

Application Guidelines CDBG & HOME for Capital Projects FY 2021-2022

1. RELEVANT DOCUMENTS

All applicants should review the following documents prior to submitting an application:

1.1. Notice of Funding Availability CDBG & HOME for Capital Projects

1.2. Application Guidelines

1.2.1. Funding Timeline (See Exhibit 1)

1.2.2. Summary of Changes to CDBG & HOME for Capital Projects Funding Policies (See Exhibit 2)

1.2.3. FY 2021-2022 Capital Projects Federal Funding Policies (See Exhibit 3)

1.2.4. Frequently Asked Questions & Resources (See Exhibit 4)

1.3. For CDBG Applicants: CDBG Application

1.4. For HOME Applicants: HOME Application

2. APPLICATION INSTRUCTIONS

Applications must be complete. Applications will be reviewed on the basis of the information provided. Applicants must use the current funding application.

Supplemental materials must be kept to a minimum and must be on letter-sized paper (legal size folded to letter-size allowed for maps and plans). Materials submitted in a different format and/or excessive supplemental materials will not be reproduced for review by the committees and Board of Supervisors. Submit applications in a 3-ring binder with labeled attachments.

2.1. Application Organization

2.1.1 Hard Version

Please submit one hard version of the application and attachments, including the certifications with original signatures, in a 3-ring binder.

2.1.2 Electronic Version

Please submit a flash drive or emailed zip file that contains an electronic version of the application. Submit the Application using the fillable pdf, and each signed certification and attachment as a separate, clearly named and ordered electronic document.

2.1.3 Application Order:

Please submit both the hard and electronic versions in this order with tabs delineating the sections:

Application Checklist

Part 1: Applicant Information

Part 2: Project Description

Part 3: Program/Project Information

Part 4: Timeline

Part 5: Sources and Uses

Part 6: NEPA Checklist (NEW for 2021-2022 – Please ensure that this is complete)

Supplemental Application: Public Facilities or Other Infrastructure (CDBG only)

Supplemental Application: Housing-Related Projects (CDBG & HOME)

Part 7: Certifications

Each applicable certification should be signed by the appropriate parties. If a certification does not apply, please label it as “not applicable” and submit without signature.

Part 8: Attachments

Provide each attachment unless listed as optional or is not applicable. Clearly **label all attachments** using a cover page in the hard version, and a short, descriptive file name in the electronic version.

2.2. Application Submittal & Due Date

Applications are due no later than **Friday, June 11, at 3:00 pm**. Deliver one hard copy and one electronic version to the staff member listed below:

ATTN: Valerie Johnson
Sonoma County Community Development Commission
1440 Guerneville Road
Santa Rosa, CA 95403
Email: Valerie.Johnson@sonoma-county.org

3. USE OF FUNDS

Funds may only be used for eligible activities, as described in **Appendix A of the FY 2021-2022 CDBG & HOME for Capital Projects Funding Policies**. Applications must demonstrate that the proposed project or program is an eligible activity.

Financial assistance for all projects will be in conformance with Section 6: Types of Assistance in the FY 2021-2022 CDBG & HOME for Capital Projects Funding Policies.

In order to comply with federal timeliness requirements, the Commission emphasizes that project proposals should be submitted for ready-to-proceed projects. This means that if a project has not yet completed predevelopment activities – such as the preparation of an environmental review document, the applicant should submit an application for the preparation of the environmental review or other predevelopment activity **ONLY**. This will ensure timely completion of the proposed activity.

4. CONFIDENTIALITY OF NOFA RESPONSES

Upon submission, all proposals shall be deemed public records. In the event that a proposer desires to claim portions of its proposal exempt from disclosure, it is incumbent upon the proposer to clearly identify those portions with the word “Confidential” printed on the top right-hand corner of each page for which such privilege is claimed, and to clearly identify the information claimed confidential by highlighting, underlining, or bracketing it, etc. Each page shall be clearly marked and readily separable from the proposal in order to facilitate public inspection of the nonconfidential portion of the proposal. The Commission will consider a proposer’s request for exemptions from disclosure; however, the Commission will make its decision based upon applicable laws. An assertion by a proposer that the entire proposal, large portions of the proposal, or a significant element of the proposal, are exempt from disclosure will not be honored, and the proposal may be rejected as non-responsive. Proposers are cautioned that materials designated as confidential may nevertheless be subject to disclosure. Proposers are advised that the Commission does not wish to receive confidential or proprietary information, and those proposers are not to supply such information except when it is absolutely necessary. If any information or materials in any proposal submitted are labeled confidential or proprietary, the proposal shall include the following clause:

[Legal name of proposer] shall indemnify, defend and hold harmless the County of Sonoma, the Sonoma County Community Development Commission and their officers, agents and employees from and against any request, action or proceeding of any nature and any damages or liability of any nature, specifically including attorneys' fees awarded under the California Public Records Act (Government Code §6250 et seq.) Arising out of, concerning, or in any way involving any materials or information in this proposal that [legal name of proposer] has labeled as confidential, proprietary, or otherwise not subject to disclosure as a public record.

5. ENVIRONMENTAL REVIEW REQUIREMENTS – NEPA & CEQA

5.1. National Environmental Policy Act (NEPA)

The award of federal funds to a project requires compliance with the review and clearance provisions of the National Environmental Policy Act (NEPA) and HUD's implementing regulations at 24 CFR 58.

Applicants for federal funds are prohibited from undertaking, committing, or expending any funds (including non-federal funds) to undertake any physical or choice-limiting actions on the project site prior to an environmental determination and/or clearance as required by Part 58. Physical and choice-limiting actions include, but are not limited to, property acquisition, demolition, movement, rehabilitation, conversion, repair, or construction. This prohibition applies regardless of whether federal or non-federal funds are used for such actions. Any Options to Purchase Property should be contingent upon a HUD Environmental Review being completed and approved by the Sonoma County Community Development Commission and accepted by HUD.

Award recommendations are conditional upon the successful completion of the project's environmental review and final approval from HUD.

NEW for 2021-2022: Please be sure to review and complete the NEPA Environmental Checklist as part of a complete application.

5.2. California Environmental Quality Act (CEQA)

If applicable, all projects must receive local environmental clearance in accordance with the requirements of the California Environmental Quality Act (CEQA). The Commission will request the CEQA status from Permit and Resource Management Department (Permit Sonoma) when reviewing the funding application. The applicant must submit a copy of the CEQA clearance to the Commission prior to a funding commitment being made. [See Cal. Code Regs. Tit. 14. Section 15000 et seq.;]

6. APPLICANT PAST PERFORMANCE

Agencies with unresolved monitoring findings may not be eligible to receive funding.

7. IMPORTANT INFORMATION/ITEMS TO CONSIDER

7.1. General

The Notice of Funding Availability and Application Guidelines briefly summarize some of main requirements for HOME and CDBG awards. These requirements are not all inclusive. Potential applicants should consider their capacity and program/project concept in relation to all requirements. It is an applicant's responsibility to thoroughly review all grant regulations and guidance before preparing an application for funding to ensure they have the ability to comply with all Federal requirements and funding regulations.

7.1.1. Supplemental Written Information

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

7.1.2. Applicant Interview

The Commission may request an interview with any applicant. If an application is unclear, the applicant may be given an opportunity to explain how the project proposal complies with this NOFA.

7.1.3. Dismissal of a Project Application

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

7.1.4. Commission's Right to Determine Intent of NOFA

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

7.1.5. Compliance with applicable Federal regulations

Successful applicants must certify that they will comply with all applicable Federal regulations, State, county and/or city statutes, rules, regulations, and record-keeping requirements governing the use of CDBG or HOME funds. The applicant selected by the Commission will be required to enter into a written agreement requiring compliance with the application and any modifications and conditions imposed by the Commission including terms applicable to the program/project. If awarded funds, it is the responsibility of the applicant to understand and comply with a written agreement and federal regulations. **(See CDBG and HOME Applications: Part 7 - Certifications)**

7.1.6. Availability of Funds Upon Completion of all regulatory requirements for use of federal funds

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

7.1.7. Use of Funds for Acquisition or Rehabilitation

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

7.1.8. Environmental Review must precede any project work

ACQUISITION, REHABILITATION, OR CONSTRUCTION PROJECTS CANNOT START UNTIL THE COMMISSION HAS CONDUCTED OR APPROVED A HUD ENVIRONMENTAL

REVIEW. AGENCIES FAILING TO WAIT UNTIL THE HUD ENVIRONMENTAL REVIEW IS COMPLETE WILL FORFEIT THE ALLOCATED FUNDS.

7.1.9. DUNS Number

This is a nine-digit number in a data universal numbering system that identifies business entities on a location-specific basis. A DUNS number is mandatory to receive a federal grant. If you do not have a DUNS number, you can register with Dun and Bradstreet at <http://fedgov.dnb.com/webform> (can take up to 30 days to complete) or by calling **866-705-5711** (takes 10-15 minutes to complete).

7.1.10. Construction Projects & Federal and California Prevailing Wage Rates

For certain projects funded with CDBG and HOME, workers must be paid the higher of California prevailing wage rates or Federal Davis-Bacon wage rates. These wage rates are triggered under the following circumstances:

- Non-housing construction projects over \$2,000
- CDBG-funded housing construction or rehabilitation of properties with eight (8) or more total residential units
- Any eligible use of HOME funds – including land acquisition, in which there are twelve (12) or more HOME-assisted units in the same project
- Housing projects that include 8 or more Project Based Vouchers

State prevailing wage rates and Davis Bacon wage rates are established by specific trades (examples: plumbers, electricians, carpenters, laborers, etc.) and are based on either a "residential" or "commercial" rate. Generally, these wages are higher than accepted local rates. This may increase the cost of the project.

Any project for which California prevailing wage rates or Davis-Bacon wage rates are triggered should work closely with Commission staff prior to going out to bid or commencing any project work to ensure compliance and eligibility for funding.

7.1.11. Lead-Based Paint

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

7.1.12. Demographics

Reporting requirements for HUD grants will involve data collection of demographic information for each person served, such as those that follow. Depending on the type of grant, some reporting requirements are more extensive.

1. **Income categories** (MFI = Median Family Income):

- Extremely Low (0% to 30% of MFI)
- Low (31% to 50% of MFI)
- Moderate (51% to 80% of MFI)
- Non Low to Moderate (greater than 80% MFI)

2. **Gender:** Male or Female

3. **Race and ethnicity:**

Racial Categories:

- American Indian/Alaska Native
- Asian
- Black/African American
- Native Hawaiian/Other Pacific Islander
- White
- American Indian/Alaska Native AND White
- Asian AND White
- Black/African American AND White
- American Indian/Alaska Native AND Black/African American
- Other Multi-Racial

Ethnic Designations:

- Hispanic/Latino
- Not Hispanic/Latino

Note: *Ethnic categories such as Hispanic and Latino cut across all races. Persons reporting Hispanic or Latino must also select a race.*

7.1.13. Low and Moderate-Income Guidelines

Activities for participants funded with HUD awards must meet low or moderate-income guidelines as determined by HUD. The current income guidelines for the County of Sonoma are found in Exhibit 3 - CDBG & HOME for Capital Projects Funding Policies: Appendix B