made only against properties owned and occupied by persons not of low and moderate income. Such assessments constitute program income.

(ii) Special assessments to recover the non-CDBG portion may be made provided that CDBG funds are used to pay the special assessment in behalf of all properties owned and occupied by low and moderate income persons; except that CDBG funds needs not be used to pay the special assessments in behalf of properties owned and occupied by moderate income persons if the grant recipient certifies that it does not have sufficient CDBG funds to pay the assessments in behalf of all off the low and moderate income owner-occupant persons. Funds collected through such special assessments are not program income.

(3) Public improvements not initially assisted with CDBG funds. The payment of special assessments with CDBG funds constitutes CDBG assistance to the public improvement. Therefore, CDBG funds may be used to pay special assessments provided:

(i) The installation of the public improvements was carried out in compliance with requirements applicable to activities assisted under this part including environmental, citizen participation and Davis-Bacon requirements;

(ii) The installation of the public improvement meets a criterion for national objectives in Sec. 570.208 (a) (1), (b), or (c); and

(iii) The requirements of Sec. 570.200 (c) (2) (ii) are met.

(d) Consultant activities. Consulting services are eligible for assistance under this part for professional assistance in program planning, development of community development objectives, and other general professional guidance relating to program execution. The use of consultants is governed by the following:

(1) *Employer-employee type of relationship.* No person providing consultant services in an employer-employee type of relationship shall receive more than a reasonable rate of compensation for personal services paid with CDBG funds. In no event, however, shall such compensation exceed the equivalent of the daily rate paid for Level IV of the Executive Schedule. Such services shall be evidenced by written agreements between the parties which detail the responsibilities, standards, and compensation.

(2) *Independent contractor relationship*. Consultant services provided under an independent contractor relationship are governed by the procurement requirements in 24 CFR 85.36, and are not subject to the compensation limitation of Level IV of the Executive Schedule.

(e) *Recipient determinations required as a condition of eligibility.* In several instances under this subpart, the eligibility of an activity depends on a special local determination. Recipients shall maintain documentation of all such determinations. A written determination is required for any activity carried out under the authority of §570.201(f), 570.201(i)(2), 570.201(p), 570.201(q), 570.202(b)(3), 570.206(f),570.209, 570.210, and 570.309.

(f) *Means of carrying out eligible activities.*

(1) Activities eligible under this subpart, other than those authorized under §570.204(a), may be undertaken, subject to local law:

(i) By the recipient through:

(A) Its employees, or

(B) Procurement contracts governed by the requirements of 24 CFR 85.36; or

(ii) Through loans or grants under agreements with subrecipients, as defined at §570.500©; or

(iii) By one or more public agencies, including existing local public agencies, that are designated by the chief executive officer of the recipient.

(2) Activities made eligible under §570.204(a) may only be undertaken by entities specified in that section.

(g) *Limitation on planning and administrative costs.* No more than 20 percent of the sum of any grant, plus program income, shall be expended for planning and program administrative costs, as defined in §507.205 and 507.206, respectively. Recipients of entitlement grants under subpart D of this part shall conform with this requirement by limiting the amount of CDBG funds obligated for planning plus administration during each program year to an amount no greater than 20 percent of the sum of its entitlement grant made for that program year (if any) plus the program income received by the recipient and its subrecipients (if any) during that program year.

(h) *Reimbursement for pre-award costs.* The effective date of the grant agreement is the program year start date or the date that the consolidated plan is received by HUD, whichever is later. For a Section 108 loan guarantee, the effective date of the grant agreement is the data of HUD execution of the grant agreement amendment for the particular loan guarantee commitment.

(1) Prior to the effective date of the grant agreement, a recipient may incur costs or may authorize a subrecipient to incur costs, and then after the effective date of the grant agreement pay for those costs using its CDBG funds, provided that:

(i) The activity for which the costs are being incurred is included, prior to the costs being incurred, in a consolidated plan action plan, an amended consolidated plan action plan, or an application under subpart M of this part, except that a new entitlement grantee preparing to receive its first allocation of CDBG funds may incur costs necessary to develop its consolidated plan and undertake other administrative actions necessary to receive its first grant, prior to the costs being included in its consolidated plan.

(ii) Citizens are advised of the extend to which these pre-award costs will affect future grants;

(iii) The costs and activities funded are in compliance with the Environmental Review Procedures stated in 24 CFR part 58;

(iv) The activity for which payment is being made complies with the statutory and regulatory provisions in effect at the time the costs are paid for with CDBG funds;

(v) CDBG payment will be made during a time no longer than the next two program years following the effective date of the grant agreement or amendment in which the activity is first included; and

(vi) The total amount of pre-award costs to be paid during any program year pursuant to this provision is no more than the greater of 25 percent of the amount of the grant made for that year or $300,000.

(2) Upon the written request of the recipient, HUD may authorize payment of pre-award costs for activities that do not meet the criteria at paragraph (h)(1)(v) or (h)(1)(vi) of this section, if HUD determines, in writing, that there is good cause for granting an exception upon consideration of the following factors, as applicable:

(i) Whether granting the authority would result in a significant contribution to the goals and purposes of the CDBG program;

(ii) Whether failure to grant the authority would result in undue hardship to the recipient or beneficiaries of the activity;

(iii) Whether granting the authority would result in a violation of a statutory provision or any other regulatory provision;

(iv) Whether circumstances are clearly beyond the recipient's control; or

(v) Any other relevant considerations.

(vi) *Urban Development Action Grant.* Grant assistance may be provided with Urban Development Action Grant funds, subject to the provisions of subpart G, for;

1. Activities eligible for assistance under this subpart; and

2. Notwithstanding the provisions of §570.207, such other activities as the Secretary may determine to be consistent with the purposes of the Urban Development Action Grant program.

(i) *Faith-based activities.*

(1) Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in the CDBG program. Neither the Federal government nor a state or local government receiving funds under CDBG programs shall discriminate against an organization on the basis of the organization's religious character or affiliation.

(2) Organizations that are directly funded under the CDBG program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded under this part. If an organization conducts such activities, the activities must be offered

separately, in time or location, from the programs or services funded under this part, and participation must be voluntary for the beneficiaries of the HUD-funded programs or services.

(3) A religious organization that participates in the CDBG program will retain its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct CDBG funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide CDBG-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, a CDBG-funded religious organization retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

(4) An organization that participates in the CDBG program shall not, in providing program assistance, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief.

(5) CDBG funds may not be used for the acquisition, construction, or Rehabilitation of structures to the extent that those structures are used for inherently religious activities. CDBFG funds may be sued for the acquisition, construction, or rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under this part. Where a structure is used for both eligible and inherently religious activities, CDBG funds may not exceed the cost of those portions of the

acquisition, construction, or rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to CDBG funds in this part. Sanctuaries, chapels, or other rooms that a CDBG-funded improvements. Disposition of real property after the term of the grant, or any change in use of the property during the term of the grant, is subject to government-wide regulations governing real property disposition (see 24 CFR parts 84 and 85).

(6) If a State or local government voluntarily contributes its own funds to supplement federally funded activities, the State or local government has the option to segregate the Federal funds or commingle them. However, if the funds are commingled, this section applies to all of the commingled funds.

[53 FR 34439, Sept. 6, 1988, as amended at 54 FR 47031, Nov. 8, 1989; 57 FR 27119, June 17, 1992; 60 FR 1943, Jan. 5, 1995; 60 FR 17445, Apr. 6, 1995; 60 FR 56910, Nov. 9, 1995; 61 FR 11476, Mar. 20, 1996; 61 FR 18674, Apr. 29, 1996; 65 FR 70215, Nov. 21, 2000; 68 FR 56404, Sept. 30, 2003; 69 FR 32778, June 10, 2004; 70 FR 76369, Dec. 23, 2005; 72 FR 46370, Aug. 17, 2007]

§ 570.201 Basic eligible activities.

CDBG funds may be used for the following activities:

(a) *Acquisition.* Acquisition in whole or in part by the recipient, or other public or private nonprofit entity, by purchase, long-term lease, donation, or otherwise, of real property (including air rights, water rights, rights-of-way, easements, and other interests therein) for any public purpose, subject to the limitations of §570.207.

(b) *Disposition.* Disposition, through sale, lease, donation, or otherwise, of any real property acquired with CDBG funds or its retention for public purposes, including reasonable costs of temporarily managing such property or property acquired under urban renewal, provided that the proceeds from any such disposition shall be program income subject to the requirements set forth in §570.504.

(c) *Public facilities and improvements.* Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, except as provided in §570.207(a), carried out by the recipient or other public or private nonprofit entities. (However, activities under this paragraph may be directed to the removal of material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to public facilities and improvements, including those provided for in §570.207(a)(1).) In undertaking such activities, design features and improvements which promote energy efficiency may be included. Such activities may also include the execution of architectural design features, and similar treatments intended to enhance the aesthetic quality of facilities and improvements receiving CDBG assistance, such as decorative pavements, railings, sculptures, pools of water and fountains, and other works of art. Facilities designed for use in providing shelter for persons having special needs are considered public facilities and not subject to the prohibition of new housing construction described in §570.207(b)(3). Such facilities include shelters for the homeless; convalescent homes; hospitals, nursing homes; battered spouse shelters; halfway houses for run-away children, drug offenders or parolees; group homes for mentally retarded persons and temporary housing for disaster victims. In certain cases, nonprofit entities and subrecipients including those specified in §570.204 may acquire title to public facilities. When such facilities are owned by nonprofit entities or subrecipients, they shall be operated so as to be open for use by the general public during all normal hours of operation. Public facilities and improvements eligible for assistance under this paragraph are subject to the policies in §570.200(b).

(d) *Clearance and remediation activities.* Clearance, demolition, and removal of buildings and improvements, including movement of structures to other sites and remediation of known or suspected environmental contamination. Demolition of HUD-assisted or HUD-owned housing unites may be undertaken only with the prior approval of HUD. Remediation may include project-specific environmental assessment costs not otherwise eligible under §570.205.

(e) *Public services.* Provision of public services (including labor, supplies, and materials) including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, welfare (but excluding the provision of income payments identified under §570.207(b)(4)), homebuyer down payment assistance, or

recreational needs. To be eligible for CDBG assistance, a public service must be either a new service or a quantifiable increase in the level of an existing service above that which has been provided by or on behalf of the unit of general local government (through funds raised by the unit or received by the unit from the State in which it is located) in the 12 calendar months before the submission of the action plan. (An exception to this requirement may be made if HUD determines that any decrease in the level of a service was the result of events not within the control of the unit of general local government.) The amount of CDBG funds used for public services shall not exceed paragraphs (e) (1) or (2) of this section, as applicable:

(1) The amount of CDBG funds used for public services shall not exceed 15 percent of each grant, except that for entitlement grants made under subpart D of this part, the amount shall not exceed 15 percent of the grant plus 15 percent of program income, as defined in §570.500(a). For entitlement grants under subpart D of this part, compliance is based on limiting the amount of CDBG funds obligated for public service activities in each program year to an amount no greater than 15 percent of the entitlement grant made for that program year plus 15 percent of the program income received during the grantee's immediately preceding program year.

(2) A recipient which obligated more CDBG funds for public services than 15 percent of its grant funded from Federal fiscal year 1982 or 1983 appropriations (excluding program income and any assistance received under Public Law 98–8), may obligate more CDBG funds than allowable under paragraph (e)(1) of this section, so long as the total amount obligated in any program year does not exceed:

(i) For an entitlement grantee, 15% of the program income it received during the preceding program year; plus

(ii) A portion of the grant received for the program year which is the highest of the following amounts:

(A) The amount determined by applying the percentage of the grant it obligated for public services in the 1982 program year against the grant for its current program year;

(B) The amount determined by applying the percentage of the grant it obligated for public services in the 1983 program year against the grant for its current program year;

(C) The amount of funds it obligated for public services in the 1982 program year; or,

(D) The amount of funds it obligated for public services in the 1983 program year.

(f) Interim assistance.

(1) The following activities may be undertaken on an interim basis in

areas exhibiting objectively determinable signs of physical deterioration where the recipient has determined that immediate action is necessary to arrest the deterioration and that permanent improvements will be carried out as soon as practicable:

(i) The repairing of streets, sidewalks, parks, playgrounds, publicly owned utilities, and public buildings; and

(ii) The execution of special garbage, trash, and debris removal, including neighborhood cleanup campaigns, but not the regular curbside collection of garbage or trash in an area.

(2) In order to alleviate emergency conditions threatening the public health and safety in areas where the chief executive officer of the recipient determines that such an emergency condition exists and requires immediate resolution, CDBG funds may be used for:

(i) The activities specified in paragraph (f)(1) of this section, except for the repair of parks and playgrounds;

(ii) The clearance of streets, including snow removal and similar activities, and

(iii) The improvement of private properties.

(3) All activities authorized under paragraph (f)(2) of this section are limited to the extent necessary to alleviate emergency conditions.

(g) *Payment of non-Federal share.* Payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of CDBG activities, provided, that such payment shall be limited to activities otherwise eligible and in compliance with applicable requirements under this subpart.

(h) *Urban renewal completion.* Payment of the cost of completing an urban renewal project funded under title I of the Housing Act of 1949 as amended. Further information regarding the eligibility of such costs is set forth in §570.801.

(i) *Relocation.* Relocation payments and other assistance for permanently and temporarily relocated individuals families, businesses, nonprofit organizations, and farm operations where the assistance is

(1) required under the provisions of §570.606 (b) or (c); or

(2) determined by the grantee to be appropriate under the provisions of §570.606(d).

(j) *Loss of rental income.* Payments to housing owners for losses of rental income incurred in holding, for temporary periods, housing units to be used for the relocation of individuals and families displaced by program activities assisted under this part.

(k) *Housing services.* Housing services, as provided in section 105(a)(21) of the Act (42 U.S.C. 5305(a)(21)).

(l) *Privately owned utilities.* CDBG funds may be used to acquire, construct, reconstruct, rehabilitate, or install the distribution lines and facilities of privately owned utilities, including the placing underground of new or existing distribution facilities and lines.

(m) *Construction of housing.* CDBG funds may be used for the construction of housing assisted under section 17 of the United States Housing Act of 1937.

(n) *Homeownership assistance.* CDBG funds may be used to provide direct homeownership assistance to low- or moderate-income households in accordance with section 105(a) of the Act.

(o) (1) The provision of assistance either through the recipient directly or through public and private organizations, agencies, and other subrecipients (including nonprofit and for-profit subrecipients) to facilitate economic development by:

(i) Providing credit, including, but not limited to, grants, loans, loan guarantees, and other forms of financial support, for the establishment, stabilization, and expansion of microenterprises;

(ii) Providing technical assistance, advice, and business support services to owners of microenterprises and persons developing microenterprises; and

(iii) Providing general support, including, but not limited to, peer support programs, counseling, child care, transportation, and other similar services, to owners of microenterprises and persons developing microenterprises.

(2) Services provided this paragraph (o) shall not be subject to the restrictions on public services contained in paragraph (e) of this section.

(3) For purposes of this paragraph (o), “persons developing microenterprises” means such persons who have expressed interest and who are, or after an initial screening process are expected to be, actively working toward

developing businesses, each of which is expected to be a microenterprise at the time it is formed.

(4) Assistance under this paragraph (o) may also include training, technical assistance, or other support services to increase the capacity of the recipient or subrecipient to carry out the activities under this paragraph (o).

(p) *Technical assistance.* Provision of technical assistance to public or nonprofit entities to increase the capacity of such entities to carry out eligible neighborhood revitalization or economic development activities. (The recipient must determine, prior to the provision of the assistance, that the activity for which it is attempting to build capacity would be eligible for assistance under this subpart C, and that the national

objective claimed by the grantee for this assistance can reasonably be expected to be met once the entity has received the technical assistance and undertakes the activity.) Capacity building for private or public entities (including grantees) for other purposes may be eligible under §570.205.

(q) *Assistance to institutions of higher education.* Provision of assistance by the recipient to institutions of higher education when the grantee determines that such an institution has demonstrated a capacity to carry out eligible activities under this subpart C.

[53 FR 34439, Sept. 6, 1988, as amended at 53 FR 31239, Aug. 17, 1988; 55 FR 29308, July 18, 1990; 57 FR 27119, June 17, 1992; 60 FR 1943, Jan. 5, 1995; 60 FR 56911, Nov. 9, 1995; 61 FR 18674, Apr. 29, 1996; 65 FR 70215, Nov. 21, 2000; 67 FR 47213, July 17, 2002; 71 FR 30034, May 24, 2006]

§ 570.202 Eligible rehabilitation and preservation activities.

(a) *Types of buildings and improvements eligible for rehabilitation assistance.* CDBG funds may be used to finance the rehabilitation of:

(1) Privately owned buildings and improvements for residential purposes; improvements to a single-family residential property which is also used as a place of business, which are required in order to operate the business, need not be considered to be rehabilitation of a commercial or industrial building, if the improvements also provide general benefit to the residential occupants of the building;

(2) Low-income public housing and other publicly owned residential buildings and improvements;

(3) Publicly or privately owned commercial or industrial buildings, except that the rehabilitation of such buildings owned by a private for-profit business is limited to improvement to the exterior of the building, abatement of asbestos hazards, lead-based paint hazard evaluation and reduction, and the correction of code violations;

(4) Nonprofit-owned nonresidential buildings and improvements not eligible under §570.201(c); and

(5) Manufactured housing when such housing constitutes part of the community's permanent housing stock.

(b) *Types of assistance.* CDBG funds may be used to finance the following types of rehabilitation activities, and related costs, either singly, or in combination, through the use of grants, loans, loan guarantees, interest supplements, or other means for buildings and improvements described in paragraph (a) of this section, except that rehabilitation of commercial or industrial buildings is limited as described in paragraph (a)(3) of this section.

(1) Assistance to private individuals and entities, including profit making and nonprofit organizations, to acquire for the purpose of rehabilitation, and to rehabilitate properties, for use or resale for residential purposes;

(2) Labor, materials, and other costs of rehabilitation of properties, including repair directed toward an accumulation of deferred maintenance, replacement of principal fixtures and components of existing structures, installation of security devices, including smoke detectors and dead bolt locks, and renovation through alterations, additions to, or enhancement of existing structures and improvements, abatement of asbestos hazards (and other contaminants) in buildings and improvements that may be undertaken singly, or in combination;

(3) Loans for refinancing existing indebtedness secured by a property being rehabilitated with CDBG funds if such financing is determined by the recipient to be necessary or appropriate to achieve the locality's community development objectives;

(4) Improvements to increase the efficient use of energy in structures through such means as installation of storm windows and doors, siding, wall and attic insulation, and conversion, modification, or replacement of heating and cooling equipment, including the use of solar energy equipment;

(5) Improvements to increase the efficient use of water through such means as water savings faucets and shower heads and repair of water leaks;

(6) Connection of residential structures to water distribution lines or local sewer collection lines;

(7) For rehabilitation carried out with CDBG funds, costs of:

(i) Initial homeowner warranty premiums;

(ii) Hazard insurance premiums, except where assistance is provided in the form of a grant; and

(iii) Flood insurance premiums for properties covered by the Flood Disaster Protection Act of 1973, pursuant to §570.605.

(8) Costs of acquiring tools to be lent to owners, tenants, and others who will use such tools to carry out rehabilitation;

(9) Rehabilitation services, such as rehabilitation counseling, energy auditing, preparation of work specifications, loan processing, inspections, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in rehabilitation activities authorized under this section, under section 312 of the Housing Act of 1964, as amended, under section 810 of the Act, or under section 17 of the United States Housing Act of 1937;

(10) Assistance for the rehabilitation of housing under section 17 of the United States Housing Act of 1937; and

(11) Improvements designed to remove material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to buildings and improvements eligible for assistance under paragraph (a) of this section.

(c) *Code enforcement.* Costs incurred for inspection for code violations and enforcement of codes (e.g., salaries and related expenses of code enforcement inspectors and legal proceedings, but not including the cost of correcting the violations) in deteriorating or deteriorated areas when such enforcement together with public or private improvements, rehabilitation, or services to be provided may be expected to arrest the decline of the area.

(d) *Historic preservation.* CDBG funds may be used for the rehabilitation, preservation or restoration of historic properties, whether publicly or privately owned. Historic properties are those sites or structures that are either listed in or eligible to be listed in the National Register of Historic Places, listed in a State or local inventory of historic places, or designated as a State or local landmark or historic district by appropriate law or ordinance. Historic preservation, however, is not authorized for buildings for the general conduct of government.

(e) *Renovation of closed buildings.* CDBG funds may be used to renovate closed buildings, such as closed school buildings, for use as an eligible public facility or to rehabilitate such buildings for housing.

(f) *Lead-based paint activities.* Lead-based paint activities pursuant to §570.608.

[53 FR 34439, Sept. 6, 1988; 53 FR 41330, Oct. 21, 1988, as amended at 60 FR 1944, Jan. 5, 1995; 60 FR 56911, Nov. 9, 1995; 64 FR 50225, Sept. 15, 1999; 71 FR 30035, May 24, 2006]

§ 570.203 Special economic development activities.

A recipient may use CDBG funds for special economic development activities in addition to other activities authorized in this subpart that may be carried out as part of an economic development project. Guidelines for selecting activities to assist under this paragraph are provided at §570.209. The recipient must ensure that the appropriate level of public benefit will be derived pursuant to those guidelines before obligating funds under this authority. Special activities authorized under this section do not include assistance for the construction of new housing. Activities eligible under this section may include costs associated with project-specific assessment or remediation of known or suspected environmental contamination. Special economic development activities include:

(a) The acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements, including railroad spurs or similar extensions. Such activities may be carried out by the recipient or public or private nonprofit subrecipients.

(b) The provision of assistance to a private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is appropriate to carry out an economic development project, excluding those described as ineligible in

§570.207(a). In selecting businesses to assist under this authority, the recipient shall minimize, to the extent practicable, displacement of existing businesses and jobs in neighborhoods.

(c) Economic development services in connection with activities eligible under this section, including, but not limited to, outreach efforts to market available forms of assistance; screening of applicants; reviewing and underwriting applications for assistance; preparation of all necessary agreements; management of assisted activities; and the screening, referral, and placement of applicants for employment opportunities generated by CDBG-eligible economic development activities, including the costs of providing necessary training for persons filling those positions.

[53 FR 34439, Sept. 6, 1988, as amended at 60 FR 1944, Jan. 5, 1995; 71 FR 30035, May 24, 2006]

§ 570.204 Special activities by Community-Based Development Organizations (CBDOs).

(a) *Eligible activities.* The recipient may provide CDBG funds as grants or loans to any CBDO qualified under this section to carry out a neighborhood revitalization, community economic development, or energy conservation project. The funded project activities may include those listed as eligible under this subpart, and, except as described in paragraph (b) of this section, activities not otherwise listed as eligible under this subpart. For purposes of qualifying as a project under paragraphs (a)(1), (a)(2), and (a)(3) of this section, the funded activity or activities may be considered either alone or in concert with other project activities either being carried out or for which funding has been committed. For purposes of this section:

(1) Neighborhood revitalization project includes activities of sufficient size and scope to have an impact on the decline of a geographic location within the jurisdiction of a unit of general local government (but not the entire jurisdiction) designated in comprehensive plans, ordinances, or other local documents as a neighborhood, village, or similar geographical designation; or the entire jurisdiction of a unit of general local government which is under 25,000 population;

(2) Community economic development project includes activities that increase economic opportunity, principally for persons of low- and moderate-income, or that stimulate or retain businesses or permanent jobs, including projects that include one or more such activities that are clearly needed to address a lack of affordable housing accessible to existing or planned jobs and those activities specified at 24 CFR 91.1(a)(1)(iii); activities under this paragraph may include costs associated with project-specific assessment or remediation of known or suspected environmental contamination;

(3) Energy conservation project includes activities that address energy conservation, principally for the benefit of the residents of the recipient's jurisdiction; and

(4) To carry out a project means that the CBDO undertakes the funded activities directly or through contract with an entity other than the grantee, or through the provision of financial assistance for activities in which it retains a direct and controlling involvement and responsibilities.

(b) *Ineligible activities.* Notwithstanding that CBDOs may carry out activities that are not otherwise eligible under this subpart, this section does not authorize:

(1) Carrying out an activity described as ineligible in §570.207(a);

(2) Carrying out public services that do not meet the requirements of §570.201(e), except that:

(i) Services carried out under this section that are specifically designed to increase economic opportunities through job training and placement and other employment support services, including, but not limited to, peer support programs, counseling, child care, transportation, and other similar services; and

(ii) Services of any type carried out under this section pursuant to a strategy approved by HUD under the provisions of 24 CFR 91.215(e) shall not be subject to the limitations in §570.201(e)(1) or (2), as applicable;

(3) Providing assistance to activities that would otherwise be eligible under §570.203 that do not meet the requirements of §570.209; or

(4) Carrying out an activity that would otherwise be eligible under §570.205 or §570.206, but that would result in the recipient's exceeding the spending limitation in §570.200(g).

(c) *Eligible CBDOs.*

(1) A CBDO qualifying under this section is an organization which has the following characteristics:

(i) Is an association or corporation organized under State or local law to engage in community development activities (which may include housing and economic development activities) primarily within an identified geographic area of operation within the jurisdiction of the recipient, or in the case of an urban county, the jurisdiction of the county; and

(ii) Has as its primary purpose the improvement of the physical, economic or social environment of its geographic area of operation by addressing one or more critical problems of the area, with particular attention to the needs of persons of low and moderate income; and

(iii) May be either non-profit or for-profit, provided any monetary profits to its shareholders or members must be only incidental to its operations; and

(iv) Maintains at least 51 percent of its governing body's membership for low- and moderate-income residents of its geographic area of operation, owners or senior officers of private establishments and other institutions located in and serving its geographic area of operation, or representatives of low- and moderate-income neighborhood organizations located in its geographic area of operation; and

(v) Is not an agency or instrumentality of the recipient and does not permit more than one-third of the membership of its governing body to be appointed by, or to consist of, elected or other public officials or employees or officials of an ineligible entity (even though such persons may be otherwise qualified under paragraph (c)(1)(iv) of this section); and

(vi) Except as otherwise authorized in paragraph (c)(1)(v) of this section, requires the members of its governing body to be nominated and approved by the general membership of the organization, or by its permanent governing body; and

(vii) Is not subject to requirements under which its assets revert to the recipient upon dissolution; and

(viii) Is free to contract for goods and services from vendors of its own choosing.

(2) A CBDO that does not meet the criteria in paragraph (c)(1) of this section may also qualify as an eligible entity under this section if it meets one of the following requirements:

(i) Is an entity organized pursuant to section 301(d) of the Small Business Investment Act of 1958 (15 U.S.C. 681(d)), including those which are profit making; or

(ii) Is an SBA approved Section 501 State Development Company or Section 502 Local Development Company, or an SBA Certified Section 503 Company under the Small Business Investment Act of 1958, as amended; or

(iii) Is a Community Housing Development Organization (CHDO) under 24 CFR 92.2, designated as a CHDO by the HOME Investment Partnerships program participating jurisdiction, with a geographic area of operation of no more than one neighborhood, and has received HOME funds under 24 CFR 92.300 or is expected to receive HOME funds as described in and documented in accordance with 24 CFR 92.300(e).

(4) A CBDO that does not qualify under paragraph (c)(1) or (2) of this section may also be determined to qualify as an eligible entity under this section if the recipient demonstrates to the satisfaction of HUD, through the provision of information regarding the organization's charter and by-laws, that the organization is sufficiently similar in purpose, function, and scope

to those entities qualifying under paragraph (c)(1) or (2) of this section.

[60 FR 1944, Jan. 5, 1995, as amended at 71 FR 30035, May 24, 2006]

§ 570.205 Eligible planning, urban environmental design and policy-planning-management-capacity building activities.

(a) Planning activities which consist of all costs of data gathering, studies, analysis, and preparation of plans and the identification of actions that will implement such plans, including, but not limited to:

(1) Comprehensive plans;

(2) Community development plans;

(3) Functional plans, in areas such as:

(i) Housing, including the development of a consolidated plan;

(ii) Land use and urban environmental design;

(iii) Economic development;

(iv) Open space and recreation;

(v) Energy use and conservation;

(vi) Floodplain and wetlands management in accordance with the requirements of Executive Orders 11988 and 11990;

(vii) Transportation;

(viii) Utilities; and

(ix) Historic preservation.

(4) Other plans and studies such as:

(i) Small area and neighborhood plans;

(ii) Capital improvements programs;

(iii) Individual project plans (but excluding engineering and design costs related to a specific activity which are eligible as part of the cost of such activity under §§570.201–570.204);

(iv) The reasonable costs of general environmental, urban environmental design and historic preservation studies; and general environmental assessment- and remediation-oriented planning related to properties with known or suspected environmental contamination. However, costs

necessary to comply with 24 CFR part 58, including project specific environmental assessments and clearances for activities eligible for assistance under this part, are eligible as part of the cost of such activities under §§570.201–570.204. Costs for such specific assessments and clearances may also be incurred under this paragraph but would then be considered planning costs for the purposes of §570.200(g);

(v) Strategies and action programs to implement plans, including the development of codes, ordinances and regulations;

(vi) Support of clearinghouse functions, such as those specified in Executive Order 12372; and

(vii) Analysis of impediments to fair housing choice.

(viii) Developing an inventory of properties with known or suspected environmental contamination.

(b) [Reserved]

(c) Policy—planning—management—capacity building activities which will enable the recipient to:

(1) Determine its needs;

(2) Set long-term goals and short-term objectives, including those related to urban environmental design;

(3) Devise programs and activities to meet these goals and objectives;

(4) Evaluate the progress of such programs and activities in accomplishing these goals and objectives; and

(5) Carry out management, coordination and monitoring of activities necessary for effective planning implementation, but excluding the costs necessary to implement such plans.

[53 FR 34439, Sept. 6, 1988, as amended at 56 FR 56127, Oct. 31, 1991; 60 FR 1915, Jan. 5, 1995; 71 FR 30035, May 24, 2006]

§ 570.206 Program administrative costs.

Payment of reasonable administrative costs and carrying charges related to the planning and execution of community development activities assisted in whole or in part with funds provided under this part and, where applicable, housing activities (described in paragraph (g) of this section) covered in the recipient's housing assistance plan. This does not include staff and overhead costs directly related to carrying out activities eligible under §570.201 through §570.204, since those costs are eligible as part of such activities.

(a) *General management, oversight and coordination.* Reasonable costs of overall program management, coordination, monitoring, and evaluation. Such costs include, but are not necessarily limited to, necessary expenditures for the following:

(1) Salaries, wages, and related costs of the recipient's staff, the staff of local public agencies, or other staff engaged in program administration. In charging costs to this category the recipient may either include the entire salary, wages, and related costs allocable to the program of each person whose *primary* responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes *any* program administration assignments. The recipient may use only one of these methods during the program year (or the grant period for grants under subpart F). Program administration includes the following types of assignments:

(i) Providing local officials and citizens with information about the program;

(ii) Preparing program budgets and schedules, and amendments thereto;

(iii) Developing systems for assuring compliance with program requirements;

(iv) Developing interagency agreements and agreements with subrecipients and contractors to carry out program activities;

(v) Monitoring program activities for progress and compliance with program requirements;

(vi) Preparing reports and other documents related to the program for submission to HUD;

(vii) Coordinating the resolution of audit and monitoring findings;

(viii) Evaluating program results against stated objectives; and

(ix) Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described in paragraph (a)(1)(i) through (viii) of this section.

(2) Travel costs incurred for official business in carrying out the program;

(3) Administrative services performed under third party contracts or agreements, including such services as general legal services, accounting services, and audit services; and

(4) Other costs for goods and services required for administration of The program, including such goods and services as rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.

(b) *Public information.* The provisions of information and other resources to residents and citizen organizations participating in the planning, implementation, or assessment of activities being assisted with CDBG funds.

(c) *Fair housing activities.* Provision of fair housing services designed to further the fair housing objectives of the Fair Housing Act (42 U.S.C. 3601–20) by making all persons, without regard to race, color, religion, sex, national origin, familial status or handicap, aware of the range of housing opportunities available to them; other fair housing enforcement, education, and outreach activities; and other activities designed to further the housing objective of avoiding undue concentrations of assisted persons in areas containing a high proportion of low and moderate income persons.

(d) [Reserved]

(e) *Indirect costs.* Indirect costs may be charged to the CDBG program under a cost allocation plan prepared in accordance with OMB Circular A–21, A–87, or A–122 as applicable.

(f) *Submission of applications for federal programs.* Preparation of documents required for submission to HUD to receive funds under the CDBG and UDAG programs. In addition, CDBG funds may be used to prepare applications for other Federal programs where the recipient determines that such activities are necessary or appropriate to achieve its community development objectives.

(g) *Administrative expenses to facilitate housing.* CDBG funds may be used for necessary administrative expenses in planning or obtaining financing for housing as follows: for entitlement recipients, assistance authorized by this paragraph is limited to units which are identified in the recipient's HUD approved housing assistance plan; for HUD-administered small cities recipients, assistance authorized by the paragraph is limited to facilitating the purchase or occupancy of existing units which are to be occupied by low and moderate income households, or the construction of rental or owner units where at least 20 percent of the units in each project will be occupied at affordable rents/costs by low and moderate income persons. Examples of eligible actions are as follows:

(1) The cost of conducting preliminary surveys and analysis of market needs;

(2) Site and utility plans, narrative descriptions of the proposed construction, preliminary cost estimates, urban design documentation, and “sketch drawings,” but excluding architectural, engineering, and other details ordinarily required for construction purposes, such as structural, electrical, plumbing, and mechanical details;

(3) Reasonable costs associated with development of applications for mortgage and insured loan commitments, including commitment fees, and of applications and proposals under the Section 8 Housing Assistance Payments Program pursuant to 24 CFR parts 880–883;

(4) Fees associated with processing of applications for mortgage or insured loan commitments under programs including those administered by HUD, Farmers

Home Administration (FHA), Federal National Mortgage Association (FNMA), and the Government National Mortgage Association (GNMA);

(5) The cost of issuance and administration of mortgage revenue bonds used to finance the acquisition, rehabilitation or construction of housing, but excluding costs associated with the payment or guarantee of the principal or interest on such bonds; and

(6) Special outreach activities which result in greater landlord participation in Section 8 Housing Assistance Payments Program-Existing Housing or similar programs for low and moderate income persons.

(h) *Section 17 of the United States Housing Act of 1937.* Reasonable costs equivalent to those described in paragraphs (a), (b), (e) and (f) of this section for overall program management of the Rental Rehabilitation and Housing Development programs authorized under section 17 of the United States Housing Act of 1937, whether or not such activities are otherwise assisted with funds provided under this part.

(i) Whether or not such activities are otherwise assisted by funds provided under this part, reasonable costs equivalent to those described in paragraphs (a), (b), (e), and (f) of this section for overall program management of:

(1) A Federally designated Empowerment Zone or Enterprise Community; and

(2) The HOME program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 note).

[53 FR 34439, Sept. 6, 1988; 53 FR 41330, Oct. 21, 1988, as amended at 54 FR 37411, Sept. 8, 1989; 60 FR 56912, Nov. 9, 1995; 69 FR 32778, June 10, 2004]

AMARILLO INCOME DEMOGRAPHICS BY CENSUS TRACT BASED ON CENSUS 2010

Available at: http://comdev.amarillo.gov/?page_id=583

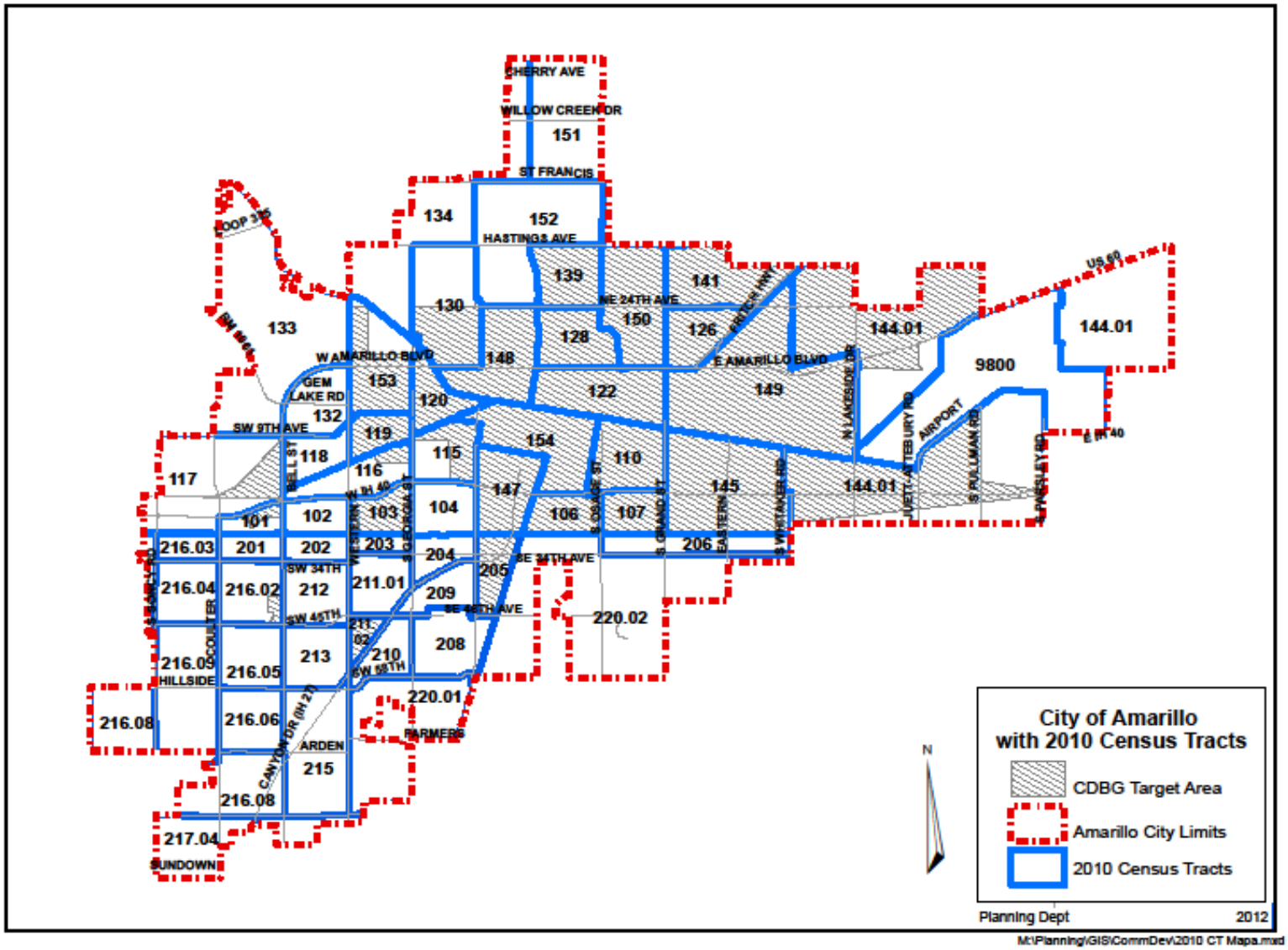
HISTORY OF FUNDING FR0M THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

FY	CDBG	CDBG-R	HPRP	URBAN PLAN	ESG	TX ESG	RENT REHAB	AD ADDI	HOME	GRAND TOTAL
1976 - 1980	9,730,000									**9,730,000**
1981	2,251,000									**2,251,000**
1982 **	2,424,000									**2,424,000**
1983	1,812,000									**1,812,000**
1984	1,776,000						116,100			**1,892,100**
1985	1,775,000						84,000			**1,859,000**
1986	1,522,000						41,000			**1,563,000**
1987	1,527,000				26,000		113,000			**1,666,000**
1988	1,444,000				4,000		112,000			**1,560,000**
1989	1,501,000				24,000		84,000			**1,609,000**
1990	1,412,000			138,465	37,000		71,000			**1,658,465**
1991	1,607,000			242,865	37,000		38,000			**1,924,865**
1992	1,652,000				37,000		69,000		750,000	**2,508,000**
1993	2,367,000					95,220			476,000	**2,938,220**
1994	2,575,000				69,000	156,000			780,000	**3,580,000**
1995	2,576,000				93,000	137,280			839,000	**3,645,280**
1996	2,503,000				65,000	52,000			826,000	**3,446,000**
1997	2,466,000				65,000	73,174			806,000	**3,410,174**
1998	2,394,000				94,000	97,760			857,000	**3,442,760**
1999	2,406,000				85,000	102,480*			926,000	**3,519,480**
2000	2,399,000				85,000	83,887			926,000	**3,493,887**
2001	2,480,000				85,000	62,400			1,028,000	**3,655,400**
2002	2,423,000				84,000	111,852			1,025,000	**3,643,852**
2003	2,223,000				83,000				1,053,540	**3,359,540**
2004	2,168,000				81,315	106,579		113,564	1,049,913	**3,519,371**
2005	2,052,630					135,455		35,052	1,003,457	**3,226,594**
2006	1,846,833							17,491	943,340	**2,807,664**
2007	1,846,833					154,147		17,491	943,340	**2,961,811**
2008	1,779,542					122,732		7,067	905,732	**2,815,073**
2009	1,798,534	483,310	739,071	1,658,664		165,205			1,006,438	**5,851,222**
2010	1,944,624					117,121			1,000,644	**3,062,389**
2011	1,623,758					157,944			888,021	**2,669,723**
2012	1,451,536					238,459			579,998	**2,269,993**
2013	1,537,811								539,003	**2,076,814**
2014	1,501,544					92,029			554,979	**2,148,547**
2015	1,427,939					129,307			499,454	**2,056,700**
	78,224,584	**483,310**	**739,071**	**2,039,994**	**1,054,315**	**2,232,296**	**728,100**	**190,665**	**20,206,859**	**106,057,924**

HOW CDBG, CDBG-R, and HOME MONEY HAS BEEN USED IN PRIOR FISCAL YEARS
Based on Annual Action Plans

TYPE OF ACTIVITY	2005-06	2006-07	2007-08	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Park Improvements	$70,000	$65,000	$171,800	$0	$300,000	$203,400	$180,000	$0	$326,435
Public Services	$303,500	$277,000	$276,563	$261,931	$269,780	$291,693	$309,558	$191,636	$230,672
Street Paving/ Infrastructure	$55,000	$0	$50,000	$449,150	$400,190	$79,721	$0	$0	$0
Homeless Services (TX & HUD)	$32,118	$0	$36,995	$36,931	$30,015	$30,015	$41,650	$66,958	$0
Homeless Shelters (TX & HUD)	$73,755	$0	$30,322	$61,920	$79,225	$64,250	$280,237	$201,881	$0
Homelessness Prevention (TXESG)	$35,000	$0	$45,000	$30,797	$49,611	$5,002	$30,500	$117,787	$0
Neighborhood Facilities	$455,000	$377,700	$134,560	$80,000	$600,000	$98,031	$234,000	$151,984	$0
Micro Loan Program	$85,000	$0	$0	$0	$0	$33,450	$75,000	$0	$0
Demolition and Clearance	$90,000	$90,000	$90,000	$90,000	$90,000	$90,000	$40,000	$75,000	$90,000
Code Enforcement Inspector	$34,000	$44,200	$45,655	$50,170	$54,178	$54,386	$56,467	$58,373	$61,447
Transitional Housing Rehab	$0	$0	$0	$0	$0	$0	$0	$0	$0
Housing Rehabilitation	$100,000	$100,000	$0	$232,224	$250,000	$285,969	$100,000	$100,000	$100,000
Emergency Repair Grants	$472,130	$480,796	$450,000	$300,000	$403,835	$449,076	$452,314	$457,705	$321,259
Lead Based Paint Clearance	$0	$0	$0	$0	$0	$0	$0	$0	$0
HOMEbuyer Assistance	$402,468	$461,800	$453,996	$250,000	$248,000	200,548	$250.000	$256,000	$48,153
ADDI	$35,052	$17,491	$7,450	$7,067	$0	$0	$0	$0	$0
Rental Rehabilitation	$100,000	$100,000	$0	$15,000	$531,295	$150,000	$171,564	$100,000	$100,000
Rehab /Sale of Homes	$0	$0	$0	$0	$0	$0	$0	$0	$0
Housing Rehab – Other	$0	$0	$0	$0	$258,000	$216,000	$200,000	$0	$0
Housing Development	$100,000	$588,200	$200,000	$312,000	$0	$0	$0	$0	$0
CHDO Housing Projects	$150,519	$151,839	$140,142	$135,866	$249,000	$284,000	$133,254	$87,000	$210,000
CHDO Operating Assistance	$50,170	$47,167	$46,714	$45,289	$50,000	$50,032	$44,401	$29,000	$26,950
HOME Administration	$100,300	$94,334	$93,428	$90,577	$100,643	$100,064	$88,802	$57,998	$53,900
Rehab Staff Support	$120,000	$162,103	$175,160	$162,205	$171,105	$166,545	$150,437	$150,437	$150,437
Planning	$0	$0	$0	$0	$26,000	$0	$0	$0	$50,000
Program Management	$368,000	$349,034	$365,120	$355,908	$359,636	$388,924	$324,745	$290,307	$307,562
TOTAL ENTITLEMENT	$3,232,012	$3,406,664	$2,812,905	$2,967,035	$4,520,513	$3,241,106	$2,913,179	$2,392,066	$2,076,815

= Included as mid year amendment from prior year funds and is not included in the entitlement totals. CDBG Target Area map is on the following page.


City of Amarillo
with 2010 Census Tracts
CDBG Target Area
Amarillo City Limits
2010 Census Tracts
Planning Dept
2012
N
CHERRY AVE
WILLOW CREEK DR
ST FRANCIS
HASTINGS AVE
NE 24TH AVE
W AMARILLO BLVD
E AMARILLO BLVD
GEM LAKE RD
SW 9TH AVE
SW 34TH
SW 45TH
SE 34TH AVE
SE 45TH AVE
HILLSIDE
ARDEN
FARMERS
SUNDOWN
151
152
134
139
141
130
150
126
133
128
148
153
120
122
149
132
119
154
118
115
110
117
116
147
145
101
102
103
104
106
107
144.01
9800
216.03
201
202
203
204
206
216.04
216.02
212
211.01
205
209
220.02
216.09
213
211.02
210
208
216.05
220.01
216.08
216.06
215
217.04

Family Income Limits
as Established by
The Department of Housing and Urban Development
for the Amarillo MSA
Effective: March 6, 2015
FY 2015 Median Family Income (MFI): $59,400 (HUD Estimate)

Number in Family	Extremely Low Income 30% of MFI		Very Low Income 50% of MFI		60% of MFI HOME Limit		Low Income 80% of MFI	
	Yearly	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly	Monthly
1	$12,700	$1,058	$21,150	$1,763	$25,380	$2,115	$33,800	$2,817
2	$15,930	$1,328	$24,150	$2,013	$28,980	$2,415	$38,600	$3,217
3	$20,090	$1,674	$27,150	$2,263	$32,580	$2,715	$43,450	$3,621
4	$24,250	$2,021	$30,150	$2,513	$36,180	$3,015	$48,250	$4,021
5	$28,410	$2,368	$32,600	$2,714	$39,120	$3,260	$52,150	$4,346
6	$32,570	$2,714	$35,000	$2,917	$42,000	$3,500	$56,000	$4,667
7	$36,730	$3,061	$37,400	$3,117	$44,880	$3,740	$59,850	$4,988
8 Plus	$39,800	$3,317	$39,800	$3,317	$47,760	$3,980	$63,700	$5,308

Notes:

90% of all HOME project funds must benefit households at 60% of MFI. Specific occupancy and rent requirements for HOME projects are identified in each project contract.

In the CDBG Program, the terms very low income and low income are referred to as low income and moderate income.

2016 Fair Market Rents for All Bedroom Sizes
Effective 10/1/2015

The following table shows the Final FY 2016 FMRs for the Amarillo MSA.

Final FY 2016 FMRs By Unit Bedrooms

	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom	Five Bedroom
Final FY 2016 FMR	$500	$615	$804	$1063	$1170	$1256

POLICY ON REQUESTS TO RENOVATE FACILITIES
November 1994

The following policy will guide the evaluation and Community Development Block Grant funding of requests to renovate or improve community or public facilities. This policy does not apply to projects involving new construction or the expansion of existing facilities.

To request CDBG funds to renovate existing facilities or to replace major building components, the applicant must clearly demonstrate the following:

a. The continued operation of the applicant's programs is jeopardized for failure to comply with building codes, health/environmental codes or licensing requirements. Applicant must submit documentation of the deficiency.

b. The applicant must demonstrate the project for which funding is requested was not the result of deferred or poor maintenance. Applicant must discuss their preventive maintenance programs.

c. The applicant must have exhausted other resources before seeking funds. Applicant must demonstrate other sources of funds or grants not available or not approved.

d. Identify the insurance carrier of the facility to be renovated and list any policy exclusions and the deductibles. List the status of all claims made during the past year.

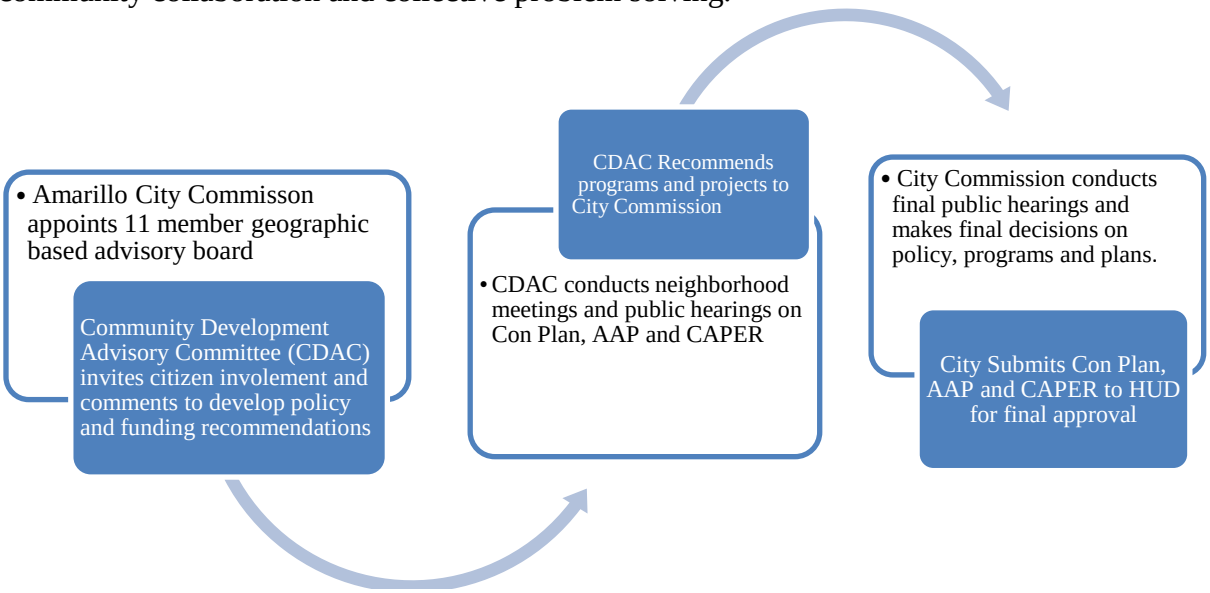
CITIZEN PARTICPATION GUIDE

Involving citizens in the decision making process is integral and essential in the identification of community and neighborhood needs and the allocation of resources. Beginning in 1974, the City of Amarillo established the commitment to involve neighborhoods and community stakeholders in the decision making process for the new Community Development Block Grant program. Over the years, the process of citizen involvement was carried forward into other Department of Housing and Urban Development programs; such as the homeless assistance programs, the Section 8 Housing Assistance programs and finally the HOME Investment Partnership program.

This Guide to Citizen Participation includes the policies and procedures for involving the community in the various phases of planning, allocation and evaluation of resources made available to Amarillo by the Department of Housing and Urban Development (HUD). Specifically, the Guide identifies the process for the following:

- Development of the five year Consolidated Plan for Housing and Community Development and the associated Annual Action Plans which identifies the use of funding from the following:
    - Community Development Block Grant (CDBG) program
    - HOME Investment Partnership (HOME) program
    - Stewart B. McKinney Homeless Assistance and the HEARTH programs
- Amendments to the Consolidated Plan and the Annual Action Plan
- Consolidated Annual Performance and Evaluation Report (CAPER)

The Guide establishes a process which enables Amarillo to create an effective and coordinated approach to community development and housing. The process results in opportunities for community collaboration and collective problem solving.



CITIZEN PARTICIPATION AND INVOLVEMENT

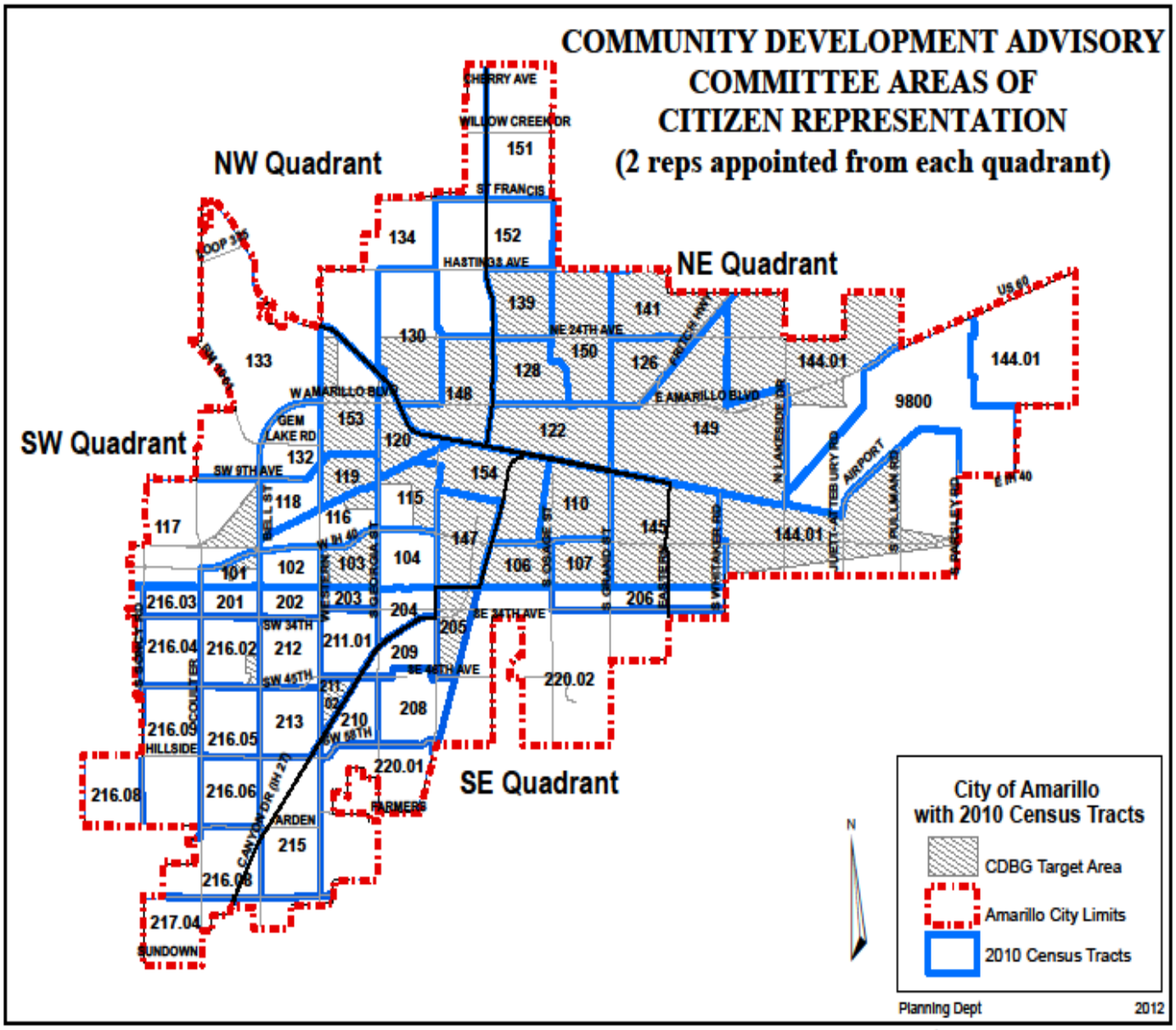
The CDBG, HOME and Homeless Assistance programs integrated in the Consolidated and Annual Action Plan comprise the Community Development and Housing Programs (CD&H). The ultimate goal is to "extend and strengthen partnerships among all levels of government, for profit and non-profit organizations and the community to provide decent housing, establish and maintain a suitable living environment, and expand economic opportunities" for citizens of Amarillo, especially those with low and very low incomes.

To best do this, it is important to know what the individuals affected by the Community Development and Housing activities think about the programs. Ideas and suggestions from citizens are important and worthwhile, and without them the programs will be less than successful. Citizen involvement is a partnership between the City of Amarillo and the residents of the neighborhoods involved in the programs. In addition, this collaborative effort extends to the private sector and non-profit organizations who have resources and programs to achieve the Consolidated Plan strategies. It is the responsibility of the City to provide open access and opportunities for participation so that any citizen or group of citizens may express themselves about the consolidated planning process. Importantly, it is the responsibility of citizens to participate and to become involved. Otherwise any citizen participation process is ineffective.

Within the federal guidelines, the activities to be undertaken are ultimately determined by the Amarillo City Council. To make wise decisions about how to use federal money, the City Council needs timely and adequate information from Amarillo citizens about local concerns, problems and needs. It is the policy of the Amarillo City Council to encourage maximum citizen participation as a means to improve the responsiveness of the Community Development & Housing programs to community needs.

The citizen participation process has the following basic goals:

- Encourage citizens to participate in local government.
- Provide citizens, especially those of low and very low income, opportunities to actively collaborate in the planning, development and assessment of the consolidated planning process.
- Ensure all aspects of the consolidated planning process are conducted in an open manner.
- Provide City officials with information regarding citizens' perceptions and priorities.


COMMUNITY DEVELOPMENT ADVISORY COMMITTEE AREAS OF CITIZEN REPRESENTATION
(2 reps appointed from each quadrant)
NW Quadrant
NE Quadrant
SW Quadrant
SE Quadrant
City of Amarillo with 2010 Census Tracts
CDBG Target Area
Amarillo City Limits
2010 Census Tracts
Planning Dept
2012
M:\Planning\GIS\CommDev\CommDevAdvCommCitRep.mxd

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

The City Council established the Community Development Advisory Committee (CDAC) in 1975. The CDAC composed of eleven (11) citizens, is responsible for overseeing the Community Development and Housing programs. The City Council appoints two citizens from each of four (4) geographic areas, plus two members selected at large but residing in the identified Community Development Target Area. A chairperson is selected at large. The members and chairperson serve staggered two year terms which begin the first of January. The geographic areas from which members are selected are identified on Map A. Efforts are made to appoint citizens who will be representative of the persons most affected by Community Development and Housing activities.

The CDAC meets, in regular session, the second week of each month when necessary at the Downtown Library, 413 E. 4th Street, beginning at 7:00 p.m. The Downtown Library is accessible to persons with disabilities and is located in the Community Development Target Area. Notices of the monthly meetings are posted a minimum of 72 hours prior to the meeting. Notices are placed on the front window of City Hall and posted on the City's website. When necessary, alternative locations within the Community Development Target Area are chosen for meetings.

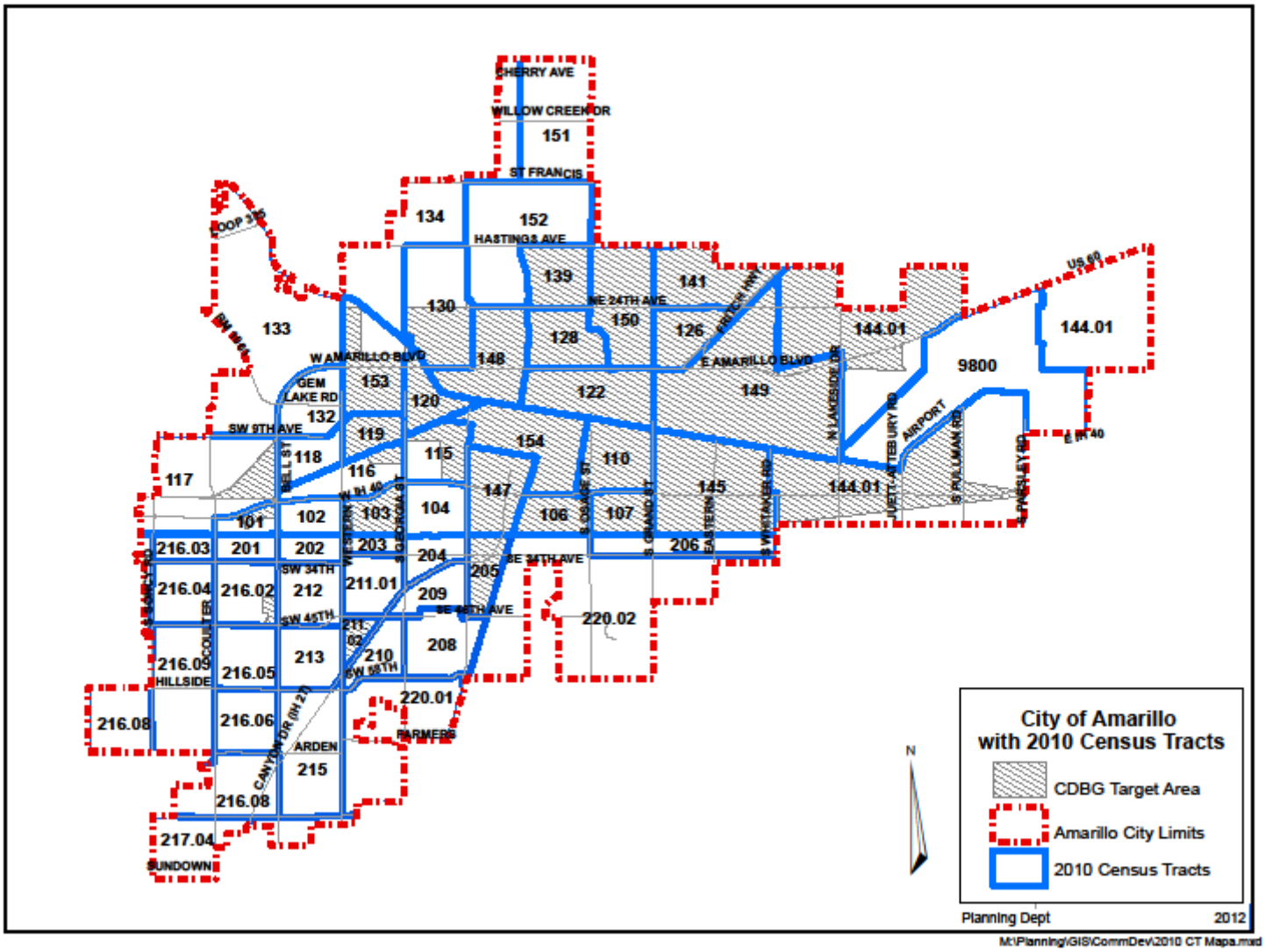
If an individual, group or organization has a particular request or concern to bring before the CDAC, a written request for time on the agenda should be submitted to the Community Development Department Administrator no later than three weeks (15 working days) before the scheduled meeting. Citizens are encouraged to appear before the CDAC to discuss a concern or request. The recommendations developed by the CDAC regarding the Community Development and Housing programs are forwarded to the City Council for final approval. Citizens are encouraged to attend the City Council meetings and express their views and comments.

The roles and responsibilities of the CDAC are as follows:

1. The CDAC acts in an advisory role to the City Council on policy decisions relating to the consolidated planning process for the Community Development and Housing programs.

2. The CDAC coordinates citizen participation.

3. The CDAC reviews and makes recommendations to the City Council on allocations of Community Development and Housing funding.



PLANNING AND DEVELOPMENT

Planning and development is the phase in which involvement by citizens is most crucial and effective. Citizens may directly contribute to the development of the Consolidated Plan and Annual Action Plan. Expressions of citizens' priorities are often the deciding influence when statistics and technical evaluation identify several strategies and program alternatives.

The planning process for developing the five year Consolidated Plan is coordinated by the Community Development Department. The five year plan promotes the concept that planning and programming can be accomplished through a unified and comprehensive framework which opens partnership opportunities for collaboration and collective problem-solving. Consensus building is critical in establishing workable priorities and strategies which must be implemented by a variety of public and private resources. Successful implementation of strategies will occur

only if there is broad based support and a sense of involvement on the part of all of the participants.

During the consultation phase of the Consolidated Plan, a series of working groups will be established to address primary elements of the Plan. Composition of the working groups will be targeted toward a variety of organizations, individuals as consumers or participants, community and business leaders, private investors, and neighborhood residents. The working group participants will be invited to contribute to the development of their area of experience or expertise. At the same time, broader participation will be encouraged from the general population by advertising the meetings and the purpose of the working group. The Community Development Department will provide staff support to the working groups. Members of the CDAC will assist in facilitating the meetings. At a minimum the working groups will focus on the following areas of study:

- Homelessness
- Special needs populations, such as the elderly, frail elderly, persons with disabilities, persons mentally impaired, persons living with AIDS, and persons suffering from substance abuse
- Renters and landlords
- Homeowners and homebuyers
- Anti-poverty strategies
- Neighborhood development and redevelopment

In addition to working groups, citizens will be involved in the planning process through a series of surveys and questionnaires. Random telephone surveys may be used to help establish an overall community consensus for community development needs and priorities. Such random surveys help to eliminate bias which may result from open community meetings in which special interest groups may lobby for special programs.

The needs of homeless persons and special populations will be assessed through surveys targeted at service providers and consumers. Annually, a "point-in-time" count will be made of the homeless shelter populations. A special effort will be made to gather information regarding the numbers of unsheltered homeless persons and their special needs. The City participates as an active member of the Amarillo Coalition for the Homeless which consists of over 25-30 service providers as well as homeless individuals. The Coalition will be invited to consult on the needs, the development of strategies and the implementation effective programs designed to transition homeless individuals and families to self-sufficiency.

The results of the data collection, working group consensus, and surveys will be assimilated into a proposed Consolidated Plan and presented for public comment and review. The CDAC will conduct at least one public hearing to allow citizens the opportunity to comment on the entire plan. At this public hearing, recommendations for strategies and priorities will be established. These five year strategies and priorities will be the basis for decisions made to fund projects each year.

Annually, the City of Amarillo prepares an Annual Action Plan (AAP) which identifies how Community Development and Housing funds will be allocated to projects. The development of the annual plan generally coincides with the preparation of the City's Budget. The annual planning process generally begins in the winter and is concluded by mid July. The AAP must be submitted to the Department of Housing and Urban Development by early August of each year.

The CDAC has the initial responsibility for developing the annual program. Within funding limitations, the CDAC must decide which activities will best meet the priority strategies and contribute to the revitalization of Amarillo's declining neighborhoods. Development of the AAP is discussed at community meetings. The number of the meetings to be held is determined each year and advertised as part of the development process. The meetings are held either at neighborhood centers or at the Downtown Library which is centrally located to neighborhoods in which concentrations of Community Development and Housing activities are being carried on or may be proposed. All meetings are held in buildings accessible to persons with disabilities.

Taking into consideration the information and recommendations from the working groups, surveys and project requests, the CDAC conducts a Public Hearing to recommend adoption of the Consolidated Plan and/or the AAP. This hearing is the culmination the planning process. A Notice of Public Hearing is posted at City Hall and on the City's website 72 hours prior to the hearing.

Following the action by the CDAC, the proposed Consolidated Plan and AAP are made available for a public comment period. Copies are placed at the Reference Desks at the Amarillo Public Libraries and in the Community Development office, Room 104 of City Hall for review by interested citizens. Copies will be available on the Internet through the City's web page at www.amarillo.gov .

At the conclusion of the public comment period, the Consolidated Plan and/or AAP is considered in a final public hearing conducted by the Amarillo City Council. The purpose of the public hearing is to consider the recommendations adopted by the CDAC and all comments received during the comment period. Citizens are given a final opportunity to comment on the Consolidated Plan and/or AAP including those activities or projects not recommended for funding.

IMPLEMENTATION

It is difficult to develop a mechanism for direct citizen involvement in the implementation of the Community Development and Housing programs. The majority of projects funded are of the type which does not lend them to citizen involvement. Projects such as street and park improvements and construction projects have predetermined implementation steps that are not affected by citizen involvement. Although the level of participation in the implementation phase cannot be as direct as in the planning phase, efforts are made to provide the opportunity for citizen input in as many programs as possible.

The major vehicle for participation during the implementation phase is through the CDAC. During CDAC meetings, the status of activities may be reviewed. Any individual, group or organization which desires to comment on the implementation of an activity may do so at the

CDAC meeting. Whenever feasible, the residents of neighborhoods affected by a project will be consulted in the project's implementation. Activities which might be subject to citizen involvement are the location of a community center or day care center; areas needing special code enforcement activities; or the development of eligibility requirements for a new program.

Special outreach and marketing will be used to maximize the participation of Amarillo's residents in the Community Development and Housing funded projects. The availability of such programs as housing rehabilitation assistance, transitional housing for homeless persons, and public service projects, such as subsidized child care, will be advertised and targeted to lower income neighborhoods. These outreach efforts will result in successful and timely implementation of projects.

ASSESSMENT

The final phase of citizen participation is the assessment of performance. Ongoing monitoring and evaluation procedures are established to ensure projects meet national goals and are effectively accomplishing the Consolidated Plan priority strategies. In assessing the impact a project has on neighborhood conditions, comments from neighborhood residents are an important contribution. Citizens are encouraged to attend CDAC meetings and express their ideas or concerns about activities. The CDAC is charged with monitoring the funded activities to help ensure appropriate and timely performance. Those residents who attend the CDAC meetings to discuss project performance provide the CDAC representatives with valuable information. If at any time a project is not achieving the stated goals and strategies, the CDAC has the prerogative to recommend program changes.

Annually, the City reports performance to HUD. The reporting process is an extensive evaluation of the status of approved projects and the accomplishments towards meeting priority strategies of the Consolidated Plan. A Consolidated Annual Performance and Evaluation Report (CAPER) is submitted by December 30th of each year. Prior to submission, this report will be available for a 15 day public comment period. Copies of the report will be placed at the Reference Desks at the Amarillo Public Libraries and in the Community Development office. A notice of availability will be published in the Amarillo Globe News. A copy will be available on the web page at **http://comdev.amarillo.gov.**

At the conclusion of the 15 day comment period the annual report will be discussed in a public hearing before the CDAC. The public hearing will be conducted in the evening in the Downtown Library. The purpose of the public hearing is to give citizens the opportunity to comment on the performance or effectiveness of the Community Development and Housing programs. A summary of comments submitted in writing or made at the public hearing will be included with the submission of the CAPER to HUD.

SUBSTANTIAL CHANGES

Occasionally, amendments or changes may be needed to the Consolidated Plan or Annual Action Plan. The City will give citizens the opportunity to participate in the planning and development of any substantial change in five (5) year strategies or priorities and annual projects. The CDAC will be responsible for soliciting views and comments from affected or interested persons before developing a recommendation regarding the proposed change.

The City has adopted local criteria for what will constitute a substantial change to the Consolidated Plan and to the AAP. The changes described below will be subject to the citizen participation process as described in this guide:

1. Any change in priority strategies which may affect the activities to be funded from Community Development and Housing funds;

2. Any new activity proposed for Community Development and Housing funding;

3. Any revision in an approved activity which results in a change from one eligible activity to another or a change in the location, scope or beneficiaries of the activity.

4. Any change in the amount of funding in excess of $50,000 for an approved project;

PUBLIC INFORMATION

Before individuals, groups, organizations or agencies can become involved in any phase of the consolidated planning process adequate information must be made available. It is the responsibility of the City to inform citizens of program requirements, goals and strategies, and major events related to the consolidated planning process, the Community Development and Housing programs. The Community Development Department is primarily responsible for this public information. All information regarding program requirements, project files and other records related to Amarillo's use of assistance under the programs are available in the office of the Community Development. The federal regulations establish a five (5) year minimum requirement for record retention. Any person wishing to inspect or review any of this information should contact the Community Development office. Confidential information related to beneficiaries receiving CDBG, HOME or ESG assistance is subject to the protections afforded under the Privacy Act.

The residents of Amarillo are informed of all meetings and hearings held on any phase of the consolidated planning process. Every effort is made to reach people who may be most affected by ongoing or proposed projects to encourage their involvement in the decision-making process. The agendas are posted at City Hall and posted on the City’s website a minimum of 72 hours prior to meeting.

TECHNICAL ASSISTANCE

The goal of involving citizens in the many phases of the consolidated planning process must be supported by providing citizens with adequate knowledge and information about Community Development and Housing programs. Without technical assistance, citizens may not be adequately prepared to participate in or benefit from the programs.

Appropriate assistance is provided by the Community Development Department to enable citizens, organizations, or groups of low and very low income persons to participate in the planning, implementation and assessment of the Community Development and Housing programs. The Community Development staff provides assistance in developing proposals, identifying needs, collecting data, or estimating project costs. Technical assistance may also

involve developing strategies for specific proposals or determining priorities. Technical assistance is available on an individual basis upon request or may be provided through workshops held periodically during the year. At a minimum, the Community Development Department provides the following information:

- Consolidated planning process and schedule
- Amount of CDBG, HOME and ESG funds expected to be available for projects
- Range of activities which may be funded
- Kind and location of activities previously approved
- Role of citizens
- Summary of other program requirements

TRANSLATION SERVICES

The Community Development Department encourages participation from all Amarillo residents. To reach the maximum number of people, special efforts may be necessary to provide translation services to non-English speaking citizens attending public meetings. The hearing-impaired resident may also need special translation assistance.

Public hearing notices instruct those persons who need translation services to contact the Community Development Office. Upon request, translators for non-English speaking and/or hearing-impaired persons will be provided. The Community Development Department has a standing contract with the Panhandle Council for the Deaf to provide translators with a minimum 24 hour notice.

Those residents who wish to attend the monthly CDAC meetings or Community Planning meetings may also request translator services by giving the Community Development office at least two business days notice. Copies of the Consolidated Plan and other documents will be made available in large print or by recording upon request.

COMPLAINTS

Complaints or concerns regarding the Community Development and Housing programs should primarily be directed to the Community Development Administrator. However, nothing precludes a person from expressing a concern or complaint to the Assistant City Manager for public services, the City Manager, the Amarillo City Council, or the Department of Housing and Urban Development.

Citizens may file a verbal or written complaint with the City of Amarillo. The Community Development staff will record a verbal complaint on citizen complaint log to be retained in the official files. The staff will note the name and address of complainant, the nature of the concern, the initial response given, any follow-up response, and if appropriate, any referral of the complaint to other departments or agencies. The Community Development Department will respond to complaints within 30 days of receipt. The complaint and response will be documented in the Community Development Department citizen comments files and reported to Department of Housing and Urban Development as part of the annual reporting process.

Major concerns or problems are best expressed in writing. This helps prevent any misinterpretation of the concern or the facts. Therefore, citizens are urged to address their concerns in writing to:

Community Development Department Administrator
City of Amarillo
P.O. Box 1971
Amarillo, TX 79105-1971

Telephone: (806) 378-3098
Fax: (806) 378-9389
Email: james.allen@amarillo.gov

Complaints may be directed to the Department of Housing and Urban Development.

Department of Housing and Urban Development, Region VI
801 Cherry Street, Unit #45, Suite 2500
Fort Worth, TX 76102

Telephone: (817) 978-9000
Fax: (817) 978-9289
Fax Contact: (817) 978-9252
TTY Number: (817) 978-9273
email: swpublicinformationofficer@hud.gov.

AFFORDABLE HOUSING

Lower income renter households should have access to live in decent, safe and affordable housing of their choice.

Five-Year Strategies

ID	GOAL/OBJECTIVE RENTAL	STRATEGY	OUTCOMES	OUTPUT
1A	DECENT AFFORDABLE HOUSING	RENTAL ASSISTANCE	Provide households access to affordable housing through rental assistance for the purpose of creating decent affordable housing.	500/yr 2500 Total People
1B	SUITABLE LIVING ENVIRONMENT	SELF SUFFICIENCY	Increase number of assisted households who achieve freedom from welfare thru education and case management.	75/yr 375 Total People
1C	SUITABLE LIVING ENVIRONMENT	TENANT EDUCATION	Sustain access to decent affordable housing by providing tenants support and education.	300/yr 1500 Total People
1D	DECENT AFFORDABLE HOUSING	RENTAL REHABILITATION	Increase access to decent affordable housing by rehabilitation of rental units.	3-5 units/ yr 25 units Total

Create new affordable homeownership opportunities by providing development incentives or infrastructure assistance.

Five-Year Strategies

ID	GOAL/OBJECTIVE HOMEOWNER	STRATEGY	OUTCOMES	OUTPUT
2 A	DECENT AFFORDABLE HOUSING	HOMEBUYER ASSISTANCE	Households have access to affordable housing through a homebuyer assistance program.	85/yr 425 Total People
2B		HOMEBUYER EDUCATION	Sustain decent affordable housing by providing support and education.	500/yr 2500 Total People
2C		REHAB AND SALE OF UNITS	Increase access to decent affordable housing through acquisition, rehab and selling units.	2/yr 10 Total Homes
2D		NEW CONSTRUCTION	Increase access to decent affordable housing by providing incentives or other assistance in constructing units.	10/yr 50 Total Homes
2E		REHABILITAITON ASSISTANCE	Sustain access to decent affordable housing by rehabilitation of owner occupied.	4/yr 20 Total Homes
2F		EMERGENCY REPAIR	Sustain access to decent affordable housing by making repairs of hazardous conditions or to improve access to owner occupied homes.	300/yr 1,500 Total Homes
2G		WEATHERIZATION	Sustain access to decent affordable housing by weatherizing owner occupied homes.	50/yr 250 Total Homes

Achieve a continuum of care to end chronic homeless and reduce homelessness among families and individuals and assist those at risk of becoming homeless.

Five-Year Strategies

ID	GOAL/OBJECTIVE HOMELESS	STRATEGY	OUTCOMES	OUTPUT
3A	DECENT AFFORDABLE HOUSING	HOMELESS PREVENTION	Sustain access to decent affordable housing by assisting households to remain in their homes thru HP assistance.	50/yr = 250 people
3B		EMERGENCY SHELTERS OPERATIONS	Sustain access to decent affordable housing by assisting shelters to provide decent housing to the homeless.	7 shelters 1,500 homeless people
3C		TRANSITIONAL HOUSING	Sustain access to decent affordable housing by assisting households by providing transitional housing.	10 families/ yr 50 Total
3D		PERMANENT HOUSING	Sustain access to decent affordable housing by assisting households by providing housing assistance with supportive services.	25/yr 125 Total Families
3E	SUITABLE LIVING ENVIRONMENT	COORDINATED CASE MANAGEMENT	Sustain a suitable living environment by providing coordinated case management to homeless individuals and families.	400 people/yr 2,000 Total people
3F		SUPPORTIVE SERVICES	Sustain a suitable living environment by providing coordinated supportive services to homeless individuals and families.	1,000 units/ yr 5,000 units total

Promote Self-sufficiency and Personal Accountability Programs

Improve the quality of life for persons with special needs, such as the elderly, the frail elderly, the mentally ill, the physically or developmentally disabled, substance abusers, and those living with AIDS, by providing opportunities for decent, safe and affordable housing with services responsive to their needs.

Five-Year Strategies

ID	GOAL/OBJECTIVE SPECIAL NEEDS	STRATEGY	OUTCOMES	OUTPUT
4A	DECENT AFFORDABLE HOUSING	SUPPORTIVE HOUSING FOR - MENTALLY ILL, PERSONS LIVING WITH AIDS, AND SUBSTANCE ABUSE PERSONS.	Provide persons access to affordable housing through supportive housing for the purpose of creating decent affordable housing.	28/yr 140 Total People
4B		ASSIST HOUSING FOR THE ELDERLY AND FRAIL ELDERLY	Provide persons access to affordable housing through assisted living for the purpose of creating decent affordable housing.	50/yr 250 Total People
4C		ACCESSIBLE HOUSING	Sustain decent accessible housing by modifying homes to provide such items as ramps, accessible bathrooms, doorways, cabinets; to allow the elderly and disabled homeowners to remain in their home.	10/yr 50 Total Head of Household

Promote the Sustainability of Livable and Viable Neighborhoods.

Three priorities are established for the coming five year period – Provide services, facilities and infrastructure to neighborhoods to promote social and economic viability. Create job or business opportunities for low and moderate-income persons by providing economic development incentives to small business or entrepreneurs. Eliminate slum and blighting factors which degrade neighborhoods and discourage reinvestment.

Five-Year Strategies

ID	GOAL/OBJECTIVE	STRATEGY	OUTCOMES	OUTPUT
5A	SUITABLE LIVING ENVIRONMENT	INFRASTRUCTURE IMPROVEMENTS SUCH AS STREETS, WATER/SEWER LINES ETC.	Improve infrastructure for neighborhood residents for the purpose of creating a suitable living environment and affordable housing.	10 blocks/yr 50 Blocks Total
5B		PARK IMPROVEMENTS	Improved parks and recreational facilities for the purpose of creating or sustaining a suitable living environment.	2/yr 10 Improve-ments
5C		NEIGHBORHOOD CENTERS & OTHER PUBLIC FACILITIES OR IMPROVEMENTS	Households have access to new or improved facilities for the purpose of creating or sustaining a suitable living environment.	4/yr 20 Total Facilities
5D		ELDERLY SERVICES	Provide elderly access to services such as transportation, health, daycare, etc. available for the purpose of making s suitable living environment.	200/ yr 1000 Total People
5E		YOUTH SERVICES	Provide youth access to services such as after school care, mentoring, recreation, counseling and education accessible for the purpose of making s suitable living environment.	300/yr 1500 Total People
5F		FAMILY SERVICES	Provide families access to services such as counseling and life skills and education accessible for the purpose of making suitable living environment.	100/yr 500 Total Families

Create job or business opportunities for low and moderate-income persons by providing economic development incentives to small business or entrepreneurs.

Five-Year Strategies

ID	GOAL/OBJECTIVE	STRATEGY	OUTCOMES	OUTPUT
6A	Promote Sustainability of Neighborhoods.	Micro-Enterprise	Provide small loans to businesses and technical assistance to create or sustain a suitable living environment.	5/yr 25 Total People
6B		Façade Improvements	Provide access to financial assistance to business facades in order to sustain a suitable living environment.	1/yr 5 Facilities
6C		Small Business Assistance	Assist businesses with small business loans to create jobs for low-moderate income persons.	3 job/yr 15 Jobs

Eliminate slum and blighting factors that degrade neighborhoods and discourage reinvestment.

Five-Year Strategies

ID	GOAL/OBJECTIVE	STRATEGY	OUTCOMES	OUTPUT
7A	SUITABLE LIVING ENVIRONMENT	DEMOLITION & CLEARANCE	Remove substandard structures to maintain a suitable neighborhood living environment.	30/yr 150 Total Structures
7B		CODE ENFORCEMENT	Enhance zoning, housing and other code enforcement issues to maintain a safe and suitable living environment.	14,000/yr 70,000 people
7C		LEAD BASED PAINT TESTING & CLEARANCE	Create a suitable living environment by testing and providing remediation as necessary in homes containing lead based paint being assisted with CDBG or HOME funds	90 homes/yr 450 homes

Promote Self-Sufficiency and Personal Accountability Programs

Five-Year Strategies

ID	GOAL/OBJECTIVE	STRATEGY	OUTCOMES	OUTPUT
8A	SUITABLE LIVING ENVIRONMENT	ASSISTED CHILD CARE	Provide families access to affordable childcare for the purpose of making s suitable living environment.	200/yr 800 Total people
8B		TRANSPORTATON SERVICES	Provide homeless access to transportation services for the purpose of making a suitable living environment.	900/yr 4,500 Total people
8C		FAMILY SELF SUFFICIENCY	Enable eligible families to achieve self-sufficiency and/or homeownership for the purpose of suitable living environment.	300/yr 1,500 Total People

RESPONSIBILITIES OF RECIPIENTS

CDBG	HOME
Compliance with Federal, State and local laws	
Must be incorporated as a non-profit agency	
51% of persons benefiting from project must be low and moderate income	100% of persons benefiting from project must below 80% MFI 90% of all funds must benefit persons at or below 60% MFI
Target Area restrictions for facility improvements	City limits
Rental projects will require rent restrictions based on income and family size	
Must comply with Fair Housing Act Facility and Program Must be in ADA compliance	
Program and Employment Must Ensure Equal Opportunity	
Public Service activities- Agency must comply with City's insurance requirements	CHDO only
Annual audit is required if CDBG grant is $25,000 or more. A Single Audit is required if the recipients receives $500,000 or more in federal funds annually.	CHDO only - Same Limits
Renovation work must comply with Lead Based Paint assessment and clearance rules.	
Renovation/expansion- Asbestos survey and management plan required	Renovation of multi-family 4+ units-Asbestos survey and management plan required
Must occupy renovated facility for at least ten or twenty years	Home buyer/Home owner Affordability Period-Rental. Resale or recapture provisions for 5-15 years
Restricted reserve account required for renovation	None
None	Match requirements dependent on project

*****MFI – Medium Family Income as established by Department of HUD May 14, 2010

Record Keeping and Monitoring

CDBG	HOME
Incomes of persons assisted must be verified and records maintained for 4 years after project is complete.	
Records of other characteristics of persons assisted must be maintained for 4 years after grant year.	
Annual Reporting required on the persons benefiting until project is complete.	Annual reporting requirement for rental property thru affordability period.
All projects are subject to onsite monitoring.	On site monitoring of tenant/buyer eligibility. Inspections at least every 3 years.

FUNDING AGREEMENT FOR STRUCTURAL MODIFICATIONS

This agreement, made by and between the City of Amarillo, a municipal corporation located in Potter and Randall Counties, Texas, hereinafter called "CITY", and «Agency», a private, non-profit corporation, hereinafter referred to as "AGENCY", upon the following mutual promises, consideration and terms:

WHEREAS, the CITY has applied for and received approval for a grant award pursuant to the Housing and Community Development Act of 1974, as Amended (Contract Number B-10-MC-48-0002, CFDA Number 14.218); and

WHEREAS, it has been determined by the Amarillo City Council to be in the public interest to promote the sustainability of livable and viable neighborhoods and provide facilities and improvements to neighborhoods to promote the social and economic viability, and has identified the need for such projects in the 2016-2017 Annual Action Plan of the Consolidated Plan for Housing and Community Development for the above referenced grant award;

WHEREAS, CITY desires to enter into an agreement with the AGENCY to make available assistance to «Short_Descr_of_Project», owned and occupied by said AGENCY as more fully described in AGENCY's application for assistance submitted in April 2016 and made a part herein by reference.

NOW, THEREFORE, the CITY and the AGENCY do hereby mutually agree as follows:

Section 1. The assistance made available through this agreement shall be used by AGENCY solely for the **UPDATE** of the facility located at «Project_Address», in the City of Amarillo, Texas, for the use by the AGENCY as «Purpose_of_Property», hereinafter called "PROJECT". Assistance to be provided will be limited to that work which is required to «Scope_of_Renovation» in compliance with applicable city and state building codes.

Section 2. CITY agrees to provide the AGENCY assistance for the PROJECT in an amount not to exceed «Funding_spell_out_CAPS» ($«Dollar_amount»). The AGENCY shall be financially responsible for any costs in excess of the approved funding.

2.1 CITY will make monthly payments to the AGENCY upon receipt by the CITY of acceptable certificates of payment previously approved by the AGENCY and PROJECT architect or engineer. Requests for payments shall be submitted not later than the 10th of each month and shall be in a format prescribed by CITY, except as provided in Section III (g) below. CITY shall retain 10% from each payment until the AGENCY'S PROJECT architect or engineer certifies to CITY the renovation or construction work to be complete and that all suppliers, subcontractors and workers have been paid in full.

2.2 AGENCY understands and agrees that the assistance made available under this agreement is contingent upon the actual receipt of adequate federal funds to meet the CITY's liabilities under this agreement. It is expressly understood that this agreement in no way obligates the General Fund or any other monies or credit of the City.

Section 3. CITY and AGENCY agree that AGENCY will secure as part of the PROJECT professional architectural or engineering services as needed in the preparation of plans and specifications for the construction to be undertaken and the oversight of the construction. CITY and AGENCY will review and approve all plans and drawings prior to the advertisement for bids.

3.1 AGENCY understands and agrees that the PROJECT will be advertised for competitive bids by AGENCY based on the plans and specifications developed by the AGENCY's architect or engineer and approved by the AGENCY and CITY. Agency understands that bids must be solicited from contractors. AGENCY agrees that the procurement procedures used for the PROJECT will maximize competitive bidding and be consistent with the requirements of OMB Circular A-110 and OMB Circular A-87. Such procurement procedures shall include but not be limited to the following:

a. For projects in excess of $25,000 the invitation for bid shall be publicly advertised in a newspaper of general circulation and notices of bid availability distributed to an adequate number of known contractors, including minority and women owned businesses, providing them sufficient time to prepare a proposal prior to the date set for opening the bids.

b. Procurement shall be by sealed bid, publicly opened at a time and place prescribed I in the invitation for bid.

c. For projects in excess of $25,000, a bid guarantee or security in the amount of 5% of the proposal price shall be required at the time of bid opening as an assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

d. A firm-fixed-price contract shall be awarded for PROJECT to the most responsive and responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bid, is lowest in price.

e. AGENCY may reject any or all bids if there is sound documented reason.

f. In the event the contract for PROJECT exceeds $100,000, AGENCY shall require a performance and payment bond from the successful contract for 100% of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract. Where bonds are required, the bonds shall be obtained from companies holding certificates of authority as acceptable sureties pursuant to 31 CFR Part 223.

g. For contracts in excess of $25,000 but less than $100,000, AGENCY is encouraged to require a performance and payment bond from the contractor. Should the AGENCY fail to procure or require full performance and payment bonds for the PROJECT, CITY shall make a single lump-sum disbursement of the approved grant for PROJECT upon final completion and acceptance of said project and certification by Agency that all suppliers, subcontractors and workers have been paid in full.

h. AGENCY will require minimum levels of insurance from the contractor that include but are not limited to general liability, builder's risk and completed operations coverage. Minimum requirements for insurance shall be included in the invitation for bid.

i. AGENCY shall include in the contract documents a provision requiring the contractor to keep the AGENCY's property or improvements free from any mechanic and materialman's liens and shall require waiver of lien rights from its contractor. AGENCY's contract provisions shall state that the AGENCY shall have the right to withhold the retainage of 10% from each payment until 30 days after the renovation or construction work is certified as complete. AGENCY's contract provisions shall also state that the AGENCY's contractor acknowledges that any mechanic and materialman's lien on the property or improvements shall be a condition of default under the terms of the contract.

3.2 AGENCY's contract with the contractor will require the contractor to submit all necessary documentation and reports to CITY as required for compliance all federal labor standards provisions applicable to the Community Development Block Grant Program (CDBG). The renovation or construction assisted under this agreement is subject to the Davis-Bacon Act, Copeland Act, Contract Work Hours Safety Standards Act and the Fair Labor Standards Act. CITY shall request from the Department of Housing and Urban Development (HUD) and will provide AGENCY with a wage determination and wage determination number that shall be applicable to PROJECT. Prior to authorizing AGENCY to make payment of each periodic request, CITY shall ascertain that the contractor has satisfied all federal labor standards provisions of the contract and shall provide such information to the AGENCY as is necessary for the AGENCY to require compliance of the contractor.

3.3 AGENCY agrees that all work to be undertaken on the structure shall be done in a good and workmanlike manner and in compliance with all applicable codes and ordinances in the City of Amarillo, including, but not limited to, International Building Code and National Electric Code, as adopted by City, the Zoning Ordinance, and the general criteria set by the AGENCY.

Section 4. It is expressly understood by AGENCY that this assistance is made available as part of CITY's CDBG Program, and as such, the activities undertaken must comply with all of the rules and regulations established by said program, including those assurances and conditions which are listed in Part II attached hereto and by reference made a part hereof. AGENCY agrees that use of this structure shall be devoted primarily to benefit low and moderate-income individuals.

4.1 AGENCY further agrees to make its facility, books and records available to project monitoring and inspection by any representative of the CITY and HUD, as CITY may determine at any mutually convenient time. AGENCY also agrees to provide CITY and HUD with such reports as the CITY may from time-to-time require as proof of AGENCY's compliance with any or all terms and conditions of this agreement. AGENCY shall maintain all records related to this agreement for a period of not less than four (4) years from the date modifications were completed as provided under this agreement.

4.2 AGENCY agrees to occupy and maintain the structure in good condition for a period of not less than «Length_of_contract» years from the date of project completion.

4.3 For projects in which the assistance provided to the AGENCY is in excess of $25,000 and in the event that the AGENCY vacates or abandons the structure or changes the use of said structure to one which does not meet one of the national objectives of the CDBG program, the AGENCY shall reimburse the CITY for funds expended by CITY on the PROJECT. The CITY’s right to repayment shall be that amount of money equal to the current market value of the property less any portion of the value attributable to

expenditures of non CDBG funds for the acquisition of, or improvement to, the property.

CITY shall have a lien against AGENCY's real property to secure the repayment of the grant for the term of the agreement as set forth above.

4.4 For projects in which the assistance provided to the AGENCY is less than $25,000, the AGENCY shall reimburse CITY that amount of money equal to the aggregate costs amortized over a period of «Length_of_contract» years from the date of project completion, the CITY being entitled to reimbursement on a pro rata basis. Provided, however, that should the AGENCY lose its right to occupy the structure through no fault of its own, then the CITY may choose to forgive a portion or all of the reimbursement due to the CITY so long as the structure continues to be used for a community purpose which meets one of the CDBG national objectives.

4.5 AGENCY agrees to establish a segregated restricted financial reserve account from all other Agency accounts to amortize the cost of the capital investment funded under this agreement over the anticipated useful life of the improvement. Should AGENCY fail to establish the required reserve, the AGENCY shall be disqualified from receiving future allocations from the CITY.

SECTION 5. AGENCY AGREES TO INDEMNIFY AND HOLD THE CITY HARMLESS FROM AND AGAINST ALL CLAIMS, DEMANDS, DAMAGES, CAUSES OF ACTION, ATTORNEY FEES AND INTEREST ARISING OUT OF OR RELATED TO INJURIES OR DEATH TO PERSONS, OR DAMAGE TO PROPERTY CAUSED BY THE AGENCY'S ACTS OR OMISSION IN THE USE OR OCCUPANCY OF SAID STRUCTURE, OR THAT OF ITS AGENTS OR EMPLOYEES; PROVIDED, HOWEVER, THAT AGENCY SHALL NOT BE LIABLE FOR ANY INJURY OR DAMAGE BY LOSS OCCASIONED BY THE ACTIVE NEGLIGENCE OF CITY'S AGENTS OR EMPLOYEES; AND PROVIDED FURTHER, THAT AGENCY SHALL GIVE TO CITY PROMPT AND TIMELY WRITTEN NOTICE OF ANY CLAIM MADE OR SUIT INSTITUTED WHICH IN ANY WAY, DIRECTLY OR INDIRECTLY, CONTINGENTLY OR OTHERWISE, AFFECTS OR MIGHT AFFECT CITY AND CITY SHALL HAVE THE RIGHT TO COMPROMISE AND DEFEND THE SAME TO THE EXTENT OF ITS OWN INTEREST.

Section 6. This agreement may be suspended or terminated if, through any cause, AGENCY shall fail or refuse to fulfill in a timely manner any of its obligations under this agreement or if the AGENCY violates any of the conditions or terms of this agreement. In this event, CITY shall give written notice of such violation and/or failure to proceed in a timely manner to the AGENCY. Within ten (10) days after such notice, the AGENCY shall inform the CITY in writing of the corrective action taken or to be taken. AGENCY shall exercise all due diligence to correct any and all violations and/or failures. In the event the violations and/or failures are not fully corrected within twenty (20) days from the date the AGENCY first gave notice to the CITY of the actions taken, the CITY retains the right to terminate this agreement forthwith.

6.1. This agreement may be terminated by AGENCY upon thirty days (30) prior written notice to the CITY. AGENCY will repay to City any costs incurred on the PROJECT.

6.2. This agreement shall at all times be subject to any corrective actions taken or directives issued by HUD in relation to the CITY's CDBG Program. The AGENCY shall comply with any and all such communications received by CITY from HUD, including termination of this agreement, as if such communication were made a part hereof.

Section 7. Any notice or notices required or permitted to be given pursuant to this contract will be served by certified mail, return receipt requested to the following:

CITY James Allen, Community Development Administrator
City of Amarillo
P. O. Box 1971
Amarillo, TX 79105-1971

AGENCY «Agency Head», «Title»
«Agency»
«Address_Agency_Mailing»
«City», «State» «Zip_Code»

Section 8. The AGENCY shall not assign or transfer any of its interest in this agreement without the prior written approval of CITY; provided however that claims for money due or to become due to AGENCY from the CITY under this agreement may be assigned to a bank, trust company or other financial institution, or to a trustee in bankruptcy without such approval. In the event of such assignment or transfer, notice shall be given to CITY as provided herein within three days of the assignment or transfer.

Section 9. No officer, employee, or agent of the CITY or AGENCY who exercises any functions or responsibilities with respect to the carrying out of the project shall have any interest, direct or indirect, in this agreement or the proceeds thereof.

Section 10. No member or delegate of the Congress of the United States shall be admitted to any share or part of this agreement or to any benefit to arise herefrom.

Section 11. This agreement, with the attachments adopted herein by reference, constitutes and expresses the entire agreement between the parties hereto and shall not be amended or modified except by written instrument signed by both parties.

Section 12. Regardless of the date of execution, this agreement shall become effective on the date the Department of Housing and Urban Development officially authorizes the release of funds for the activities provided under this agreement.

EXECUTED this _____ day of _____,2016.

CITY OF AMARILLO

BY: _____
Terry Childers, Interim City Manager

ATTEST:

_____
Frances Hibbs, City Secretary

«Agency»

BY: _____
«Agency_Head», «Title»

LIEN TO SECURE ENCUMBRANCE

State Of Texas
County Of «County»

The undersigned, «Agency», has on DATE, obtained Community Development Block Grant (CDBG) funding from the City of Amarillo for a project more fully described in its Funding Agreement for Structural Modifications which is herein incorporated by reference and has in said Funding Agreement agreed to occupy the structure being modified for a period of «Length_of_contract» years for the purposes described in said Funding Agreement. By the terms of said Funding Agreement, «Agency» has agreed to repay said funds should its occupancy or use of the structure being modified for the purposes set in the said Funding Agreement terminate prior to the end of the «Length_of_contract» year period of time. Agency has further agreed to a lien on the property owned by the Agency at «Project_Address» and more fully described as «Legal_Description_of_Property» of the City of Amarillo, «County» County to secure its obligation to repay its obligation.

Therefore, «Agency» hereby grants the City of Amarillo a lien and encumbrance on the property described above in the amount of «Funding_spell_out_CAPS» ($«Dollar_amount»), In the event that the Agency vacates or abandons the structure or changes the use of said structure to one which does not meet one of the national objectives of the CDBG program, the Agency shall reimburse the City for funds expended by City on the Project. The City's right to repayment shall be that amount of money equal to the current market value of the property less any portion of the value attributable to expenditures of non CDBG funds for the acquisition of, or improvement to, the property.

Should Agency occupy and use the described property for the required purposes through the end of the required period of time, the City of Amarillo will cause a release of this lien and encumbrance to be filed and thereby shall discharge said lien.

Executed this _____ day of _____, 2016.

«Agency»

_____

By «Contact_Name», «Contact_Title»

STATE OF TEXAS
COUNTY OF «County»

This lien and encumbrance was acknowledged before me on the _____ day of , 2016 by «Contact_Name», on behalf of the «Agency».

_____

By Notary Public and for the State of Texas

Return to:
City of Amarillo
Community Development Department
P.O. Box 1971
Amarillo, TX 79105-1971

FUNDING AGREEMENT FOR PUBLIC SERVICES

This agreement, made by and between the City of Amarillo, a municipal corporation located in Potter and Randall Counties, Texas, hereinafter called "CITY" and, «Agency» a private, non-profit corporation, hereinafter called "AGENCY", upon the following mutual promises, consideration and terms:

WHEREAS, the CITY has applied for and received approval for a grant award pursuant to the Housing and Community Development Act of 1974, as Amended (Agreement Number B-10-MC-48-0002, CFDA Number 14.218); and

WHEREAS, it has been determined by the Amarillo City Council to be in the public interest to «Purpose_of_Property», and has identified the need for such services in the 2016-2017 Annual Action Plan of the Consolidated Plan for Housing and Community Development for the above referenced grant award;

WHEREAS, the CITY desires to enter into an agreement with the AGENCY to make funding available for «Short_Descr_of_Project» at «Project_Address» as more fully described in AGENCY's application for assistance submitted in April 11, 2016 and made a part herein by reference;

NOW, THEREFORE, the CITY and the AGENCY do hereby mutually agree as follows:

Section 1. The assistance made available through this agreement shall be used by the AGENCY solely for the purposes of providing financial assistance on a cost per client basis for «Scope_of_Renovation». The City shall pay AGENCY the difference between the «Cost_Basis», less contributions made by the family and supplemental funding provided from other sources.

Section 2. The services provided by the AGENCY shall benefit low and moderate-income persons residing in Amarillo whose gross household income does not exceed the low and moderate-income eligibility requirements as established by the Department of Housing and Urban Development. Except as otherwise required in this agreement, the AGENCY shall administer and operate the services funded under this agreement consistent with the operating standards and procedures established by the AGENCY's Board of Directors.

Section 3. The CITY agrees to reimburse AGENCY for actual expenses paid in the performance of services described in this agreement in an amount not to exceed «Funding_spell_out_CAPS» ($«Dollar_amount»). CITY will make payments to AGENCY based upon AGENCY's monthly invoice reflecting actual payment for services provided. Such monthly invoices from AGENCY shall be submitted not later than the tenth day of each month and shall be in the format prescribed by the CITY.

3.1 AGENCY understands and agrees that the assistance made available under this Agreement is contingent upon the actual receipt of adequate federal funds to meet the CITY's liabilities under this agreement. It is expressly understood that this agreement in no way obligates the General Fund or any other monies or credit of the CITY.

3.2 The AGENCY shall submit with the monthly invoice a confidential report listing each client receiving assistance through this agreement indicating the client's name, address, ethnic group, age, sex, monthly gross family income, contribution, and enrollment and attendance record.

3.3 Without limiting any of the other obligations or liabilities of the AGENCY, the AGENCY shall at its own expense provide minimum insurance coverage as listed below, and maintain coverage without interruption, provided by an insurer authorized to do business in Texas and, of a Best Rating of B+ or better, against all liabilities claims,

damages, suits, and attorney fees for incidents arising out of or in connection with AGENCY's performance under this agreement. A certificate of insurance will be placed on file with the Community Development Department of the CITY by AGENCY. Coverage must include the CITY as an Additional Insured for all work performed for or on behalf of the CITY. In the event of any material change, non-renewal or cancellation of any policy, AGENCY's insurance company will give 30 days actual prior written notice to the CITY for such changes or cancellation.

TYPE OF COVERAGE	MINIMUM
COMMERCIAL GENERAL LIABILITY:	LIMITS
Coverage A - Each Occurrence	$500,000
Coverage B - Personal & Advertising Injury	$500,000
General Aggregate Other Than Products/Completed Operations	$500,000
Products/Completed Operations Aggregate	$500,000

3.4. In the event AGENCY's assistance is less than $25,000 in a fiscal year, AGENCY agrees to provide the CITY with a year-end compilation report prepared by an independent Certified Public Accountant (CPA). In the event AGENCY receives in excess of $25,000 in assistance from the CITY in a fiscal year, AGENCY agrees to provide the CITY with the year-end audit report for its operations. In the event AGENCY expends $500,000 or more in federal funds annually, AGENCY shall submit an audit report that is in compliance with the provisions of the Single Audit Act and OMB Circular A-128 or A-133. The audit shall be prepared by an independent CPA and shall include as supplemental information statements of compliance and internal control with respect to federal financial assistance provided to the AGENCY by the CITY. The financial statement or audit report shall be submitted no later than 120 days following the end of the AGENCY's fiscal year.

Section 4. The AGENCY agrees that the performance of work and services pursuant to the requirements of this agreement shall conform to high professional standards. The AGENCY shall not at any time or in any manner represent that it or any of its agents or employees are in any manner agents or employees of the CITY.

4.1. For purposes of determining venue and the law governing this agreement, activities performed under this agreement are performed in the City of Amarillo, Potter and Randall Counties, State of Texas.

4.2. It is expressly understood by AGENCY that this assistance is made available as part of CITY's Community Development Block Grant (CDBG) Program, and as such, the activities undertaken must comply with all of the rules and regulations established by said program, including those assurances and conditions listed in Part II attached hereto and by reference made a part hereof. AGENCY agrees that the services provided by the AGENCY under this agreement shall be devoted primarily to assist low and moderate-income households.

4.3. The AGENCY further agrees to make its facility, books and records available to program monitoring or inspection by any representative of the City, the Department of Housing and Urban Development, and the CITY's independent auditors that the CITY may determine necessary at any mutually convenient time. AGENCY also agrees to provide CITY, the Department of Housing and Urban Development, and the CITY's independent auditors with such reports as the CITY may from time-to-time require as proof of AGENCY's compliance with any or all terms and conditions of this agreement. AGENCY shall maintain all records related to this agreement for a period of not less than four (4) years from the date of completion of the services provided under this agreement.

4.4. The AGENCY agrees to transfer to the CITY any unused CDBG funds or any accounts

receivable attributed to Project on hand at the expiration of this agreement.

4.5. AGENCY agrees to repay the CITY for any real property acquired or improved in part or in whole with CDBG funds in excess of $25,000 and which is not used to meet one of the CDBG national objectives.

4.6. It is understood and hereby agreed that the AGENCY shall not deny benefits to or discriminate against any person on the basis of race, color, religion, age, sex, national origin, or handicapped status in the performance of any activities funded under this agreement.

SECTION 5. AGENCY AGREES TO INDEMNIFY AND HOLD THE CITY HARMLESS FROM AND AGAINST ALL CLAIMS, DEMANDS, DAMAGES, CAUSES OF ACTION, ATTORNEY FEES AND INTEREST ARISING OUT OF OR RELATED TO INJURIES OR DEATH TO PERSONS, OR DAMAGE TO PROPERTY CAUSED BY THE AGENCY'S ACTS OR OMISSIONS IN PERFORMING SERVICES UNDER THIS AGREEMENT, OR THAT OF ITS AGENTS OR EMPLOYEES; PROVIDED, HOWEVER, THAT AGENCY SHALL NOT BE LIABLE FOR ANY INJURY OR DAMAGE BY LOSS OCCASIONED BY THE ACTIVE NEGLIGENCE OF CITY'S AGENTS OR EMPLOYEES; AND PROVIDED FURTHER, THAT AGENCY SHALL GIVE TO CITY PROMPT AND TIMELY WRITTEN NOTICE OF ANY CLAIM MADE OR SUIT INSTITUTED WHICH IN ANY WAY, DIRECTLY OR INDIRECTLY, CONTINGENTLY OR OTHERWISE, AFFECTS OR MIGHT AFFECT CITY AND CITY SHALL HAVE THE RIGHT TO COMPROMISE AND DEFEND THE SAME TO THE EXTENT OF ITS OWN INTEREST.

Section 6. This agreement may be suspended or terminated if, through any cause, AGENCY shall fail or refuse to fulfill in a timely manner any of its obligations under this agreement or if the AGENCY violates any of the conditions or terms of this agreement. In this event, CITY shall give written notice of such violation, refusal, and/or failure to proceed in a timely manner to the AGENCY. Within ten (10) days after such notice, the AGENCY shall inform the CITY in writing of the corrective action taken or to be taken.

6.1 In this event, CITY shall give written notice of such violation, refusal, and/or failure to proceed in a timely manner to the AGENCY. Within ten (10) days after such notice, the AGENCY shall inform the CITY in writing of the corrective action taken or to be taken.

6.2 Agency shall exercise all due diligence to correct any and all violations. In the event the violations, refusals and/or failures are not fully corrected within twenty (20) days from the date the AGENCY first gave notice to the CITY of the actions taken, the CITY retains the right to terminate this agreement forthwith.

6.3 This agreement may be terminated by AGENCY upon thirty days (30) prior written notice to the CITY.

Section 7. This agreement represents the entire and integrated agreement between CITY and AGENCY, and supersedes all prior negotiations, representations or agreements either written or oral. Any notice or notices required or permitted to be given pursuant to this agreement will be served by certified mail, return receipt requested to the following:

CITY	James Allen, Community Development Administrator City of Amarillo P. O. Box 1971 Amarillo, TX 79105-1971
AGENCY	«Agency_Head», «Title» «Agency» «Address_Agency_Mailing» «City», «State» «Zip_Code»

Section 8. The AGENCY shall not assign or transfer any of its interest in this agreement without the prior written approval of the CITY; provided however that claims for money due or to become due to the AGENCY from the CITY under this agreement may be assigned to a bank, trust company or other financial institution, or to a trustee in a bankruptcy without such approval. In the event of such assignment or transfer, notice shall be given to CITY as provided herein within three days of the assignment or transfer.

Section 9. No officer, employee, or agent of the CITY or AGENCY who exercises any functions or responsibilities with respect to the carrying out of the project shall have any interest, direct or indirect, in this agreement or the proceeds thereof.

Section 10. No member or delegate of the Congress of the United States shall be admitted to any share or part of this agreement or to any benefit to arise here from.

Section 11. This agreement, with the attachments adopted herein by reference, constitutes and expresses the entire agreement between the parties hereto and shall not be amended or modified except by written instrument signed by both parties. The effective date of this agreement shall be October 1, 2011 through September 30, 2012.

EXECUTED this _____ day of _____,2016.

CITY OF AMARILLO

BY: _____
Terry Childers, Interim City Manager

ATTEST:

_____
Frances Hibbs, City Secretary

«Agency»

BY: _____
«Agency_Head», «Title»

PART II - ASSURANCES AND CONDITIONS
COMMUNITY DEVELOPMENT BLOCK GRANT

The recipient of Community Development Block Grant assistance hereby certifies it possesses legal authority to execute this contractual agreement and its governing body has duly adopted or passed as an official act authorizing the person identified as the official representative of the recipient to execute and carry out the activities in this agreement.

This agreement is subject to the provisions of 24 CFR 570.600 Subpart K of the Community Development Block Grant regulations as set forth as follows:

UNIFORM ADMINISTRATIVE REQUIREMENTS AND COST PRINCIPLES

The recipient, its agencies or instrumentalities, and subrecipients shall comply with the policies, guidelines, and requirements of 24 CFR Part 85 and OMB Circular A-87, A-110 (24 CFR Part 84), A-122, A-133 (24 CFR Part 45), and A-128 (24 CFR Part 44) as applicable, as they relate to the acceptance and use of Federal funds under this part.

PUBLIC LAW 88-352 AND PUBLIC LAW 90-284; EXECUTIVE ORDER 11063

Assistance under this agreement will be conducted and administered in conformity with Public Law 88-352 and Public Law 90-284.

a. "Public Law 88-352" refers to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), which provides that no person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Section 602 of the Civil Rights Act of 1964 directs each Federal department and agency empowered to extend Federal financial assistance to any program or activity by way of grant to effectuate the foregoing prohibition by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the statute authorizing the financial assistance. HUD regulations implementing the requirements of Title VI with respect to HUD programs are contained in 24 CFR Part 1.

b. "Public Law 90-284" refers to the Fair Housing Act (42 U.S.C. 3601-20) which states it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States and prohibits any person from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, or national origin. The Fair Housing Act further requires the Secretary to administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of the Fair Housing Act. Pursuant to this statutory direction, the Secretary requires that grantees administer all programs and activities related to housing and community development in a manner to affirmatively further fair housing.

c. Executive Order 11063, as amended by Executive Order 12259, directs the Department to take all action necessary and appropriate to prevent discrimination because of race, color, religion (creed), sex, or national origin, in the sale, leasing, rental, or other disposition of residential property and related facilities (including land to be developed for residential use), or in the use or occupancy thereof, if such property and related facilities are, among other things, provided in whole or in part with the aid of loans, advances, grants, or contributions agreed to be made by the Federal Government. HUD regulations implementing Executive Order 11063 are contained in 24 CFR Part 107.

SECTION 109 OF THE ACT (Housing and Community Development Act of 1974 (the Act) Public Law 96-399)

a. Section 109 of the Act requires that no person in the United States shall on the ground of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with community development

funds made available pursuant to the Act. For purposes of this section "program or activity" is defined as any function conducted by an identifiable administrative unit of the recipient, or by any unit of government, subrecipient, or private contractor receiving community development funds or loans from the recipient. "Funded in whole or in part with community development funds" means that community development funds in any amount in the form of grants or proceeds from HUD guaranteed loans have been transferred by the recipient or a subrecipient to an identifiable administrative unit and disbursed in a program or activity.

b. Specific discriminatory actions prohibited and corrective actions.

1. A recipient may not, under any program or activity to which the regulations of this Part may apply directly or through contractual or other arrangements, on the ground of race, color, national origin, or sex:
   i. Deny any facilities, services, financial aid or other benefits provided under the program or activity.
   ii. Provide any facilities, services, financial aid or other benefits, which are different, or are provided in a different form from that provided to others under the program or activity.
   iii. Subject to segregated or separate treatment in any facility in, or in any matter of process related to receipt of any service or benefit under the program or activity.
   iv. Restrict in any way access to, or in the enjoyment of any advantage or privilege enjoyed by others in connection with facilities, services, financial aid or other benefits under the program or activity.
   v. Treat an individual differently from others in determining whether the individual satisfies any admission, enrollment, eligibility, membership, or other requirement or condition, which the individual must meet in order to be provided any facilities, services or other benefit provided under the program or activity.
   vi. Deny an opportunity to participate in a program or activity as an employee.

2. A recipient may not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination on the basis of race, color, national origin, or sex, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to individuals of a particular race, color, national origin, or sex.

3. A recipient, in determining the site or location of housing or facilities provided in whole or in part with funds under this part, may not make selections of such site or location which have the effect of excluding individuals from denying them the benefits of, or subjecting them to discrimination on the ground of race, color, national origin, or sex; or which have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act and of this section.

   i. In administering a program or activity funded in whole or in part with CDBG funds regarding which the recipient has previously discriminated against persons on the ground of race, color, national origin, or sex, the recipient must take affirmative action to overcome the effects of prior discrimination.
   ii. Even in the absence of such prior discrimination, a recipient in administering a program or activity funded in whole or in part with CDBG funds should take affirmative action to overcome the effects of conditions which would otherwise result in limiting participation by persons of a particular race, color, national origin or, sex. Where previous discriminatory practice or usage tends, on the ground of race, color, national origin, or sex, to exclude individuals from participation in, to deny them the benefits of, or to subject them to discrimination under any program or activity to which this part applies, the recipient has an obligation to take reasonable action to remove or overcome the consequences of the prior discriminatory practice or usage, and to accomplish the purpose of the Act.
   iii. A recipient shall not be prohibited by this part from taking any action eligible under Subpart C to ameliorate an imbalance in services or facilities provided to any geographic area or specific group of persons within its jurisdiction, where the purpose of such action is to overcome prior discriminatory practice or usage.

5. Notwithstanding anything to the contrary in this section, nothing contained herein shall be construed to prohibit any recipient from maintaining or constructing separate living facilities or rest room facilities for the different sexes. Furthermore, selectivity on the basis of sex is not prohibited when only a member of the same sex can properly perform institutional or custodial services as the recipients of the services.

AGE DISCRIMINATION ACT OF 1975 AND REHABILITATION ACT OF 1973

Section 109 of the Act further provides that any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.C.C. 6101 et seq.) or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) shall also apply to any program or activity funded in whole or in part with funds made available pursuant to the Act.

LABOR STANDARDS; SECTION 110 OF THE ACT (PUB.L.93-399)

Section 110 of the Act requires that all laborers and mechanics employed by contractors or subcontractors on construction work financed in whole or in part with assistance received under the Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a--276a-5). By reason of the foregoing requirement, the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) also applies. However, these requirements apply to the rehabilitation of residential property only if such property is designated for residential use of eight or more families. With respect to the labor standards specified in this section, the Secretary of Labor has the authority and functions set forth in Reorganization Plan Number 14 of 1950 (5 U.S.C. 1332-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

EMPLOYMENT AND CONTRACTING OPPORTUNITIES: EXECUTIVE ORDER 11246 AND SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968

a. Recipients shall comply with Executive Order 11246 and the regulations issued pursuant thereto (41 CFR Chapter 60) which provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of Federal or federally assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on Federal or federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay, or other forms of compensation and selection for training and apprenticeship.

b. Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the regulations at 24 CFR Part 135 require that employment and other economic opportunities arising in connection with housing rehabilitation, housing construction, or other public construction projects shall, to the greatest extent feasible, and consistent with federal, state, and local laws and regulations, be given to low- and very low-income persons.

LEAD-BASED PAINT

The Lead-Based Paint Poisoning Prevention Act of 1971, as amended (42 U.S.C. 4821 *et seq*.) and the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 *et seq*.) directs the Secretary to prohibit the use of lead-based paint in residential structures constructed or rehabilitation with Federal assistance in any form and to establish procedures to eliminate as far as practicable the hazards of lead-based paint poisoning with respect to any existing housing which may present such hazard and is assisted by applicable HUD programs. Such prohibitions are contained in 24 CFR Part 35, Subpart B and are applicable to residential structures constructed or rehabilitated with assistance provided under this Part.

USE OF DEBARRED, SUSPENDED OR INELIGIBLE CONTRACTORS AND SUBRECIPIENTS

Assistance provided under this contract shall not be used directly or indirectly to employ, award contracts to or otherwise engage the services of, or fund any contractor or subrecipient during any period of debarment, suspension, or placement in ineligibility status under the provisions of 24 CFR Part 24.
USE AND REVISON OF ASSETS

Property or Equipment acquired in whole or in part are subject to the regulations at 24 CFR 570.503(b) (8) which states that upon the expiration of the contract or program assisted the Agency shall transfer to the city CDBG funds on hand and any accounts receivable attributable to the use of CDBG funds. In addition, any real property that was acquired or improved in whole or in part with CDBG funds (grant or loan) in excess of $25,000 be used to meet one of the National Objectives in 570.208 for a specific period of time to be set by the city, but not be less than five years in any event. Failure to meet the required time period will result in repayment of a prorated portion of the CDBG funds used as outlined by the City in the agreement as is applicable.

CONFLICT OF INTEREST

a. Applicability
   1. In the procurement of supplies, equipment, construction, and services by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 84.42, respectively, shall apply.
   2. In all cases not governed by 24 CFR 85.36 and 84.42, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient, by its subrecipients, or to individuals, businesses and other private entities under eligible activities which authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties of facilities pursuant to section 570.202, or grants, loans and other assistance to businesses, individuals and other private entities pursuant to sections 570.203, 570.204 or 570.455 or 570.703(i)).

b. Conflicts prohibited. The general rule is that no persons described in paragraph (c) below who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this Part or who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract or agreement with respect to a CDBG assisted activity, or with respect to the proceeds of the CDBG assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

c. Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official, or appointment official of the recipient, or of any designated public agencies, or subrecipients, which are receiving funds under this Part.

ELIGIBILITY RESTRICTIONS FOR CERTAIN RESIDENT ALIENS

a. Certain newly legalized aliens, as described in 24 CFR Part 49, are not eligible to apply for benefits under covered activities funded under this contract. “Benefits” under this section means financial assistance, public services, jobs and access to new or rehabilitated housing and other facilities made available under covered activities funded by this part. “Benefits” do not include relocation services and payments to which displacees are entitled by law.

b. Covered activities means activities meeting the requirements of 570.208(a) that either:

   1. Have income eligibility requirements limiting the benefits exclusively to low- and moderate income-persons; or

   2. Are targeted geographically or otherwise to primarily benefit low and moderate income persons (excluding activities serving the public at large, such as sewers, roads, sidewalks, and parks), and that provide benefits to persons on the basis of an application.

c. The restrictions under this section apply only to applicants for new benefits not being received by covered resident aliens as of the effective date of this section (May 2, 1990).

ARCHITECTURAL BARRIERS ACT AND THE AMERICANS WITH DISABILITIES ACT

a. The architectural Barriers Act of 1968 (42 U.S.C. 4151-4157) requires certain federal buildings and other facilities to be designed, constructed, or altered in accordance with standards that insure accessibility to and use by, physically handicapped people. A building or facility designed, constructed, or altered with funds allocated or reallocated under this part after December 1995, and that meets the definition of "residential structure" as defined in 24 CFR 40.2 or the definition of "building" as defined in 41 CFR 101-19.602(a) is subject to the requirements of the Architectural Barriers Act of 1968 and shall comply with the Uniform Federal Accessibility Standards (Appendix A to 24 CFR Part 40 for residential structures, and Appendix A to 41 CFR Part 101-19, subpart 101-19.6, for general type buildings).

b. The Americans with Disabilities Act (42 U.S.C. 12131; 47 U.S.C. 155.201, 218 and 225) (ADA) provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. It further provides that discrimination includes failure to design and construct facilities for first occupancy no later than January 26, 1993 that are readily accessible to and usable by individuals with disabilities. Further the ADA requires the removal of architectural barriers and communication barriers that are structural in nature in existing facilities, where such removal is readily achievable--that is, easily accomplishable and able to be carried out without much difficulty or expense.

FAITH BASED ORGANIZATIONS

Regulations at CFR Part 570.200(j) set forth the restrictions and limitations applicable to the provision of Community Development Block Grant assistance.

Executive Order 13279, issued on December 12, 2002 requires federal agencies and grantees to treat all organizations fairly and without regard to religion in federal programs. HUD issued a new rule on September 30, 2003 requiring equal treatment of faith-based organizations. Specifically, the new rule makes clear the following:

a. Direct HUD funds may not be used to support inherently religious activities such as worship, religious instruction, or proselytizing. A faith-based organization may still engage in such activities so long as they are voluntary for program participants and occur separately in time or location from the activities directly funded under a HUD program.

b. Faith-based organizations, like all organizations under HUD-funded programs, must serve all eligible beneficiaries without regard to religion.

c. Faith-based organizations may receive HUD funds to acquire, rehabilitate, or repair buildings and other real property, so long as the funds only pay the percentage of the total costs attributable to the HUD activity. HUD funds may not be used to acquire or improve sanctuaries, chapels, and other rooms that a congregation uses as its principal place of worship.

PROCEDURES FOR NONPROFIT AGENCIES TO BID CDBG PROJECTS

1. Meet with Community Development Department staff to discuss project implementation. All agency staff and the architect (if applicable) should be present.

2. Submit a time schedule, which outlines the schedule for developing bid specifications, soliciting bids and awarding a contract.

3. Develop bid specifications. It is the agency's responsibility to secure any professional assistance needed to develop plans and specifications. If project is small, bid specifications may be as few as one page (see the attached

example) but must at a minimum include the following:

Location of project
Description of work to be done
Materials required if necessary to match or tie into existing components
Number of days needed to complete work
Deadline for submission of bids
Statement that the successful contractor will be responsible for securing all permits and inspections as well as the cost of such permits
Site plan or floor plan should be included

If the CDBG project is a construction job of more than $2,000, the Davis-Bacon federal wage requirements apply. **A copy of the wage decision and special conditions must be included in the bid specifications.** These must be obtained from the Community Development office. A sample copy is attached.

4. When a building permit is required, plans must be submitted to the Building Safety Department of the City of Amarillo for review **prior to soliciting bids**. The agency or architect must submit a copy of the plans to Building Safety in Simms Municipal Building.

5. Submit the bid specifications to the Community Development Department of the City of Amarillo for approval. You may deliver, mail or FAX the specifications. This should include a copy of the proposed contract. A copy of the vendor or contractor list must be provided to the City.

6. After approval by the Community Development office, for projects exceeding $25,000, written bids from a minimum of two (2) contractors or suppliers. This may be done by mail, FAX or hand delivery. A public bid opening is required and a minimum of two bids must be received in order for bids to be opened.

7. If the project is a construction job less than $25,000, the bid is not required to be formally advertised. To formally advertise a bid, a notice should be published in the Amarillo Globe News at least twice and should contain the following information:

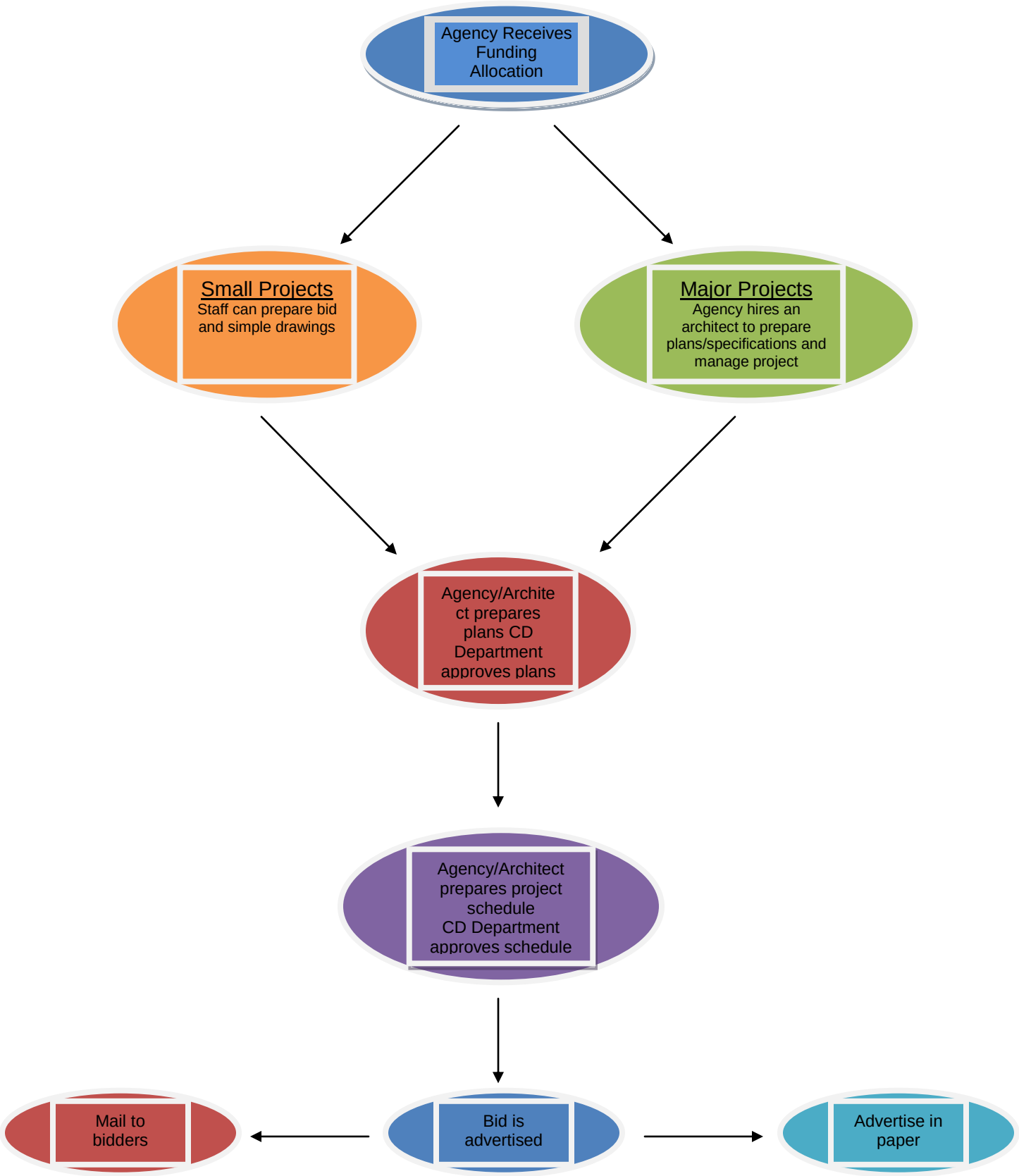
Name of project
Name of agency
Location of project
Date and time that sealed bids will be accepted
Address for submitting bids
Notice that project is funded in whole or in part by Community Development Block Grant funds and is subject to the federal wage requirements of the Davis-Bacon Act.

8. Inform the Community Development Department of the bid results. A written tabulation of bids should be submitted which includes the contractor, the amount of the bid and the number of days needed to complete work. Also include a recommendation of the lowest, most responsive bidder. The Community Development Department will verify the bid results.

9. Upon confirmation of the low bid by the Community Development Department, a contract may be executed with the lowest, most responsive bidder. Please submit a copy of the contract to the Community Development office for review prior to execution, if it is not included in the bid specifications. Once the contract is executed, submit a copy to the Community Development office along with a copy of the plans.

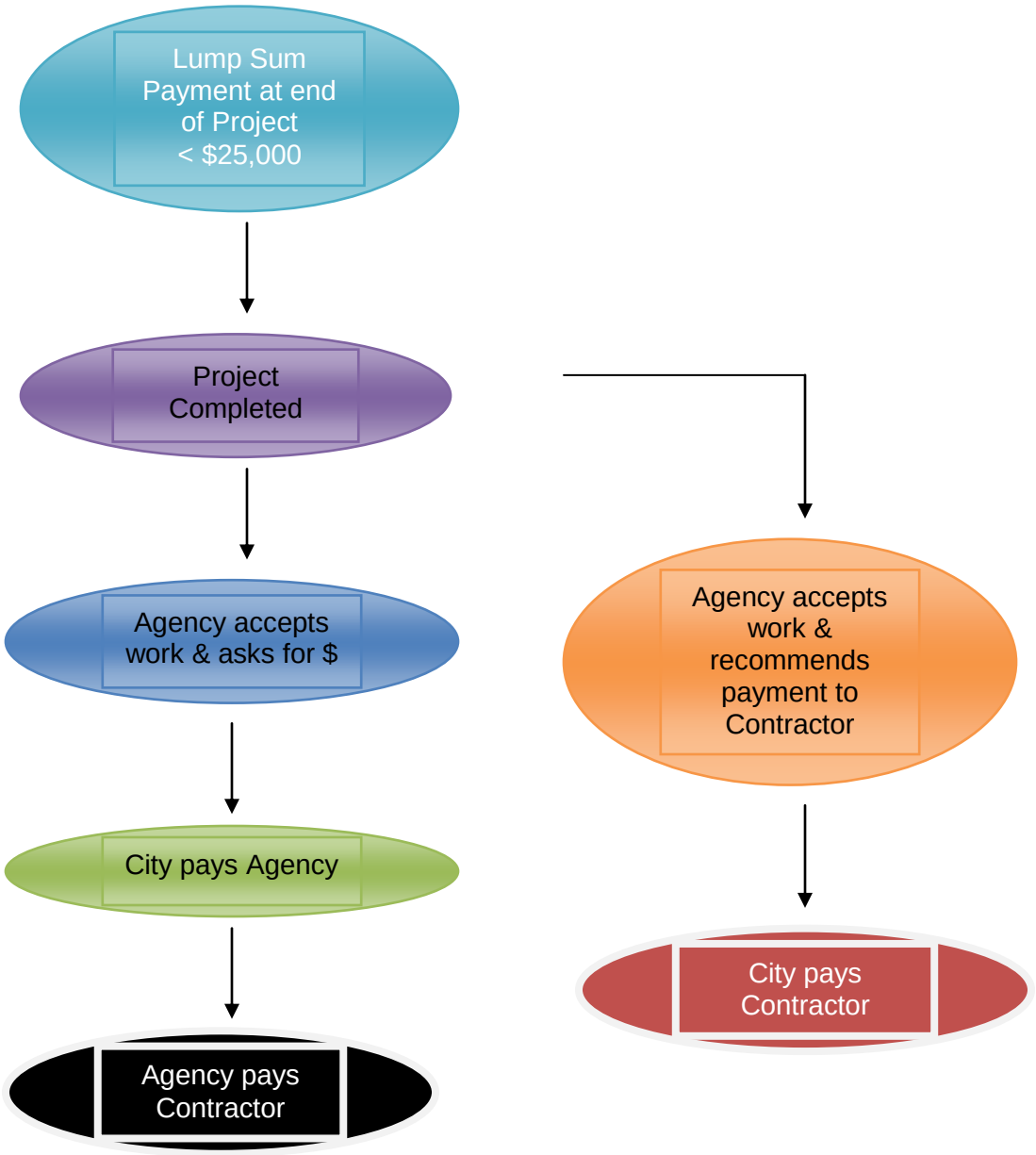
10. Prior to the start of construction, a pre-construction conference must be held to inform the contractor and all subcontractors of the Davis-Bacon Act and other federal labor requirements. Coordinate the time and place of the conference with the Community Development Department.

Community Development Block Grant
Pre-Bid Procedures and Scheduling



Community Development Block Grant
Reimbursement Procedures - Major Projects

Community Development Block Grant
Reimbursement Procedures
Small Projects



City of Amarillo
Department of Building Safety

MINIMUM SUBMITTAL DOCUMENTS
FORCOMMERCIAL BUILDING PERMITS

These are the minimum plans and other documents required to be submitted with applications for Commercial Building Permits. Section 4-3-1 of the Municipal Code states that: Two (2) sets of plans and specifications shall be submitted. Plans and specifications shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

The first sheet of each set of plans shall give the lot, block, tract, house and street address, or a similar description that will readily identify and definitely locate the proposed building or work. Computations, strain sheets, stress diagrams and other data necessary to show the correctness of the plans and adequacy of the structural features shall, if requested by the Building Official, accompany the plans and specifications. The minimum requirements for plans submitted with applications for permits shall be as follows:

1. Proof of **TDLR accessibility review registration** for projects are required with applications for commercial building permits. This law requires that the plans for commercial building projects of $50,000 or more in value must be registered with the Texas Department of Licensing and Regulation (TDLR) for accessibility review before those plans are submitted to the City for a building permit. The City will require proof of registration of a project with the TDLR before it will accept an application for a permit.

2. Proof of **Asbestos Surveys** is required for building and demolition permits for existing buildings subject to State Laws for asbestos abatement. This law applies to all buildings except for 1 & 2 family dwellings, and apartment buildings with no more than 4 dwelling units. The City will require a copy of an asbestos survey of an existing building to be submitted before it will issue a building or demolition permit for work on the building.

3. Plot plan showing the location of property lines, streets, alleys, proposed construction, proposed or existing (or both) off-street parking, all existing buildings or structures on the lot and shall include site drainage information in accordance with Section 1803.3 of the I.B.C. 2006

4. Foundation plan with detail sections showing the size, depth and reinforcing of all foundation walls and footings, the size of floor joists, all piers, girders or other supports.

5. Floor plans showing the size and shape of building, the arrangement of rooms, the size and location of all openings and all partitions, and the size of ceiling or roof framing (or both) to be used.

6. At least two (2) elevations showing the grades, story heights, vertical dimensions and location of all openings.

7. At least one (1) general wall section showing the construction of exterior walls in sufficient detail to show clearly the materials and construction methods.

8. Large-scale detail drawing to indicate clearly the extent of the work, its design and construction.

9. Energy design assumptions, calculations & details.

10. Mechanical, Electrical and plumbing plans.

11. Structural design assumptions and detail.

12. Architect and/or Registered Professional Engineer sealed plans per Texas Architectural Act and/or Texas Engineering Act.

13. **An application fee of $60.00.**

Steps For Completing A CDBG Renovation or Construction Project

(1) Letter from the Agency indicating the project is satisfactorily completed and requesting release of the retainage/funds.

(2) Copy of the final application and certification for payment from the contractor. If this is a smaller contract, the contractor should submit a final invoice to the agency for payment.

(3) Copy of the Certificate of Substantial Completion from the contractor and certified by the architect. (Not required for smaller projects)

(4) Copies of a Statement of Release of Liens from the general contractor, or individual releases of lien from each subcontractor and all material supplier for the project.

(5) Copy of the Release of Surety. This is a statement from the bonding company that issued the payment and performance bonds that the contractor has satisfied the bonding requirements. (This applies only to contracts in excess of $100,000)

(6) A copy of the Certificate of Occupancy on the new building or portion of a building issued by the City of Amarillo Building Safety Department. If a Certificate of Occupancy is not required, the contractor must demonstrate that all permits have been inspected and approved.

(7) The City will not make payment until the contractor has satisfactorily submitted all labor reports.

SAMPLE BID SPECIFICATIONS FOR SMALL PROJECT
NAME OF AGENCY PROPOSAL
NAME OF PROJECT

RETURN PROPOSAL TO:	Name of agency **Mailing Address of Agency** **AMARILLO, TX Zip** **PHONE: XXX-XXXX FAX: XXX-XXXX**	BIDS DUE:	**Date of Bid Opening** BY 2:00 P.M.
PROJECT LOCATION:	**Name of Project** Location of Project AMARILLO, TX XXXXX		

GENERAL REQUIREMENTS

1. Contractor agrees to complete all work specified and provide all necessary superintendence, labor, tools, equipment, machinery and whatever else may be necessary to complete the work in a professional manner consistent with the accepted norms and complete work within the time frame allowed. Contractor further agrees to adhere to all applicable City of Amarillo Codes and Ordinances, including obtainment of applicable permits from the Building Safety Department of the City of Amarillo.
2. Contractor agrees to make all improvements as listed in the work specifications. Work shall be completed within the specified number of calendar days, exclusive of Sundays, from the date of the notice to begin work.
3. The project is subject to the provisions of the Davis Bacon Act. Refer to the special conditions and federal wage decision attached hereto. Contractor shall submit all required labor reports to the Community Development office of the City of Amarillo.
4. Tax-exempt certificates will be provided to the successful bidder by the Sunshine Family Center.
5. Questions regarding the bid procedures or labor standards should be addressed to James Allen, City of Amarillo at 378-3023.

WORK SPECIFICATIONS
(EXAMPLE)

1. Remove and dispose of existing 40-gallon water heaters in mechanical room located on the south side of the Center and in closet adjacent to mechanical room. Dispose of all debris in an approved landfill.
2. Install two (2) commercial, 100-gallon water heaters in the mechanical room.
3. Repipe to all hot water fixtures through attic. Reuse any existing copper piping as allowable.
4. Insulate all water piping in the attic.
5. As new water heating units in mechanical room are tied in, disconnect, remove and dispose of all other existing water heaters.
6. Call Mary Smith at 377-1000 (phone) or 377-2000 (pager) for an inspection.

Agency/Owner will remove wall between mechanical room and closet to allow space for the installation of new water heaters. Agency/Owner will also patch opening into closet with sheetrock and install a new door on the outside of mechanical room.

The undersigned agrees to begin work within ten (10) days of the acceptance of this proposal by **NAME OF AGENCY** and to proceed continuously until final completion of the work, not to exceed the number of calendar days specified. Payment will be made upon satisfactory completion of work.

TOTAL COST: $_____ (round to the nearest dollar)
NUMBER OF CALENDAR DAYS TO COMPLETE: _____
CONTRACTOR:_____
BUSINESS ADDRESS:_____
BUSINESS PHONE: _____ FAX: _____ FEDERAL ID # OR SS#:_____

Signature of Authorized Representative: _____ Date: _____

BIDS MUST BE SUBMITTED TO THE NAME OF AGENCY ON OR BEFORE 2:00 P.M. ON DATE OF BID OPENING. All bidders are encouraged to return a bid or a written intent not to bid. This bid is valid for 30 days unless otherwise stated. **NAME OF AGENCY** reserves the right to accept or reject any or all bids or parts of bid and to waive any formalities and technicalities.

Accepted by:_____ _____
Name of Director, Executive Director Date
Name of Agency

Name of Agency
Name of Project

RETURN PROPOSAL TO:	**Name of agency** **Mailing Address of Agency** **AMARILLO, TX Zip** **Phone: XXX-XXXX Fax: XXX-XXXX**	BIDS DUE:	**Date of Bid Opening** BY 2:00 PM
PROJECT LOCATION:	**Name of Project** **Location of Project** **AMARILLO, TX Zip**		

GENERAL REQUIREMENTS

1. Contractor agrees to complete all work specified and provide all necessary superintendence, labor, tools, equipment, machinery and whatever else may be necessary to complete the work in a professional manner consistent with the accepted norms and complete work within the time frame allowed. Contractor further agrees to adhere to all applicable City of Amarillo Codes and Ordinances, including obtainment of applicable permits from the Building Safety Department of the City of Amarillo. Permit fees are not waived.
2. Contractor agrees to make all improvements as described in the attached work specifications. Work shall be completed within the specified number of calendar days, exclusive of Sundays, from the date of the notice to begin work.
3. The project is subject to the provisions of the Davis Bacon Act. Refer to the special conditions and federal wage decision attached hereto. Contractor shall submit all required labor reports directly to the Community Development office of the City of Amarillo.
4. The **Name of Agency** will provide a tax-exempt certificate to the successful bidder.
5. **Name of Agency** will make one lump sum payment upon satisfactory completion of the project.
6. Direct questions regarding the bid procedures or labor standards to Susan Barros, City of Amarillo at 378-3005.

The undersigned agrees to begin work upon acceptance of the proposal by **Name of Agency** and ~~proceed continuously until final completion of the work, not to exceed the number of calendar days~~ specified. Payment will be made upon satisfactory completion of work.

TOTAL COST:_____

NUMBER OF CALENDAR DAYS TO COMPLETE:_____

CONTRACTOR:_____

BUSINESS ADDRESS:_____

BUSINESS PHONE:_____ Federal ID# or SS# _____

Business Fax: _____

Signature of Authorized Representative: _____ Date: _____

BIDS MUST BE SUBMITTED TO THE NAME OF AGENCY ON OR BEFORE 2:00 P.M. ON BID DUE DATE. All bidders are encouraged to return a bid or a written intent not to bid. This bid is valid for thirty (30) days unless otherwise stated. The **Name of Agency** reserves the right to accept or reject any or all bids or parts of bid and to waive any formalities and technicalities.

Proposal Accepted by: _____ _____

Name of Director, Executive Director **Date**

Name of Agency

CDBG Risk Analysis

Project Name: _____ **Subrecipient Name:** _____

Total Score 0.00

Management Training and Operations			Records			Contract Compliance			Recipients & Eligibility			Financial Records/Audits			Property		
Compliance to Regs	5		Well Organized Records	5								Program Income	10		Fees reasonable and within L/M household budgets	5	
Alcohol/Drugs Posters	1.0		Records compliance	5		Contract Maintained	10		Income Determined	10		How generated?	2.5		Facilities maintained and sanitary	5	
Firearms Policy posted	1.0		Data Collection	1.6		Timely Expenditures of resources	10		Copy in file	5.0		Revenue in separate accounts	2.5		UFR regs met	5	
Assistance in obtaining mainstream services	3.0		Household Verification	1.6		Contract Deadlines Observed	10		Verification in file	5.0		Retained by Agency	2.5		504/ADA compliance	5	
TA Attendance	5		Address Verification	1.6		Audit timely	3.3		Residency reflects City Limits	10		How program income is used	2.5		Owned by Religious Org	5	
CDBG Regulations on hand	5		Records updated	5		Monthly reports	3.4		Verification Steps Detailed	15		Documentation of costs	5		Sep or Discreet area	5	
Staff awareness of CDBG Rules	5		Records Retention	5		Insurance	3.3		Income	5.0		Cost Reasonableness	5		Open to Public	5	
Invoicing	2.0		EEO Policies	5		Is the Agency accomplishing the project	10		Residency	5.0		Receipt Retention	10		CDBG Prop Id'd	5	
Household Verification	1.5		Written personnel policy	2.0		Barriers that could have hindered/prevented performance	10		Household Size	5.0		Payment Documentation	5		Property Records adequately maintained	5	
Data Collection/Reporting	1.5		Written ADA policy	1.0								Payment withheld by City	5		Theft Safeguards in place	5	
No staff turnover a problem	5		Posters	1.0								Written financial policy	10		LBP Regs met	5	
			App w/EEO	1.0								Policy Adherance	5.0				
All served w/o religious bias	5		No Conflicts of Interest Present	5								Financial Accountability	5.0				
No CDBG funds support inherently religious activities	5		Discrepancies	5								Current Audit or Financials maintained	10				
Comingled funds	5		Correction	2.5								Federal Threshold Surpassed	10				
			Timeliness	2.5								Audit @ City	10				
												Audit Reviewed by Finance Division	10				
		0.0			0.0			0.0			0.0			0.0			0.0
5 sections for 25 points		-25.0	7 sections for 35 points		-35.0	5 sections for 50 pts		-50.0	3 sections for 35 points		-35.0	11 sections for 90 pts		-90.0	8 sections for 40 points		-40.0
		-25.0			-35.0			-50.0			-35.0			-90.0			-40.0

-275.0

-275.0

0.0

City of Amarillo
Subrecipient Monitoring - CDBG Activities

Date of On-Site Monitoring:		Time:	

Project:			
Subrecipient:			
Address:		Phone:	
Persons Interviewed:			
Funding Amount:		Reviewer:	
Project Description:			

Management Training and Operations of the Agency

1. How does the Agency ensure compliance with CDBG regulations?	
2. Did the Agency attend technical assistance training prior to the start of the program?	
3. Does the Agency have copies of CDBG regulations and program requirements?	
4. Is the Agency's staff aware of CDBG rules? Is staff trained specifically on CDBG compliance?	
5. Is this subrecipient "high risk"? i.e., high staff turnover, etc? If so, has appropriate technical assistance been received?	
6. Does the Agency will serve all eligible beneficiaries without regard to religion?	
7. Are CDBG funds used to support inherently religious activities such as worship, religious instruction or proselytization.	
8. Does the Agency understand that when commingling state or local funds with CDBG funds, CDBG faith-based regulations apply to all funds?	

Records

1. Do records appear to be neat and thorough?	
2. Do records comply with program requirements?	
3. How long are the records retained?	
4. How often are records updated?	
5. Does the Agency comply with EEO? Written personnel policy? Written ADA policy? Posters? Employment application with EEO statement?	
6. Are there any indications in the records of possible conflicts of interest?	
7. What steps does the Agency take to correct any discrepancies in records? Are corrections made in a timely manner?	

Contract Compliance and Performance

1. Does the Agency maintain their copy of the CDBG contract?	
2. Does the Agency comply with contract deadlines?	
3. How well is the agency accomplishing the project:	
4. What barriers have prevented or hindered performance?	

Recipients and Eligibility

1. Do records contain a point in time when the income verifications are determined?	
2. Do the residency records reflect the city limits?	
3. What steps does the Agency take to verify: income- residency- household size-	

Financial Records / Audits

1. Does the Agency receive program income? If yes: A. How is program income generated? B. Does program income go into separate revenue accounts? C. Is program income retained by Agency? D. How is it being used?	
2. Are costs documented and in enough detail to provide a comparison with actual performance? Are costs reasonable?	
3. Does the Agency maintain records of all receipts and payments?	
4. Does the Agency provide enough documentation to process a payment? Has the City had to withhold payment to ensure correct and accurate reports?	
5. Does the Agency have appropriate controls or policies to ensure financial accountability?	
6. Does the Agency maintain a copy of the most current independent audit or financial statement (whichever is applicable)? Does Agency's budget indicate receipt of federal funds in excess of $500,000?	
7. Is the audit performed by reputable and qualified public accountants?	
8. Is a copy of the audit submitted to the City? Period covered by audit: Date Due: Date submitted:	
9. Has the Finance Division found any questionable areas in the audit? Has there been any follow up action? Date referred to Accounting: Date of response:	

Procurement and Property

1. Are fees charged for the facility reasonable and within costs for Low/Moderate income households?	
2. Do facilities appear to be well maintained, clean and sanitary?	
3. Do the facilities appear to be in compliance with safety and Uniform Code regulations? Does the facility meet 504/ADA compliance?	
4. Do parts of a building using CDBG funds occupy a separate, designated, and discrete area within the larger facility?	
5. For private, non-profit entities, are facilities open for use by the general public during normal hours of operation?	
6. Does the Agency clearly identify any CDBG property or assets? If so, are property records adequately maintained?	
7. What safeguards does the Agency take to prevent loss, damage, or theft of property and/or records?	
8. Are lead-based paint regulations met, if applicable?	

Conclusion

Is there any indication that this activity/agency needs to be more closely monitored?

SAMPLE INVOICE FOR SERVICES

CITY OF AMARILLO
CDBG PUBLIC SERVICE

Grant Period
10/1/2016-9/30/2017

[AGENCY NAME]

A. Summary of Units Provided

1. CDBG Clients Assisted _____

B. Status of Contract

1. Total Number of Units _____
2. Fixed Unit Cost $ _____
3. Total Cost of Services (B1 x B2) $ _____
4. Less: Client Contributions $ _____

   Other Contributions $ _____
5. **Total Cost of [services/expenses] Billed this Period (B3–B4)** $ _____

C. Status of Contract

1. Total Approved Contract Amount $ _____
2. Payments Received Year to Date $ _____
3. Amount of Current Invoice $ _____
4. Total Costs Invoiced to Date $ _____
5. Balance of Contract _____

Certification

I hereby certify that the services and cost described above are true and accurate and that no other assistance has been received and that no other revenues have been contributed to the total cost of providing the CDBG assistance, except as described above.

_____ _____

Executive Director Date

RECORD KEEPING REQUIREMENTS

CDBG	HOME	ESG
Client Name or Code	Client Name	Client Name or Code
Residence	Unit Size	Homelessness Code
Census Tract	Monthly Housing Cost	Social Security #
Hispanic/Non Hispanic	Hispanic/Non Hispanic	Hispanic/Non Hispanic
Race	Race	Race
Age	Age	Age
Sex	Sex	Sex
Female Head	Female Head	Veteran
Gross Monthly Income	Gross Monthly Income	Gross Monthly Income
# in HH	# in HH	# in HH
		Veteran
		How long homeless
# Days Assisted		# Days Assisted
Client Contributions	Owner/Agency Funds	Services Provided
CDBG Contributions		Match Contributions

CDBG CLIENT PARTICIPATION REPORT

Agency: _____

Program: _____

Reporting Period: _____

RACE

11 - White
12 – Black
13 - Asian
14 - American Indian, Alaskan
O - Other
16 - White/Amer. Indian, Alaskan
17 - White/Asian
18 - White/Black
19 - Amer. Indian/Black
20 - Other Multi-Racial

INCOME:

E = Extremely Low (<30% MFI)
L = Low (30% to 50 of MFI)
M = Moderate (50% to 80% of MFI)

Name of Client or Case Number	Residence	Race (Use # Codes Above)	Ethnicity Hispanic Y or N	Age	Sex	Female Head	Gross Yearly Income	# in HH	Income Level	Units of Service Provided	Client Contribution