

The State of West Virginia  
Community Development Block Grant  
Coronavirus Response (CDBG-CV)  
Application

Effective May 20, 2021



West Virginia Development Office

# APPLICATION INSTRUCTIONS

## A. INTRODUCTION

In response to the Coronavirus Pandemic (COVID-19), the U.S. Department of Housing and Urban Development (HUD) allocated the State of West Virginia a total of approximately \$20M CDBG-CV funds. The State of West Virginia has approximately \$10M available for this application round.

This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed on March 27, 2020. A Notice of Program Rules, Waivers, and Alternative Requirements Under the CARES Act for Community Development Block Grant Program Coronavirus Response Grants, Fiscal Year 2019 and 2020 Community Development Block Grants and Other Formula Programs was published on August 7, 2020. Supplementary information and resources are available at <https://www.hudexchange.info/programs/cdbg/disease/> and <https://www.hudexchange.info/resource/6113/fr-6218-n-01-notice-of-program-rules-waivers-alt-requirements-under-cares-act-cdbg/>. Additionally, the State of West Virginia amended FY2019 Annual Action Plan is available at <https://wvcad.org/resources>.

The State of West Virginia Department of Community Advancement and Development (WVCAD), a division of the West Virginia Development Office, is accepting applications from qualifying Units of General Local Government (UGLG) to help in the prevention of, preparation for, and response to the Coronavirus in communities throughout the State. All applications that meet a National Objective, Eligible Activity, **AND** prevent, prepare for, or respond to the Coronavirus will be reviewed. WVCAD is making funding available for applicants in the following categories:

- Public Facilities
- Public Services
- Planning

## B. AVAILABLE FUNDING

CDBG-CV funds are available to qualifying public facility projects, public services, and planning activities with at least 51% benefit to low- to moderate-income persons. Please note, only allowable costs beginning January 21, 2020 are eligible.

## C. FEDERAL HUD REGULATIONS

1. **NATIONAL OBJECTIVES:** To be considered for CDBG-CV funding a program or project must Benefit Low- to Moderate-Income Persons:

### **Benefit Low to Moderate Income (LMI) Persons**

To qualify for funding under the LMI category, the persons or households served must have income levels at or below 80% of the *area median income* (AMI). HUD requires stratified income data on beneficiaries. Applicants will need to report which category beneficiaries fall into below 80% of AMI,

50% of AMI or 30% of AMI. 2020 HUD Low to Moderate Income Guidelines for each county in the State of West Virginia can be found at the following location:

<https://www.huduser.gov/portal/datasets/il.html#2020>

**There are three approaches for meeting the Low to Moderate Income qualifications:**

1) ***Low to Moderate Income (LMI)***: an activity which provides benefits to a specific group of persons of which at least 51% of the beneficiaries of the activity qualify as LMI persons earning less than 80% of the area median income as defined located at HUD exchange for each county. To qualify, all individuals must establish, by means of financial information on *household size and income*, that *at least 51%* of the clientele are persons whose household income does not exceed the LMI limit.

2) ***Low to Moderate Income Limited Clientele (LMC)***: There are certain populations that HUD presumes to be low to moderate income. For programs serving these populations, income data does not need to be collected, but race and ethnicity do. Limited clientele populations include *abused children, elderly persons, battered spouses, homeless persons, severely disabled adults, illiterate adults, persons living with AIDS, and migrant farm workers*.

3) ***Low to Moderate Income Area Benefit (LMA)***: an activity which is available to benefit all the residents of an area, in which at least 51% of the households are low- to moderate-income, qualifying under HUD guidelines. HUD has identified neighborhoods eligible to receive funding based on income data provided by the census and American Community Survey.

**Benefit to Low- to Moderate- Area-Wide (LMA) Benefit: Refer to 24 CFR 570.483(b)(1)(i) and HUD CPD Notice 14-10 and 19-02.**

<https://files.hudexchange.info/resources/documents/Notice-CPD-14-10-Transition-Policy-for-LMISD-Updates-during-FY-2014-CDBG-State.pdf>

[www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-block-groups-places](http://www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-block-groups-places)

2. **LIST OF ELIGIBLE CDBG-CV ACTIVITIES:** In addition to meeting the Low- to Moderate-Income Benefit National Objective, project activities can only be used to prevent, prepare for, or respond to the Coronavirus. Eligible activities are listed below by category:

### **PUBLIC FACILITIES**

- Construct a facility for testing, diagnosis, or treatment.
- Rehabilitate a community facility to establish an infectious disease treatment clinic.
- Construct or rehabilitate a group living facility that may be used to centralize patients undergoing treatment.
- Rehabilitate a commercial building to establish an infectious disease treatment clinic, (e.g., by replacing the HVAC system).
- Construct or renovate health care facilities to better respond to the Coronavirus.
- Construct or renovate senior, youth, childcare, and community centers to better respond to the Coronavirus.

### **PUBLIC SERVICES (projects must provide a new or increased level of a public service):**

- Provide testing, diagnosis, or other services at a fixed or mobile location.
- Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities.
- Support operations of food banks/pantries including staffing, supplies, utilities, maintenance, sanitary maintenance, and insurance.
- Support feeding programs to vulnerable populations such as seniors, children, and youth affected by the COVID-19 outbreak.
- Provide emergency payments (no more than six months) on behalf of individuals and families to prevent homelessness, including utility payments to prevent cutoff of service and rent/mortgage payments to prevent eviction.
- Homeless/AIDS Patients Programs for those affected by COVID-19.
- Senior Services for those affected by COVID-19.
- Services for Persons with Disabilities affected by COVID-19.
- Legal Services for those affected by COVID-19.
- Youth Services for those affected by COVID-19.
- Transportation Services for those affected by COVID-19.
- Substance Abuse Services for those affected by COVID-19.
- Services for victims of domestic violence affected by COVID-19.
- Employment Training for those affected by COVID-19.
- Crime Awareness/Prevention with a tie back to COVID-19.
- Fair Housing, Tenant/Landlord Counseling for those affected by COVID-19.
- Child Care Services for those affected by COVID-19.
- Services for Abused and Neglected Children affected by COVID-19.
- Mental Health Services for those affected by COVID-19.

### **COMMUNITY PLANNING**

- Planning activities in conjunction with an activity or planning only as an activity.

### **3. LIST OF INELIGIBLE CDBG-CV ACTIVITIES**

- a. Any activity that is not directly related to the prevention of, preparation for, or response to the Coronavirus.
- b. Income payments.
- c. Supplanting or substituting expenses currently paid for by other sources.
- d. Improvements to buildings for the general conduct of government.
- e. General government expenses.
- f. Political activities and lobbying.
- g. Purchase of equipment, specifically for construction but also including fire protection equipment, furnishings, and personal properties.
- h. Operating and maintenance expenses.

## D. APPLICATION GUIDELINES

Please direct all questions and concerns to [CDBG@wv.gov](mailto:CDBG@wv.gov).

### 1. Application

Provide an eligible CDBG-CV project that serves low- to moderate-income residents in Cities and Counties in West Virginia. Please complete and submit the CDBG-CV Application and all attachments.

### 2. FUNDING REQUEST RESTRICTIONS:

- a. Public Facilities projects have an award limit of \$2,000,000
- b. Public Service projects have an award limit of \$500,000
- c. Planning grants have no grant size limit

As outlined in the Notice of Program Rules, Waivers, and Alternative Requirements, Under the CARES Act for CDBG-CV Grants, FY2019 and 2020 CDBG Grants, and for Other Formula Programs, only allowable costs beginning from January 21, 2020 are eligible.

*Please note, there are no match requirements for all projects.*

### 3. SUBMISSION GUIDELINES

All applications must follow the formatting described below:

- a. Submit separate electronic PDF applications (if electronic) for each project requesting funds;
- b. Applications must be completed within the application requirements provided;
- c. All sections and narrative questions must be answered completely;
- d. Maps and attachments must be shrunk to fit onto an 8 ½ x 11” paper;
- e. The check list provided must be completed and submitted with the application;
- f. Required and supporting documents **must be labeled** and placed in an appendix. Extraneous information will not be considered;
- g. Required documents must be attached:
  - All documents identified on the Community Development Block Grant Coronavirus (CDBG-CV) Application Please note, the application checklist must also be submitted with application.
  - ***If collaborating with a Non-profit Organization:*** Applicant must provide verification of Non-profit's 501(c)3 status; agency organizational chart; most recent agency operating budget; most recent audit or ***if not available***, the most recent 990 financial statement.
  - Project Timeline: describes when the program will occur with specific milestones and dates
  - All attachments listed on pages 26-29, attached with this application.

If submitting an application electronically, the full application with signatures must be saved as a single PDF and submitted via email to [CDBG@wv.gov](mailto:CDBG@wv.gov) no later than **5:00PM on Wednesday July 7, 2021**. You will receive a receipt of application confirmation email within 7 days of submission.

If submitting a paper application, the full application with signatures must be mailed to and received by the WVDO no later than **5:00PM on Wednesday July 7, 2021**. A receipt of application confirmation will be mailed within 7 days upon receipt of application. Please mail to the attention of Hannah Carter at the address below:

Hannah Carter  
Community Advancement and Development  
A Division of the West Virginia Development Office  
1900 Kanawha Blvd. East  
Building 3, Suite 700  
Charleston, WV 25305

## **E. DEADLINES**

- 1. SUBMISSION DEADLINES** The complete version (electronic PDF or paper copy) of the application must arrive by **5:00PM on Wednesday July 7, 2021**.

**NO LATE APPLICATIONS WILL BE ACCEPTED.**

## **F. REVIEW PROCESS AND SCORING**

### **1. REVIEW PROCESS**

West Virginia Community Advancement and Development (WVCAD) Office staff will review and score all applications based on the rating categories listed below.

### **2. SCORING CATEGORIES AND POINT DISTRIBUTION**

Applications will be rated and ranked based on their responses to the following criteria:

- a) Project Description ..... up to 10 points**  
Project demonstrates detailed scope of work, professional current cost estimates, clearly defined milestones, quantifiable outcome measures, and a budget that does not supplant existing public/private funding.
- b) Highest benefit to low- to moderate-income persons ..... up to 15 points**  
Highest benefit to LMI benefit is 51% or more, with a higher percentage eligible for more criteria points.

- c) **Need for the project and CDBG-CV funds, tie back to the COVID-19 Pandemic..... up to 35 points**  
Description of tie back to COVID-19 Pandemic; how need was determined; what, why and how the project prevents, prepares, and/or responds to COVID-19 Pandemic;
- d) **Project management .....up to 10 points**  
Applicant clearly and concisely demonstrates project management experience and financial and internal controls to receive full criteria points.
- e) **Readiness to proceed..... up to 20 points**  
Public Facility Projects – design complete, cost estimates reviewed by engineer or contractor, secured site control.

Public Service Projects – service location secured.

For all projects, Environmental Review Status. Please note: Applicants may receive more points in the Readiness to Proceed Scoring portion of the Scoring Criteria if the project proposes an expansion or improvement to owned property. **Under no circumstance should an applicant acquire a proposed site in hopes to achieve more points in the Readiness to Proceed Scoring Criteria.** The WVDO is unable to release funds for acquisition, construction, or rehabilitation activities until the proper level of Environmental Review is determined and approved.

The Subrecipient is responsible for the completion of the Environmental Review Record, as specified and required in regulations pursuant to 24 CFR Part 58. The Subrecipient must certify to the State that it has complied with all requirements and obligations as set forth by 24 CFR Part 58 prior to the obligation of any funds. These requirements prohibit the Subrecipient executing a “choice limiting action” prior to the completion of the environmental review. Choice-limiting actions include any activity that will result in a physical change such as property acquisition or demolition.

- f) **Project budget ..... up to 10 points**  
Other funding sources committed, cost estimates, costs reasonable, budget free of errors.

**TOTAL .....up to 100 points**

### 3. DUPLICATION OF BENEFITS CALCULATION

The CARES Act provides that the Secretary shall ensure there are adequate procedures in place to prevent any DOB as required by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), as amended by section 1210 of the Disaster Recovery Reform Act of 2018 (division D of Public Law 115-254; 132 Stat. 3442). HUD is requiring that each Subrecipient have procedures to prevent the duplication of benefits when it provides financial assistance with CDBG-CV funds.

Federal disaster law prohibits the provision of federal assistance in excess of the need. Before paying a cost with federal disaster assistance, WVCAD must check to see that the assistance will not cause a duplication of benefits, meaning that the cost has not or will not be paid by another source. HUD Grantees are required to prevent the duplication of benefits when carrying out HUD-funded programs to provide disaster assistance, including CDBG CARES Act funds.

#### 4. TIE-BACK TO COVID-19 PANDEMIC

Applicants must demonstrate, through the application process, a direct tie-back to the COVID-19 Pandemic. The need and/or direct impact from the pandemic must be clearly and concisely described and documented. CDBG-CV funding is only available for eligible activities that address the prevention of, preparation for, or response to the Coronavirus.

#### G. RESERVATION OF RIGHTS

The West Virginia Community Advancement and Development (WVCAD) Office reserves the right, at its sole discretion, to recommend all, a portion, or none of the available CDBG-CV funding, and may reject any and all proposals based on the quality and/or merits of the proposals, or when it is determined to be in the public interest to do so. Furthermore, the State may extend deadlines, timeframes and have subsequent Request for Proposal contingent on available CDBG CARES Act funding, as needed.

The WVCAD Office reserves the right to substantiate any applicant's qualifications, financial information, capability to perform, availability, and past CDBG performance if applicable.

The WVCAD Office reserves the right to waive any informalities in proposals, to accept any proposal or portion thereof, and, to reject any and all proposals, should it be in the best interest of the State to do so.

#### H. POST AWARD AND RECIPIENT CRITERIA

All awards are subject to the State's receipt of its CDBG-CV appropriation from the U.S. Department of Housing and Urban Development (HUD). All awards are subject to pre-contract negotiations with the subrecipient. Additionally, all subrecipients must follow procurement policies identified in FR-6218-N-01 and 2 CFR 200.

All procurement and construction contracting shall be executed in a manner that provides maximum open and free competition consistent with the procedures identified in the CDBG Policies and Procedures Manual, and in accordance with Chapter 5-22-1 of the West Virginia Code and Federal Regulations, 2 CFR 200. The local government is required to take affirmative steps to assure that Section 3 and Women and Minority-Owned Business Enterprises (WBE/MBE) are encouraged to bid. These steps must include direct solicitation of Section 3 and WBE/MBE contractors and businesses, proof of which must be included in the project file.

Written authorization from the WVDO is required prior to the expenditure of any funding associated with this project. The WVDO will provide template language for Requests for Proposals (RFP). **The RFP must contain the applicable HUD language and must be approved by the WVDO prior to release.**

The West Virginia Community Advancement and Development (WVCAD) Office is committed to monitoring the performance of grant recipients to ensure that all Federal funds are used appropriately and, in a manner, to maximize low- and moderate-income public benefit. Grant recipients are limited to Units of General Local Government (UGLG) and County Commissions. Monitoring each grant recipient ensures that the goals and objectives identified within the State's FY2019 amended Annual Action Plan. Copies of the monitoring reports are kept in the WVCAD Office.

Subrecipients that do not comply with the Post-Award and Sub-Recipient Criteria listed below will forfeit their award of CDBG-CV funds. The forfeited funds will be then returned to the CDBG-CV program for reallocation.

- Subrecipient shall not incur any costs or obligate any CDBG-CV funding until a release of funds is received from the U.S. Department of Housing and Urban Development by the State of West Virginia WVDO Office, a contract between The West Virginia Community Development Office and the subrecipient is executed, and an environmental review is complete.
- CDBG-CV Planning and Public Service Projects will have **ONE** year to complete their project from execution of the grant agreement with WVDO. A one-year extension can be requested for projects subject to WVCAD approval.
- CDBG-CV Public Facilities Projects will have **TWO** years to complete their project from execution of the grant agreement with WVDO. A one-year extension can be requested for projects subject to WVCAD approval.
- CDBG-CV subrecipients will be required to maintain accurate records documenting the prevention of, preparation for, response to the Coronavirus **AND** records documenting targeted populations and/or areas being served by the program or project.
- Subrecipients will be asked to provide a final summary reporting all accomplishments and outcomes to be provided to the State and the public. This includes a description of the impact or outcomes of the program or project. Final payment will not be issued until WVCAD receives the final summary report.
- Subrecipients are required to:
  - Collect and track data elements associated with the program/project requesting funding. These elements may include how the person/household was directly impacted by the coronavirus, number of persons/ households served, family size, race/ethnicity, income documentation, and residency documentation. Additional elements may be required, collected, and tracked depending upon the nature of the program.
  - Submit performance reports to WVDO on a quarterly basis. The reports are reviewed for accuracy, performance measures and compliance. In addition, on-site monitoring/auditing of agencies for ongoing compliance and eligibility is done by West Virginia Community Advancement and Development Office to ensure income guidelines and residency are being met and goals are being reached. A monitoring will be conducted by WVCAD at least once during the project duration.
- Payments: Requests for Payment must be submitted monthly, including all required invoices and documentation to substantiate costs, to the West Virginia Community Advancement and Development Office for approval and remittance. CDBG-CV funds are not paid to Subrecipients before costs are accrued. Subrecipients must be financially suited to cover initial costs for reimbursement.

**CDBG-CARES operates on a reimbursement basis.**

- Please note, costs incurred before the execution of the grant agreement with WVDO is subject to the CARES Act provisions that CDBG-CV funds may be used to cover or reimburse allowable costs of activities to prevent, prepare for, and respond to Coronavirus incurred by a State or locality. WVDO can pay costs in accordance with pre-agreement cost authority under 24 CFR 570.489(b) (States). Reimbursed costs must comply with all grant agreements and the CARES Act Federal Register.

COMMUNITY DEVELOPMENT BLOCK GRANT  
CORONAVIRUS RESPONSE (CDBG-CV)  
APPLICATION CHECKLIST

**PLEASE SUBMIT EACH SECTION OF THE APPLICATION, INCLUDING THIS CHECKLIST:**

- CDBG-CV Application Checklist
- Part 1-Application Summary
- Part 2-Project Eligibility, National Objective, and Low to Moderate Income benefit
- Part 3-Scope of Work
- Part 4-Project Implementation Schedule
- Part 5-Project Needs Analysis
- Part 6-Proposed Project Budget & Budget Justification Narrative

*Budget worksheet **MUST** match budget listed on the Application Summary page and narratives.*

- Part 7-Budget Narrative
- Part 8- Maturity and Project Readiness
- Part 9-Duplication of Benefits
- Part 10-Environmental Review

**ATTACHMENTS**

***Attachments Applicant Must Provide in Addition to WVDO Included Forms***

- A. ACS/Census Beneficiary Analysis Source Documentation (American FactFinder or Census Source Documentation)**  
*Use this if the application is submitted qualifying on LMA*
- B. HUD LMISD Source Documentation (Low-Mod Data)**  
*Use this if the application is submitted qualifying on LMI*
- C. Fair Housing Plan**
- D. Citizen Participation Plan**
- E. Citizen Participation Ad and Hearing Documentation** (further direction on page 30)
- F. Section 3 Plan**  
***(Public Facilities Grant Applications Only)***  
A sample Section 3 Plan is available at [www.wvcad.org/resources](http://www.wvcad.org/resources).

- G. Resolution Authorizing Filing of the Application
- H. SAM.gov Registration Page
- I. Copy of Most Recent Audit
- J. Other Funding Sources Commitment Letters  
(If applicable)
- K. Signed and dated copy of Cost Estimates from Local Government Official, Architect or Engineer
- L. Maps clearly reflecting the service area where service is being offered  
(If the project is qualifying on Census Tract data, Census Tract with Block Groups ***must be*** included in map in order to qualify on LMA)

***Attachments WVDO Provides, the Applicant Must Complete and Submit with Application***

- M. CDBG-CV Application Budget- Form CV1
- N. CDBG-CV Duplications of Benefits Form- Form CV2
- O. Assurances Form- Form CV3 (attached to this application on page)
- P. Disclosure/Update Report- Form CV4 (attached to this application on page)
- Q. Authorization and Certifications Form- Form CV5 (attached to this application)

**ADDITIONAL DOCUMENTS APPLICANT IS REQUIRED TO SUBMIT IF COLLABORATING WITH A NON-PROFIT ORGANIZATION:**

- R. Verification of Partner Agency's 501(c)3 Status
- S. Partner Agency Organizational Chart to show how the proposed program fits into the overall organization structure; include program staff or position
- T. Most Recent Independent Auditors Report and identified findings for Partner Agency or if an Audit is not available, the most recent 990 Financial Statement.

**PART 1 - APPLICATION SUMMARY**

<p>A. Name of Lead City/Town/County w/address:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p>DUNS # <input style="width: 80%;" type="text"/></p> <p>FEIN # <input style="width: 80%;" type="text"/></p> <p>B. Name, Title, Email &amp; Phone No. of Primary Contact Person:</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div> <p>C. Name, Title, Email &amp; Phone No. of Grant Author (if different from above):</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>	<p>G. Total Project Cost: \$ <input style="width: 100px;" type="text"/></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">FUNDING SOURCES</th> <th style="text-align: center;">AMOUNT</th> <th style="text-align: center;">STATUS OF COMMITMENT</th> </tr> </thead> <tbody> <tr> <td>CDBG-CV Request</td> <td></td> <td style="text-align: center;">Requested</td> </tr> <tr> <td>Local Cash</td> <td></td> <td></td> </tr> <tr> <td>Local In-Kind</td> <td></td> <td></td> </tr> <tr> <td>State</td> <td></td> <td></td> </tr> <tr> <td>Other:</td> <td></td> <td></td> </tr> <tr> <td>Other:</td> <td></td> <td></td> </tr> <tr> <td>Other:</td> <td></td> <td></td> </tr> <tr> <td><b>TOTAL ESTIMATED COST</b></td> <td></td> <td></td> </tr> </tbody> </table> <p>H. % CDBG-CV: <input style="width: 100px;" type="text"/></p>	FUNDING SOURCES	AMOUNT	STATUS OF COMMITMENT	CDBG-CV Request		Requested	Local Cash			Local In-Kind			State			Other:			Other:			Other:			<b>TOTAL ESTIMATED COST</b>		
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<p>D. Project Name:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>E. Project Location (City/County/Neighborhood):</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div> <p>F. Type of Project: (Check One)</p> <p><input type="checkbox"/> Planning</p> <p><input type="checkbox"/> Public Facilities</p> <p><input type="checkbox"/> Public Service</p>	<p>I. Brief Description of Project:</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div>																											
<p><b>NOTE:</b> If the City or County is applying for CDBG-CV funds to pass through to a non-profit organization, list the name, address, phone number and contact person for the non-profit organization on the following page.</p>																												
<p><b>CERTIFICATION of Agency Director:</b> I hereby certify that, to the best of my knowledge and belief, the information in this application is true and correct, and that this application has been duly authorized by the governing body of the applicant.</p>																												
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="display: flex; justify-content: space-between;"> <span>Typed Name and Title</span> <span>Signature</span> <span>Date</span> </div>																												

If Agency is sponsoring an applicant, please provide the following details:

<b>DEVELOPMENT/NON-PROFIT AGENCY (NON-PROFIT, HOUSING AUTHORITY, ETC.):</b>	
Organization:	
Street/PO Box:	
Town/City/Zip Code:	
Chief Executive Officer:	
Phone Number:	
Grant Contact Person:	
Phone Number:	
e-mail address:	
<b>DUNS #:</b>	
<b>FEIN #:</b>	

<b>AUDIT INFORMATION &amp; FUNDING HISTORY</b>	<b>Sub-Recipient</b>	<b>Sub-Awardee</b>
Does the City/County/Sub-Recipient expect to receive \$750,000 or more in direct and indirect (i.e. through State agencies) in federal financial assistance during any fiscal year of the project period? <b>If so, the WVDO office requires a copy of the single audit for the year(s) of the project, if funded.</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Has the City/County/Sub-Recipient received federal assistance from CDBG before?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, list the dates of the most recent project(s)		
If NO, has the City/County/Sub-Recipient received federal financial assistance from any source – directly or indirectly – in the current or most recent fiscal year?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, list dates and sources below.		

**FUNDING AGENCY**

**DATE**



## **PART 2 - PROJECT ELIGIBILITY, NATIONAL OBJECTIVE AND LOW TO MODERATE BENEFIT**

### **PROJECT ELIGIBILITY**

Please check the type of project you are proposing from the activities listed below:

#### **PUBLIC FACILITIES**

- Construct a facility for testing, diagnosis, or treatment.
- Rehabilitate a community facility to establish an infectious disease treatment clinic.
- Acquire and rehabilitate, or construct, a group living facility that may be used to centralize patients undergoing treatment.
- Rehabilitate a commercial building to establish an infectious disease treatment clinic, (e.g., by replacing the HVAC system).
- Acquire and rehabilitate (if needed) a motel building to expand capacity of hospitals isolation of patients during recovery.

#### **PUBLIC SERVICES**

- Provide testing, diagnosis, or other services at a fixed or mobile location
- Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities.
- Support operations of food banks/pantries including staffing, supplies, utilities, maintenance, sanitary maintenance, and insurance.
- Support feeding programs to vulnerable populations such as seniors, children, and youth affected by the COVID-19 outbreak
- Provide emergency payments (no more than six months) on behalf of individuals and families to prevent homelessness, including utility payments to prevent cutoff of service and rent/mortgage payments to prevent eviction. Payments must be made to the provider, not the individual/families.
- Homeless/AIDS Patients Programs for those affected by COVID-19
- Senior Services for those affected by COVID-19
- Services for Persons with Disabilities affected by COVID-19
- Legal Services for those affected by COVID-19
- Youth Services for those affected by COVID-19
- Transportation Services for those affected by COVID-19
- Substance Abuse Services for those affected by COVID-19

- Services for victims of domestic violence affected by COVID-19
- Employment Training for those affected by COVID-19
- Crime Awareness/Prevention with a tie back to COVID-19
- Fair Housing, Tenant/Landlord Counseling for those affected by COVID-19
- Child Care Services for those affected by COVID-19
- Health Services for those affected by COVID-19
- Services for Abused and Neglected Children affected by COVID-19
- Mental Health Service for those affected by COVID-19

## **COMMUNITY PLANNING**

- Planning activities in conjunction with an activity or planning only as an activity.

**NATIONAL OBJECTIVE**

All projects must meet the National Objective. **This national objective can be achieved through various criteria, as listed below. Please choose one.**

**1. BENEFIT TO LOW AND MODERATE PERSONS**

Choose one of the following and provide the necessary supporting information:

- (a)  City/County-Wide Area (LMA)
- (b)  Limited Clientele (LMC)
- (c)  Site Specific (LMI-S)
- (d)  Low- To Moderate-Income Persons (LMI)\*

\*Please note, (d) Low- To Moderate-Income Persons (LMI) may only be used by applicants submitting a Public Service application that does not target a limited clientele. Public Service applications not targeting a limited clientele must serve 100% LMI households/persons.

**FOR LMI-C ONLY**, indicate the targeted “presumed LMI” category that will be served by the project:

- Children who are abused
- Spouses who are battered
- Adults who are severely disabled: Low-income
- Persons who are homeless: Extremely low income
- Persons who are illiterate: Low income
- Persons with AIDS: Low income
- Persons who are migrant farm workers: Low income
- Persons who are elderly: Senior center – Mod income; not center-based – Low Income

**Note:** For **Limited Clientele**, demographics and ethnicity information are required for all beneficiaries. **Please provide an explanation how the beneficiaries will be counted.**

**PROJECT BENEFICIARIES**

Number of Beneficiaries and Data Sources:

	<b>Persons</b>	<b>Households</b>
1. Total number of individuals/households	<input type="text"/>	<input type="text"/>
2. Total number of LMI individuals/households*	<input type="text"/>	<input type="text"/>
3. Percentage of LMI beneficiaries (Divide line 2 by 1) %	<input type="text"/>	<input type="text"/>

**\*Please note, for ALL Public Services projects, all individuals/households must be LMI.**

The beneficiary figures were calculated or obtained:

a. From the **2018 American Communities Survey (ACS)** or **HUD LMISD**, cite Web link, Census Tract(s), and Block Group(s)

i. Web link:  or HUD LMISD:

ii. Census Tract(s):

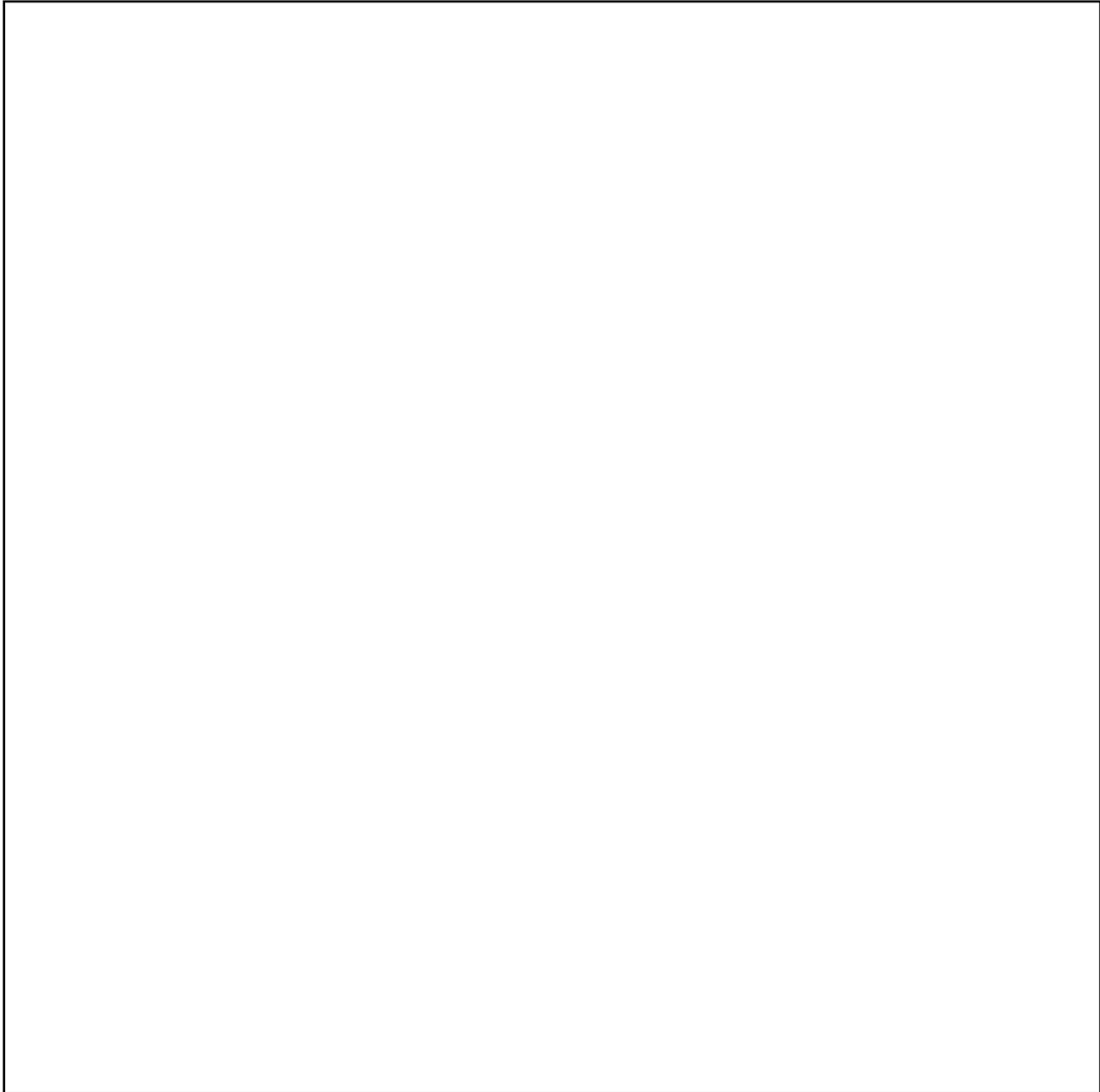
iii. Block Group(s):

b. Explain how the plan will benefit LMI persons.

c. How do you propose to collect and document beneficiary data once the program starts?

### **PART 3 - SCOPE OF WORK (SoW)**

Provide a clear, concise description of the proposed project identifying how the project will prevent, prepare for, and respond to coronavirus, including any milestones, reports, and deliverables (task and outcomes) expected to be provided. What are the project outcomes? How will outcomes be measured, collected, documented? Fully describe *all activities* for all parts of the proposed project; a description of the immediate and adjacent geographical areas; all effects the project will have on low to moderate income persons; all contemplated actions.

A large, empty rectangular box with a thin black border, intended for the user to provide a clear, concise description of the proposed project as detailed in the instructions above. The box is currently blank.

**PART 4 - PROJECT IMPLEMENTATION SCHEDULE**

Provide the timeline that indicates activities and estimated dates to complete the project in the recommended 12(Public Service) or 24 (Public Facilities) month timeframe. Please note, extensions are granted at the discretion of the WVCAD Office for Public Facility projects ONLY.

TASK	MONTH
<b>PROJECT START UP:</b>	
<b>PROCUREMENT OF PROFESSIONAL ASSISTANCE</b> (including professional engineers, architects, community development consultants, etc.)	
<b>PROJECT IMPLEMENTATION (START OF CONSTRUCTION/EMERGENCY PAYMENTS BEGIN IF APPLICABLE):</b>	
<b>END OF CONSTRUCTION/EMERGENCY PAYMENTS (IF APPLICABLE):</b>	
<b>PROJECT CLOSEOUT:</b>	

## PART 5 - PROJECT NEEDS ANALYSIS

1. What is the need of the project area and how was it determined?

2. How is it being addressed presently, if at all?

3. What is the proposed response to prevent, prepare for, and respond to coronavirus?

4. Why is the proposed project required to prevent, prepare for, and respond to coronavirus?

5. How does the proposed project activity prevent, prepare for, or respond to coronavirus?

6. How will the potential subrecipient know if the need has been met or the project has prevented, prepared for, and responded to coronavirus?

7. What documentation is being provided to substantiate a project Tie-Back to COVID-19 Pandemic?

**PART 6 - PROPOSED PROJECT BUDGET & BUDGET JUSTIFICATION NARRATIVE**

Please complete the following tables that summarize budget categories and funding sources for the proposed project. When entering Cost Category, be sure to only use CDBG-CV eligible expenses.

**Project Title:**

**Date:**

Cost Category	CDBG-CV	Local		State	Other Federal	Other	Totals
		Cash	In Kind				
<b>Total Costs</b>							

**NOTE:** Public Facility construction, reconstruction, or rehabilitation over \$2,000 labor costs are subject to Davis-Bacon wage rates. DB Wage Rates can be found at the following location: <https://beta.sam.gov/>

**Additional Funding Details:**

Type of Funding	Amount (\$)	Sources of Funding	Secured? YES/NO	If not, when? (dd/mm/yyyy)
<b>Local Cash</b>				
<b>Local in Kind</b>				
<b>State</b>				
<b>Other Federal</b>				
<b>Other</b>				

**NOTE:** Please attach letters of commitment or letters of intent for sources of other funding as Attachment J.

## PART 7 - BUDGET NARRATIVE

Provide a narrative explaining the budget and each line item/expense for the program. *Describe exactly what and who the CDBG-CV and other funding will pay for in this proposed project.* How were costs determined? What is the source of the cost estimate? Please ensure that budget amounts listed in the narrative **match the Budget Form CV1 in Attachments.**

## PART 8 - PROJECT READINESS

Provide details regarding the project applicant's readiness to implement the proposed project:

1. Status of prior work/preliminary planning.

2. Capacity within the jurisdiction/implementing agency to implement the project.

3. Is the proposed project part of a larger project? If so, please ensure this has been addressed in the Scope of Work.

4. Ownership information (*Public Facility Projects Only*)

- a. Who currently holds title to the property involved?

- b. In whom will the title be vested upon completion of the project?

## **PART 9 - Duplication of Benefit (DOB)**

The CARES Act provides that the Secretary shall ensure there are adequate procedures in place to prevent any DOB as required by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), as amended by section 1210 of the Disaster Recovery Reform Act of 2018 (division D of Public Law 115-254; 132 Stat. 3442). HUD is requiring that each Subrecipient have procedures to prevent the duplication of benefits when it provides financial assistance with CDBG-CV funds.

WVCAD must check to see that the assistance will not cause a duplication of benefits, meaning that the cost has not or will not be paid by another source during the same time period requested from the beginning to end of the project timeline.

What is the cost the project?

Have you received any funds to date for your project? If yes, please list.

- Attachment N-Form CV2, is completed and attached, to ensure there are no Duplication of Benefits**

**PART 10 - ENVIRONMENTAL REVIEW**

1. What level of environmental review is required for the proposed project if known?

- Environmental Impact Statement (EIS)
- Environmental Assessment (EA)
- Categorically Excluded/ Does not convert to Exempt
- Categorically Excluded/Converts to Exempt
- Exempt
- Unknown

2. At what stage in the environmental review process is the project currently?

3. If other state or federal agencies are involved in this project and require an environmental review, provide the name and address of the agency and the name and phone number of the contact person at that agency.

5. Indicate whether the proposed project involves any of the following:

- Historic structure (designated or 50+ years old)
- Historic or prehistoric site
- Historic District

6. Will this project require or result in the involuntary displacement of any person?

- YES  NO

## ATTACHMENTS

For the application to be accepted for review, label all attachments and list them in the Attachment Index, ensuring all references are correct. Do not include attachments unless they are needed to understand the project.

### ***Attachments Applicant Must Provide in Addition to WVDO Included Forms***

**A. ACS/Census Beneficiary Analysis Source Documentation (American FactFinder or Census Source Documentation)**

*Use this if the application is submitted qualifying on LMA*

**B. HUD LMISD Source Documentation (Low-Mod Data)**

*Use this if the application is submitted qualifying on LMI*

**C. Fair Housing Plan**

**D. Citizen Participation Plan**

Pursuant to the Office of Community Planning Development Memorandum Availability of Waiver of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19 signed 3-31-2020, the following waivers are applicable:

**1. Citizen Participation Reasonable Notice and Opportunity To Comment**

The 14-day notice for public comments and hearings is waived as approved by CPD on 4-20-20. CDBG-CV, ESG-CV, HOPWA-CV funding, and HOME program COVID-19 waivers will be subject to a 7-day notice to the public related to the funding and any amendments. Public hearings will be held virtually. Additionally, the public comment period of 30 days has been reduced to 5 days. The 7 days' notice begins the day after newspaper advertisement public notice run date with the hearing being held on day 8 to 12. The 5 day public comment duration is day 8 to 12.

**2. Citizen Participation Requirements for Local Governments**

Upon application for funding, local governments are required to submit a certification of a local Citizen Participation Plan (CPP). Local CPP ensure that the units of local government are meeting the requirements of title 24 of the code of federal regulations part 570.486.

The local participation plans should include the following provisions at a minimum:

- Local governments shall conduct a minimum of two (2) public hearings to be conducted with regard to any CDBG application. One hearing shall be conducted at the prior to the preparation of the application to obtain the views and proposals of citizens regarding community and housing needs including the needs of low and moderate-income persons and a second public hearing shall be prior to submission of application to the State to obtain citizen input, comments or opinions with regard to such application) and with regard to program or project performance.
- Notices of public hearings to be conducted by the local government shall be published and posted within 7 days prior to the date of the hearings.

- The following information must be made available: Amount of CDBG funds expected to be made available, range of activities that can be funded by CDBG, estimated amount of CDBG funds used for activities to meet the national objective, citizen participation process must identify each proposed project; project location, including target area boundaries, if any; proposed project activity; total project cost, grant amount requested, and if the project is likely to result in relocation and anti-displacement required by 570.488.

## E. Citizen Participation Ad and Hearing Documentation

### Process Requirements:

1. **Two** public meetings are required for all applications.
  - Public hearings must be held at times and places convenient for affected citizens, potential or actual beneficiaries, and including persons with disabilities.
  - Public hearings must contain bilingual communications for non-English speaking residents when they will be affected by a proposal and reasonable advanced notification is given to the local government.
  - The hearings can be held virtually.
2. Advertisement of the public meetings must be published in the newspaper **at least seven (7) days** prior to the meeting. It is recommended the meeting be held between the **eighth (8)** and **twelfth (12) after** the notice appeared.
3. The advertisement of the second public meeting may not be published until **after** the first public meeting is held.
4. The **five (5) day** public comment duration is day **eight (8) to twelve (12)**.

### Requirements for Submission to WVDO (must include all of the following with this application):

When submitting the Citizen Participation Documentation Packet, a copy of the following is required:

1. Tear sheet from the advertised notice of both published public hearings. The date of publication must be shown on the tear sheet. This can be a copy of the tear sheet, or an actual slip.
2. Affidavit of the advertisement, notarized, for **BOTH** public hearings;
3. Signed minutes of meeting by author of **BOTH** public hearings;
4. Sign in sheets of **BOTH** public hearings with:
  - date
  - time, and
  - location of meeting.
  - *Screen shot or virtual meeting software attendance report for virtual meetings*
5. Documentation of any public comments received and the response to each public comment

**VISUAL REFERENCE FOR CARES CITIZEN PARTICIPATION PROCESS**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7 <i>Ad Published in Newspaper</i>	8 <b>1st DAY OF COUNTING</b>	9	10	11	12	13
4 <b>7th DAY OF COUNTING, LAST DAY</b>	15 <b>8th DAY, COMMENT PERIOD BEGINS</b>	16	17	18	19 <b>12th DAY. COMMENT PERIOD ENDS</b>	20
	21	22	23	24	25	26
28	29	30				

**HEARING CAN TAKE PLACE BETWEEN DAY 8 AND 12**

**F. Section 3 Plan**

*(Public Facilities Grant applications Only)*

A sample Section 3 Plan is available at [www.wvcad.org/resources](http://www.wvcad.org/resources).

**G. Resolution Authorizing Filing of the Application**

**H. SAM.gov Registration Page**

**I. Copy of Most Recent Audit**

**J. Other Funding Sources Commitment Letters**

*(If applicable)*

**K. Signed and dated copy of Cost Estimates from Local Government Official, Architect or Engineer**

**L. Maps clearly reflecting the service area where service is being offered**

*(If the project is qualifying on Census Tract data, Census Tract with Block Groups **must be** included in map in order to qualify on LMA)*

***Attachments WVDO Provides, the Applicant Must Complete and Submit with Application***

- M. CDBG-CV Application Budget- Form CV1**
- N. CDBG-CV Duplications of Benefits Form- Form CV2**
- O. Assurances Form- Form CV3** *(attached to this application)*
- P. Disclosure/Update Report- Form CV4** *(attached to this application)*
- Q. Authorization and Certifications Form- Form CV5** *(attached to this application)*

**ADDITIONAL DOCUMENTS APPLICANT IS REQUIRED TO SUBMIT IF COLLABORATING WITH A NON-PROFIT ORGANIZATION:**

- R. Verification of Partner Agency's 501(c)3 Status**
- S. Partner Agency Organizational Chart to show how the proposed program fits into the overall organization structure; include program staff or position**
- T. Most Recent Independent Auditors Report and identified findings for Partner Agency or if an Audit is not available, the most recent 990 Financial Statement**

WVDO does business in accordance with the Fair Housing Act (The Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988) with equal access to all persons regardless of race, color, national origin, religion, sex, familial status, or disability.



**Community Development Block Grant****ASSURANCES**

The applicant hereby assures and certifies that:

- A. It possesses the legal authority for the grant and ability to execute the proposed program.
- B. Its governing body has duly adopted or passed an official act as resolution, motion, or similar action, authorizing the filing of the 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.
- C. Prior to submission of its application to the state, the applicant has met the citizen participation requirements of the Act.
- D. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with the Title I funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) Title I 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 Title I funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of low- and moderate-income who are not persons of very low income, it certifies to the state that it lacks sufficient Title I funds to comply with the requirements of clause (a).
- E. It is following a **written and detailed** citizen participation plan which:
  - 1. Provides for, and encourages, citizen participation, with particular emphasis on participation by persons of low- and moderate-income who are residents of slums and blighted areas and of areas in which funds are proposed to be used and provides for participation of residents in low- and moderate-income neighborhoods as defined by the local jurisdiction;
  - 2. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the Grantee's proposed use of funds, as required by regulations of the Secretary of the U.S. Department of Housing and Urban Development and relating to the actual use of funds under this title;
  - 3. Provides for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals with the level and type of assistance to be determined by the Grantee;
  - 4. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development needs, the review of proposed activities, and review of program performance, the hearings which shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the disabled;
  - 5. Provides for a timely, written answer to written complaints and grievances within 15 working days were practicable; and
  - 6. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.
- F. The applicant further certifies that it has, prior to submitting its Final Statement to the State:

1. Furnished citizens with information concerning the amount of funds available for proposed community development and 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 and plans for minimizing displacement of persons as a result of activities assisted with such funds and to assist persons actually displaced as a result of these activities;
  2. Developed a community development plan for the grant period that identifies community development and housing needs and specifies both short- and long-term community development objectives that have been developed in accordance with the primary objectives and requirements of the Act and, if the activities selected serve beneficiaries that are not residents of its jurisdiction, has determined that the activities selected are meeting its needs in accordance with Section 106(d)(2)(D) of the Act;
  3. Published a proposed statement, in such manner and in sufficient detail, to afford affected citizens an opportunity to examine its content and to submit comments on the proposed statement and on the community development performance of the applicant;
  4. Provided adequate notice of public meetings;
  5. Held one or more public hearing to obtain the views of citizens on community development and housing needs;
  6. Considered all comments and views prior to completing the Final Statement; and
  7. Made the Final Statement available to the public.
- G. Its chief executive officer or other officer:
1. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969, and
  2. Authorizes and consents, on behalf of the applicant and himself/herself, to accept the jurisdiction of the federal courts for the purpose of enforcement of their responsibilities as such an official.
- H. The Community Development Program has been developed so as to give maximum, feasible priority to activities which will benefit low- and moderate-income families; meet other community development needs having particular urgency because an existing condition poses a serious immediate threat to the health and welfare of the community, and other financial resources are not available to meet such needs; or aid in the prevention or elimination of blighted or deteriorated areas.
- I. It will comply with the regulations, policies, guidelines, and requirements of the state as they relate to the application, and acceptance and use of funds to include Subpart I of CFR 570 and supplemental parts of 24 CFR Part 570 as specifically made applicable by the state to the extent expressly referred to.
- J. It will administer and enforce the labor standards requirements set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements.
- K. It will comply with all requirements by the state and/or federal government concerning special requirements of law, program requirements, and other administrative requirements.
- L. It will comply with the provisions of Executive Order 11988 relating to evaluation of flood hazard and Executive Order 11990 relating to the prevention, control, and abatement of water pollution.
- M. Its notification, inspection, testing, and abatement procedures concerning lead-based paint will comply with 24 CFR 570.487, and procedures adopted by the state.

- N. It will require every building or facility (other than a privately-owned residential structure) designed, constructed, or altered with funds provided under this part, to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Disabled," Number A-117.1-R-1971, subject to the exceptions contained in 41 CFR 101-19.604. The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
- O. It will comply with:
1. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352) and the regulations issued pursuant thereto (24 CFR Part 601) which provides that no persons in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance, and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extend to the applicant, this assurance shall obligate the applicant or, in the case of any transfer of such property, any transfer, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits.
  2. Title VII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, administering all programs and activities relating to housing and community development, in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services.
  3. Section 109 of the Housing and Community Development Act of 1974, and the regulations issued pursuant thereto (24 CFR Part 570.602), which provides that no persons in the United States shall, on the grounds of race, color, national origin, religion, or sex, be subjected to discrimination under any program or activity funded in part with funds provided, including discrimination on the basis of age under the Age Discrimination Act of 1975, or with respect to an otherwise qualified disabled individual as provided in Section 504 of the Rehabilitation Act of 1973 and the regulation issued pursuant thereto (24 CFR Part 8).
  4. Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance.
  5. Executive Order 11246, and the regulations issued pursuant thereto (24 CFR Part 130 and 41 CFR Chapter 60), which provides that no persons 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. Contractors and subcontractors on federal and federally-assisted construction contracts shall take affirmative action to ensure fair treatment in employment upgrading, demotion or transfer, recruitment or recruiting; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training and apprenticeship.
- P. It will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that, to the greatest extent feasible, opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by persons residing in, the area of the project.
- Q. It will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Federal Implementing Regulation at 49 CFR Part 24, and the requirements of Section 570.488, and is following a residential anti-displacement and relocation assistance plan under section

104(d) of the Act and will minimize displacement of persons as a result of activities assisted with CDBG funds.

- R. It will establish safeguards to prohibit employees from using positions for a purpose that is, or gives the appearance of being, motivated by a desire for a private gain for themselves or others, particularly those with whom they have family, business, or other ties as required by State Law and 24 CFR 570.489(h).
- S. It will comply with the provisions of the Hatch Act, which limits the political activity of employees.
- T. It will give the State of West Virginia, HUD, and the General Accounting Office, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
- U. It will ensure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the program area is not listed on the Environmental Protection Agency's (EPA) List of Violating Facilities, and it will notify the state of the receipt of any communication from the Director of the EPA's Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by EPA.
- V. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, P.L. 93-234, 97 Stat. 875, and approved December 31, 1973. Per 24 CFR 570.605, if a community has had notice for more than a year that an area has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, CDBG funds cannot be spent for acquisition or construction purposes in the area unless the community is participating in the National Flood Insurance Program and such insurance has been purchased for the properties in question.
- W. It will, in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1968 (16 U.S.C. 470), Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. 468a-11 et. seq.) by:
  - 1. Consulting with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 26 CFR Part 800.8) by the proposed activity, and
  - 2. Complying with all requirements established by HUD to avoid or mitigate adverse effects upon such properties.
- X. It will provide and maintain competent and adequate architectural engineering supervision and inspection at all construction sites to ensure that the complete work conforms to the approved plans and specifications and that all contract provisions have been complied with.
- Y. It will not use funds directly or indirectly to employ, awards contract to, or otherwise engage the services of a debarred, suspended, or ineligible contractor or subcontractor.
- Z. It will assume responsibility to ensure that all program funds are accounted for consistent with program objectives and all federal, state, and local laws and regulations.
- AA. It will cause the project to be audited in accordance with 2 CFR 200, and will promptly refund to the state any funds received that are not supported by audit.
- BB. It certifies, to the best of its knowledge and belief, that:
  - 1. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any persons for influencing or attempting to influence an officer or employee of any agency, a

member of Congress, on officer or employee of Congress, or an employee of any member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any persons 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-LL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontractors, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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 imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CC. It has been adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in nonviolent civil rights demonstrations; and is enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

DD. It is in compliance with the provisions of Section 504 of the HUD Act, or will take appropriate steps to ensure compliance.

EE. It will comply with Section 102 of the HUD Reform Act of 1989, and CFR Part 12 in regard to the disclosure of interest in projects exceeding \$200,000 in the aggregate.

FF. The applicant is in compliance with 31 U.S. Code § 3720B - Barring Delinquent Federal debtors from obtaining Federal loans or loan insurance guarantees. HUD adheres to 31 U.S.C. 3720B stating that, "project applicants with an outstanding Federal debt will not be eligible to receive HUD funds, unless: (1) a negotiated repayment schedule is established and the repayment schedule is not delinquent, or (2) other arrangements satisfactory to HUD are made prior to the award of funds by HUD. If arrangements satisfactory to HUD cannot be completed within 90 days of notification of selection, HUD will rescind the conditional award with a project applicant."

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**Chief Elected Official Signature**

**Date**

---

Printed Name of Chief Elected Official

**DISCLOSURE/UPDATE REPORT****Applicant/Recipient  
Disclosure/Update Report**U.S. Department of Housing  
and Urban Development

OMB Approval No. 2510-0011 (exp. 11/30/2018)

**Instructions.** (See Public Reporting Statement and Privacy Act Statement and detailed instructions on next page.)**Applicant/Recipient Information**Indicate whether this is an Initial Report  or an Update Report 

1. Applicant/Recipient Name, Address, and Phone (include area code):	2. Social Security Number or Employer ID Number:
3. HUD Program Name	4. Amount of HUD Assistance Requested/Received
5. State the name and location (street address, City and State) of the project or activity:	

**Part I Threshold Determinations**

- |   |  |
|---|--|
| 1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).<br><input type="checkbox"/> Yes <input type="checkbox"/> No | 2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9<br><input type="checkbox"/> Yes <input type="checkbox"/> No. |
|---|--|

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However**, you must sign the certification at the end of the report.

**Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.**

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

**Part III Interested Parties.** You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity; and
- Any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

(Note: Use Additional pages if necessary.)

**Certification**

**Warning:** If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:  X	Date: (mm/dd/yyyy)
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**Public reporting burden** for this collection of information is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

**Privacy Act Statement.** Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is voluntary. HUD is authorized to collect this information under the Housing and Community Development Act of 1987 42 U.S.C.3543 (a). The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15.

HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §4.38.

**Note:** This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

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## I instructions

### Overview

A. Coverage. You must complete this report if:

- (1) You are applying for assistance from HUD for a specific project or activity **and** you have received, or expect to receive, assistance from HUD in excess of \$200,000 during the during the fiscal year;
- (2) You are updating a prior report as discussed below; or
- (3) You are submitting an application for assistance to an entity other than HUD, a State or local government if the application is required by statute or regulation to be submitted to HUD for approval or for any other purpose.

**B. Update reports (filed by "Recipients" of HUD Assistance):**

**General.** All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

### Line-by-Line Instructions.

#### Applicant/Recipient Information.

All applicants for HUD competitive assistance, must complete the information required in blocks 1-5 of form HUD-2880:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered.
2. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
3. Applicants enter the HUD program name under which the assistance is being requested.
4. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.
5. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.

#### Part I. Threshold Determinations - Applicants Only

Part I contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

If the answer to **either** questions 1 or 2 is No, the applicant need not complete Parts II and III of the report, but must sign the certification at the end of the form.

#### Part II. Other Government Assistance and Expected Sources and Uses of Funds.

A. Other Government Assistance. This Part is to be completed by both applicants and recipients for assistance and recipients filing update reports. Applicants and recipients must report any other government assistance involved in the project or activity for which assistance is sought. Applicants and recipients must report any other government assistance involved in the project or activity. Other government assistance is defined in note 4 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available.
2. State the type of other government assistance (e.g., loan, grant, loan insurance).
3. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).
4. Uses of funds. Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as "total structure" to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

B. Non-Government Assistance. Note that the applicant and recipient disclosure report must specify all expected sources and uses of funds - both from HUD **and any other source** - that have been or are to be, made available for the project or activity. Non-government sources of not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information

funds typically include (but are not limited to) foundations and private contributors.

### Part III. Interested Parties.

This Part is to be completed by both applicants and recipients filing update reports. Applicants must provide information on:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

**Note:** A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses. If the person is an entity, the listing must include the full name and address of the entity as well as the CEO. Please list all names alphabetically.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

**Note** that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need

required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

#### Notes:

1. All citations are to 24 CFR Part 4, which was published in the Federal Register. [April 1, 1996, at 63 Fed. Reg. 14448.]
2. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Fed. Acquisition Regulation (FAR) (48 CFR Chapter 1).
3. See 24 CFR §4.9 for detailed guidance on how the threshold is calculated.
4. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
5. For the purpose of this form and 24 CFR Part 4, "person" means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

**AUTHORIZATIONS**  
**FFATA/SAM.gov/DUNS Number**

The Federal Funding Accountability and Transparency Act (FFATA) requires the WVDO to submit the award of federal funds to the FFATA Sub-Award Reporting System (FSRS) website for all federal awards of \$25,000 or more. By signing below, I authorize the West Virginia Development Office to report the award of any CDBG funds awarded as a result of this application in the Federal Financial Accountability and Transparency Act (FFATA) report for the State of West Virginia.

I understand and certify, by the date listed below, that my organization is properly registered with the SAM.gov website in order to complete these reporting requirements.

By signing below, I also certify that my organization is not debarred or suspended and does not have an inactive DUNS number. A copy of the Sam.gov registration page is attached to this application.

SAM.gov Registration Date		FEIN	
Zip+4	Ex: 25305-0311	DUNS	
SAM.gov Registration Attached	Yes or No; if no, explain plan.		

**Certification**

The information contained within this application is true and correct to the best of my knowledge. The submission thereof has been duly authorized by resolution (attached) of the Unit of Local Government after appropriate citizen participation, and the applicant will comply with the attached assurances and certifications, provided technical assistance is provided when necessary.

Typed Name	
Signature	
Title	
Date	

*The West Virginia Development Office does not discriminate on the basis of age, race, color, religion, sex, national origin, familial status or disability in the admission, access to, treatment of, or employment in, its federally assisted programs or activities. For additional information, call the West Virginia Development Office at 304-558-2234.*

