



SUPERIOR

W I S C O N S I N

Living up to our name.

**CITY OF SUPERIOR
COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG)**

REQUEST FOR PROPOSALS

FOR NON PROFIT ORGANIZATIONS & GOVERNMENTAL AGENCIES

For the funding period: January 1, 2024 – December 31, 2024

THE PROPOSAL SUBMISSION DEADLINE IS:

Thursday, July 13, 2023

4:00 pm

No proposals for the funding cycle will be considered after this date and time. Applications received after the deadline will be returned unopened.

The following RFP is for activities that qualify as Public Service, Public Facilities, Commercial Revitalization, Housing and Economic Development Activities.

Proposals must provide evidence that the proposed program will primarily serve low and moderate income residents of the City of Superior. Applicants must have a location within the City of Superior assist clients.

If an organization is planning to request funding for more than one program/activity, **each must be submitted separately.**

As part of this application, the following items are **MANDATORY**:

1. Budget information (current year and past year)
2. Most recent audited financial statement or audit report. Recipients of CDBG funds must provide an audited financial statement for the fiscal year in which the funds are received within 150 days of the end of the organization's fiscal year. Organizations that expend a combined total of **\$750,000 or more** in Federal financial assistance in any fiscal year OR **\$100,000 or more** of State financial assistance **must** have a single audit for that year. Organizations with less annual expenditures/disbursements may provide a limited scope review. If any agency is not required to undertake an annual audit, reason(s) must be clearly defined in writing.
3. List of Board of Directors, including agency policy regarding Board membership and tenure of Directors.
4. Any other documentation that will assist in understanding and evaluating your Agency's request.

Make sure all necessary items are included. Incomplete applications will be disqualified.

Completed proposals should be submitted to the following:

**City of Superior
Planning Department
1316 North 14th Street, Suite 210
Superior, Wisconsin 54880**

Questions concerning this RFP should be addressed to:

Krista Y. Anderson
Community Development Manager
Phone 715-395-7556
Fax 715-395-7292
TTY 715-395-7521
andersonk@ci.superior.wi.us

GENERAL INSTRUCTIONS

The amount available to public service applicants for this funding term is estimated to be \$100,000. This amount will be used for this funding cycle for planning purposes. If the allocation changes, the Planning Department will notify each affected recipient.

A public service activity is defined as services (including labor, supplies and materials) which are directed toward improving our community's public services, including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation and homebuyer down-payment assistance.

Proposals must provide evidence that the proposed program will primarily serve low and moderate-income City of Superior residents.

Public Services: The Community Development Advisory Board has divided public services into three main categories. The categories are: Homeless Services, Youth/Senior Services and Health/Housing Services. Up to ten public services will be funded each year. Homeless Services will be funded every year. Youth/Senior Services and Health/Housing Services will be funded every other year. In the 2024 program year, Youth/Senior Services will be funded. Youth/Senior Services and Health/Housing Services will not be funded more than three years within a five year period. All applicants must apply for and spend a minimum of \$5,000. All applicants must provide additional funding source(s). CDBG funds cannot be the only funding source for a program.

If the proposal does not meet one of the three National Objectives (*benefiting low- and moderate-income persons; addressing slums or blight; or meeting a particularly urgent community development need*) or is determined to be ineligible under any of the CDBG regulations, the project will not be considered for funding.

Applications that are approved for funding are subject to monitoring of files and records for the program year in which funding is received.

The **original complete application and all supporting documentation must be submitted to the address below by 4:00 p.m., Thursday, July 13, 2023.** Applications received after the deadline will be returned unopened.

**City of Superior
Planning Department
1316 North 14th Street, Suite 210
Superior, Wisconsin 54880**

FORMAT OF SUBMISSION:

Each application should include only one (1) type of activity. If there is more than one type of activity to be submitted, **separate** forms must be used. Proposal applications **must** be typed.

All applications must be submitted on paper. Use single side of paper only for the original application and submit only one copy. We will reproduce all proposals for committee members so submissions with loose pages held by a binder clip are appreciated.

PROPOSAL APPLICATION CHECKLIST
COMMUNITY DEVELOPMENT BLOCK GRANT

Checklist should be submitted with application.

Please review your completed application and note that the following items must be submitted **with each proposal.**

Included	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<u>RESOLUTION OF GOVERNING BODY</u> – Attachment A Requests grant and designates official to file application.
<input type="checkbox"/>	<input type="checkbox"/>	<u>PROFESSIONAL CERTIFICATION</u> – Attachment B Verifies feasibility and accuracy of scope of budget (engineer’s or architect’s seal should be affixed to original application) with the exception of project management or acquisition projects. Original signature is required.
<input type="checkbox"/>	<input type="checkbox"/>	<u>MAP OR SKETCH OUTLINING PROJECT AREA</u> – Identifies site location and is required for monitoring and recordkeeping purposes. Street names must be legible. All projects require a map, with the exception of administration/planning and studies. Census tract maps are included with the application packet. Tax maps or building footprint maps are required for all projects using the household survey methodology for project justification. Project service areas and site locations should be clearly marked.
<input type="checkbox"/>	<input type="checkbox"/>	<u>CERTIFICATIONS</u> Certifies that the statements and application requirements are correct and contain no misrepresentation or falsification. Original signature is required.
<input type="checkbox"/>	<input type="checkbox"/>	<u>INSURANCE REQUIREMENTS</u> – Subrecipients receiving CDBG funds must carry the following types of insurances:
<input type="checkbox"/>	<input type="checkbox"/>	General Liability (additional insured: The City of Superior; its elected officials; officers and appointees)
<input type="checkbox"/>	<input type="checkbox"/>	Auto (only if agency owns or leases vehicle)
<input type="checkbox"/>	<input type="checkbox"/>	Worker’s Compensation
<input type="checkbox"/>	<input type="checkbox"/>	Fidelity Bond/Performance Bond when applicable
<input type="checkbox"/>	<input type="checkbox"/>	<u>SUBRECIPIENT PRE-ASSESSMENT SECTION</u> Must be completed by agencies applying for CDBG funds for the <u>first time or who have applied but never received CDBG funding.</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u>OUTCOME PERFORMANCE MEASUREMENT SECTION</u> Must be completed in order to be considered for funding

CHECKLIST FOR MUNICIPAL DEVELOPMENT & AREA BENEFIT ACTIVITIES

(Note that some items require attachments when submitting your application)

MUNICIPAL DEVELOPMENT ACTIVITIES – Activities may include sewer and water, public improvements, parks and recreation, demolition, commercial revitalization and handicap accessibility for curbs, sidewalks, ramps, municipal buildings, and recreational facilities.

AREA BENEFIT ACTIVITIES – To determine the eligibility of a project which is intended to benefit low and moderate income families one of the following income criteria must be used:

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	I. CENSUS DATA – No documentation is required if 51% or more of the total persons within the Census tract(s) are of low and moderate income. (2010 census data must be used).
<input type="checkbox"/>	<input type="checkbox"/>	II. HOUSEHOLD SURVEY – The Household Survey should be undertaken when the service area of the project has been determined to include <u>150</u> or fewer families.
<input type="checkbox"/>	<input type="checkbox"/>	III. EXCEPTION CRITERIA – Within defined boundaries set by resolution and re-determined every ten years in accordance with HUD regulations whereas at least 25% of the properties exhibit physical deterioration, abandonment or significant decline in property value.

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	<u>MUNICIPAL DEVELOPMENT – Removal of Architectural Barriers</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u>COMMERCIAL REVITALIZATION ACTIVITIES</u> Require the following resolutions: CONCURRING RESOLUTION (Attachment A) PLANNING COMMISSION RESOLUTION
<input type="checkbox"/>	<input type="checkbox"/>	<u>DEMOLITION ACTIVITIES</u> Legal clearance documentation and full legal property description must be submitted for each demolition activity.
<input type="checkbox"/>	<input type="checkbox"/>	SLUM & BLIGHT RESOLUTION Legal clearance documentation and full legal property description

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>ECONOMIC DEVELOPMENT ACTIVITIES</u> Activities may include any activity designed to create or retain jobs which is not a public service</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>ECONOMIC DEVELOPMENT ACTIVITIES</u> Letter(s) of intent from affected businesses to create the required number of low/moderate income jobs.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>LOW/MOD HOUSING ACTIVITIES</u> Activities may include acquisition or rehabilitation of property, conversion of non-residential structures or new housing construction.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>HUMAN SERVICES ACTIVITIES</u> Activities may include senior citizen's centers, centers for the disabled persons, handicap accessibility in non-profit facilities or human service centers, public services and food bank services.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>LIMITED CLIENTELE ACTIVITIES</u></p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>DIRECT BENEFIT FORMS</u> Direct Benefit forms must be completed for the following activities:</p> <p style="padding-left: 40px;">Removal of Architectural Barriers</p> <p style="padding-left: 40px;">Low/Mod Job Creation/Retention</p> <p style="padding-left: 40px;">Human Service Activities</p>

**CITY OF SUPERIOR
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
CDBG ADVISORY BOARD SCHEDULE
For 2024 Funding Cycle**

Date	Event	Location	Agenda/Comments
June 1, 2023	Application packets available	Government Center Room 210	Provide schedule to Board
June 15, 2023	Informational letter sent to Advisory Board		
June 28, 2023	Advisory Board Meeting	Government Center Room 204 1:30 PM	Question and answer session regarding applications, information for proposals, etc.
July 13, 2023 4:00 pm	Funding applications due	Government Center Room 210	
July 21, 2023	Advisory Board Meeting	Government Center Room 204 1:00 PM	Interviews with applicants: 5 minutes for repeat applicants 10 minutes for new applicants
Aug 2, 2023	Advisory Board Meeting (includes closed session)	Government Center Room 204 2:00 PM	1 - Discuss allocations 2 - Go into closed session to make recommendations (applicants will receive final recommendations tomorrow) 3 - Reopen session 4 - Adjourn
Sept 19, 2023	Common Council Meeting	Government Center Room 201 6:30 PM	Set public hearing to approve draft of action plan for public review
Sept 20, 2023	Post/Mail Notice of Availability of Draft Action Plan		
Nov 7, 2023	Common Council Meeting	Government Center Room 201 6:30 PM	Public Hearing on Action Plan for CDBG Budget (city and public services/facilities)

Government Center
1316 North 14th Street
Superior, WI 54880

Revised April 21, 2023

CITY OF SUPERIOR
2024 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
(ALL APPLICATIONS MUST BE TYPED – ALL QUESTIONS MUST BE ANSWERED)

1. APPLICATION/APPLICANT INFORMATION:

Activity Name

Brief Description of Activity – no more than **one paragraph**

Amount of CDBG Funds Requested _____ (**minimum of \$5,000**)

Census Tract in Which Activity is Located

Block Group No. (required for surveys)

Address of Activity

Legal Name of Applicant

Legal Address of Applicant

City

State

Zip Code

Contact Person

Title

Telephone Number

Alternate Number

Will the proposed activity:

Yes

No

Help prevent homelessness?

Help the homeless?

Help those with HIV or AIDS?

Help persons with disabilities?

Federal IRS ID #:

DUNS #:

Fax #:

E-Mail:

Organization Type: **Non Profit** ____ **For Profit** ____

Signature of Authorized Person	Date
Print Name and Title	

2. NATIONAL OBJECTIVE:

The activity **must meet one** of the following National Objectives: (**Select one**)

Benefit to low and moderate-income persons: (If you check this box, you must check one below)

- Area Benefit
- Limited Clientele
- Presumed Benefit*
- Family Size and income*
- Income eligible*
- Nature and location*
- Housing
- Job Creation or Retention

Aid in the prevention of slum and blight: (if you check this box, you must check one below)

- Area Basis
- Spot Basis

Meet a need having a particular urgency (urgent need).

Benefit to Low and Moderate Income (LMI) Persons

Under this objective, CDBG-assisted activities must benefit low and moderate income persons using one of the following categories:

Area Benefit Activities: An activity that benefits all residents in a particular area, where at least 51% of the residents are low and moderate income persons. (See attached Census Tract Map for LMI Census Tracts).

Limited Clientele: An activity benefits people that are low and moderate income in accordance with one of the following categories:

**Presumed Benefit: Activity must exclusively serve a group of persons in any one or a combination of categories generally presumed to be principally low and moderate income: abused children, battered spouses, elderly persons, adults meeting the definition of "severely disabled" in the Bureau of Census's Current Population Report, homeless persons, illiterate adults, person living with AIDS, and migrant farm workers.*

**Family Size and Income: Documentation is required on family size and income in order to show that at least 51 percent of the clientele are persons whose family income does not exceed low and moderate income limits.*

**Income Eligible: Activity must have income eligibility requirements that limit the activity exclusively to low and moderate income persons.*

**Nature and Location: Activity must be of such nature and location that it may be reasonably concluded that the activity's clientele will primarily be low and moderate income persons. (Ex: a day care center that is designed to serve residents of a public housing complex.)*

Housing Activities: Providing or improving permanent residential structures which, upon completion, will be occupied by low and moderate income persons. New construction is not an eligible activity - the funds may be used for site acquisition or preparation, but may not be used for construction costs.

Job Creation or Retention Activities: To create or retain permanent jobs, at least 51% of which will be made available to or held by low and moderate income persons.

Aid in the Prevention/Elimination of Slum or Blight

Under this objective, CDBG-assisted activities must help to prevent or eliminate slum and blighted conditions using one of the following categories:

Area Basis: Activities that aid in the prevention or elimination of slum or blight in a designated area.

Spot Basis: Activities that eliminate specific conditions of blight or physical decay on a spot basis not located in a slum or blighted area.

Urgent Need

Use of this category is extremely rare. It is designed only for activities that alleviate emergency conditions. Example: A coastal city is struck by a major hurricane within the last month and does not have any other resources to demolish severely damaged structures that pose a danger to occupants of neighboring structures. This activity would qualify under the Urgent Needs National Objective.

3. ACTIVITY STATUS: (Check One) NEW CONTINUATION

4. ACTIVITY TYPE: (Select one)

Select the one type of activity from the list provided that best describes your activity. If your activity includes more than one of these activities, or if you cannot find your activity on the list, your explanation should be put on the comment line. Attached are CDBG directives for basic eligible and ineligible activities.

NOTE THAT THE FOLLOWING ACTIVITIES ARE GENERALLY INELIGIBLE UNDER HUD REGULATIONS:

- Buildings for the general conduct of government*
- Political activities*
- General operating and maintenance expenses*
- Income payments for housing*
- Religious activities*

Type of Activity: (Select only one from A through U, and one subgroup, if applicable)

A. Acquisition of real property

B. Disposition

C. Public facilities and improvements:

- | | |
|--|--|
| <input type="checkbox"/> Abused & Neglected Children Facilities | <input type="checkbox"/> Facilities for AIDS Patients |
| <input type="checkbox"/> Asbestos Removal | <input type="checkbox"/> Parking Facilities |
| <input type="checkbox"/> Child Care Centers | <input type="checkbox"/> Parks/Recreational Facilities |
| <input type="checkbox"/> Facilities for AIDS Patients
(not operating costs) | <input type="checkbox"/> Senior Centers |
| <input type="checkbox"/> Fire Stations/Equipment | <input type="checkbox"/> Sidewalks |
| <input type="checkbox"/> Flood Drain Improvements | <input type="checkbox"/> Solid Waste Disposal Improvements |
| <input type="checkbox"/> Handicapped Centers | <input type="checkbox"/> Street Improvements |
| <input type="checkbox"/> Health Facilities | <input type="checkbox"/> Tree Planting |
| <input type="checkbox"/> Homeless Facilities | <input type="checkbox"/> Water or Sewer Improvements |
| <input type="checkbox"/> Neighborhood Facilities | <input type="checkbox"/> Youth Centers |

D. Clearance and demolition

E. Clean-up of Contaminated Sites

Provide public services (CDBG funds will be used for): **Choose only ONE**

- | | | |
|-----------------------------|--|---|
| F. <input type="checkbox"/> | <input type="checkbox"/> Battered and Abused Spouses | <input type="checkbox"/> Rental Housing Subsidies (if HOME...) |
| | <input type="checkbox"/> Child Care Services | <input type="checkbox"/> Screening for Lead Based Paint/Lead Hazards Poisoning |
| | <input type="checkbox"/> Crime Awareness | <input type="checkbox"/> Security Deposits (if HOME...) |
| | <input type="checkbox"/> Employment Training | <input type="checkbox"/> Senior Services |
| | <input type="checkbox"/> Fair Housing Activities | <input type="checkbox"/> Subsistence Payments |
| | <input type="checkbox"/> Handicapped Services | <input type="checkbox"/> Substance Abuse Services |
| | <input type="checkbox"/> Health Services | <input type="checkbox"/> Tenant/Landlord Counseling |
| | <input type="checkbox"/> Home Ownership Assistance (not direct) | <input type="checkbox"/> Transportation Services |
| | <input type="checkbox"/> Legal Services | <input type="checkbox"/> Youth Services |
| | <input type="checkbox"/> Housing Counseling | <input type="checkbox"/> Operating Costs of Homeless & AIDS Patient Programs |

G. Interim Assistance

H. Urban Renewal Completion

I. Relocation

J. Loss of Rental Income (in conjunction with Relocation activity)

K. Removal of architectural barriers at the following locations:

- | | | |
|--|--|--|
| <input type="checkbox"/> Curbs/Sidewalks/Ramps | <input type="checkbox"/> Human Service Centers | <input type="checkbox"/> Municipal Buildings |
| <input type="checkbox"/> Non-Profit Facilities | <input type="checkbox"/> Recreational Facilities | |

L. Privately Owned Utilities

M. Construction of Housing

- N. Direct Home Ownership Assistance, Rehabilitation
- | | |
|---|--|
| <input type="checkbox"/> Rehab, Single-Family Residential | <input type="checkbox"/> Energy Efficient Improvements |
| <input type="checkbox"/> Rehab, Multi-Family Housing | <input type="checkbox"/> Acquisition – for Rehabilitation |
| <input type="checkbox"/> Public Housing Modernization | <input type="checkbox"/> Rehabilitation Administration |
| <input type="checkbox"/> Rehab, Other Publicly Owned Residential Buildings | <input type="checkbox"/> Lead Based Paint/Hazards/Test/Abatement |
| <input type="checkbox"/> Rehab, Publicly or Privately Owned Commercial/
Industrial | |
- O. Code Enforcement
- P. Historic Preservation
- Q. Economic Development Assistance
- | | |
|--|---|
| <input type="checkbox"/> Special Economic Development | <input type="checkbox"/> Technical Assistance to Businesses |
| <input type="checkbox"/> Microenterprise Development | <input type="checkbox"/> Commercial Rehabilitation |
| <input type="checkbox"/> Public Facilities & Improvements | <input type="checkbox"/> Job training |
| <input type="checkbox"/> Low/Mod Job Creation or Retention | |
- R. Municipal Development Public Improvements Planning/Administration
- S. Planning and Capacity Building
- T. Administration (Check One)
- | | |
|--|--|
| <input type="checkbox"/> Salary - Administration | <input type="checkbox"/> Salary – Direct Client Services |
|--|--|
- U. Other – Please describe:

5. ACCOMPLISHMENTS:

Select one type of accomplishment that your activity will address. Put the total number of accomplishments your activity will address in this funding cycle.

*For example, if you expect to serve 70 people with your activity, put down “70” after “people”. If you will be rehabilitating 10 housing units, put down “10” after “housing units”. **BE SURE TO SELECT ONLY ONE TYPE.***

People:	Housing Units:
Households:	Public Facilities:
Businesses:	Jobs:
Organizations:	

6. STATEMENT OF NEED:

Briefly explain how your activity meets the National Objective that you selected?

State the geographic service area that your activity will serve. Indicate whether it will serve CDBG eligible neighborhood(s) or only specific census tracts, streets, or boundaries within; whether it will provide benefits citywide or at one specific site.

7. SITE LOCATION:

Provide a street address or other location information indicating specifically where the activity is physically being carried out. For activities such as street reconstruction or sewer lines not located at a specific street address, provide beginning and ending points, e.g. James Street from 5th to 10th Street.

ZIP CODES AND CENSUS TRACTS MUST BE INCLUDED FOR EACH SITE LOCATION.

8. DETAILED DESCRIPTION OF PROJECT:

*In concise, measurable, and quantifiable terms, describe the work to be accomplished with the funds requested, including specific physical description (i.e. 500 L.F. of 4" pipe along Painter Street; 1,500 feet of sidewalk and curb replacement on Spencer Street) along with a detailed line item budget. **Administrative costs must include an itemized budget breakdown.***

9. NATURE OF PROBLEM/REMEDY:

If the project is proposed to remedy a problem, provide a detailed description of the nature of the problem and indicate how the proposed work will correct the situation. For sewer and water activities, indicate if any specific state or local compliance requirements are in effect (i.e. EPA, DEP, ACHD). Attach additional paper if required.

10. CONSTRUCTION PROJECT INFORMATION:

- A. Describe your familiarity with Davis-Bacon prevailing wage requirements (Labor Standards Provisions for construction projects)
- B. Describe your familiarity with oversight of construction projects.
- C. If you currently do not have the construction capacity or have identified a weakness in capacity, how will this be remedied?

11. CONSTRUCTION SCHEDULE:

Estimated Date Construction will commence:

Estimated Completion Date:

Projects must be awarded or under construction within 180 days after the CDBG Program Year begins. Failure to comply may result in the reprogramming of funds.

12. ACTIVITY TIME LINE:

State the anticipated starting and finishing date for your activity. List anticipated dates of milestones which will take place throughout your activity. This schedule might include document preparation, training schedules and periods, and various construction activities, etc.

13. CHECK ONE BLOCK FOR EACH OF THE FOLLOWING QUESTIONS:

YES

NO

Does the project involve any environmental impact where Department of Natural Resources mandates or Douglas County Health Department citations are involved?

Specify here:

Does the operating agency own the structure where the project is located?
If no, explain here:

14. POTENTIAL ACTIVITY DUPLICATION:

Identify any activities which currently serve the public in a similar manner. Describe the similarities and differences between/among them and how you will coordinate with other agencies/activities in implementing your activity.

15. APPLICANT/AGENCY CAPABILITIES:

Describe you and/or your agency's administrative capabilities for undertaking the proposed activity. Describe staff resources, any previous experience in administering activities, etc. Also include a list of your current board of directors or other governing body. If a non-profit agency, include date of incorporation and purpose.

Describe how the program ensures that services will be used predominantly by low/moderate income clients by detailing how income information is collected on all program clients. Provide a copy to current client form that shows how client income is obtained and documented.

If a public service applicant, is the service conducted within the city limits of Superior?

16. GOALS AND OBJECTIVES:

State measurable activity goals and objectives expected from this activity during this grant cycle.

State your goals and list specific measurable objectives (e.g., 300 persons will receive dinner each day, six days a week, for 52 weeks). State how you will measure these objectives and evaluate the proposed activity.

Unless this activity is a new one, state measurable goals and objectives that were met for the activity for the past two years. List specific numbers of those you served, bid periods, and various construction activities, etc.

17. FINANCIAL HISTORY OF ACTIVITY WITH RESPECT TO CDBG PROGRAM:

By year, under total activity budget, enter the total activity cost, the amount of CDBG funds received, and the actual amount of non-CDBG funds used to fund your activity. (This question does not apply to new start-up-activities).

YEAR	TOTAL ACTIVITY BUDGET	AMOUNT OF CDBG FUNDS RECEIVED	TOTAL FUNDS FROM OTHER SOURCES USED TO FUND ACTIVITY
2023			
2022			
2021			

18. PROJECT FINANCIAL SUMMARY – PERFORMANCE MEASUREMENT REQUIREMENT:

Identify all funding sources, including federal (include CDBG funds), state, county, local and private grants or loans, that will be providing funding toward your activity, by completing the table below.

FUNDING SOURCES

Source	Amount Rec'd	Amount Applied for (if pending)	Grant/Loan	Status Pending/Committed
CDBG (requested in this application)				
Local Funds (Specify):				
State Funds (Specify):				
Other Federal funds (Specify):				
Private financing (Specify):				
Other (Specify):				
Totals				

Ongoing Activity Costs

List other sources of income that funds your activity. CDBG funds cannot be the only source of program funding.

Describe how you will fund your activity beyond 2024.

20. PERFORMANCE GOALS MEASUREMENT SECTION

This section must be completed in order to be considered for funding

I. OBJECTIVES

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

- Goal # 1 – Creates a suitable living environment**
This objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment (such as poor quality infrastructure) to social issues such as crime prevention, literacy or elderly health services.
- Goal # 2 – Provides decent housing**
This objective focuses on housing programs where the purpose of the program is to meet individual, family, or community needs and not programs where housing is an element of a larger effort, since such programs would be more appropriately reported under suitable living environment.
- Goal # 3 – Creates economic opportunities**
This objective applies to the types of activities related to economic development, commercial revitalization, or job creation.

II. OUTCOMES

Select the most appropriate objective for the proposed activity (Select only one)

- Improve availability/accessibility**
This category applies to activities that make services, infrastructure, public facilities, housing, or shelters available or accessible to low/moderate income people, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living available and accessible to low/moderate income people where they live.
- Improve affordability**
This category applies to activities that provide affordability in a variety of ways in the lives of low/moderate income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.

Improve sustainability

This category applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low/moderate income or by removing or eliminating slum or blighted areas through multiple activities or services that sustain communities or neighborhoods.

IV. OUTCOME STATEMENTS

Describe your experience with program evaluation, including how the program evaluates services and the impact it has on clients.

Describe the measureable outcome(s) your clients will achieve after receiving your services.

Describe the process including resources, activities and outputs. What indicators are used to determine clients have achieved the desired outcome?

21. CERTIFICATIONS

I hereby certify that for any CDBG project, compliance is required in the following areas:

Utilization of Minority/Women & Disadvantaged Contractors

Projects receiving CDBG funding must notify and include minority and women contractors in their bidding process. *Executive Order 11625 (Utilization of Minority Business Enterprise); Executive Order 12138 (Utilization of Female Business Enterprise).*

Labor Standards Provisions (Davis-Bacon)

Construction projects receiving \$2,000.00 in CDBG (federal) funds will be required to comply with prevailing wage requirements.

Section 3

Projects receiving CDBG funding involving building or public facilities improvements must, to the greatest extent feasible, utilize lower income residents for employment and training opportunities. *(24 CFR, Part 135).*

Environmental Regulations

All funded projects will need to have an environmental review to ensure compliance with NEPA (National Environmental Protection Act) regulations. The City of Superior, Planning Department, conducts these reviews but needs Sub-Grantee cooperation.

Title VI of the Civil Rights Act of 1964

Title VI provides that no person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. *(Public Law 99-352)*

Title VIII of the Civil Rights Act of 1969

Popularly known as the **Fair Housing Act**, which provides that it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States and prohibits any persons from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including otherwise making unavailable or denying a dwelling to a person, because of race, color, religion, sex, or national origin. *(Public Law 90-294)*

ADA Compliance

Projects receiving CDBG funding involving building or public facilities improvements must include accessibility and comply with the Americans with Disabilities Act Guidelines (ADAG).

I also certify that the statements and application requirements in this official proposal are correct and that this proposal contains no misrepresentation or falsification, omission, or concealment of material facts and that the information given is true and complete to the best of my knowledge and belief, and that no bids have been awarded, contracts executed, or construction begun on the proposed project.

Signature of Authorized Official

Title

Date

**ATTACHMENT A
CONCURRING RESOLUTION**

The purpose of the Resolution form is to have on record a statement confirming that the applicant has formally requested a grant, has designated an official to perform the required duties between the applicant and the City of Superior, and has assured, where applicable, the provision of local matching funds. In addition, the applicant will comply with all other provisions of the CDBG application.

Resolution of the _____ authorizing
Name of Operating Agency/Municipality
the filing of an application for funds with the City of Superior, Community Development Block Grant Program.

WHEREAS, the _____ is
desirous of obtaining funds from the City of Superior in the amount of _____
(CDBG Funds)
under the Federal Housing and Community Development Act as amended.

NOW, THEREFORE, BE IT RESOLVED, that the _____
does hereby formally request a grant from the City of Superior, Community Development Block Grant Program.

BE IT FURTHER RESOLVED, that the _____ does hereby
designate _____ as the official to file all applications, documents, and forms between
(Authorized Official)
the _____ and the City of Superior (or for the City of Superior.)

BE IT FURTHER RESOLVED, that the _____
will assure, where applicable, the provision of the full local share of the project costs.

BE IT FURTHER RESOLVED, that the _____
will assure, that, if applicable, the project will be awarded or under construction within 180 days after contractual execution.

Adopted this _____ day of _____, 20____, by the _____

ATTEST:

Signature (Must *not* be same as Authorized Official)

Title

**ATTACHMENT B
PROFESSIONAL'S CERTIFICATION**

The purpose of the Professional's Certification Attachment is to have on record a statement from an engineer, architect or construction professional that the work is feasible and the costs are fair. If activity is limited to purchase of materials, two (2) estimates must be obtained.

1. PROJECT NAME

2. PROJECT LOCATION

3. TOTAL PROJECT COST

I, _____, a professional _____, in the State of Wisconsin, do hereby certify that the proposed work for the above project is feasible and the costs itemized hereto are fair and reasonable estimates of the project costs.

Signature

Date

(SEAL)

Subrecipient Pre-Award Assessment Section

This section of the application must be completed in order to assess the capabilities of prospective subrecipients prior to awarding Community Development Block Grant Funds, as well as a beginning point for identifying training and technical assistance.

Agencies must submit the following documentation: (check if attached)

- Tax Status Certifications [501(c) (3)] (Non-Profits Only)
- Board of Directors List
- Most Current Audit
- Agency brochure or narrative outlining services available

A. Capacity:

1. What services/activities are you currently providing to what type of clientele?

2. Describe your organization's current capacity and staff qualifications in carrying out the proposed activity.

3. Describe your organization's administrative systems. Check each item that exists within your organization's capacity.

- Audit System**
- Client eligibility and demographic data collection and reporting**
- Conflict of interest policies**
- Financial System**
- Formal Personnel System – Are written procedures in place?**
- Fund Raising**
- Insurance Coverage**
- Procurement System – Are formal written procedures in place?**
- Record Keeping Systems**
- Revenue Generation**
- Staff Salary Tracking**

4. If any gaps exist in your organization's administrative systems, how will they be addressed?

B. Experience

1. Has agency ever done this type of activity before? yes no
If so, explain.

2. Describe your organization's experience with CDBG or other Federal grant programs:

3. Is your agency working with other agencies who perform similar services?
 yes no
If so, identify agencies.

C. Insurance Requirements

Does your agency carry insurance? yes no
(If yes, check which type of insurances you carry)

- General Liability
(additional insured **must** state: "The City of Superior; its elected officials; officers, and appointees")
- Auto (only if Agency owns or leases vehicles)
- Worker's Compensation
- Fidelity Bond/Performance Bond when applicable
- Other (Identify)

Subrecipients receiving CDBG funds must carry the above listed insurances.

MUNICIPAL DEVELOPMENT ACTIVITY JUSTIFICATION SECTION

Activities may include sewer and water, public improvements, parks and recreation, demolition, commercial revitalization and handicap accessibility for curbs, sidewalks, ramps, municipal buildings and recreational facilities.

I. BENEFIT TO LOW AND MODERATE INCOME PERSONS

A. PROJECT INFORMATION

The following information must be provided:

1. **Actual number of households served by the project**
(2010 Census Tract Data must be used.)

B. PROJECT BENEFIT

Project benefit specifically addresses the area or individuals which directly benefit by the implementation of the project. Indicate how the project benefits low/moderate income persons by checking one of the following categories (Area Benefit, Limited Clientele, Low/Mod Housing Activities, Low/Mod Job Creation/Retention Activities on page 10) and submit the documentation requested for each item.

AREA BENEFIT ACTIVITY

Defined as an activity, the benefits of which are available to all the residents in a particular area, where at least 51 percent of the residents are low and moderate income persons. An activity that serves an area that is not primarily residential in character shall not qualify under this criterion.

- a. Total-Municipality (Specify) _____
- b. Neighborhood (specify boundaries of project area which generally include more information than site location, e.g., Martin Street is the actual site location. The benefit area would be defined as all the homes on both sides of Martin Street from 1st to 5th Avenue.) _____

INCOME JUSTIFICATION SECTION (For Area Benefit Activity Only)

To determine the eligibility of a project which is intended to benefit low and moderate income persons, one of the following income criterion must be used: census data, or household survey (check one):

CENSUS DATA (Primary method of determining project eligibility):

Project is eligible by the 2010 census if 51% or more of the total persons within the census tract(s) or block group(s) are of low and moderate income based on Section 8 Income limits at the time of the census. (Census tract and block group information is available upon request from the City of Superior, Planning Department.) **Census Tracts and/or block Groups are to be used only when the project service area encompasses the entire census tract or block group.**

Provide the census tract(s) and/or block groups that are reasonably coterminous with the service area.

*Census Tract Number(s)	Block Group Numbers

HOUSEHOLD SURVEY

A household survey should be undertaken only if it meets the following guidelines:

- A. The proposed activity benefits only a fragment of the census block group.
- B. The service area of the fragment has been determined to include 150 or less households. If the project area exceeds 150 households, the survey methodology must be approved by the City of Superior, Planning Department, prior to the commencement of the survey.

It is imperative that information be collected for all of the households within the service area. A project has a better chance of qualifying for eligibility when a greater number of responses are received for a service area.

The percentage of benefit to low and moderate income households is calculated on the total number of households in the service area, not just those households surveyed. Any household that refuses to complete the survey form or is not available will be calculated as a non-low and moderate income household.

Note: A Block Group Number(s) is required for any activity requiring a household survey as criterion to determine eligibility.

**CITY OF SUPERIOR
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

INDIVIDUAL HOUSEHOLD SURVEY

For the purpose of determining eligibility for proposed community development improvement projects to be funded by the U.S. Department of Housing and Urban Development in your area, the following information is necessary. Each household should indicate the number of persons living in the residence and whether total household income exceeds or falls below the listed figure for that size household.

Check one	Household Size/Income Level				
	1 Person . . .	total income is	above	below	\$40,000
	2 Persons . . .	total income is	above	below	\$45,700
	3 Persons . . .	total income is	above	below	\$51,400
	4 Persons . . .	total income is	above	below	\$57,100
	5 Persons . . .	total income is	above	below	\$61,700
	6 Persons . . .	total income is	above	below	\$66,250
	7 Persons . . .	total income is	above	below	\$70,850
	8 Persons . . .	total income is	above	below	\$75,400

Project Name: _____

Household Address:

_____ Street

_____ Apt. No.

_____ City

_____ State

_____ Zip

Check if Applicable:

Household Occupant(s) Not Home

Household Occupant(s) Refused To Complete Survey

Interviewer's Signature

Date

**CITY OF SUPERIOR
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

HOUSEHOLD SURVEY SUMMARY SHEET

This form should be completed and returned to the City of Superior, Planning Department, upon obtaining individual household survey information for each project service area in which Community Development Block Grant Funds are intended to be used.

1. _____ 2. _____
Census Tract in Which Project is Located Block Group Number
(Required for Household Surveys)

3. _____
Municipality in Which Project is Located

4. _____
Project Name

5. Project Service Area (Defined as an area which directly benefits by the implementation of the project).
Specify boundaries.

6. Total Number of actual households in Project Service Area benefiting from this project.

7. Total Number of households surveyed (Total from Column B and C on Page 30)

C. ADMINISTRATION

The following types of projects are not required to benefit low/moderate income persons, but are eligible CDBG activities:

- a. General Administrative Costs – Costs incurred for the administration of a program that benefits greater than 51% low/moderate income persons.
- b. Planning/Studies – A study, which if implemented, would benefit greater than 51% low/moderate income persons.

D. LIMITED CLIENTELE ACTIVITY

Municipal Development – Removal of Architectural Barriers Activity

(Check this section if application is submitted by a municipality for the following types of architectural barrier removal: handicap accessibility for curbs, sidewalks, ramps, municipal buildings & recreational facilities)

Limited Clientele Activity

Defined as an activity which benefits a limited clientele, at least 51% of whom are low or moderate income persons. (The following kinds of activities may not qualify under this paragraph: activities, the benefits of which are available to all the residents of an area; activities involving the acquisition, construction, or rehabilitation of property for housing; or activities where the benefit to low and moderate income persons to be considered is the creation or retention of jobs.)

- Removal of Architectural Barriers (***Purchase/installation of handicapped playground equipment no longer qualifies under this criterion***)

If above item is checked, the clientele are a “presumed benefit” (presumed to principally benefit low/moderate income persons). Income documentation is not required to be submitted with this application. **However, the Direct Benefit Forms indicating racial and ethnic groups who benefit from the proposed activity must be completed.**

IMPORTANT ADA REGULATION CHANGE: *Effective December 11, 1995, the purchase/installation of handicapped playground equipment no longer qualifies under the national objective criterion of presumed benefit/limited clientele unless the activity is designed specifically for and used exclusively by handicapped children. Eligibility must be based on the low/moderate income criterion which requires justification either by census tract/block data or a household survey.*

E. HOUSING

See the Housing Section on page 37.

F. JOB CREATION OR RETENTION

See the Economic Development Section on page 34.

G. II. ELIMINATION AND PREVENTION OF SLUM AND BLIGHT

The municipality must designate the project area as blighted by formal resolution through interpretation of applicable Federal, State, and local laws.

For a proposed project to be eligible, the appropriate governing body resolutions declaring the area blighted must be submitted with the proposal.

Project Types:

A. Commercial Revitalization

All newly passed resolutions must be originals. The following information must be provided for commercial revitalization activities:

- i. Site location and precise description of the targeted area to be addressed (i.e. number of linear feet, decorative lights, etc., and specific boundaries of the designated blighted area):
- ii. Provide the percent of buildings or public improvements that were deteriorated when the area was designated and the year of designation:
Percentage of Deterioration: Year of Designation:
- iii. A narrative outlining the existing conditions that qualify the targeted area as “blighted” and what is proposed to address these conditions.
- iv. Photographs of the “blighted” area. Before and after pictures are required as part of the documentation to be kept on file.
- v. If project is a continuation activity from the previous CD Year funding cycle, check one Yes No

B. Demolition

Legal clearance documentation and the full legal property description must be submitted for each demolition activity in order to be considered for funding.

A demolition activity qualifies under the Elimination of Slum and Blight when there is no known future intended use of the property. If the demolition is part of an overall project where the intended use of the property is known, the project may qualify under another national objective. (specify)

C. Other

If the above categories are not appropriate for the proposed project and the elimination and prevention of slum and blight is being used as eligibility justification, then proper counsel should be sought in developing an appropriate resolution which should then be included with the proposal.

III. URGENT NEED

A proposed project is eligible by urgent need criteria if **all** the following supporting items are submitted with the proposal.

- A. Statement from an independent expert, who is approved by the City of Superior, Planning Department, verifying the proposed project is intended to address a serious or immediate threat to the health and welfare of the community.
- B. Statement from an independent expert, who is approved by the City of Superior, Planning Department, verifying the condition occurred within the last eighteen (18) months.
- C. Statement of financial condition of the applicant, signed by the chief executive officer, verifying the applicant is unable to finance the project with its own resources.
- D. Turn down letters from other federal, state, local, or private funding sources along with a statement that other sources were consulted and no other source of funds exist.

NOTE: Emergency projects do not necessarily qualify as urgent need projects. Contact the City of Superior, Planning Department, for clarification.

ECONOMIC DEVELOPMENT ACTIVITY JUSTIFICATION SECTION

The CDBG Program recognizes several key ways that economic development may be undertaken.

I. BENEFIT TO LOW AND MODERATE INCOME PERSONS

Special economic development. CDBG funds may be used to undertake certain economic development activities. These activities include:

- Acquiring, constructing, reconstructing, rehabilitating, or installing commercial or industrial buildings, structures, and other real property equipment and improvements, including railroad spurs or similar extensions. These are economic development projects undertaken by nonprofit entities and grantees (public entities).
- Assisting a private, for-profit business. Assistance may include grants, loans, loan guarantees, and technical assistance; and
- Providing economic development services in connection with otherwise eligible CDBG economic development activities.

Technical assistance to businesses. This activity involves providing technical assistance and training directly to businesses on topics such as business planning or accounting. This activity may be undertaken under several different eligibility categories, assuming that the activity will meet a national objective:

- As a part of a special economic development project;
- To the owner of a microenterprise;
- As a public service; and
- By a CBDO as a part of an eligible project.

Microenterprise development. These are activities designed to foster the development, support, and expansion of microenterprise businesses.

- A microenterprise is defined as a commercial enterprise that has five or fewer employees, one or more of whom owns the enterprise.
- A “person developing a microenterprise” refers to a person who has expressed an interest and who is, or after an initial screening process is expected to be, actively working toward developing a business that will be a microenterprise at the time it is formed.
- Eligible microenterprise activities include the provision of:
 - Grants, loans, loan guarantees and other forms of financial support, for the establishment, stabilization, and expansion of microenterprises;

- Technical assistance, advice, and business services to owners of microenterprises and persons developing microenterprises;
- General support to owners of microenterprises and persons developing microenterprises including child care, transportation, counseling and peer support groups; and
- Training and technical assistance or other support services to increase capacity of grantees or subrecipients to carry out microenterprise activities.

Commercial rehabilitation. These are activities that are designed to bring commercial structures up to code or improve their facades.

- If the commercial structure is owned by a private, for-profit entity, the following limitations apply:
 - Rehabilitation is limited to the exterior of the building and the correction of code violations; and
 - Any other improvements are carried out under the special economic development activities category discussed above.

Public facilities and improvements. These are public works that support economic development endeavors. Public works facilities and improvements include infrastructure projects such as off-site water, sewer, roads, drainage, railroad spurs and other types of public facilities or improvements.

Job training. Job training involves providing skill building classes to employees or potential employees and can be an important part of an economic program. This activity can be undertaken:

- As a part of a special economic development project;
- As a public service;
- By a CBDO as a part of an eligible project; or
- As a part of microenterprise assistance package to the owner of a micro business for his or her employees.

Low/Mod Job Creation or Retention Activity. Defined as an activity designed to create or retain permanent jobs where at least 51 percent of the jobs, computed on a full time equivalent basis, involve the employment of low and moderate persons. For an activity that creates jobs, the recipient must document that at least 51 percent of the jobs will be held by low and moderate income persons. For an activity that retains jobs, the recipient must document that the jobs would actually be lost without the CDBG assistance and that either or both of the following conditions apply with respect to at least 51 percent of the jobs at the time the CDBG assistance is provided: the job is known to be held by a low or moderate income person; or the job can reasonably be expected to turn over within the following two years and that steps will be taken to ensure that it will be filled by, or made available to, a low or moderate income person upon turnover.

a. Job creation of low/moderate income persons (*Letter(s) of intent from the affected businesses to create the required number of low/moderate income jobs must be submitted with the application.*)

b. Job retention of low/moderate income persons

Should either (a) or (b) be checked and the proposed activity be selected for funding, a project manager will contact you regarding the required documentation.

NOTE: The **Direct Benefit Forms**, used to evaluate racial, ethnic, female, and disabled characteristics of the households or persons assisted under this activity will need to be filled out annually for the CAPER Report.

In order to evaluate viability, the applicant is asked to submit previous three (3) years audited financial statements and three (3) years business tax returns. For start-up businesses, the applicant is asked to submit a detailed business plan and a three (3) year pro forma (the first year pro forma should be on a monthly basis).

LOW/MOD HOUSING

Activities may include acquisition or rehabilitation of property, conversion of non-residential structures or new housing construction.

I. BENEFIT TO LOW AND MODERATE INCOME PERSONS

LOW/MOD JOB HOUSING ACTIVITY

This is defined as an eligible activity carried out for the purpose of providing or improving permanent residential structures, which, upon completion, will be occupied by low and moderate income households. This would include, but not necessarily be limited to, the acquisition or rehabilitation of property, conversion of non-residential structures, and new housing construction.

- a. Rehab of an existing structure which is currently occupied by low/moderate income persons. _____ Number of Housing Units

- b. Rehab of a vacant structure. _____ Number of Housing Units

- c. Construction of a new building. _____ Number of Housing Units

Direct Benefit Forms must be submitted for the contractual period, if (a) is checked.

If (b) or (c) is checked, note that income verification and proof of benefit to at least 51% low/mod will be required upon project completion or at the end of the program year, whichever comes first. Failure to provide this documentation and benefit 51% low/mod may result in the pay back of the grant award.

HUMAN SERVICES

ACTIVITY JUSTIFICATION SECTION

Activities may include senior citizen centers, centers for the disabled persons, handicap accessibility in non profit facilities or human service centers, public services and food bank services.

I. BENEFIT TO LOW AND MODERATE INCOME PERSONS

LIMITED CLIENTELE ACTIVITY – HUMAN SERVICES

The Direct Benefit Forms must be completed for any activity which benefits a limited clientele, which is for the contractual period funded.

This is defined as an activity which benefits a limited clientele, at least 51% of whom are low or moderate income persons. (The following kinds of activities may not qualify under this paragraph: activities, the benefits of which are available to all the residents of an area; activities involving the acquisition, construction, or rehabilitation of property for housing; or activities where the benefit to low and moderate income persons to be considered is the creation or retention of jobs.) To qualify under this paragraph, the activity must meet one of the following (a through i):

- a. Elderly/Senior Citizens
- b. Persons with Disabilities
- c. Abused Children/Battered Spouses
- d. Homeless Persons
- e. Illiterate Persons
- f. Removal of Architectural Barriers (*This section should be checked if applicant is requesting funds for the removal of architectural barriers in a non profit facility or a human service center.*)

If any of the above items (a) through (f) are checked, the clientele are a “presumed benefit” (presumed to principally benefit low/mod income persons). Income documentation is not required to be submitted with this application. **Direct Benefit Forms indicating racial and ethnic groups who benefit from the proposed activity must be completed for the contractual period funded.**

- g. Activity which requires information on family size and income so that it is evident that at least 51% of the clientele are persons whose family income does not exceed the low and moderate income limit (e.g. rehab of a day care center).
- h. Activity which has income eligibility requirements which limits it – exclusively to low and moderate income persons (e.g. food bank for the unemployed worker).

If (g) or (h) is checked, explain the method used to collect income statistics.
Direct Benefit Forms indicating racial and ethnic groups who benefit from the proposed activity must be completed for the contractual period funded.

Items (g) or (h) may be used to qualify projects even though the activity has not begun and persons will benefit only upon project completion. In these instances, income verification and proof of benefit to at least 51% low/mod will be required upon project completion or at the end of the Program year (whichever comes first). Failure to provide this documentation and benefit 51% low/mod may result in the pay back of the grant award.

- i. Activity is of such nature and in such a location that it may be concluded that the activity's clientele will primarily be low/moderate income persons (e.g. rehabilitation of a community center for youth).

The nature of some activities is such that it is impractical to obtain personal records of income for beneficiaries and the beneficiaries are not among the categories of individuals presumed by HUD to be low/moderate income persons. If (i) is checked, describe below how the nature, location, or other information demonstrates the activity benefits a limited clientele or at least 51% of whom are low/moderate income persons

CDBG - BASIC ELIGIBLE ACTIVITIES
(Subpart C, 570.201)

CDBG funds may be used for the following activities:

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

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

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

(d) *Clearance activities.* Clearance, demolition, and removal of buildings and improvements, including movement of structures to other sites. Demolition of HUD-assisted or HUD-owned housing units may be undertaken only with the prior approval of HUD.

(e) *Public services.* Provision of public services (including labor, supplies, and materials) including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, welfare (but excluding the provision of income payments identified under §§570.207(b)(4)), homebuyer down payment assistance, or recreational needs. To be eligible for CDBG assistance, a public service must be either a new service or a quantifiable increase in the level of an existing service above that which has been provided by or on behalf of the unit of general local government

(through funds raised by the unit or received by the unit from the State in which it is located) in the 12 calendar months before the submission of the action plan. (An exception to this requirement may be made if HUD determines that any decrease in the level of a service was the result of events not within the control of the unit of general local government.) The amount of CDBG funds used for public services shall not exceed paragraphs (e) (1) or (2) of this section, as applicable:

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

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

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

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

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

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

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

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

(f) *Interim assistance.* (1) The following activities may be undertaken on an interim basis in areas exhibiting objectively determinable signs of physical deterioration where the recipient has determined that immediate action is necessary to arrest the deterioration and that permanent improvements will be carried out as soon as practicable:

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

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

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

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

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

(iii) The improvement of private properties.

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

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

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

(i) *Relocation.* Relocation payments and other assistance for permanently and temporarily relocated individuals families, businesses, nonprofit organizations, and farm operations where the assistance is (1) required under the provisions of §§570.606 (b) or (c); or (2) determined by the grantee to be appropriate under the provisions of §§570.606(d).

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

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

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

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

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

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

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

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

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

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

(3) For purposes of this paragraph (o), “persons developing microenterprises” means such persons who have expressed interest and who are, or after an initial screening process are expected to be, actively working toward developing businesses, each of which is expected to be a microenterprise at the time it is formed.

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

(p) *Technical assistance.* Provision of technical assistance to public or nonprofit entities to increase the capacity of such entities to carry out eligible neighborhood revitalization or economic development activities. (The recipient must determine, prior to the provision of the assistance, that the activity for which it is attempting to build capacity would be eligible for assistance under this subpart C, and that the national objective claimed by the grantee for this assistance can reasonably be expected to be met once the entity has received the technical assistance and undertakes the activity.) Capacity building for private or public entities (including grantees) for other purposes may be eligible under §§570.205.

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

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

CDBG - INELIGIBLE ACTIVITIES

Subpart C, 570.207

The general rule is that any activity that is not authorized under the provisions of 570.201—570.206 is ineligible to be assisted with CDBG funds. This section identifies specific activities that are ineligible and provides guidance in determining the eligibility of other activities frequently associated with housing and community development.

(a) The following activities may not be assisted with CDBG funds:

(1) *Buildings or portions thereof, used for the general conduct of government* as defined at 570.3(d) cannot be assisted with CDBG funds. This does not include, however, the removal of architectural barriers under §§570.201(c) involving any such building. Also, where acquisition of real property includes an existing improvement which is to be used in the provision of a building for the general conduct of government, the portion of the acquisition cost attributable to the land is eligible, provided such acquisition meets a national objective described in 570.208.

(2) *General government expenses.* Except as otherwise specifically authorized in this subpart or under OMB Circular A—87, expenses required to carry out the regular responsibilities of the unit of general local government are not eligible for assistance under this part.

(3) *Political activities.* CDBG funds shall not be used to finance the use of facilities or equipment for political purposes or to engage in other partisan political activities, such as candidate forums, voter transportation, or voter registration. However, a facility originally assisted with CDBG funds may be used on an incidental basis to hold political meetings, candidate forums, or voter registration campaigns, provided that all parties and organizations have access to the facility on an equal basis, and are assessed equal rent or use charges, if any.

(b) The following activities may not be assisted with CDBG funds unless authorized under provisions of 570.203 or as otherwise specifically noted herein or when carried out by a entity under the provisions of 570.204.

(1) *Purchase of equipment.* The purchase of equipment with CDBG funds is generally ineligible.

(i) *Construction equipment.* The purchase of construction equipment is ineligible, but compensation for the use of such equipment through leasing, depreciation, or use allowances pursuant to OMB Circulars A—21, A—87 or A—122 as applicable for an otherwise eligible activity is an eligible use of CDBG funds. However, the purchase of construction equipment for use as part of a solid waste disposal facility is eligible under 570.201(c).

(ii) *Fire protection equipment.* Fire protection equipment is considered for this purpose to be an integral part of a public facility and thus, purchase of such equipment would be eligible under 570.201(c).

(iii) *Furnishings and personal property.* The purchase of equipment, fixtures, motor vehicles, furnishings, or other personal property not an integral structural fixture is generally ineligible. CDBG funds may be used, however, to purchase or to pay depreciation or use allowances (in accordance with OMB Circular A—21, A—87 or A—122, as applicable) for such items when necessary for use by a recipient or its subrecipients in the administration of activities assisted

with CDBG funds, or when eligible as fire fighting equipment, or when such items constitute all or part of a public service pursuant to 570.201(e).

(2) *Operating and maintenance expenses.* The general rule is that any expense associated with repairing, operating or maintaining public facilities, improvements and services is ineligible. Specific exceptions to this general rule are operating and maintenance expenses associated with public service activities, interim assistance, and office space for program staff employed in carrying out the CDBG program. For example, the use of CDBG funds to pay the allocable costs of operating and maintaining a facility used in providing a public service would be eligible under 570.201(e), even if no other costs of providing such a service are assisted with such funds. Examples of ineligible operating and maintenance expenses are:

(i) Maintenance and repair of publicly owned streets, parks, playgrounds, water and sewer facilities, neighborhood facilities, senior centers, centers for persons with a disabilities, parking and other public facilities and improvements. Examples of maintenance and repair activities for which CDBG funds may not be used include the filling of pot holes in streets, repairing of cracks in sidewalks, the mowing of recreational areas, and the replacement of expended street light bulbs; and

(ii) Payment of salaries for staff, utility costs and similar expenses necessary for the operation of public works and facilities.

(3) *New housing construction.* For the purpose of this paragraph, activities in support of the development of low or moderate income housing including clearance, site assemblage, provision of site improvements and provision of public improvements and certain housing pre-construction costs set forth in 570.206(g), are not considered as activities to subsidize or assist new residential construction. CDBG funds may not be used for the construction of new permanent residential structures or for any program to subsidize or assist such new construction, except:

(i) As provided under the last resort housing provisions set forth in 24 CFR part 42;

(ii) As authorized under 570.201(m) or (n);

(iii) When carried out by an entity pursuant to 570.204(a);

(4) *Income payments.* The general rule is that CDBG funds may not be used for income payments. For purposes of the CDBG program, “income payments” means a series of subsistence-type grant payments made to an individual or family for items such as food, clothing, housing (rent or mortgage), or utilities, but excludes emergency grant payments made over a period of up to three consecutive months to the provider of such items or services on behalf of an individual or family.

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