

2014

**Non-Competitive Rehabilitation Application Guidelines
for
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

MONTANA DEPARTMENT OF COMMERCE

<http://comdev.mt.gov/CDBG/default.mcp>

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Table of Contents

- I. Application Guidelines: Part 1**
 - a. Introduction and Overview**

- II. Application Guidelines: Part 2**
 - a. General Application**

- III. Application Guidelines: Part 3**
 - a. Qualifying Questions**

- IV. Application Guidelines: Part 4**
 - a. Appendices**

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CDBG Non-Competitive Rehabilitation Application Guidelines

Part 1

Introduction and Overview

A. Introduction

The MDOC has established an incremental non-competitive housing program to provide assistance with single family housing rehabilitation activities to better serve LMI households across the state. The processes and procedures outlined in these guidelines will allow eligible entities to complete critical health and safety improvements on a house-by-house basis for a five year period and as CDBG funds are available. CDBG non-competitive projects must be completed in collaboration with a Certified Housing Development Organization (CHDO) to ensure that all financial requirements affecting an individual's existing or anticipated mortgage follow HUD guidance and all assisted individuals are provided housing counseling prior to any rehab work being completed.

The CDBG rehabilitation program is a non-competitive application that will receive applications on a first-come, first-serve basis once the application guidelines are adopted. Available funding is dependent on the award of CDBG funds from HUD; therefore, the funding may vary from year to year. Once the award of CDBG funds is made from HUD, information on the amount of available funds will be posted on the CDBG website. Additionally, all entities that have received a CDBG certification will receive direct communication from MDOC regarding the amount and availability of funds.

B. Eligible Applicants

CDBG funding is available to any unit of local government who has been approved through a certification process known as the non-competitive application. Once the certification has been approved, it will be valid for a five year period. The application must include coordination with an identified Certified Housing Development Organization (CHDO). The CHDO certification is completed through Commerce's HOME program. The approval of an application will allow the local government and CHDO to complete eligible housing rehabilitation activities with CDBG funding.

Commerce will send a formal award and certification letter establishing the applicant's five year period to allow housing rehabilitation work to be completed according to the project details listed in the applicant's non-competitive application.

C. Eligibility

Eligible Activities

CDBG non-competitive rehabilitation activities are only eligible for single-family housing units. Eligible activities include the following:

- Rehabilitate occupied homes and residential properties determined to have critical health and safety deficiencies,

- New construction of vacant, infill development residential properties, and/or
- Demolition activities must result in the redevelopment of residential properties as the direct activity, as established in the one-to-one replacement guidance. Blighted structures targeted for demolition must be designated as “blighted” by the local government.

Eligible Housing Units

- All housing units proposed for rehabilitation must have an inspection completed by a professional to determine the specific health and safety deficiencies. A report must be provided to Commerce.
- All housing units proposed for rehabilitation must have an inspection completed to determine the ADA improvements needed, if applicable.
- All housing units that are proposed for rehabilitation cannot exceed the median home price for the project area.
- All proposed rehabilitation work cannot exceed either: 1. the median home price for the project area or, 2. the value of the property, after work has been completed; based on an appraisal at the completion of the project.

D. Ineligible Activities

The following activities are ineligible:

- Demolition of blighted properties as a stand-alone activity,
- Rehabilitation or acquisition of housing units that do not meet the most current standards for manufactured home construction or installation, and
- Rehabilitation of housing units that do place mobile or manufactured homes on a permanent foundation

MDOC will advise and provide technical assistance to all applicants regarding these requirements.

E. Grant Amounts

There are no established ‘ceilings’ for the CDBG rehabilitation program. This is to help address as many identified health and safety deficiencies in each unit. However, projects must base the request on the proposed project budget and negotiations with Commerce in order to complete critical health and safety deficiencies to ensure that all activities are completed without unduly benefiting individual beneficiaries. As guidance for potential applicants, MDOC recommends that applicants apply for funding amounts commensurate with:

- Cost of the project,
- Consideration of other applications submitted for NSP funding,
- Need of the jurisdiction (as established in local planning documents),

- Capacity to carry out the proposed activities in a timely manner, and
- Severity of health and safety

MDOC reserves the right to adjust requested project amounts based on the documentation provided by the applicant to justify the needs of the jurisdiction and the capacity to carry out the proposed activities in a timely manner. Additionally, MDOC reserves the right to adjust contracted amounts based upon actual performance and progress toward full utilization of funds within the 9 months of the executed CDBG Rehabilitation contract.

F. Contract Award Process

The five year certification that allows the grantee access to CDBG rehabilitation requests does not award any funding to a grantee or their sub-recipients, but rather allows the grantee to submit Project Request Forms on a house-by-house basis, and contract each unit individually. Additionally, the non-competitive program does not intend to establish set-asides or provide lump sum grants for multiple projects or activities. Non-competitive funds will be approved according to the detailed list of items needed to be considered for funding. These items are listed in further detail in the CDBG Grant Administration Manual, Chapter 10. The incremental grant approach will allow individual projects to be approved and contracted.

Grantees must submit a Project Request Form to reserve available funds for an individual project. Grantees will be limited to the number of Project Request Forms they can submit to complete housing rehab activities based on their ability to complete an individual project according to their previously funded implementation schedule and having all funded properties at least 50% complete. The Project Request Form will reserve available non-competitive funds for a 60 day period to allow the grantee to ascertain whether the unit and/or household is eligible under the non-competitive program.

When eligible recipients are ready to firmly obligate funds (as explained in the CDBG Grant Administration Manual), recipients will receive a letter from MDOC stating that CDBG non-competitive rehabilitation funds have been designated for the project activity and will be firmly committed to the recipient contingent upon execution of a contract obligating CDBG funds to the designated project address. To reduce the risk of recipients obligating funds without the firm commitment of funds from MDOC, applicants should state, within their own procurement contracts or correspondence with potential beneficiaries, that award of bids or purchase agreements are contingent upon receipt of CDBG funds from MDOC through an executed contract.

If MDOC no longer has available funding in a specific calendar year, all draft project request forms will be held until additional CDBG funds are made available for the non-competitive rehabilitation program. All project request forms will be considered on a first-come, first-serve basis as date stamped or received in electronic mail by grantees after a certification is approved.

G. Definitions

1. Blighted Structure.

- Structures that would follow the definition under MCA 7-15-4206 part (a):
 - “Blighted Structure” means a structure that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, that substantially impairs or arrests the sound growth of the city or its environs, that retards the provision of housing accommodations, or that constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare and morals in its present conditions and use by reason of substantial physical dilapidation, deterioration, age, obsolescence, or defective construction, material, and arrangement of buildings or improvements, whether residential or non-residential.
- Units identified as “substantially substandard” or “severely substandard” according to the Point Detraction Guideline as follows:
 - Substantially Substandard – Unit appears to need substantial repair. (Rehabilitation may not be cost-effective. Alternative forms of assistance may be more appropriate.)
 - Severely Substandard – Unit appears dilapidated. Demolition and housing replacement should be considered.
 - The definition of “substandard buildings” contained in the latest authorized edition of the International Property Maintenance Code published by the International Code Council. This information is available from the Montana Department of Labor and Industry (MDLI), Building Codes Bureau.
 - Any structure determined to be seriously deteriorated or dilapidated according to a locally adopted Code for the Abatement of Dangerous Buildings or similar ordinance to address the debilitating effects of blight within communities.

2. Vacant Property – Any property that is an unoccupied structure or unoccupied parcel of land upon which no structure(s) are present. Development of vacant property is only permitted as infill development in an existing residential neighborhood. New construction on vacant properties, in expanding neighborhoods, is not allowed.

H. Principal Benefit

All activities assisted under the CDBG non-competitive program must benefit persons or households of low and moderate income (LMI). These income levels include those at or below 80% of median income.

I. Application Process

The following items outline the application package for Montana's CDBG Non-Competitive Rehabilitation grant program:

CDBG Non-Competitive Rehabilitation Application Part 1: Rehabilitation Application Guidelines – Introduction and Overview

CDBG Non-Competitive Rehabilitation Application Part 2: General Application

CDBG Non-Competitive Rehabilitation Application Part 3: Application Qualifying Information

CDBG Non-Competitive Rehabilitation Application Part 4: Appendices

CDBG Non-Competitive Appendix A: Resolution of local governing body authorizing application submission

CDBG Non-Competitive Appendix B: Certifications from local government

CDBG Non-Competitive Appendix C: Management Plan

CDBG Non-Competitive Appendix D: Environmental Checklist

J. Review Process

Applications will be considered according to an incremental award process. The qualifying application questions help to ensure that the project will be successful, will comply with the HUD regulations, and proposes to spend funds in a timely manner. If any question arises when the application is submitted, the CDBG Non-Competitive Rehabilitation Program review team may request additional information.

I. Capacity of Applicant and Program Administrators:

Under HUD regulations, in order to be awarded federal funds, an applicant must have the management capacity to undertake and satisfactorily complete the proposed project. An applicant is assumed to have the capacity to undertake the proposed project unless available information raises a question concerning an applicant's capacity.

- The applicant must provide documentation that the proposed non-profit organization is a CHDO. CHDO certification processes will occur through the Commerce HOME program.
- In order to receive a CDBG Non-Competitive Rehabilitation Program grant, an eligible applicant must have the management capacity to the proposed project within 9 months* from the date of executed contract. Therefore, the CDBG Non-Competitive Rehabilitation Program applicant must provide an implementation schedule, project budget and budget narrative along with a more detailed rehabilitation budget with the draft Project Request Form.

- An applicant is assumed to have the capacity to undertake the proposed project unless available information indicates otherwise. If an applicant does not believe that it currently has the capacity to manage a CDBG Non-Competitive Rehabilitation Program grant, it may propose to hire administrative staff or arrange for project administration by another local government or non-profit organization (separate from the CHDO) through an agreement or by contracting for administrative services with a consultant. (These are allowable expenses that can be paid for using CDBG Non-Competitive Rehabilitation Program funds.)

** MDOC reserves the right to extend the 9 month contract period, on a case-by-case basis, due to extenuating or unforeseen circumstances.*

II. Citizen Participation Requirements:

Public involvement can be a key factor in developing community understanding and support for a proposed CDBG Non-Competitive Rehabilitation Program project and ultimately lead to a more successful project. By involving the public up-front in the development of CDBG Non-Competitive Rehabilitation Program grant proposals, potential applicants can make more people aware of the opportunities available through a proposed CDBG Non-Competitive Rehabilitation Program project.

Each applicant for CDBG Non-Competitive Rehabilitation Program funds must hold a minimum of one public hearing before MDOC will provide a certification approval. As an alternative to a formal hearing, applicants may substitute a public meeting that may provide a more effective means of communication between residents and the project sponsor in contrast to the more formal process involved in the conduct of an actual hearing. The public meeting must clearly identify the proposed project area and the term of the certification period. In any case, the public hearing or meeting must be conducted by the city, town, or county government that will sponsor the application; it is recommended the CHDO participate in the meeting.

Public notice must be provided before the public hearing or meeting is held. Notice of each public hearing or meeting should be published at least once in a newspaper of general circulation in the community at least seven days prior to the event. Alternative means of notice, such as posting in community post offices, grocery stores, etc. are also acceptable. Where possible, notices should also be directed to persons and/or groups representing LMI households and entities that represent LMI households. A summary of the hearing or meeting must be submitted, along with copies of the public notice for the hearing or affidavits of publication for the notice. A verbatim record is not necessary; however, applicants should provide a list of the names of persons who attended the hearing or meeting and a summary of comments made by local officials and citizens, which are sufficient to reflect the comments made by those attending.

K. Important Program Requirements for Housing Rehabilitation Projects

Although the distribution of CDBG Non-Competitive Rehabilitation Program is

subject to all the regulations and requirements of the Community Development Block Grant program, some specific requirements may assist with the preparation of project activities. These requirements include, but are not limited to:

- As stated in the CDBG Non-Competitive Grant Program Guidelines, all applicants are required to hold ONE public meeting to provide reasonable opportunity for citizen comments on proposed projects / activities.
- The one-for-one replacement of housing requirement is required. No demolition activities can occur without replacement of the same number of housing units.
- Uniform Relocation Act (URA) and Section 104(d) are also program requirements.
- Copies of all Civil Rights documents, as required by CDBG regulations, must be submitted with the application

L. Continued Affordability

HUD encourages, to the maximum extent practicable and for the longest feasible term, the continued affordability of housing units assisted with CDBG funds, including homes sold, rented, rehabilitated/improved or redeveloped. These housing units must remain affordable to individuals or families whose incomes do not exceed 80 percent of AMI.

Each applicant must identify they type of affordability restrictions for the entire program, which includes recapture processes and procedures and provide sample recapture templates to reviewed and approved by MDOC. At a minimum, all CDBG assisted rehabilitation projects must adhere to the affordability requirements listed below.

Subsidy Amount <i>(amount of NSP assistance provided to a homebuyer)</i>	Minimum Affordability Period	Minimum Restriction
Under \$15,000	5 years	Subsidy recapture, 20% forgiveness each year
\$15,000 – \$40,000	10 years	Subsidy recapture, 10% forgiveness each year
Over \$40,000	15 years	Subsidy recapture, 6.6% forgiveness each year
New Construction or Acquisition of Newly Constructed Single Family Housing (any \$ amount)	20 years	Subsidy recapture, 5% forgiveness each year

M. Program Income

A Program Income management plan must be approved by Commerce prior to release of funds for any proposed project. Program Income guidelines are outlined further in the CDBG Grant Administration Manual.

N. Administrative Costs

Communities applying for CDBG Non-Competitive Rehabilitation Program funds may request a maximum of ten percent of their total grant award, per property, for administrative costs.

O. Reporting

Please see the CDBG Grant Administration Manual – Chapter 4 for reporting requirements.

P. Contract Period

Once a contract for CDBG Non-Competitive Rehabilitation Program funds is executed, the subrecipient will have 9 months to complete the project and expend the funds. MDOC reserves the right to extend the 9 month contract period, on a case-by-case basis, due to extenuating or unforeseen circumstances.

Q. Compliance with State and Federal Requirements

It is the responsibility of all CDBG grantees to comply with all applicable federal and state laws, executive orders, and regulations affecting their projects. MDOC will conduct a project administration workshop to familiarize local officials of the recipient communities with these requirements. A copy of the most current version of the CDBG Grant Administration Manual is available at the following website:

http://comdev.mt.gov/CDD_CDBG_GA.asp

In addition to environmental, procurement, and labor requirements, CDBG grantees should keep in mind that federal civil rights requirements apply to their projects. CDBG-funded projects must be designed to ensure equal opportunity and access to all benefits associated with the funded housing or public facility activity. The grantee must design its program in compliance with federal and state civil rights requirements in five general areas:

1. Program Benefit: CDBG recipients must use administrative methods designed to ensure nondiscrimination in project activities.
2. Grantee Employment: Employment procedures in relation to project activities must comply with the CDBG recipient's affirmative action plan to extend employment opportunities to minorities and women.
3. Contractor Affirmative Action: Employment by contractors and subcontractors must include affirmative actions taken to employ minorities and women.

4. Fair Housing: Project activities must be administered to affirmatively further housing availability and to prevent discrimination in federally assisted housing.
5. Accessibility for the Disabled: All programs and activities assisted through CDBG in the project must be accessible to disabled persons.

R. Ongoing Monitoring and Compliance

Because the CDBG funds requires affordability periods on all homebuyer and rental units that are rehabilitated, sold, or built for affordable housing under this program, MDOC requires annual reporting on the use of funds until the expiration of the affordability periods. In addition, due to the Program Income requirements, MDOC requires annual reporting on Program Income as outlined in the CDBG Grant Administration Manual

S. Application Submission

One paper copy of the application package and attachments plus one additional copy of the application in electronic form must be submitted to the Department of Commerce, Community Development Division at the following address:

Community Development Block Grant Program
Montana Department of Commerce
Community Development Division
PO Box 200523
301 South Park Ave
Helena MT 59620

DATE OF APPLICATION

DATE RECEIVED (AGENCY USE ONLY)

GENERAL APPLICATION PART 2

SECTION A - APPLICANT

APPLICANT INFORMATION

NAME OF APPLICANT
 CHIEF ELECTED OFFICIAL
 TYPE OF ENTITY
 FEDERAL TAX ID NUMBER
 MAILING ADDRESS
 CITY, STATE, ZIP CODE
 DUNS #
 TELEPHONE #
 CONTACT PERSON
 TELEPHONE #

		FAX #
		E-MAIL
		FAX #

SUBRECIPIENT/CHDO

NAME
 TYPE OF ENTITY
 FEDERAL TAX ID
 MAILING ADDRESS
 CITY, STATE, ZIP CODE
 TELEPHONE #
 CONTACT PERSON
 TELEPHONE #

		FAX #
		E-MAIL
		FAX #

GRANT MANAGER			
NAME			
TYPE OF ENTITY			
FEDERAL TAX ID			
MAILING ADDRESS			
CITY, STATE, ZIP CODE			
TELEPHONE #		FAX #	
CONTACT PERSON		E-MAIL	
TELEPHONE #		FAX #	

OTHER			
GENERAL PARTNER		TELEPHONE #	
CONTRACTOR		TELEPHONE #	
MANAGEMENT COMPANY		TELEPHONE #	
GRANTWRITER/CONSULTANT		TELEPHONE #	
TAX ATTORNEY		TELEPHONE #	
ARCHITECT		TELEPHONE #	

DEVELOPMENT TEAM AND/OR OWNERSHIP IDENTITY OF INTEREST

Do any members of the development team or ownership entity have any direct or indirect, financial or other interest with any of the other project team members (including owners interest in construction company or subcontractors)?

YES* NO

*If yes, provide a description of the relationship _____

* Fill in all that apply *

SECTION B - PROJECT INFORMATION

Part I		
PROJECT IDENTIFICATION		
PROJECT NAME		
TARGETED AREA		
CITY		
COUNTY		
ZIP CODE		
TOTAL PROJECT COST		
PRIMARY CONTACT	E-MAIL	
MAILING ADDRESS		
CITY, STATE, ZIP CODE		
TELEPHONE #	FAX #	

Part II		
CHIEF ELECTED OFFICIAL OF POLITICAL JURISDICTION IN WHICH PROJECT IS LOCATED		
NAME		
MAILING ADDRESS		
CITY, STATE, ZIP CODE		
TELEPHONE #	FAX #	

Part III
HEALTH AND SAFETY
Please define the process and standards or measures you will be using to assess the health and safety deficiencies of individual units.

Part IV

OVERALL PROJECT STRATEGY

Please include types of units, number of projected units, and projected households that will benefit.

ATTACH MAPS SHOWING THE TARGET AREA THE NON-COMPETITIVE FUNDS WILL BENEFIT

Part V

ANTICIPATED FUNDING SOURCE NARRATIVE

Please provide a discussion of the other funding sources that are anticipated to assist with individual project activities.

Application Qualifying Information

Part 3

CDBG-Rehab Application

CATEGORY
I. Recognizable Impact:
II. Capacity of Applicant and Program Administrators:
III. Citizen Participation Requirements:

Qualifying Information

To help award CDBG Non-Competitive Rehabilitation funds to proposed projects, applicants must provide the qualifying information presented below to help the CDBG Rehab review team establish if proposed projects are eligible for CDBG Rehab funding. As identified in the six categories below, all applicants must provide the qualifying information requested and is identified in *italics*.

Consideration of the Review Team

In order for the CDBG Rehab review team to appropriately award CDBG Rehab funds, there are additional considerations that will be discussed by the review team when screening the proposed CDBG Rehab project. These additional issues do not need to be directly answered by the applicant but are provided as a guide regarding the considerations to discuss upon review of proposed projects. Applicants do not need to respond to each issue or consideration; however, if additional information is necessary and pertinent to the proposed project, the applicant is encouraged to provide this information or the review team may contact the applicant to request such information.

Qualifying information will be identified below in *italics*.

I. Recognizable Impact:

Applicants must provide responses to the following qualifying information for each project that is being proposed:

QUALIFYING INFORMATION

Activity Description

- *Provide a detailed description of the specific activities that are planned in the area – e.g. acquisition, demolition with new construction, or rehabilitation.*

Location

- *How are funds going to be targeted to create an impact of CDBG funds?*
- *How are households going to be selected or provided access to the CDBG Non-competitive Rehab funds?*

- *What other funding and/or projects will complement the local program to bring about stability and re-use or redevelopment of the property or neighborhood?*
- *Please indicate all other funds that are either proposed or firmly committed to the project or activity.*
- *What are the characteristics of the neighborhood or area where funds are being targeted; e.g., market values of housing in the neighborhood, demand for housing, demographics, etc.?*
- *Please provide any other pertinent information on the proposed project.*

CONSIDERATIONS OF THE REVIEW TEAM

- i. Has the applicant demonstrated a sound rationale to explain why the proposed CDBG Rehab activities are reasonable and appropriate, taking into account documented local demographic trends and housing conditions?

Housing Quality Standards

QUALIFYING INFORMATION

1. *If the proposed project is a foreclosed house rehabilitation project, please demonstrate that your project will meet the CDBG goals and HUD's Housing Quality Standards.*

CONSIDERATIONS OF THE REVIEW TEAM

- i. Does the applicant demonstrate that the proposed project will meet CDBG's goals and HUD's Housing Quality Standards?
- To the maximum extent feasible given funding limitations, it is a goal of Montana's CDBG Rehab efforts that any housing unit rehabilitated with CDBG Rehab funds is safe, structurally sound, and energy-efficient upon completion of rehab activities. For years, HUD has developed and utilized its Housing Quality Standards as the benchmark for units or households to be assisted by the HUD-funded Section 8 Program, which provides rental assistance to income-qualified households; these standards would be the minimum required for rehabilitation of any CDBG Rehab assisted housing unit.
 - HUD's Housing Quality Standards address thirteen separate areas of housing conditions, as follows:
 - 1) sanitary facilities
 - 2) food preparation areas and refuse disposal
 - 3) living space and security
 - 4) thermal environmental
 - 5) lighting and electricity
 - 6) structure and materials
 - 7) interior air quality

- 8) clean water supply
- 9) absence of lead-based paint
- 10) access (including emergency fire egress and mobility)
- 11) site and neighborhood
- 12) sanitary condition
- 13) installation of smoke detectors

- To the extent financially feasible, CDBG Rehab grant applicants planning housing rehab activities should also ensure in their program design that all CDBG Rehab assisted housing units meet HUD's Housing Quality Standards upon completion of rehabilitation activities. Complete details on HUD's Housing Quality Standards, including narrative explanation and inspection checklists, are available from the CDBG program. Conformance with Energy Star, Leadership in Energy and Environmental Design (LEED), and the International Energy Construction Code (IECC) is strongly encouraged to provide for the most energy efficient construction techniques.
- Emphasis for rehabilitation activities through this grant program is placed on ensuring the health and safety of a residence. As such, cosmetically driven projects will not be considered or allowed with CDBG Rehab funds.

II. Capacity of Applicant and Program Administrators:

Applicants must provide the responses to the following qualifying information for each project that is being proposed and provide a budget, budget narrative, and management plan (if the information has not previously been provided in another section of the CDBG Rehab application):

QUALIFYING INFORMATION

- 1) *Provide reasonable assurance that the targeting of assistance to LMMI households can be completed within the 9 month period after the project has been approved.*
- 2) *Please explain and document that the specific amount of the request for CDBG Rehab funds is necessary and reasonable relative to the financial capacity.*
- 3) *Are any proposed funding "leveraging" arrangements clearly documented by firm commitments from developers, financial institutions, or organizations?*
- 4) *Can the repairs be completed within 9 months of award?*
- 5) *Who will manage the PI and oversee the Period of Affordability in compliance with CDBG regulations?*
- 6) *Please establish the process to define health & safety deficiencies. Documentation must be provided*

CONSIDERATIONS OF THE REVIEW TEAM

- i. Has the applicant demonstrated that it has developed a well-reasoned, cost-effective, appropriate, and achievable strategy that can be reasonably accomplished with available resources within the 9 month timeframe?

Management

QUALIFYING INFORMATION

1. Please provide the required, completed Management Plan. Appendix C of the CDBG Rehab application process provides a sample management plan.

2. Please provide the Community Housing Development Organization (CHDO) partner's certification. All eligible applicants must apply in collaboration with a CHDO

Project Management Plan

CONSIDERATIONS OF THE REVIEW TEAM

- i. Is the applicant's draft Management Plan included and will it assure proper management of the CDBG Rehab project, including cost-effective financial management of grant funds, compliance with State and federal requirements, and timely completion of project activities?
- ii. Has the applicant specifically identified the person or persons who will be responsible for day-to-day project management and financial management?
- iii. Did the applicant thoroughly describe any contracted services necessary to carry out the project?
- iv. If applicable, has the applicant documented that it has secured firm commitments for assistance from other local, state or federal funding sources?
- v. In cases where more than a single funding source or organization would be involved in the project, did the applicant thoroughly describe how these will be coordinated and directed?
- vi. Has the applicant provided a copy of the CHDO certification?

Civil Rights

CONSIDERATIONS OF THE REVIEW TEAM

1. Has the local sponsoring government adopted all relevant civil rights measures and included the documentation with this application?
 - Fair Housing Resolution
 - Equal Employment Opportunity Policy and Resolution

- ADA and Section 504 Complaint Resolution Procedures
- ADA Transition Plan
- Hatch Act Resolution

Environmental Checklist

QUALIFYING INFORMATION

1. Please provide the completed Environmental Checklist if not already included in another section of the CDBG Rehab application.
2. Please provide documentation of direct contact with all appropriate state or federal agencies to answer the Environmental Checklist's questions.
3. Please discuss how the project will avoid adverse impacts on the environment, including potential historic resources, if applicable.
 - a. Conversely, please describe efforts to avoid adverse environmental impacts on the project including proximity to flood plains, hazardous facilities or sites, or incompatible land uses, if applicable.
 - b. If the proposed project, does have any environmental concerns or adverse impacts, please describe how these will be mitigated.

CONSIDERATIONS OF THE REVIEW TEAM

- i. (a) Has the applicant completed and included the Environmental Checklist in the Uniform Application (CDBG Rehab Application Part 2)? (b) Has the applicant included documentation of direct contact with all appropriate state or federal agencies to answer the Environmental Checklist's questions?
- ii. Has the applicant done a thorough job of completing the environmental checklist? Has the applicant provided thorough and credible responses, and supplied specific sources of information for each of the environmental checklist topic areas?
- iii. (a) Has the applicant demonstrated that the project will avoid adverse impacts on the environment, including potential historic resources? (b) Conversely, does the applicant describe efforts to avoid adverse environmental impacts on the project including proximity to flood plains, hazardous facilities or sites, or incompatible land uses? (See the Environmental Checklist.)
- iv. If any concerns or adverse impacts have been identified -- has the applicant provided appropriate responses to mitigate them?
- v. Has the applicant explained how the analysis of any potential environmental concerns -- such as lead-based paint, asbestos, and requirements for the preservation of historic architecture or sites -- has been closely coordinated with the project design, cost, and consideration of alternatives?

Procurement

QUALIFYING INFORMATION

- 1. If procurement of professional services has already taken place, please provide verifiable documentation.*
- 2. If procurement has not taken place, please describe what procurement process will be used.*

Program Income

QUALIFYING INFORMATION

- 1. If the proposed project will generate program income (income generated from the CDBG Rehab activity) in the future, please describe the plan for future administration and expenditure of the anticipated program income funds.*

Financial Management System and Audits

CONSIDERATIONS OF THE REVIEW TEAM

- Is the applicant in compliance with the auditing and annual financial reporting requirements provided for in the Montana Single Audit Act, 2-7-501 to 522, MCA? (Check with the Department of Administration's Local Government Assistance Bureau for information about compliance with audit requirements.)
- Has the applicant established a financial accounting system that can properly account for grant funds according to generally accepted accounting principles? (Tribal governments must comply with auditing and reporting requirements provided for in OMB Circular A-133.)

III. Citizen Participation Requirements:

Applicants must hold one public hearing in the targeted area regarding the use of CDBG Non-Competitive Rehabilitation funds.:

QUALIFYING INFORMATION

- 1. Please provide a description of the date, time and location of the one required public meeting.*
- 2. Please provide documentation of the attendance lists and, meeting summaries to reflect comments made by local officials and the citizens attending.*

3. Please provide any other pertinent information on the proposed project.

CONSIDERATIONS OF THE REVIEW TEAM

- i. Did the applicant show that the public had a reasonable opportunity to make comments of the proposed project and have any concerns been addressed by local officials?
- ii. Did the applicant document any public comments which suggest that the project could potentially have any negative impacts on the community, recipients, LMI, senior or disabled persons living in the community?
- iii. Did the applicant document its response to such comments?

CDBG Non-Competitive Appendices

Part 4

APPENDIX A

SAMPLE RESOLUTION TO AUTHORIZE THE SUBMISSION OF THE CDBG APPLICATION

Each application for CDBG funds must be accompanied by a copy of a resolution formally adopted by the applicant that:

- authorizes the submission of the CDBG application in compliance with the Montana CDBG Program Application Guidelines,
- states the applicant's willingness to abide by the federal requirements described in the CDBG Certifications for Applications, and
- authorizes the applicant's chief elected official or chief executive officer to act on its behalf in regard to the application and to provide such additional information as may be required.

The Department of Commerce will assume that the applicant has determined its legal authority under Montana law to apply for the grant and to conduct the activities proposed in the application. The Department may request additional information from the applicant if it is aware of any evidence to the contrary.

See the sample resolution format on the next page.

(SAMPLE) RESOLUTION

TO AUTHORIZE THE SUBMISSION OF THE CDBG APPLICATION

WHEREAS, the (Town of _____, the City of _____, or _____ County) is applying to the Montana Department of Commerce for Community Development Block Grant (CDBG) funds to (describe the project and its purpose);

WHEREAS, the (Name of applicant) had conducted one or more public hearings in conformance with CDBG requirements to obtain the views of citizens on community development and housing needs, and on the proposed activities;

WHEREAS, the (Name of applicant) has the legal jurisdiction and authority to construct, finance, operate, and maintain (the proposed public facility);

That the (Town of _____, the City of _____, or _____, County) agrees to conform with the regulations, statutes, terms and conditions described in the CDBG Certifications for Application, and

That (name of Chief Elected Official, or Chief Executive Officer), (title of the official) is authorized to submit this application to the Montana Department of Commerce, on behalf of (the Town of _____, the City of _____, or _____ County), to act on behalf of (name of City, Town or County) and to provide such additional information as may be required.

Signed: _____

Name: _____

Title: _____

Date: _____

Attested: _____

APPENDIX B

MONTANA DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CERTIFICATIONS FOR APPLICATION **EXPLANATION OF CERTIFICATIONS FOR APPLICATION**

Each applicant must agree to comply with all applicable State and federal laws and regulations in implementing their proposed CDBG project, if it is selected for funding.

A copy of the Certifications for Application signed by the chief elected official or executive officer of the applicant and dated within six months of the date of application, must accompany the application for CDBG funds.

Applicants should carefully review these requirements and consider their potential impact when designing their CDBG project.

Listed in the following Certifications for Application are the most important federal regulations that apply to projects using CDBG funds.

The regulations listed cover a wide range of issues including environmental impacts, labor standards, employment practices, financial procedures, and civil rights, many of which can have an effect on the costs or complexity of project implementation.

Each federal law or regulation is annotated to give the applicant a general understanding of the requirements that must be met.

Since this is a brief summary and not intended to be a comprehensive description of each law, local officials who have any questions or concerns regarding the applicability of these requirements should contact the Department of Commerce for guidance.

**MONTANA DEPARTMENT OF COMMERCE
STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
CERTIFICATIONS FOR APPLICATION**

The Applicant hereby certifies that:

ACCEPTANCE OF CDBG PROGRAM REQUIREMENTS

It will comply with all applicable parts of Title I of the Housing and Community Development Act of 1974, as amended, and the Housing Economic Recovery Act of 2008, (HERA) which have not been cited herein as well as with other applicable federal laws and regulations.

It will comply with all requirements established by the Department of Commerce and applicable State laws, regulations, and administrative procedures to the extent it is not otherwise superseded by HERA requirements.

It accepts the terms, conditions, selection criteria, and procedures established by the Montana Community Development Block Grant (CDBG) Program and the Montana Neighborhood Stabilization Program (CDBG) and expressly waives any statutory or common law right it may have to challenge the legitimacy and propriety of these terms, conditions, criteria, and procedures in the event that it is not selected for an award of CDBG funds.

ACQUISITION, DISPLACEMENT AND RELOCATION

It will minimize displacement as a result of activities assisted with CDBG funds and assist persons actually displaced.

It will comply with:

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (The Uniform Act) as amended, and implementing regulations 49 CFR part 24 and the requirements of section 570.496a. These laws and accompanying regulations require the grantee to provide relocation payments and offer relocation assistance to all persons displaced as a result of acquisition of real property for an activity assisted under the CDBG program. Such payments and assistance must be provided in a fair and consistent and equitable manner that ensures that the relocation process does not result in a different or separate treatment of such persons on account of race, color, religion, national origin, sex, source of income, age, handicap, or familial status (families with children). The grantee must assure that, within a reasonable period of time prior to displacement, decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, source of income, age, handicap, or familial status (families with children); and
- The grantee must also inform affected persons of their rights and of the acquisition policies and procedures set forth in the regulations of 49 CFR, Part 24, Subpart B.
- The Anti-displacement and Relocation Assistance Plan adopted by the Montana Department of Commerce for the Montana CDBG and CDBG program.

BUILDING STANDARDS

It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided under the Montana CDBG Program to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A-117.1R 1971, subject to the exceptions contained in CFR 101-19.604.

It will also comply with the Architectural Barriers Act of 1968 and HUD regulations 24 CFR part 8, "Nondiscrimination Based on Handicap in Federally Assisted Activities of HUD." The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor; and will comply with HUD Cost-Effective Energy Standards, 24 CFR Part 39.

CIVIL RIGHTS, EQUAL OPPORTUNITY, AND FAIR HOUSING REQUIREMENTS

It will comply with Title VII of the Civil Rights Act of 1964 (42 U.S.C. d et seq.), and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied in the benefits 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 extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, 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.

Equal Opportunity

It will comply with:

- Section 109 of the Housing and Community Development Act of 1974 as amended, and the regulations issued pursuant thereto (24 CFR 570.601), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds provided under the Act;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.). The act provides that no person shall be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance;
- Section 504 of the Rehabilitation Act of 1973, amended (29 U.S.C. 794). The act provides that no otherwise qualified individual shall, solely, by reason of his or her disability, be excluded from participation (including employment), denied program benefits or subjected to discrimination under any program or activity receiving federal assistance funds;
- Section 3 of the Housing and Community Development Act of 1968 (12 U.S.C. 170/u) (24 CFR Part 135). Section 3 of the Housing and Urban Development Act of 1968 requires, in connection with the planning and carrying out of any project assisted under the Act, to the greatest extent feasible, opportunities for training and employment be given to lower-income persons residing within the unit of local government or the non-metropolitan county in which the project is located, 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 project area. The grantee must assure good faith efforts toward compliance with the statutory directive of Section 3; and

- Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto (24 CFR Part 130 and 41 CFR Chapter 60) prohibit a CDBG recipient and subcontractors, if any, from discriminating against any employee or applicant for employment because of race, color, religion, sex or national origin. The grantee and subcontractors, if any, must take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action must include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. The grantee and subcontractors must post in conspicuous places, available to employees and applicants for employment, notices to be provided setting for the provisions of this nondiscrimination clause. For contracts over \$10,000 the grantee or subcontractors will send to each applicable labor union a notice of the above requirements, the grantee and subcontractors will comply with relevant rules, regulations and orders of the U.S. Secretary of Labor. The grantee or subcontractors must make their books and records available to State and federal officials for purposes of investigation to ascertain compliance.

Fair Housing

It will affirmatively further fair housing and will comply with:

- Title VIII of the Civil Rights Act of 1968 (also known as The Fair Housing Act) (42 U.S.C. 3601 et seq.), as amended by the Fair Housing Amendments Act of 1988 and the regulations issued pursuant thereto. The law states that it is the policy of the United States prohibiting any person from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, national origin, disability, or familial status. CDBG grantees must also administer programs and activities relating to housing and community development in a manner that affirmatively promotes fair housing and furthers the purposes of Title VIII; and
- Executive Order 11063, as amended by Executive Order 12259, requires CDBG recipients to take all actions necessary and appropriate to prevent discrimination because of race, color, religion, creed, sex or national origin; in the sale, leasing, rental and other disposition of residential property and related facilities (including land to be developed for residential use); or in the use or occupancy thereof if such property and related facilities are, among other things, provided in whole or in part with the aid of loans, advances, grants or contributions from the federal government.

Prohibition of Discrimination on Basis of Religion

It will comply with section 109(a) of the Housing and Community Development Act that prohibits discrimination on the basis of religion or religious affiliation. No person will be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity funded in whole or in part with CDBG funds on the basis of his or her religion or religious affiliation.

Prohibition of Excessive Force

It will, if awarded CDBG funds, adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil

rights demonstrations in accordance with Section 104(1) of the Housing and Community Development Act, as amended.

ADA Compliance

It will do a self-assessment of impediments to accessibility in compliance with the Americans with Disabilities Act (ADA) of 1990. Grantees are required to find a means of making CDBG program activities and services accessible to persons with disabilities; to review their communities for impediments to disabled citizens; and develop a plan to address those impediments.

CONFLICT OF INTEREST

It will comply with the provisions of 24 CFR 570.611 and with sections 2-2-125, 2-2-201, 7-3-4367, 7-5-2106, and 7-5-4109, MCA, (as applicable) regarding the avoidance of conflict of interest.

ENVIRONMENTAL REQUIREMENTS

Air Quality

It will comply with the Clean Air Act (42 U.S.C. 7401, et seq.) which prohibits engaging in, supporting in any way or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.

Environmental Impact

It will comply with:

- Section 104(f) of the Housing and Community Development Act of 1974, as amended through 1981. This section expresses the intent that "the policies of the National Environmental Policy Act of 1969 and other provisions of law which further the purposes of such Act be most effectively implemented in connection with the expenditure of funds under" the Act. Such other provisions of law which further the purpose of the National Environmental Policy Act of 1969 are specified in regulations issued pursuant to Section 104(f) of the Act and contained in 24 CFR Part 58; and
- The National Environmental Policy Act of 1969 (42 U.S.C. Section 4321, et seq. and 24 CFR Part 58). The purpose of this Act is to attain the widest use of the environment without degradation, risk to health or safety or other undesirable and unintended consequences. Environmental review procedures are a necessary part of this process. Pursuant to these provisions, the grantee must also submit environmental certifications to the Department of Commerce when requesting that funds be released for the project. The grantee must certify that the proposed project will not significantly impact the environmental regulations and fulfilled its obligations to give public notice of the funding request, environmental findings and compliance performance.

Its chief executive officer or other officer of the applicant approved by the State:

1. consents to assume the status of responsible federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of federal law, as specified in 24 CFR Part 58, which further the purposes of NEPA, insofar as the provisions of such federal law apply to the Montana Community Development Block Grant Program; and
2. is authorized and consents on behalf of the applicant and himself to accept the jurisdiction

of the Federal courts for the purpose of enforcement of his responsibilities as such an official.

EPA List of Violating Facilities

It will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the program are not listed on the U.S. Environmental Protection Agency's (EPA) List of Violating Facilities and that it will notify the Department of Commerce of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by EPA.

Farmlands Protection

It will comply with the Farmlands Protection Policy Act of 1981 (7 U.S.C. 4202, et seq.) and any applicable regulations (7 CFR Part 658) which established compliance procedures for any federally assisted project which will convert farmlands designated as prime, unique or statewide or locally important, to non-agricultural uses.

Floodplain Management and Wetlands Protection

It will comply with:

- the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) required, on and after March 2, 1974, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance;
- Executive Order 11988, May 24, 1978: Floodplain Management (42 F.R. 26951, et seq.). The intent of this Executive Order is to (1) avoid, to the extent possible, adverse impacts associated with the occupancy and modification of floodplain and (2) avoid direct or indirect support of floodplain development wherever there is a practical alternative. If a grantee proposes to conduct, support or allow an action to be located in the floodplain, the grantee must consider alternatives to avoid adverse effects and incompatible involvement in the floodplains. If sitting in a floodplain is the only practical alternative, the grantee must, prior to taking any action: (1) design or modify its actions in order to minimize a potential harm to the floodplain; and (2) prepare and circulate a notice containing an explanation of why the action is proposed to be located in a floodplain; and
- Executive Order 11990, May 24, 1977: Protection of Wetlands (42 F.R. 26961, et seq.). The intent of this Executive Order is to avoid adverse impacts associated with the destruction or modification of wetlands and direct or indirect support of new construction in wetlands, wherever there is a practical alternative. The grantee must avoid undertaking or providing assistance for new construction located in wetlands unless there is no practical alternative to such construction and the proposed action includes all practical measures to minimize harm to wetlands which may result from such use.

Historic Preservation

It will comply with:

- Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470, as amended) through completion of the procedures outlined in 36 CFR 800 and 36 CFR 63. Compliance with these procedures should include:
 1. consulting with the State Historic Preservation Office (SHPO) to identify properties listed in or eligible for inclusion in the National Register of Historic Places that exist with a proposed CDBG project's area of potential environmental impact, and/or to determine the need for professional archeological, historical, or architectural inventory of potentially affected properties to determine whether they would qualify for register listing; and
 2. consulting, as needed with the SHPO, Keeper of the National Register of Historic Places, and the Advisory Council on Historic Preservation to evaluate the significance of historic or prehistoric properties which could be affected by CDBG work and to determine how to avoid or mitigate adverse effects to significant properties from project work.

Lead-Based Paint

It will comply with Title IV of the Lead-based Paint Poisoning Prevention Act (42 U.S.C. 4831), which prohibits the use of lead-based paint in residential structures constructed or rehabilitated with federal assistance of any kind. In addition, it will comply with Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act that is Title X of the Housing and Community Development Act of 1992. This is the basic law covering lead-based paint in federally associated housing. This new regulation appears within title 24 of the Code of Federal Regulations as part 35 (24CFR 35).

Noise, Facility Siting

It will comply with HUD Environmental Standards (24 CFR, Part 51, Environmental Criteria and Standards and 44 F.R. 40860-40866, July 12, 1979) which prohibit HUD support for most new construction of noise-sensitive uses is prohibited in general for projects with unacceptable noise exposures is discouraged for projects with normally unacceptable noise exposure. Additionally projects may not be located near facilities handling materials of an explosive or hazardous nature, or in airport clear zones.

Solid Waste

It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et seq.). The purpose of this Act is to promote the protection of health and the environment and to conserve valuable material and energy resources.

Water Quality

It will comply with:

- the Safe Drinking Water Act of 1974 (42 U.S.C. Section 201, 300(f) et seq. and U.S.C. Section 349), as amended, particularly Section 1424(e) (42 U.S.C. Section 300H-303(e)) which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal drinking water source for an area; and
- the Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. Section 1251, et seq.) which provides for the restoration

and maintenance of the chemical, physical and biological integrity of the nation's water.

Wildlife

It will comply with:

- the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). The intent of this Act is to ensure that all federally assisted projects seek to preserve endangered or threatened species. Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction or modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and
- the Fish and Wildlife Coordination Act of 1958, as amended, (U.S.C. 661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Wild and Scenic Rivers

It will comply with the Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271, et seq.). The purpose of this Act is to preserve selected rivers or sections of rivers in their free-flowing condition, to protect the water quality of such rivers and to fulfill other vital national conservation goals. Federal assistance by loan, grant, license or other mechanism cannot be provided to water resources construction projects that would have a direct and adverse effect on any river included or designated for study or inclusion in the National Wild and Scenic River System.

FINANCIAL MANAGEMENT

It will comply with the applicable requirements of:

- OMB Circular A-87, "Cost Principles for State and Local Governments," as specified by the Department of Commerce;
- HUD "Administrative Requirements for Grant and Operative Agreements to State, Local, and Federally-Recognized Indian Tribal Governments," (24 CFR, Part 85), or any equivalent procedures and requirements that the Montana Department of Commerce may prescribe. The HUD Administrative Requirements are the basis for a number of specific requirements on the financial management and record keeping of CDBG funds. The requirements apply to cash depositories, bonding and insurance, record keeping, program income, property management, procurement, closeout, audit, and other requirements; and
- The Single Audit Act of 1984, as amended by the Single Audit Act of 1996 (the "Single audit Act Amendments") which establishes criteria for determining the scope and content of audits and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations", revised June 24, 1997. (OMB Circular A-133 supersedes OMB Circular A-128, "Audits of State and Local Governments", which has been rescinded.)
- The auditing and annual financial reporting requirements provided for in the Montana Single Audit Act, 2-7-501 to 522, MCA and has established a financial accounting system that can properly account for grant funds according to generally accepted accounting principles. Tribal governments must comply with auditing and reporting requirements provided for in OMB Circular A-133.

It will promptly refund to the Montana Department of Commerce any CDBG funds determined by an audit to have been spent in an unauthorized or improper manner or for ineligible activities.

It will give the Montana Department of Commerce, the Montana Legislative Auditor, HUD, and the Comptroller General, through any authorized representatives, access to and the right to examine all

records, books, papers, or documents related to the grant.

LABOR STANDARDS

It will comply with:

- Section 110 of the Housing and Community Development Act of 1975, as amended, 24 CFR 570.605, and State regulations regarding the administration and enforcement of labor standards. Section 110 requires that all laborers and mechanics employed by contractors or subcontractors on construction work assisted under the Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276-1-276a-5). By reason of the foregoing requirement the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) also applies. However, these requirements apply to rehabilitation of residential property only if such property is designed for residential use for eight or more families;
- Davis-Bacon Act, as amended (40 U.S.C. et seq.), Section 2; June 13, 1934, as amended (48 Stat. 948.40 U.S.C. 276(c)), popularly known as the Copeland Anti-Kickback Act. The Act mandates that all laborers and mechanics be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account except "permissible" salary deductions, the full amounts due at the time of payments, computed at wage rates not less than those contained in the wage determination issued by the U.S. Department of Labor. Weekly compliance statements and payrolls are required to be submitted to the federally funded recipient by the contractor;
- Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.). According to the Act, no contract work may involve or require laborers or mechanics to work in excess of eight hours in a calendar day, or in excess of 40 hours in a work week, unless compensation of not less than one and one-half times the basic rate is paid for the overtime hours. If this Act is violated, the contractor or subcontractor is liable to any affected employee for unpaid damages as well as to the United States for liquidated damages; and
- Federal Fair Labor Standards Act, (29 U.S.C.S. 201 et seq.). The act requires that covered employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed workweek.

LEGAL AUTHORITY

It certifies that it possesses legal authority to apply for the grant and to execute the proposed project under Montana law and, if selected to receive a Community Development Block Grant, will make all efforts necessary to assure timely and effective implementation of the project activities described in the attached application.

LOBBYING

It certifies that:

- No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of

Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influencing an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

POLITICAL ACTIVITY

It will comply with the Hatch Act (5 U.S.C. 1501, et seq.; 5 CFR Part 151) which restricts the political activity of individuals principally employed by a state or local agency in connection with a program financed in whole or in part by federal loans or grants. An affected employee may not be a candidate for public office in a partisan election.

PROCUREMENT

Consulting Services will be procured in a manner that provides fair and unbiased, full and open competition, without conflicts of interest.

AUTHORIZATION TO SUBMIT THE APPLICATION

The Applicant's governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the submission of the application, including all understandings and assurances contained herein, and directing and authorizing the signatory to act in connection with the application and to provide such additional information as may be required.

Signature, Chief Elected Official
(or Executive Officer)

Name (typed or printed)

Title

Date

Local Government's Federal Tax ID Number

Local Government's DUNS Number

Montana Senate District

Montana House District(s)

Note concerning the DUNS Number requirement: The requirement that the local government's DUNS (Data Universal Numbering System) Number must be provided by all applicants is a compliance requirement of the Federal Funding Accountability and Transparency Act of 2006 which goes into effect January 1, 2009.

You can get your DUNS number from the Dun & Bradstreet (D&B) Government Customer Response Center, <http://fedgov.dnb.com/webform/displayHomePage.do> Getting your DUNS number can be done on the Web at the address above, and it can also be obtained over the phone (call 1-866-705-5711; see http://fedgov.dnb.com/webform/pages/reqDuns_phone.jsp). Please Contact CDBG if you need additional assistance in identifying your DUNS number.

APPENDIX C

SAMPLE FORMAT FOR **A PROJECT MANAGEMENT PLAN**

For A CDBG Project Administered By Local Government Staff

In response to the Application Qualifying Information (III. Capacity of Applicant and Program Administrators), **each application to CDBG must include:**

1. a draft *Project Management Plan*

SAMPLE FORMAT FOR **A PROJECT MANAGEMENT PLAN**

The sample management plan format found below is *only an example* of an acceptable *Project Management Plan* for a city-managed housing project that involves both new housing construction and housing rehabilitation components.

The sample below is a scheme that may have many components and action steps that do not pertain to your proposed project -- so you will have to adapt it to match your proposed project and your specific situation. Each project's management plan will be unique and will, therefore, need to address all the specific issues, timelines and administrative structures relevant to the community's proposed project.

With minor changes the following sample **management plan for a housing project that is administered by local government (city) staff** *can be adapted* for a housing project to be **administered by a consultant** (rather than by a local government staff person).

The fourth paragraph refers to designating (as a hypothetical example) the Director of the City-County planning board as Project Manager. This could easily be revised to state that a *consultant* (that is, a contracted services provider to be hired by means of an open, free competition meeting CDBG procurement guidelines in Chapter 3 of the *CDBG Grant Administration Manual*) would be designated as Project Manager and will be responsible for overall project management.

I. ADMINISTRATIVE STRUCTURE

The City of _____ is an incorporated city with a Mayor-Council form of government. The following persons will have lead responsibility for administering the City's FY _____ Neighborhood Stabilization Program (CDBG) project related to the purchase and rehabilitation of foreclosed properties to be occupied by low, moderate and middle income persons, as identified in CDBG Contract MT-CDBG-HR09-0...

Mayor _____, as the City's chief elected official will have responsibility for all official contacts with the Montana Department of Commerce (MDOC). The Mayor and City Council will have ultimate authority and responsibility for the management of project activities and expenditure of CDBG funds. The approval of all contracts and drawdown requests will be the responsibility of the City Council.

_____, Clerk-Treasurer, as the City's chief financial officer, will be responsible for

management of, and record keeping for, the CDBG funds and all other funds involved in the financing of this project. One-fourth of this position's time will be devoted to CDBG administration during the term of the project.

_____, Director of the City-County Planning Board, will be designated as *Project Manager* and be responsible for overall project management and reporting and for assuring compliance with the CDBG-approved scope of work for the project, with duties listed in the CDBG contract and in the CDBG Manual for compliance with applicable federal and State requirements. The Project Manager will serve as the City's liaison with MDOC for the project. One-third of this position's time will be devoted to CDBG project administration during the term of the project.

_____, City Attorney, as the City's legal counsel, will review and advise the Mayor and Council regarding any proposed contractual agreements associated with the CDBG project and will provide any other legal guidance as requested.

_____, Project Architect, a contracted services provider, procured by an open and free Request for Qualifications (RFQ) competition in accordance with CDBG procurement guidelines, will be responsible for construction-related activities including preparation of preliminary architectural studies and designs, final design plans and specifications, as well as construction inspection, in close cooperation with the Project Manager. Construction tractor compliance, scheduling, and payment requests will also be subject to the Project Architect's review and approval.

The Mayor, Clerk-Treasurer, and Planning Director will attend the required MDOC CDBG Project Administration Workshop.

II. PROJECT MANAGEMENT

A. *The Project Manager* will be responsible for:

1. Being familiar with the current *CDBG Grant Administration Manual* and its requirements and for assuring compliance with the CDBG contract and with CDBG policies for project activities and administration.
2. Preparing the environmental review to assure full compliance with the National and Montana Environmental Policy Acts, completion of the statutory checklist, and any other applicable environmental requirements. The Project Manager will also be responsible for preparing any legal notices required to be published for the environmental review process and conducting any required public hearings or informational meetings.
3. Preparing a request for release of funds to MDOC.
4. Developing a contract with MDOC and assisting the City with all requirements related to effective project start-up and implementation.
5. Establishing and maintaining complete and accurate project files and preparing all documentation needed, the Quarterly Project Update Reports required by CDBG, and reports incidental to administration of the grant such as Progress Reports that are required with each request for a drawdown of CDBG funds.

6. Assisting the City with selection of the contracted services of a Project Architect, as necessary, in conformance with CDBG procurement requirements and state laws concerning procurement of architectural services, including, as needed, the preparation of Requests for Qualifications (RFQs) for publication or other distribution.
7. Overseeing the city's contract with the Project Architect.
8. Reviewing all proposed project expenditures or requests for payment to ensure their propriety and to ensure proper allocation of expenditures to the CDBG contract budget.
9. In cooperation with the Clerk-Treasurer, processing payment requests and preparing drawdown requests to MDOC (including the Request for Payment, the Status of Funds Report and the Project Progress Report that are required with each drawdown request, as identified in Chapter 4 of the CDBG Manual).
10. Monitoring the contractor selection process, including the bid advertising, tabulation and award process for conformance to CDBG requirements. The manager will review the construction contract and rehabilitation contract provisions related to the purchase and rehabilitation of foreclosed properties to be occupied by low, moderate and middle income persons for CDBG compliance and will request MDOC clearance of the lowest and second lowest bidders before a contract is awarded.
11. Attending the pre-construction conference and monthly construction progress and monthly housing rehabilitation progress meetings, as applicable.
12. Monitoring contractor(s)' compliance with applicable requirements.
13. Assuring compliance with all labor requirements, as applicable, for construction work activities. Responsibilities will include:
 - a) weekly review of the required weekly construction payroll reports to assure compliance with federal Davis-Bacon prevailing wage requirements;
 - b) periodic visits to the construction site to assure that required equal opportunity, labor standards, and Davis-Bacon wage determinations have been posted;
 - c) conducting regular on-site interviews with construction personnel to assure Davis-Bacon compliance; and
 - d) doing follow-up (e.g., investigations, communications and negotiations to achieve compliance) if non-compliance with labor standards is identified.
14. Assuring compliance with HUD Section 8 Quality Assurance Standards when applicable to housing rehabilitation activities.
15. Developing and administering a mechanism for compliance with HUD lead-based paint requirements and safe lead-based paint working conditions, where applicable.
16. Assuring compliance with applicable civil rights requirements, including preparation of equal employment opportunity resolutions and fair housing resolutions which will be adopted by the city, and an ADA-related

inventory/assessment of public facilities (and an ADA Transition Plan) that is required by CDBG.

17. Supervising the delivery of the housing rehabilitation portion of this project as related to the purchase and rehabilitation of foreclosed properties to be occupied by low, moderate and middle income persons -- i.e., supervising and managing CDBG financial assistance to low, moderate, and middle income (LMMI) households and rental property owners with low and moderate income renters who are involved in approved housing rehabilitation activities by:
 - a) Establishing a local housing rehabilitation office, staffed to provide complete housing rehabilitation services, in conjunction with the city's housing rehabilitation advisory committee, including:
 - ~ assisting homeowners and landlords with applications;
 - ~ screening applicants for eligibility;
 - ~ providing inspection services to establish levels of needed rehabilitation and making recommendations to the housing rehabilitation Advisory Committee;
 - ~ overseeing the bid process to select housing rehabilitation contractors to work on the homes of selected beneficiaries;
 - ~ assuring that title searches, credit reviews and income verifications are completed.
 - b) Performing public information activities including preparation of newspaper advertisements and articles regarding the project, posters and radio notices.
 - c) Negotiating with private lenders and public agencies to stimulate additional affordable housing investment in the project area.
 - d) Coordinating services with other agencies (such as power companies, the Human Resource Development Council (HRDC), Senior Citizens Center and the Area Agency on Aging, the County Health Department and the County Office of Public Assistance) to achieve maximum impact upon the housing needs of low, moderate, and middle income households in the project area.
 - e) Securing State Historic Preservation Office (SHPO) clearance for housing demolition activities either by district designation or by the review of individual housing units.
 - f) Providing technical assistance to the City for adoption of appropriate Codes for the acquisition and/or demolition of unsafe and abandoned property.
 - g) Conducting informational meetings for contractors and preparing lists of eligible contractors; and
 - h) Ensuring that proper inspections are performed, required permits, including zoning, are obtained, and lien waivers signed.
18. Preparing all required performance reports and all closeout documents for submittal to MDOC/CDBG.
19. Assist the City with the selection of an independent auditor to perform audits required by CDBG.
20. Attending City Council meetings to provide project status reports and representing the CDBG project at any other public meetings, as deemed necessary by the Mayor.

B. ***The Project Architect*** will be responsible for:

1. Designing architectural plans for the new housing construction portion of this project.
2. Preparation of the construction bid package (for the new housing construction) in conformance with applicable CDBG requirements, requesting and securing CDBG review and approval of the bid specifications prior to advertising for bids, and supervision of the construction bid advertising.
3. Overseeing the bid tabulation and the housing construction bidding and award process, including the preparation of the advertisements for bid solicitation, assisting with the bid opening conducted by the City and the Project Manager and assisting with the issuance of the Notice to Proceed.
4. Conducting the pre-construction conference, with the assistance of the Project Manager, and involving the CDBG Liaison.
5. Supervision of the housing construction work and preparation of iCDBGection reports.
6. Reviewing and approving all requests from contractors for payment and submitting the approved requests to the Project Manager.
7. Keeping the Project Manager informed of all significant construction project activities, including the preparation of regular reports (written and verbal) as required by the City's contract for architectural services.

III. FINANCIAL MANAGEMENT

A. ***The Clerk-Treasurer*** will be responsible for:

1. Establishing the CDBG bank account and transferring CDBG funds from that account to the town's treasury for disbursements, based on claims and supporting documents approved by the project manager (from the project architect and other contractors, as applicable).
2. Since the City uses an interest bearing account for its general disbursements, a separate non-interest bearing account required by CDBG will be established and used for CDBG funds. Balances in that account will not exceed \$5,000 for a period of three days, to comply with CDBG rules outlined in the CDBG Grant Administration Manual, Chapter 4 (which will be used for CDBG).
3. Entering all project transactions into the City's existing accounting system (BARS), and prepare checks/warrants for approved expenditures.

4. With the assistance of the Project Manager, preparing the CDBG Requests for Payment and Status of Funds Report ("drawdown requests") to be submitted to MDOC/CDBG. All drawdown requests will be signed by two of the three following persons: Mayor, Clerk-Treasurer, and Council President. No expenditures will be made without the approval of the Council at a regular meeting.
 5. With the assistance of the Project Manager, preparing the final financial reports and other reports needed for project closeout.
- B. **The Project Manager and Clerk-Treasurer** will review all proposed expenditures of CDBG funds and will prepare drawdown requests, which will be signed by the officials cited above. All disbursements will be handled in accordance with the City's established procedures for reviewing claims. Before submitting the claim to the Clerk-Treasurer, the Project Manager will attach a certification to each claim stating that the proposed expenditure is an eligible expense of the City's CDBG project and consistent with the project budget. The Council will review all claims before approving them.
- C. Financial record keeping will be done in conformance with the recommendations described in Chapter 4 of the *Montana CDBG Grants Administration Manual*. The original financial documents (claims with attached supporting material) will be retained in the City's offices.
- D. Hourly time sheets will be maintained by the Project Manager and the Clerk-Treasurer to document all time worked on the CDBG project.

CDBG APPENDIX D

UNIFORM ENVIRONMENTAL CHECKLIST

The Community Development Block Grant (CDBG) Program requires that the applicant complete this section at application and also conduct an Environmental Review prior to release of funds.

At the application stage, you may not know the exact impacts of and mitigation measures for all the environmental issues. The Uniform Environmental Checklist provides a tool for applicants to initially evaluate the environmental circumstances that may affect the proposed projects and raises the applicant's awareness of possible problems. Environmental issues may result in additional project costs and time for project completion. Identification of these issues at the application stage helps determine the amount of funds needed for the project and allows for early discussion of ways to mitigate concerns.

We do not expect applicants to have completed an Environmental Review or Assessment before application; however, the applicant must have the capacity to conduct an Environmental Review prior to release of funds.

If the applicant (a unit of local government) is applying on behalf of a non-profit, the unit of local government in whose jurisdiction the project is located, must complete this section of the application. Should funding be awarded, documentation that the unit of local government agrees to conduct the Environmental Review on behalf of the non-profit should also be provided.

Enter the name of the project in the space provided at the top of the first page of the form. Enter the name of the applicant's Environmental Certifying Officer who will ultimately complete the project's environmental review and the name of the individual and title that completed this form.

The environmental information form includes a listing of subject areas relating to potential impacts on the physical or human environment. Applicants must evaluate the potential impact of their project as it relates to each subject area. This involves an analysis of the impact on a subject area from the proposed project, or conversely, the potential impact on the project from a subject area. For example, a proposed housing rehabilitation project may impact certain historic structures, or the existence of a floodplain could impact the location of a proposed affordable housing development.

Following are descriptions of the five codes listed on the form:

1. **N** - No Impact Anticipated ;
2. **B** - Potentially Beneficial Impact;
3. **A** - Potential Adverse Impact;
4. **P** - Agency Approval or Permits Required; and
5. **M** - Mitigation Actions Required.

List the appropriate code(s) in the "key" boxes that most accurately describe the impact the proposed project has on each of the items listed or the impact the items listed may have on the proposed project. In some cases, it may be appropriate for the applicant to list more than one box for a single item. For example, if a potentially adverse impact has been identified, an agency approval or permit may also be required.

If impacts on or from the subject area are anticipated, the applicant must describe the situation in the "comments" section on this form. Applicants must identify the sources of information that were consulted to assess the potential impact on or from the project for the impacted subject area.

Sources of information must be included and can include studies, plans, documents or the persons, organizations or agencies contacted. (Note: The “Comments and Source of Information” boxes will expand as you type in the information.)

Where a potential adverse impact is projected, the applicant must provide:

1. provide a brief description of any reasonable alternatives and a justification of the proposed alternative; and
2. list possible short and long-term measures to mitigate the potential adverse impact.

In most cases, applicants will be able to simply provide a brief response directly on the form. If a longer response is required, the applicant can type it on a separate sheet and attach it to the form.

UNIFORM ENVIRONMENTAL CHECKLIST

Name of Project: _____

Name of Environmental Certifying Officer: _____

Title _____

Name of Person Preparing this Form: _____

Title _____

I _____, have reviewed the information presented
(print name of Environmental Certifying Officer)

in this checklist and believe that it accurately identifies the environmental resources in the area and the potential impacts that the project could have on those resources. In addition, the required state and federal agencies were provided with the required information about the project and requested to provide comments on the proposed public facility project.

Signature: _____

Date: _____

Key Letter: **N** – No Impact/Not Applicable **B** – Potentially Beneficial **A** – Potentially Adverse
 P – Approval/Permits Required **M** – Mitigation Required

PHYSICAL ENVIRONMENT	
Key <input type="checkbox"/>	<p>1. Soil Suitability, Topographic and/or Geologic Constraints (e.g., soil slump, steep slopes, subsidence, seismic activity)</p> <p><i>Comments and Source of Information:</i></p>
Key <input type="checkbox"/>	<p>2. Hazardous Facilities (e.g., power lines, hazardous waste sites, acceptable distance from explosive and flammable hazards including chemical/petrochemical storage tanks, underground fuel storage tanks, and related facilities such as natural gas storage facilities & propane storage tanks)</p> <p><i>Comments and Source of Information:</i></p>
Key <input type="checkbox"/>	<p>3. Effects of Project on Surrounding Air Quality or Any Kind of Effects of Existing Air Quality on Project (e.g., dust, odors, emissions)</p> <p><i>Comments and Source of Information:</i></p>
Key <input type="checkbox"/>	<p>4. Groundwater Resources & Aquifers (e.g., quantity, quality, distribution, depth to groundwater, sole source aquifers)</p> <p><i>Comments and Source of Information:</i></p>
Key <input type="checkbox"/>	<p>5. Surface Water/Water Quality, Quantity & Distribution (e.g., streams, lakes, storm runoff, irrigation systems, canals)</p> <p><i>Comments and Source of Information:</i></p>
Key <input type="checkbox"/>	<p>6. Floodplains & Floodplain Management (Identify any floodplains within one mile of the boundary of the project.)</p> <p><i>Comments and Source of Information:</i></p>

Key Letter: N – No Impact/Not Applicable B – Potentially Beneficial A – Potentially Adverse
P – Approval/Permits Required M – Mitigation Required

Key <input type="checkbox"/>	7.	Wetlands Protection (Identify any wetlands within one mile of the boundary of the project.)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	8.	Agricultural Lands, Production, & Farmland Protection (e.g., grazing, forestry, cropland, prime or unique agricultural lands)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	9.	Vegetation & Wildlife Species & Habitats, Including Fish (e.g., terrestrial, avian and aquatic life and habitats)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	10.	Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species (e.g., plants, fish or wildlife)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	11.	Unique Natural Features (e.g., geologic features)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	12.	Access to, and Quality of, Recreational & Wilderness Activities, Public Lands and Waterways, and Public Open Space
		<i>Comments and Source of Information:</i>
HUMAN POPULATION		
Key <input type="checkbox"/>	1.	Visual Quality – Coherence, Diversity, Compatibility of Use and Scale, Aesthetics
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	2.	Nuisances (e.g., glare, fumes)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	3.	Noise—suitable separation between noise sensitive activities (such as residential areas) and major noise sources (aircraft, highways & railroads)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	4.	Historic Properties, Cultural, and Archaeological Resources
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	5.	Changes in Demographic (population) Characteristics (e.g., quantity, distribution, density)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	6.	General Housing Conditions - Quality, Quantity, Affordability
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	7.	Displacement or Relocation of Businesses or Residents
		<i>Comments and Source of Information:</i>

Key Letter: N – No Impact/Not Applicable B – Potentially Beneficial A – Potentially Adverse
P – Approval/Permits Required M – Mitigation Required

Key <input type="checkbox"/>	8.	Public Health and Safety
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	9.	Lead Based Paint, Asbestos and/or Mold
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	10.	Local Employment & Income Patterns - Quantity and Distribution of Employment, Economic Impact
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	11.	Local & State Tax Base & Revenues
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	12.	Educational Facilities - Schools, Colleges, Universities
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	13.	Commercial and Industrial Facilities - Production & Activity, Growth or Decline
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	14.	Health Care – Medical Services
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	15.	Social Services – Governmental Services (e.g., demand on)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	16.	Social Structures & Mores (Standards of Social Conduct/Social Conventions)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	17.	Land Use Compatibility (e.g., growth, land use change, development activity, adjacent land uses and potential conflicts)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	18.	Energy Resources - Consumption and Conservation
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	19.	Solid Waste Management
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	20.	Wastewater Treatment - Sewage System
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	21.	Storm Water – Surface Drainage
		<i>Comments and Source of Information:</i>

Key Letter: N – No Impact/Not Applicable B – Potentially Beneficial A – Potentially Adverse
P – Approval/Permits Required M – Mitigation Required

Key <input type="checkbox"/>	22.	Community Water Supply
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	23.	Public Safety – Police
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	24.	Fire Protection – Hazards
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	25.	Emergency Medical Services
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	26.	Parks, Playgrounds, & Open Space
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	27.	Cultural Facilities, Cultural Uniqueness & Diversity
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	28.	Transportation Networks and Traffic Flow Conflicts (e.g., rail; auto including local traffic; airport runway clear zones - avoidance of incompatible land use in airport runway clear zones)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	29.	Consistency with Local Ordinances, Resolutions, or Plans (e.g., conformance with local comprehensive plans, zoning, or capital improvement plans)
		<i>Comments and Source of Information:</i>
Key <input type="checkbox"/>	30.	Is There a Regulatory Action on Private Property Rights as a Result of this Project? (Consider options that reduce, minimize, or eliminate the regulation of private property rights.)
		<i>Comments and Source of Information:</i>