



Community Development Block Grant for Program Year 2022

PUBLIC SERVICES

Instructions and Application

Thank you for your interest in the GHURA’s Community Development Block Grant (CDBG) Program for Public Services. Guam is estimating \$4,446,849 for program year 2022 which begins October 1, 2022. The exact funding announcement for the 2022 Annual Action Plan is expected in the following months.

GHURA does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require special assistance should make a request at least 48 hours in advance to GHURA’s ADA Coordinator at 671-477-1322. Persons with limited English proficiency may request assistance by calling GHURA at 671-477-1322.

APPLICATION PROCESS

Application Period: April 1, 2022 through May 31, 2022

Deadline to electronically submit completed application: May 31, 2022

Virtual Public Briefing: April 18, 2022 at 10:00am

Meeting ID: 850 9856 5219 **Password:** GHURA

All CPD Applications will be received electronically:

Please email PDF application

To: katherine@ghura.org

Cc: amsay@ghura.org | jfathal@ghura.org | apaguon@ghura.org

REV. VER 1.1 5.24.2022

~~All CPD Applications will be received electronically via GHURA’s website:~~

~~www.ghura.org/AboutGHURA/CommunityDevelopment/CommunityDevelopmentApplications/CDBG-Public-Services-Application-PY2022-CDBG-PS-Application-Submission~~

For more information, contact Katherine E. Taitano at 671-475-1322 or by e-mail at katherine@ghura.org. Program information and a PDF version of this application form is available on GHURA’s website at: www.ghura.org. Upon request, the application form will be provided in Word format. GHURA will reject applications that are 1) received after the deadline; 2) not signed by authorized individuals; 3) incomplete. PLEASE NOTE: Subrecipient Registration Requirements: Organizations receiving CDBG funding (Subrecipients) must obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number.

NATIONAL OBJECTIVES

All funded projects must meet one of the three CDBG program National Objectives:

- Benefit low to moderate income individuals or families
- Eliminate slum or blight
- Urgent Need (such as disaster recovery)

GUAM CONSOLIDATED PLAN 2020-2024 PRIORITIES

All funded projects must also meet one of the following project objectives.

DECENT HOUSING	Make Decent Housing Available and Accessible; Make Decent Housing Affordable; Sustain the Stock of Decent Housing
SUITABLE LIVING ENVIRONMENT	Make Suitable Living Environments Available and Accessible; Sustain Access to Suitable Living Environments Serving LMI and Special Needs Populations
ECONOMIC OPPORTUNITY	Make Economic Opportunities Available and Accessible; Support the Sustainability of Ongoing Economic Opportunities

APPLICATION CALENDAR AND CITIZEN PARTICIPATION

GHURA values the input of its citizens and offers several opportunities to participate in the preparation of the Annual Action Plan (AAP). The 2022 program calendar includes:

- Application Workshop **April 18th at 10 a.m. – Virtually via Zoom**
- Application Deadline **May 31st**
- PY2020 Project Award Announcement **July 3rd**
- AAP Public Hearing for Citizen Comments **July 18th 10 a.m. – TBD**

FUNDING AWARDS

GHURA will review completed applications and will evaluate proposals based on several criteria. This includes eligibility and alignment with Guam’s Consolidated Plan. GHURA will also assess the actual, allowable, and reasonable costs of the proposed project, and sustainability of the project beyond CDBG funding. Awards are approved by GHURA Commissioners, subject to HUD approval.

FUND AVAILABILITY

Funds awarded for the 2022 program year become available after October 1, 2022. The organization’s Subrecipient Agreement with GHURA must be fully executed prior to the expenditure or commitment of program funds. The appropriate level of environmental review must be completed by CDBG staff before any funds are expended or obligated. Environmental reviews for construction projects typically take 45 to 60 days to complete. Other projects that are not likely to have a physical impact on the environment usually take about 15 days. **No reimbursement will be possible for goods purchased or contracts executed prior to these requirements being met.**

SPECIAL PROGRAM REQUIREMENTS FOR PUBLIC SERVICE PROJECTS

Applicants must demonstrate that the program/service for which funding is requested is either:

- a. A new service or program;
- b. A service/program that has shown a quantifiable increase during the current or previous year; or
- c. A service/program that is projected to show a quantifiable increase if the CDBG funding is received; or
- d. A service/program that is currently receiving CDBG funds and that this application is a request for continuation of funding at the same or lower level.

ORGANIZATION ELIGIBILITY REQUIREMENTS

- Organizations applying for Public Services funding must be a public or private non-profit agency, a public housing authority, a Government of Guam agency, or other government entity.
- Non-profit agencies must be established, operating agencies as evidenced through documentation required in the application. Exhibits to show tax exempt status are required.
- Faith Based Agencies are eligible to apply on the same basis as other non-profit organizations. However, CDBG funds cannot be used to support worship, proselytizing, or religious instruction. Religious activities must be offered separately, in time or location, from the CDBG supported activity. Participation in the religious activity must be voluntary for the beneficiaries of the CDBG-funded program. Programs operated by faith-based agencies must be available to all community members and not restricted to the organization’s membership or congregation.

NON-DISCRIMINATION AND ACCESSIBILITY

Each subrecipient of the CDBG program is required to assure that it will conduct its business in compliance with the non-discrimination requirements of the local and Federal governments as applicable. Equal Opportunity in Employment policies is required.

FAIR HOUSING

Subrecipients engaged in housing activities must take appropriate actions to further fair housing. This includes analyzing

patterns and causes for housing disparities and identifying specific actions they will undertake to address such issues. In addition, subrecipients must also agree to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063 as amended by Executive Order 12259, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

FINANCIAL CAPACITY/AUDITING REQUIREMENTS

The *New Uniform Grant Guidance 2 CR 200* issued by the federal Office of Management & Budget (OMB) requires that any organization that expends \$750,000 or more in federal financial assistance in a fiscal year must secure an annual audited financial statement.

GHURA has established the following financial statement requirements for organizations assisted with CDBG program funds which are based on the total assets of the applicant. The term “total assets” is defined to mean the total amount of liquid assets that is documented to be available to the Subrecipient at the time the funding is approved.

- A. CPA preparation of financial records is not required if the Subrecipient has total assets of \$15,000 or less in value;
- B. A compiled financial statement is required if Subrecipient has total assets greater than \$15,000 and less than or equal to \$100,000 in value.
- C. A reviewed financial statement is required if Subrecipient has total assets greater than \$100,000 and less than or equal to \$200,000 in value.
- D. An audited financial statement is required if Subrecipient has total assets of more than \$200,000 in value.

Organizations receiving CDBG funds must submit the required financial statement which has been prepared by a Certified Public Accountant to GHURA within nine months from the organization’s fiscal year end and not more than 30 days after the organization’s receipt of the statement.

INSURANCE AND BONDING

Agencies receiving CDBG funding must provide Workers’ Compensation Insurance coverage for all of its employees involved in the performance of the funded program. At the time of contract signing, funded agencies must provide evidence of insurance including, but not limited to worker’s compensation, automobile liability, and other coverage as deemed necessary by GHURA.

PROJECT IMPLEMENTATION SCHEDULE AND PERFORMANCE MEASUREMENT GOALS

GHURA analyzes and evaluates the overall effectiveness of projects through performance measurements. Applicants are required to provide measurable outcomes of their projects including the number of participants who will benefit from the project and the method data will be collected and tracked.

GHURA also monitors subrecipients to ensure it meets its expenditures of program funds in a timely manner. Applicants must submit a Project Implementation Schedule that forecasts the time required to complete their proposed projects. Once awarded, GHURA will work closely with subrecipients to ensure compliance with federally mandated timeliness ratios.

PERFORMANCE MONITORING

Guam will monitor the performance of Subrecipients against the goals and performance measurements established by this document. Substandard performance as determined by GHURA will constitute noncompliance with the Subrecipient Agreement. Noncompliance may result in contract suspension or termination.

ELIGIBLE PUBLIC SERVICE ACTIVITIES (24 CFR 570.201(E))

Public Services are non-construction social service activities in the community that benefit low- to moderate-income individuals. At least 51% of all program clients must have a total family income that does not exceed 80% of the area median

income as established by HUD for Guam. CDBG regulations allow the use of grant funds for a wide range of public service activities including, but not limited to:

<i>After school / child care</i>	<i>Recreation services</i>	<i>Homeless persons services</i>
<i>Education programs</i>	<i>Crime prevention & public safety</i>	<i>Job Training</i>
<i>Health services</i>	<i>Senior citizens services</i>	<i>Substance abuse programs</i>

ELIGIBLE EXPENSES

Eligible expenses include but are not limited to personnel, supplies, and materials to operate and/or maintain the portion of a facility in which the public service is located. This includes the lease of a facility, equipment, and other property needed for the public service. Time sheets will be required to document salary costs. Travel and training expenses may be authorized by GHURA on a case-by-case basis.

INELIGIBLE EXPENSES

CDBG funds may not be used to pay for food/meals for staff, fund raising, entertainment, alcoholic beverages, deposits on equipment, incentives to clients (gift cards, raffle prizes) and late fees or penalties. Costs of organized fund raising are not allowable. The purchase of equipment, motor vehicles, furnishings, or other personal property not integral to the program is generally ineligible. More information about eligible and ineligible expenses can be found in 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance.

CLIENT INCOME VERIFICATION OPTIONS

To be eligible for CDBG assistance, a public service project must serve low-to-moderate income populations. Income limits are established by HUD on an annual basis for the purpose of establishing CDBG grant eligibility. The type of income verification needed is determined by the project and the clients served. GHURA can assist applicants determine which income definition should be used. Documentation of the benefit to low- and moderate-income level persons is required of every project.

1. **Client Based:** Activities will be offered to all residents of a particular group of low-and-moderate income individuals in the defined area. Income verification is required along with other client statistics.
2. **Presumed Benefit:** Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although other client statistics must be collected. The Presumed Benefit categories are:

<i>Elderly persons (62 or older)</i>	<i>Abused children</i>	<i>Illiterate persons</i>	<i>Homeless persons</i>
<i>Battered spouses</i>	<i>Persons living with AIDS</i>	<i>Severely disabled adults</i>	
3. **Nature and Location:** Activities must be of a particular nature and location that it may reasonably be concluded that the activity’s clientele will primarily be low-to-moderate income persons. For example, a youth center designed to serve residents in a public housing complex would qualify under this category. While individual income verification would not be required, other demographical information will be collected.
4. **Area Benefit:** An activity that is available to benefit all of the residents of a defined area which is primarily residential and where at least 51% of the residents are low- and moderate-income persons. Public service projects can rarely use this form of satisfying a National Objective.

**Application/Review Checklist Community
Development Block Grant Program
Due Date: May 31, 2022**

Supplemental Information – Submit one copy of the following items as they may apply:

Required:

- _____ **Board of Directors list** including position/title on board. Provide a contact number for board Chair/President and Treasurer.
- _____ **Resolution or Board Minutes** showing approval to submit an application and designation of person who will sign documents on behalf of the organization.
- _____ **Organization Chart** of Relevant Program Staff
- _____ Description of **employees, board members, volunteers** who will work with the project
- _____ **Tax Exempt Determination Letter** (for non-profit organizations)
- _____ **Financial Documents**
Organization's Current Budget (FY2022)
- _____ Most recent **Balance Sheet and Financial Statement**
- _____ **Most Recent audit** or CPA prepared review.
- _____ **Non-discrimination Policy Statement**
- _____ **Board Certification of Committed Funds**
- _____ **Budget Narrative**
- _____ **Letters of Support**
- _____ **Intake Form**

Guam Housing and Urban Development Authority

Community Development Block Grant

PUBLIC SERVICES

INSTRUCTIONS AND APPLICATION

Due Date: May 31, 2022

I. APPLICANT CONTACT INFORMATION

Applicant Organization: _____

Contact Name: _____ **Telephone:** _____

Mailing Address: _____

Physical Address, if different from mailing address: _____

Contact E-Mail Address: _____ **Web Address:** _____

Who is authorized to execute program documents? _____
(Name and Title)

II. APPLICATION SUMMARY INFORMATION

Project Name: _____

Amount of CDBG Funds Requested: \$ _____

Project Location: _____

Will your project be completed (all CDBG funds expended) by September 30, 2023? _____ Yes _____ No

If "No", what percent is expected to be completed by that date? _____

III. PROJECT DESCRIPTION

Briefly summarize the project proposal for which CDBG funding has been requested. Describe how the activity will address Guam's Consolidated Plan objectives. Summarize how CDBG funds are proposed to be used.

Provide any relevant statistics that support the need or problem this project will address. Include citations for your information.

Briefly describe how you will collaborate with other community partners in your proposed project. Attach letters of support.

TYPE OF PUBLIC SERVICE (choose one or more)

<input type="checkbox"/> Senior Services	<input type="checkbox"/> Disability Services	<input type="checkbox"/> Legal Services
<input type="checkbox"/> Youth Services	<input type="checkbox"/> Transportation Services	<input type="checkbox"/> Substance Abuse Services
<input type="checkbox"/> Abused Spouses Services	<input type="checkbox"/> Employment Training	<input type="checkbox"/> Crime Awareness
<input type="checkbox"/> Fair Housing Activities	<input type="checkbox"/> Child Care Services	<input type="checkbox"/> Health Services
<input type="checkbox"/> Mental Health Services	<input type="checkbox"/> Housing Counseling	<input type="checkbox"/> Subsistence Payments
<input type="checkbox"/> Abused Children Services	<input type="checkbox"/> Other:	

PROGRAM INFORMATION

1. Program eligibility (please select one):

a. _____ This is a new program.

b. _____ This is an existing program that: (select one of the following)

i. _____ Has previously received CDBG funding and the amount requested for this year is the same or less than previous funding;

ii. _____ Will expand to serve more beneficiaries or to provide more services if the CDBG funding as requested is approved. Please attach an analysis that details how the program or service will be expanded, how many new beneficiaries will be served by the expansion, and how this number was determined.

2. Programs receiving funding from GHURA at this time (during the current program year):

a. How much CDBG funding was awarded? _____

b. Is this program receiving any other U.S. HUD resources? _____

c. If yes, how much was received and from what source?

3. Is there a fee to clients to participate in the program? _____ Yes or _____ No.

If yes, please provide fee structure.

4. Describe the days and hours of operation.

Accomplishments

Once the project is completed, how can its success be measured? Please describe your Performance Measure(s). Include the number of proposed participants who will benefit from the project and the method data will be collected and tracked.

Number of proposed unduplicated participants/beneficiaries: _____

Households: _____

Number of proposed unduplicated LMI participants/beneficiaries: _____

LMI Households: _____

Performance Measure(s):

IV. BENEFICIARIES

The CDBG program allows several different methods of documenting that a project benefits low-to-moderate income individuals. An **Area Benefit (LMA)** meets the national objective if there is a sufficiently large percentage (51 percent) of LMI persons residing in the service area. **Low Moderate Limited Clientele (LMC)** meets the national objective if projects provide services directly to an individual or family; for example, a housing rehabilitation project is a Direct Benefit project. **Please choose from A or B.**

A. AREA BENEFIT PROJECTS (LMA)

The area benefit category is the most commonly used for activities that benefit a residential neighborhood. An area benefit activity is one that benefits all residents in a particular area, where at least 51% of the residents are LMI persons. *Most, but not all, Guam villages are low/mod. Data from the most recent Census or data from a current survey of residents in the service area can determine LMA eligibility.*

1. Will this project be available to benefit all persons in the service area? Yes No

2. Are the neighborhoods that will benefit from this project primarily residential? Yes No
If "No", please explain:

3. What neighborhoods will benefit from this project? Please list either individual neighborhoods or describe the boundaries/tracts that will define the service area.

B. LOW MODERATE LIMITED CLIENTELE (LMC)

Under the Low Moderate Limited Clientele (LMC) category, 51% of the beneficiaries of an activity have to be LMI persons. Activities in this category provide benefits to a specific group of persons rather than everyone in an area. Under this form of eligibility, Subrecipients are required to provide documentation on family size and income in order to show that at least 51% of the clientele are LMI. Alternatively, subrecipients may have income eligibility requirements limiting the activity to LMI persons only.

PRESUMED BENEFIT: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although other client statistics must be collected. The Presumed Benefit categories are:

- | | |
|---|--|
| a. Elderly persons (62 or older) | b. Battered spouses |
| c. Homeless persons | d. Abused children |
| e. Persons living with AIDS | f. Migrant farm workers |
| g. Illiterate persons (includes non-English speakers) | h. Severely disabled adults (Census Bureau definition) |

1. Will all of the program's beneficiaries be "Presumed Clientele"? Yes No

a. If "yes", under which category(ies): _____

BENEFICIARIES WHO ARE NOT CONSIDERED "PRESUMED":

1. If the program's beneficiaries cannot be considered "Presumed", how will income eligibility be determined?

_____ a. Projection of the individual/family's income based on family size; or,

_____ b. Other. Please provide details of how eligibility will be determined.

C. HOUSING

1. Single Family (100% LMI)

2. Multi-Unit (51% LMI)

D. JOB CREATION (51% OF JOBS FOR LMI INDIVIDUALS)

INCOME VERIFICATION

1. If this program was carried out the previous program year (Oct. 1, 2020 – Sept. 30, 2021) how many persons were served? _____

2. What percentage of persons proposed to be assisted are expected to be low/mod? _____

3. How do you propose to document the income of the beneficiaries? (check all that apply)

Evidence that the family lives in housing sponsored by the Housing Authority

Evidence that the family is SNAP/WIC approved

Income documentation (VOE, pay stubs, tax filing)

Self-certification

Other, describe: _____

V. BUDGET AND FINANCIAL MANAGEMENT

The CDBG program requires that a project be completed and serving beneficiaries within a reasonable time. Subrecipients must demonstrate that they have secured any additional funds needed to complete their projects.

- 1. Estimated total project cost: \$ _____ . CDBG Funds requested: \$ _____
- 2. Funds from all other sources that will be available on or before October 1st: \$ _____
- 3. How will budget shortfalls be addressed? _____

- 4. Are any additional funds for this project being requested from GHURA?
 No. Yes. If "yes", please describe type and amount requested: \$ _____
Type of funds requested: _____

- 5. Annual Organizational Budget: \$ _____

Funding History

- 1. Has your organization received CDBG funding in the past 2 years? No. Yes.
- 2. If yes, how were the funds used? _____

- 3. Is the project complete? Yes No. If no, status and expected completion date:

Financial Management

Briefly describe your internal controls to minimize opportunities for fraud, waste and abuse.

PROJECT BUDGET FOR PUBLIC SERVICES

Use the following format to present your proposed budget. Committed funds are funds on-hand, pledged, or awarded. Funds and costs may not be spent or incurred prior to a contract award date (usually October 1) from the CDBG Program. A Budget Narrative must be submitted as an appendix.

LINE ITEM	AMOUNT REQUESTED IN CDBG APPLICATION	COMMITTED FUNDS FROM OTHER SOURCES*	OTHER FUNDING SOURCES	TOTAL AMOUNT (Column B+C)
Salaries				
Fringe Benefits				
Office Supplies				
Program Supplies				
TOTAL:				

***COMMITTED FUNDS:** Identify sources and amounts of committed funds for this project. Attach as Appendix.

STAFF/SALARY BREAKDOWN

POSITION/TITLE	POSITION CURRENT OR PROPOSED?	ANNUAL SALARY	ANNUAL FRINGE BENEFITS	TOTAL SALARY	X	% TIME SPENT ON PROJECT	=	TOTAL POSITION COST REQUESTED
<i>Example: Program Assistant</i>	<i>Proposed</i>	<i>\$26,000</i>	<i>\$2500</i>	<i>\$28500</i>	<i>x</i>	<i>50%</i>	<i>=</i>	<i>\$14,250</i>

VII. ORGANIZATION INFORMATION

Please attach the following documents in the Appendices section with your application:

- A. Board of Directors List with position or title. Contact information for Board President and Treasurer.
- B. Resolution or board minutes showing approval of designated person to sign documents on behalf of organization
- C. Organizational Chart
- D. Proof of Tax-Exempt status
- E. Current year budget and most recent balance sheet approved by Board of Directors
- F. Most recent audit
- G. List of key staff and employees who will work directly with the proposed program, their primary job duties, and description of the supervisory structure.
- H. Non-Discrimination Policy
- I. Board Certification of Committed Funds
- J. Budget Narrative
- K. Letters of Support
- L. Intake Form

BACKGROUND INFORMATION

Organization Type:

___ 501(c) Non-Profit Corporation ___ Public Corporation ___ Government Entity

Other: _____

- 1. Date of Incorporation: _____
- 2. Organization’s Taxpayer Identification Number (EIN): _____
- 3. Organization’s Dun and Bradstreet Number (DUNS): _____

BOARD OF DIRECTORS / FINANCIAL INFORMATION

- 1. Name and title of Board of Directors chair or president: _____
- 2. What is the date of your fiscal year end? _____
- 3. Does your organization have a purchasing policy? Yes No
- 4. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? Yes No

If “Yes”, please attach a summary of the litigation and its status; including any outstanding judgments.

- 5. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization? Yes No

If “Yes”, please attach an explanation that includes the current status.

6. During the last fiscal year did your organization spend \$750,000 or more in Federal financial assistance?
 Yes No
7. What level of financial review does your organization obtain from an independent source? Select from the following options:
- | | |
|---|---|
| <input type="checkbox"/> Single Audit | <input type="checkbox"/> Audited Financial Statement |
| <input type="checkbox"/> Reviewed Financial Statement | <input type="checkbox"/> Compiled Financial Statement |
| <input type="checkbox"/> No independent review | <input type="checkbox"/> Other (describe): _____ |
7. What period was covered by your most recent financial review/audit? _____

PERSONNEL/STAFF CAPACITY/POLICIES

1. Name and Title of your chief administrator _____
 Number of years in this position? _____
2. Total number of current employees at all locations. _____
3. Total number of current employees who will be involved in this project? _____
4. Total number of new employees expected to be hired for the project? _____
5. Does your organization have a personnel policy manual? Yes No
- Does it include a procedure for filing grievances? Yes No
 - Does it include a non-discrimination clause? Yes No
6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds?
 Yes No
7. Separation of duties for financial transactions regarding this project (respond with job title) :
- a. Who will approve payment of incurred expenses? _____
 - b. Who will actually prepare the payment check? _____
 - c. Who will sign checks paying project expenses? _____
 - d. Who posts the transaction to your financial records? _____
 - e. Who reconciles monthly bank statements? _____

Accessibility to Programs/Services

1. Are all facilities to be served by the program ADA Accessible? Yes No
2. Do you have a Section 504 (ADA) Self-Evaluation on file? Yes No
3. How will you provide services to persons with Limited English proficiency?

INSURANCE/BONDING/WORKER'S COMPENSATION

1. Does your organization have liability insurance coverage? Yes No
2. If yes, in what amount? _____

3. Does your organization pay worker's compensation in accordance with Federal and state laws?
 Yes No N/A
4. Does your organization have fidelity bond coverage for principal staff members who handle the organization's accounts?
 Yes No
5. Will vehicles owned by the organization be used in conjunction with the proposed project?
 Yes No
6. If yes, what level of liability insurance is maintained on the vehicles? _____

Applicant Assurances and Certifications

The applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. *It possesses legal authority to apply for the grant and to finance the proposed request; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.*
2. *It will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.*
3. *If it expends \$750,000 or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.*
4. *It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).*
5. *It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.*
6. *It will give the Guam and the federal funder, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.*
7. *It will cause work on the project to be commenced within a reasonable time after receipt of notification from
GHURA that funds have been approved and that the project will be performed to completion with reasonable diligence.*
8. *It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.*
9. *It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.*
10. *It will comply with the provisions of the Mini Hatch Act, which limit the political activity of employees.*
11. *It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.*
12. *It will assist the local/federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.).*
13. *It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business, unless otherwise expressly provided by law.*
14. *It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901*

et. Seq.)

and that it will affirmatively further fair housing.

15. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a residential anti-displacement and relocation assistance plan as specified by GHURA.

16. It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.

17. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).

18. It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient's environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient's responsibility for initiating the review process under the provisions of 24 CFR Part 52. Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;*
- 24 CFR Parts 84 and 85;*
- The Davis-Bacon Fair Labor Standards Act;*
- The Contract Work Hours and Safety Standards Act of 1962;*
- Copeland "Anti-Kickback" Act of 1934;*
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;*
- Section 3 of the Housing and Urban Development Act of 1968;*
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;*
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);*
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;*
- The Architectural Barriers Act of 1968*
- The Americans with Disabilities Act (ADA) of 1990;*
- The Age Discrimination Act of 1975, as amended;*
- National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;*

- *Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;*
- *Asbestos guidelines established in CPD Notice 90-44;*
- *HUD Environmental Criteria and Standards (24 CFR Part 51);*
- *The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39*
- *Flood Disaster Protection Act of 1973;*
- *Procurement Standards (2 CFR 200.322);*
- *Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));*
- *Energy Efficiency (2 CRF Part 200 Appendix II); and*
- *Recycling (2 CFR Part 200 Appendix II).*

Certifications Regarding Lobbying:

1. 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 an 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.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form – “*Disclosure Form to Report Lobbying*”, in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. 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.

General Certification

I certify that:

1. To the best of my knowledge and belief, the information in this application is true and correct.
2. I have reviewed and accept the instructions for submission of this application for review and evaluation.
3. The organization responsible for carrying out the project activities under this proposal will comply with all applicable local and Federal laws and regulations.
4. The organization will verify that no person who is an employee, agent, consultant, officer, or recipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities, with the exception of administrative or personnel costs.
5. The organization will not attempt to recover capital costs for the construction of public improvements, assisted in whole or in part with CDBG funds, by charging special assessments or fees against properties owned or occupied by persons of low and moderate income, including any fee, charge or assessment made as a condition of obtaining access to such public improvements, unless:
 - a. CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds; or
 - b. For purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, and the applicant certifies that it lacks sufficient funds to comply with the requirements of clause (a) above.
6. The organization will provide in a timely manner for citizen participation, public hearings, access to information with respect to the proposed project/program.

CERTIFIED BY:

Signature

Date Signed: _____

Printed Name & Title: _____

Organization Name: _____