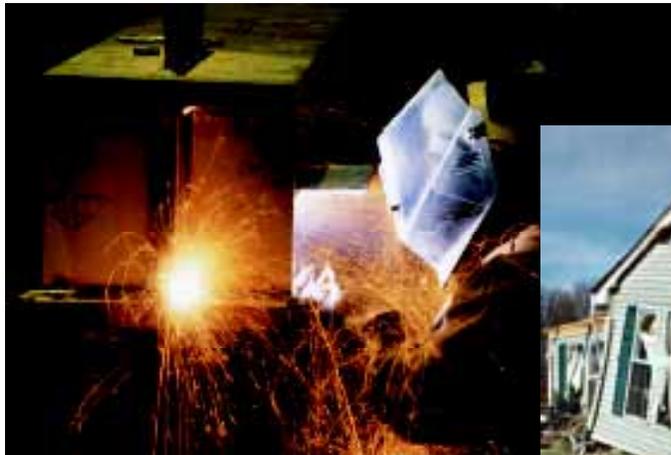

Immediate Threat and Danger Program



Application Guidelines and Forms

Georgia Department of Community Affairs

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Immediate Threat and Danger Program

Application Guidelines

I. PROGRAM DESCRIPTION:

The Immediate Threat and Danger (ITAD) Program has been established by a set-aside of federal Community Development Block Grant (CDBG) funds. The ITAD Program is intended to respond to events or situations which have a particular urgency and uniqueness which adversely affect or impact the health or welfare of the community and its citizens and where other financial resources are not available to meet such need. To be considered, the event or situation must have a sense of urgency and be of recent origin or have recently become urgent. Recent origin is defined as a condition that has developed or become critical generally within 18 months of application. Ample description of the cause of the threat and probable ramifications must be provided.

II. ELIGIBLE ACTIVITIES:

Activities eligible for funding are those identified in the Housing and Community Development Act of 1974, as amended. This includes the construction or reconstruction of public facilities such as water, sewer, street or drainage system facilities or other community facilities (but excluding buildings for the general conduct of government), housing rehabilitation, and relocation assistance.

III. ELIGIBLE APPLICANTS:

Eligible applicants are units of general purpose local government, excluding those cities and counties eligible to participate in the urban counties or metropolitan cities "CDBG Entitlement Program" of the U.S. Department of Housing and Urban Development (HUD).

IV. GRANT LIMITS and PARTICIPATION REQUIREMENTS:

Grant amounts under this program generally cannot exceed \$50,000.

A grant awarded under the Immediate Threat and Danger Program cannot be for more than 50% of the project cost. The applicant (local government) must provide at least 10% of the project cost.

V. EXCEPTION FOR MAJOR DISASTERS:

In the event of a "major disaster," or other extraordinary circumstances, the Commissioner of the Department of Community Affairs (DCA) will determine the extent of DCA involvement. The Commissioner may waive the grant limits and participation requirements in the event of a "major disaster" or other extraordinary circumstances.

VI. AVAILABLE FUNDS:

Up to \$500,000 from each federal fiscal year's allocation for the CDBG Program will be set-aside for this program. Funds in excess of needs at the end of each CDBG funding cycle will be returned to an "active status" and may be used to fund applications for other categories.

VII. APPLICATION PROCEDURES:

Applications can be submitted at any time and funds will be awarded to eligible applicants which meet the threshold described in Section I, as long as funds remain in the set-aside amount.

Applications must be submitted to DCA on the forms included in this Application Package and must include the "Certified Assurances". Note that this includes a certification that other financial resources are not available to meet the identified need and that the situation poses a serious and immediate threat.

Applications should be addressed to:

Georgia Department of Community Affairs Office of Grant Administration 60 Executive Park South Atlanta, Georgia 30329-2231

Upon receipt of an application for assistance under this program, Department of Community Affairs staff will review the application for completeness, feasibility, degree of urgency and financial need. Staff may visit the locality to inspect the problem cited by the applicant and may consult with other appropriate state, federal or local agencies to determine the extent of the threat prior to funding decisions.

After staff review and recommendations, the Department of Community Affairs will approve or deny the request and transmit the decision to the local government.

To be complete, an application must be on the forms provided in Appendix A, supplemented with such additional information as may be requested by DCA or deemed appropriate by the applicant local government. The following minimum information must be included:

- A narrative description of the problem which describes, in detail, the causes of the problem and the ramifications and threats to health or welfare if the problem is not resolved.
- A copy of the applicant government's most recent financial audit report, a current budget and revenue summary, and account balances, including all investments, must be submitted.
- A budget summarizing the amount of funds requested and the use of the funds plus an identification of the sources and uses of the required matching funding.
- Other data which may be pertinent to a funding decision, such as an engineering analysis, DNR/EPD approvals, evidence of additional funding, etc.

VIII. AWARD AND PAYMENT PROCEDURES:

Upon approval, the Commissioner will transmit a "Statement of Award" to the local government specifying the grant amount and any special conditions or revisions to the original request. A DCA representative will contact the recipient to assist in the administration of the grant.

Payments under this program will be made only after the project is complete and the local government submits a request for reimbursement. A DCA representative shall inspect the project, complete a financial review of costs incurred and other required close-out documents, and certify to the completion of the project.

IX. PROGRAMMATIC REQUIREMENTS:

The following is a summary of federal CDBG requirements which are applicable to the Immediate Threat and Danger Program. Compliance technical assistance will be provided by DCA if a grant award is made.

A. Citizen Participation:

Local governments are encouraged to promote the maximum extent of citizen participation in the development of the ITAD application. However, because of the urgency of an application for an Immediate Threat and Danger grant, the holding of public hearings prior to application is generally not feasible or desirable under these types of circumstances.

Possible suggestions to meet this requirement might include a newspaper article, stating the situation and the details of the governments' submission of the application to DCA.

B. Labor Standards and Requirements:

The Davis-Bacon Act is applicable to all contracts for construction, alteration, and/or repair in excess of \$2,000 which involve CDBG ITAD funds. Housing rehabilitation of seven (7) or less housing units per structure is generally exempt from this requirement.

The Davis-Bacon Act requires that wages paid to laborers and mechanics must meet or exceed a minimum amount based on prevailing wage rates for the locality, and that a Wage Rate Determination must be included in applicable construction contracts.

Due to the uniqueness and urgency of Immediate Threat and Danger grants, wage rates can be requested after the contract has been awarded and construction started or completed. However, wage rates are retroactive to the beginning of construction.

Laborers and mechanics must have been paid at least the minimum wage set for their job category. If the workers were paid less than the minimum wage, the difference per hour must be calculated and paid to the workers. A Request for a Wage Rate Determination will be included in the grant award package.

The Copeland "Anti-Kickback" Act requires that employees must be paid at least once a week and grant recipients must obtain payrolls and "Statement of Compliance" from contractors and subcontractors weekly.

The Contract Work Hours and Safety Standards Act requires that laborers and mechanics must be paid one and one-half times the wage rates for hours worked over forty (40) in a week. Contractors in violation of the Act are liable to the workers for back pay, as well as to the U. S. Government for liquidated damages.

It is the responsibility of the local government grant recipient to ensure compliance by the contractor and the grant recipient must maintain full documentation attesting to labor compliance. The contractor must make pertinent records available for review and permit on-the-job interviews of employees.

At the time of grant close-out a final Wage Compliance Report must be submitted to DCA. This form, and a Request for Wage Rate Determination, is included in the Grant Award Package.

C. Clearance of Prime Contractors:

Any person or firm who has been declared ineligible because of previous instances of non-compliance with certain federal regulations may not participate in any contract involving CDBG ITAD funds. Therefore, prior to drawdown of funds, the recipient must obtain a "Contractor Clearance" letter from DCA.

D. Environmental Requirements:

Activities funded because of imminent threats to health and safety are generally exempt from environmental requirements if they do not alter environmental conditions and are for improvements limited to replacement or reconstruction of existing facilities. For these projects, a Finding of Exemption must be prepared before funds can be drawdown. For projects that involve new construction on previously undisturbed ground, such as a new waterline, an environmental review must be conducted. Please contact DCA for guidance on preparing the environmental review.

E. Procurement Standards:

The preferred procurement method for construction of public facilities is competitive sealed bids (formal advertising). Under this method sealed bids are publicly solicited and a firm-fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is lowest in price.

In order for formal advertising to be feasible, appropriate conditions must be present, including, as a minimum, the following:

- A complete, adequate and realistic specification or purchase description is available.
- Two or more responsible suppliers are willing and able to compete effectively for the grantee's business.
- The procurement lends itself to a firm-fixed price contract, and selection of the successful bidder can appropriately be made principally on the basis of price.

If formal advertising is used for a procurement the following requirements apply:

1. Bids must be solicited from an adequate number of known suppliers and the invitation must be publicly advertised.
2. The invitation for bids, including specifications and pertinent attachments, must clearly define the items of services needed in order for the bidders to properly respond to the invitation.
3. All bids must be opened publicly at the time and place stated in the invitation for bids.
4. Award may be made by the responsible offeror whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful Offerors should be notified promptly.

Recipients may utilize competitive negotiation procedures for procurement of Architectural/Engineering professional services. Under this method, competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation.

In lieu of sealed bids, non-competitive or "sole source" procurement is generally appropriate for the ITAD program but requires DCA approval. Due to the emergency nature of many ITAD situations, such approval may be obtained after the fact. This method is appropriate when:

1. The item or service is available from only one source,
2. Urgent public need will not allow for the delay caused by advertising, or
3. A number of bids were solicited, but only one response was received.

When the sole source method is utilized, the local government should conduct a cost analysis in order to limit costs to a necessary and reasonable amount and should attempt to obtain more than one price quote if possible.

Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration should be given to such matters as contractor integrity, record of past performance, financial and other technical resources, or accessibility to other necessary resources.

In addition, procurement records or files must provide at minimum a justification for the procurement method chosen, contractor selection, and the basis for the cost or price negotiated.

F. Civil Rights and Equal Opportunity:

Regulations require applicants to assure that all activities will be conducted in accordance with Section 109 of the Housing and Community Development Act, Title VIII of the Civil Rights Act of 1968, Executive Order 11246 and 11063, and Section III of the Housing and Urban Development Act of 1968.

By signing the Certified assurance in the application package, the applicant is assuring compliance to the above referenced anti-discrimination laws and regulations.

The Grant Recipient must maintain records of the number of people benefiting, their family income, and race. This information can be based on census data or other reasonable methodologies. The information must be provided on the appropriate form in the Recipient's Manual prior to close-out and drawdown of funds.

X. FINANCIAL REVIEW:

The Department of Community Affairs will perform a program close-out review to examine invoices, canceled checks and required program documentation. The review will be completed before funds can be drawdown.

XI. GRANT APPLICATION FORMS:

An applicant for an Immediate Threat and Danger Grant must submit an original and two copies of the following forms, along with one copy of the financial information specified in Section VII. The forms are included in Appendix A of this Application Guide. Form instructions begin below.

- Application Summary
- Proposed Accomplishments
- Statement of Need and Project Description
- Budget Summary
- Budget Analysis
- Disclosure Report
- Certified Assurances for IT&D Program

XII. INSTRUCTIONS FOR FORMS:

A. Application Summary:

Item(s):

- 1, 2, & 3 Enter name, official mailing address, telephone number and area code of the city or county making application. If this is a joint application, the lead applicant's name should be entered.
- 4 Enter the name of the county, even if the legal or lead applicant is a city.
- 5 & 6 Enter the State House and Senate District(s) of the locality.
- 7, 8, 9, & 10 Enter the name of the agency which will actually administer and implement the program, if known at time of application.
- 11, 12, & 13 Enter the name of the person responsible for preparation of the application. This person may be contacted during the review process to answer direct questions or to provide additional information regarding the application.
- 14 Provide a **brief** description of project activities. Include all activities and briefly quantify. A needs description is not necessary in this place. An example of a "brief description" might be:
- "Replace 500 feet of failed sewerline, serving 165 persons"*
- 15, 16, & 17 Check the appropriate box.
- 18 Visits to the project site may be conducted by DCA staff . Maps should be designed so the site can be located. Maps should be attached to DCA-16.
- 19 & 20 Enter the number of months that you anticipate implementation will require, together with beginning and ending dates for the program. Note that CDBG regulations require completion of all projects within 24 months.
- 21 Enter amount of CDBG/ITAD funds requested. This amount must match line 17 of the Budget Summary form.
- 22 Check box to indicate application type.
- 23 & 24 Application must be executed by chief elected official or other person authorized by resolution to submit the application.

B. Proposed Accomplishments:

The purpose of this form is to provide a quantified summary of the accomplishments proposed by the applicant to be undertaken with CDBG/ITAD funds. Note that a similar form will be used at project completion to collect data on actual accomplishments. Be sure to make an entry for all proposed CDBG/ITAD funded activities.

C. Statement of Need and Project Description:

Use this form to provide a narrative description of the problem which describes, in detail, the causes of the problem and the ramifications and threats to health or welfare if the problem(s) is not resolved. To be funded, applicants must prove that the requirements of Section I are met. Pay special attention to describing how and when the problem occurred and why the applicant can not solve the problem without CDBG/ITAD assistance. Be brief and to the point. Generally, no more than two or three pages are needed and often one page may be sufficient. Attachments will include the fiscal data (including an audit) listed in Section VII, an engineering report and a map indicating the location of the activity.

D. Budget Summary:

Part A of this form should include CDBG/ITAD funds only. Each activity budget must be consistent with activity and cost summaries outlined on the budget analysis.

Part B of this form is used to identify the total cash required to complete the program.

E. Budget Analysis:

The purpose of this form is to allow applicants to describe, in detail, the resources to be made available and the itemized costs for each activity. The form should be backed-up by credible estimates of program cost prepared by individuals and agencies qualified to provide cost estimates.

The following is an example of how the form may be completed:

3. Name/Number	4. Itemized Unit	5. CDBG Funds	6. Other Funds	7. Total Cost
<i>Sewer/ 03G</i>	<i>500 LF @ \$20 per LF</i>	<i>\$5,000</i>	<i>\$1,000 (Local) \$4,000 (GEFA)</i>	<i>\$10,000</i>

F. Disclosure Report:

All applicants must submit Parts I and II of this form. Please contact DCA if more than \$200,000 of CDBG/ITAD and/or other HUD funds are expected to be used for the ITAD project.

Part I requires: the applicant's name, address, and phone number; indication as to whether or not this is an initial report or an update report; the amount of CDBG/ITAD funds being requested; the amount of program income that will be used; and the total amount of CDBG/ITAD assistance.

G. Certified Assurances:

This form must be signed by the Chief Elected Official. The signature must be attested to by the city/county clerk or other authorized official. Please pay particular attention to the prohibited conflict of interest requirement.

APPENDIX A
IMMEDIATE THREAT AND DANGER PROGRAM
APPLICATION FORMS

Georgia Department of Community Affairs

Immediate Threat and Danger Application Summary

Application is hereby made for Immediate Threat and Danger Program funding as set-aside as part of the Community Development Block Grant (CDBG) Annual Action Plan and the Housing and Community Development Act of 1974, as amended.

For DCA use only Date received _____ Application Number _____

Legal Applicant/Recipient	Implementing Agency	Contact Person Regarding Application
1) Name of Applicant: 2) Address: 3) Telephone: 4) County: 5) State House District(s): 6) State Senate District(s):	7) Name of Agency: 8) Contact Person: 9) Address: 10) Telephone:	11) Name: 12) Agency/Address: 13) Telephone:
14) Brief Title and Description of Program:		Type of Applicant (check one) 15) City Applicant <input type="checkbox"/> 16) County Applicant <input type="checkbox"/> 17) Joint Applicant <input type="checkbox"/> <i>If this is a submission by joint or regional applicants, please attach a copy of your cooperating agreement.</i> 18) Location Map Check Enclosed: <input type="checkbox"/> 19) Program Duration: months _____
20) Program period from: Month _____ Day _____ Year _____ to: Month _____ Day _____ Year _____		21) Total CDBG Funds Requested \$ _____
22) Program Category Immediate Threat and Danger Program <input type="checkbox"/>		
23) I, the undersigned authorized representative of the applicant, certify that to the best of my knowledge and belief the data in this application is true and correct, the document has been duly authorized by the governing body of the applicant, and I have been authorized to execute the application and accompanying documents and assurances. Signature of authorized representative _____		
24) Type Name and Title of Certifying Representative, and Date of Signature Name: _____ Title: _____ Date: _____		

Georgia Department of Community Affairs

Immediate Threat and Danger Proposed Accomplishments

Applicant: _____

Original Amendment, dated: _____

Activity	Measure	Proposed CDBG/ITAD Accomplishments
Acquisition, Disposition	# of Structures # of Parcels	
Clearance	# of Structures # of Parcels	
Public Building Type: _____	# of Facilities # of Persons Served # of Low and Moderate Income	
Water Facilities	# of Persons Served # of Low and Moderate Income	
Sewer Facilities	# of Persons Served # of Low and Moderate Income	
Street Improvements	# of Persons Served # of Low and Moderate Income	
Flood/Drainage Improvements	# of Persons Served # of Low and Moderate Income	
Other Public Facilities: Type: _____	# of Persons Served # of Low and Moderate Income	
Public Services	# of Persons Served # of Low and Moderate Income	
Relocation Assistance	# of Businesses Relocated # of Households Relocated	
Housing Rehabilitation	# of Housing Units # of Persons Served	
Housing Reconstruction	# of Housing Units # of Persons Served	
Public Housing Rehabilitation	# of Housing Units # of Persons Served	
Housing Development	# of Housing Units # of Persons Served	
Removal of Architectural Barriers	# of Persons Served	
Economic Development	# of Businesses Assisted # of Jobs Created # of New Jobs for Low/Mod Persons # of Jobs Retained # of Retained Jobs for Low/Mod Persons	

Georgia Department of Community Affairs
Immediate Threat and Danger Statement of Need
and Project Description

Applicant: _____

Original Amendment, dated: _____

(Check here if continued on additional page(s) and attach)

Page ___ of ___ Pages

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Georgia Department of Community Affairs
 Immediate Threat and Danger Budget Summary

Applicant: _____

Original

Amendment, Dated: _____

Part A: Budget Amount

Line #	Code	Activity	Immediate Threat and Danger (a)	Applicant (b)	TOTAL (c)
01	001-00	Acquisition of Property (all acquisitions)			
02	002-00	Disposition of Property			
03	003-00	Public Facilities and Improvements (other)			
04	003-01	Battered Women's Shelter			
05	003-02	Group Home			
06	003-03	Learning Center			
07	003-04	Public Utilities, other than Water and Sewer			
08	003-05	Site Development			
09	004-00	Clearance			
10	005-01	Public Services (General)			
11	005-02	Marketing, Sales, Homebuyer Education			
12	006-00	Interim Assistance			
13	008-00	Relocation Payments and Assistance			
14	009-00	Payments for Loss of Rental Income			
15	012-00	Housing - Construction			
16	013-00	Down Payment / Closing Cost Assistance			
17	015-00	Code Enforcement			
18	03A-00	Senior Centers			
19	03B-00	Centers for the Disabled / Handicapped			
20	03C-00	Homeless Facilities (not operating costs)			
21	03D-01	Boys and Girls Club or other At Risk Facility			
22	03D-02	Youth Shelter			
23	03E-00	Neighborhood Facilities			
24	03F-00	Parks, Playgrounds and other Recreational			
25	03G-00	Parking Facilities			
26	03J-01	Water Facilities			
27	03J-02	Sewer Facilities			
28	03J-03	Fire Protection Facilities and Equipment			
29	03K-01	Street Improvements			
30	03K-02	Flood and Drainage Facilities			

Part A: Budget Amount continued

Line #	Code	Activity	Immediate Threat and Danger (a)	Applicant (b)	TOTAL (c)
31	03L-00	Pedestrian Walkways			
32	03M-01	Child Care Center			
33	03M-02	Head Start Center			
34	03P-01	Health Center - Mental			
35	03P-02	Health Center - Physical			
36	03P-03	Health Center - Mental and Physical			
37	03Q-00	Abused and Neglected Children's Facilities			
38	03S-00	Facilities for AIDS Patients (not operating)			
39	05H-00	Employment Training			
40	14A-01	Rehabilitation of Private Properties			
41	14A-02	Reconstruction of Private Properties			
42	14C-00	Rehabilitation of Public Residential Structures			
43	14E-00	ED - Commercial and Industrial facilities			
44	17B-00	ED - Public Facilities and Improvements			
45	17C-00	ED - Acquisition			
46	18A-00	ED - Assistance to Private For-profit Entities			
47	X00-00	Other - General (Attach Description)			
48		SUB TOTAL			
49	020-00	Planning			
50	21A-00	Administration (General)			
51	022-00	Contingencies			
52		TOTAL PROGRAM COSTS (sum 48 through 51)			

Part B: Total Resources

1	IT&D Grant Amount (from 52a)	
2	Other Federal Funds (Identify, e.g. USDA, ARC, etc.)	
3	Applicant Funds (from 52b)	
4	State Funds (Identify, e.g. GEFA, LDF, etc.)	
5	Other Funds (Identify)	
6	Total Program Costs (Sum of 1 through 5)	

Georgia Department of Community Affairs

Immediate Threat and Danger Budget Analysis

1 Name/Number	2 Itemized Unit Costs	3 ITAD Funds	4 Other Funds (Provide Name)	5 Total Cost
6 Subtotal or TOTAL (if final page)		\$ _____	\$ _____	\$ _____

7 Other Support Efforts:

Georgia Department of Community Affairs
Immediate Threat and Danger Program
Form DCA-10 – Certified Assurances

This Certified Assurances form must be completed and signed by the Applicant's Certifying Representative. It must be included in the Application submission.

ASSURANCES

The Applicant hereby certifies and assures that:

1. (a) It possesses legal authority to apply for the grant, and to execute the proposed program.
 - a) Its governing body has duly adopted or passed as an official act, a resolution, motion, or similar action, authorizing the filing of an application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the Applicant to act in connection with the application, and to provide such additional information as may be required. Evidence of this action by its governing body is maintained in the Applicant's files.
2. Its chief executive officer, or other officer of Applicant approved by DCA:
 - a) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA), and other provisions of Federal law, as specified in 24 CFR Part 58 and 40 CFR Part 1500-1508, which further the purposes of NEPA insofar as the provisions of such Federal law apply to this Part:
 - b) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.
3. The Community Development ITAD Program has been designed to meet 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.

4. The Applicant further certifies and assures that:

- (a) If the proposed application is funded, it will comply with all applicable laws and regulations as prescribed in the Immediate Threat and Danger Recipient's Manual.
- (b) It understands that certain laws may be applicable, though not specifically listed in this Manual, by virtue of being applicable under their own terms, such as the Hatch Act (U.S.C. Section 1501, et. seq.) which limits the political activities of the employees funded through receipt of Federal assistance.
- (c) If the proposed application is funded, it assures and will comply with Section 504 of the Rehabilitation Act of 1973 and the HUD implementing regulations (24 CFR Part 8), Title I of the Housing and Community Development Act of 1974, as amended, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the Fair Housing Act (42 USC 3601-20), Executive Orders 11246 and 11063, and Section 3 of the Housing and Urban Development Act of 1968 and will administer and conduct its program in conformance with them. Also, that it will affirmatively further fair housing.
- (d) The Applicant has prepared a plan to minimize displacement as a result of activities assisted with CDBG funds and to assist persons actually displaced as a result of such activities.
- (e) It will not attempt to recover any capital costs of public improvement assisted in whole or part with CDBG funds by assessing any amount against properties owned or occupied by persons of low/mod income including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless
 - i. CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG; or
 - ii. For purposes of assessing any amount against properties owned and occupied by persons of low/mod income who are not persons of very low income, unless the Recipient certifies that it lacks sufficient CDBG funds to comply with the requirements of paragraph i.
- (f) It will provide reasonable benefits to those persons involuntarily displaced as a result of CDBG assistance to acquire or rehabilitate property.

5. Except for approved eligible administrative or personnel costs, *no person who is an elected or appointed official, employee, agent, consultant, officer or any person serving in a similar capacity with any participating public agency or sub-recipient, who exercise or have exercised any functions or responsibilities with respect to the CDBG activities proposed herein, or who are in a position to participate in a decision making process or gain inside information regarding CDBG proposed activities or related activities, may obtain a personal or financial interest or benefit from the project, or have any interest in any contract, sub contract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.*

For any situation that is or may appear to be a conflict of interest under the assurance, a complete description and explanation must be attached.

6. To the best of his or her knowledge and behalf:

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

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a penalty of not less than \$10,000 and not more than \$100,000 for each failure.

7. It will comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended, and HUD implementing regulations (24 CFR Part 570.496a), including the following Residential Antidisplacement and Relocation Assistance Plan. If an award of funds is made, the Recipient will make public its plan, providing for one-for-one replacement units and relocation assistance, and the steps it will take to minimize displacement of persons, as a result of assisted activities.

Residential Antidisplacement and Relocation Assistance Plan:

- a) The local government recipient of ITAD funds will replace all occupied and vacant occupiable low and moderate income dwelling units demolished or converted to use other than as low and moderate income housing in connection with an activity assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described at 24 CFR Part 570.496a(c).
- b) All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the Recipient local government to provide funds for an activity that will directly result in such demolition or conversion, the Recipient local government will make public and submit to the Department of Community Affairs the following information in writing:
 - i) A description of the proposed assisted activity;
 - ii) The location on a map and the number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwellings units as a direct result of the assisted activity;
 - iii) A time schedule for the commencement and completion of the demolition or conversion;
 - iv) The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
 - v) The source of funding and a time schedule for the provision of replacement dwelling units;
 - vi) The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.
 - vii) Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units) is consistent with the housing needs of lower income households in the jurisdiction.
- c) The Recipient local government is responsible for tracking the replacement of housing and ensuring that it is provided within the required period.
- d) The Recipient local government is responsible for ensuring requirements are met for notification and provision of relocation assistance, as described in 24 CFR Part 570.496a(c)(2), to any lower income person displaced by the demolition of any dwelling unit or the conversion of a low and moderate income dwelling unit to another use in connection with an assisted activity.

- e) Consistent with goals and objectives of activities assisted under the Act, Recipient will take the additional steps, if any, listed on an attachment to these Assurances, to minimize the displacement of persons from their homes.
8. If a grant is awarded, the applicant will adopt and enforce a policy of prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

Certification:

The undersigned certifies on behalf of the Applicant that he/she has been authorized to sign this certification, the information presented in this application is correct, and that the applicant will comply with the assurances listed above.

Submitted on behalf of the Applicant by:

By _____ (Date)
(Signature of chief elected official)

(Typed or printed name and title of chief elected official)

Attest:

By _____ (Date)
(Signature of clerk or other authorized official)

(Typed or printed name and title)

(seal)

DCA Form 13 – Disclosure Report

Part I – Applicant/Recipient Information

1. Name of CDBG/CHIP Applicant or Recipient: _____
2. Indicate if this is: Initial Report Updated Report
3. Grant Number (if Updated Report): _____
4. Project Funding:
 - a. CDBG and/or CHIP Amount Requested or Received: \$ _____
 - b. Program Income to be used: \$ _____
 - c. TOTAL CDBG and/or CHIP Assistance: \$ _____

Part II – Threshold Determination

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Does the amount listed above at Part I, 4c exceed \$200,000? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Have you received or applied for any other HUD assistance that when added to 4c exceeds \$200,000? | <input type="checkbox"/> | <input type="checkbox"/> |

If the answer to either Part II, 1 or Part II, 2 is YES, then you must complete the remainder (Part III through VI) of the Disclosure Report (you do not need to sign below, signature in this case is in Part VI).

If the answer to either Part II, 1 or Part II, 2 is NO, then you are not required to complete the remainder of this Report, BUT you must sign the following Certification and include the Report in your Application for CDBG and/or CHIP assistance.

Certification

I hereby certify that this information is true:

(Signature of Certifying Official)

(Date)

(Typed or Printed Name and Title)