Community Development Block Grant Application

PUBLIC FACILITIES AND IMPROVEMENT

Instructions and Application

For Program Year 2023 (October 1, 2023- September 30, 2024)

Thank you for your interest in the GHURA's Community Development Block Grant (CDBG) Program for Public Facilities . Guam is estimating a total of $3,185,755 for program year 2023, no more than twelve percent of the final allocation for Guam will fund public service activities on Guam for the Annual Action Plan year (October 1, 2023 - September 30, 2024). The exact funding announcement for the 2023 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: January 18 through March 20, 2023
Deadline to electronically submit completed application: Monday, March 20, 2023

Public Briefing: Thursday, February 2, 2023 at 10:30 am
Location: GHURA Main Office, Board of Commissioners Conference Room
117 Bien Venida Ave. Sinajana, Guam 96910

All CPD Applications and attachments will be received electronically at the advertised date indicated.

For more information, contact Katherine E. Taitano at (671) 475-1322 or by e-mail at katherine@ghura.org. Program information and a downloadable PDF version of this application form is available on Guam's website at: www.ghura.org. For any questions or concerns regarding the electronic submission for PY2023 process please contact Alicia P. Aguon at apaguon@ghura.org or 671-475-1316. 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 Unique Entity Identifier (UEI) for this PY2023 period. Please note, you may be asked to provide the Bradstreet Data Universal Numbering System (DUNS) number, if requested.

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 2023 program calendar includes the following dates. The dates indicated for PY2023 at this time may be subject to change within GHURA's Citizen Participation Plan policy:

- **Notice of Funding Available, Open Application Period — Wednesday, January 18 – NOFA Public Notice**
- **Public Briefing — Thursday, February 2 – GHURA BOC**
- **Technical Assistance Workshop (Requirement) — TBD, select dates per program applicant**
- **Application Deadline — Monday, March 20 – Electronic Submissions ONLY**
- **Notice of Intent to Award Announcement for PY2023 — Friday, May 5 – NOITA Public Notice**
- **AAP PY2023 Public Hearing for Citizen Comments — Monday, May 23 – GHURA BOC**

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 and, as applicable, the applicants previous program performance and expenditures comparable to the applicant's current grant application submission. Awards are approved by GHURA Commissioners, subject to HUD approval.

FUND AVAILABILITY

Funds awarded for the 2023 program year become available after October 1, 2023. The Subrecipient Agreement or Memorandum of 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.**

ORGANIZATION ELIGIBILITY REQUIREMENTS

- Organizations applying for Public Facilities and Improvement funding must be a public or private non-profit agency, a Government of Guam agency, other government entity, or the Guam grantee.
- 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.

ELIGIBLE PROJECTS/ACTIVITIES

This application is for the following eligible activities:

Infrastructure: Acquisition, construction, rehabilitation, or installation of public facilities and improvements such as sewer projects, flood drainage facilities, solid waste disposal facilities, parks, recreation, open space, streets, sidewalks and walkways, and removal of architectural barriers.

Public Facilities: Acquisition, construction or rehabilitation of community facilities.

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 *Uniform Grant Guidance 2CFR 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 most recent 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.

CLIENT INCOME VERIFICATION OPTIONS

To be eligible for CDBG assistance, a Public Facilities and Improvement 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. **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. application, and the basis for determining the boundaries must be substantiated. If the service area coincides with one or more U.S. Census Block Groups or Census Tracts, the 2010 Census household income data may be used to address the low- and moderate-income requirement.

2. **Limited Clientele:** 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.

    - **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:

Elderly persons (62 or older)	*Abused children*	*Illiterate persons*	*Homeless persons*
Battered spouses	*Persons living with AIDS*	*Severely disabled adults*	

    - **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.

CONSISTENCY WITH LOCAL PLANS AND POLICIES

Projects receiving CDBG assistance must be consistent with Guam's 2020-2024 Consolidated Plan. Projects assisted with CDBG funds must also meet all zoning requirements of the jurisdiction in which the project is located.

SITE CONTROL

Site control of the facility or planned site for a facility, either in the form of ownership or a long-term lease, becomes a crucial consideration for accessing CDBG Public Facilities & Improvement funds. Site control must be established prior to the execution of a contract between GHURA and the sub-recipient.

Application/Review Checklist Community Development Block Grant Program

ELECTRONIC Due Date: MONDAY, MARCH 20, 2023

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

Please check:

_____ **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 (2018-2019) Approved by Board of Directors

_____ Most recent **Balance Sheet and Financial Statement**

_____ **Most Recent audit** or CPA prepared review

_____ **Budget Narrative**

_____ **Non-discrimination Policy Statement**

_____ **Board Certification of Committed Funds**

_____ **Letters of Support**

_____ **Copies of Cost Estimates**

_____ **Intake Form**

Guam Housing and Urban Development Authority
Community Development Block Grant (CDBG)
Public Facilities and Improvement (PFI) Application
PY2023 (October 1, 2023 – September 30, 2024)

All CPD PY2023 Applications for CPD Program are due electronically no later than Monday, March 20, 2023

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? _____

Please indicate if more then (1) persons is to be included on correspondences regarding this application.

If different from above, Name and Title _____

Contact Information: _____ **Email:** _____

II. APPLICATION SUMMARY INFORMATION

Project Name: _____

Proposed Use of CDBG Funds: _____

_____

_____

Project Location: _____
(Street address or nearest intersection)

Amount of CDBG Funds Requested: $_____

Estimated number of LMI individuals to be served with this proposed project: _____

Project Scope: Please check all statements that apply to this project:

- ☐ All project design work is complete for this project (plans, specification, etc.)
- ☐ This project will include selection of professional service providers (architect, engineer)
- ☐ This project includes acquisition of real property.
- ☐ This project includes the rehabilitation of existing buildings
- ☐ This project includes new construction
- ☐ This project includes demolition of existing structures
- ☐ This project includes a public facility

III. ORGANIZATION INFORMATION and PROJECT DESCRIPTION

A. Organizational Capacity.

Executive Director Name/Title: _____

E-Mail: _____ Phone: _____

Financial Officer Name/Title: _____

E-Mail: _____ Phone: _____

Designated Project Manager Name/Title: _____

E-Mail: _____ Phone: _____

1. Indicate the organization's corporate status

☐ Non-profit agency ☐ Government Entity ☐ Other: _____

☐ Faith-Based ☐ Public Corporation

a. Date of Incorporation/ Incorporation Number:
b. Organization's Taxpayer Identification Number (EIN): _____
c. Organization's Dun and Bradstreet Number (DUNS): _____
d. Unique Entity Identifier (UEI): _____

2. List other federally-funded awards, including GHURA-funded awards, that your organization has received in the past 5 years. Include name of funder, date of award, amount and type of project.

Funding Agency and Grant Program	Year of Award	Amount	Brief Description of the Project

3. Has the organization received any audit or monitoring findings in the past three years? If yes, what were they and how were they resolved?

4. **For Non-Profit Organizations ONLY.** All others, proceed to Item #2. below.

a. Choose one to describe your Board: ☐ Policy Board ☐ Governing Board

b. What is the Board's knowledge and level of involvement with the proposed project?

c. What are the major sources of financial support for the organization?

B. Project Description

1. Specify the approximate size of the project in square feet. _____
2. List **ALL** activities the CDBG funds are intended to be used for- for this proposed project. *Any activities not listed may be included in final expenditure approval detail.*

3. Describe what will happen if CDBG funding is not available for this project at this time.

4. Explain how you arrived at the total cost of the project and why you consider your costs to be reasonable. Attach copies of cost estimates to support your request. ☐ Check this box if attachments for this (Section B.4.) are included with this application.

5. Describe how this project is consistent with Guam's 2020-2024 Consolidated Plan.

C. Community Need and Benefit

1. Describe how your agency determined a need for this project. Use data and statistics to support your response.

2. 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 (i.) or (ii.)**

   i. ☐ **AREA BENEFIT ACTIVITIES.** Area benefit activities benefit all residents in a particular area where the residents are primarily low- and moderate-income. The area served must be primarily residential in nature and the activity must be designed to meet the identified needs of low- and moderate-income persons. The claimed boundaries of the service area must encompass the entire service area for the activity, must be specifically delineated in the application, and the basis for determining the boundaries must be substantiated.

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

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

   _____

   _____

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

   _____

   _____

   ii. ☐ **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.

iii. ☐ **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. Limited clientele activities may qualify as either a **presumed benefit** activity or a **direct benefit** activity. The Presumed Benefit categories are:

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

Will all of the program's beneficiaries fall under "Presumed Benefit"? ☐ Yes ☐ No

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

iv. ☐ **DIRECT BENEFIT (BENEFICIARIES WHO ARE NOT CONSIDERED "PRESUMED").** A direct benefit activity is one which serves low and moderate-income persons. The project sponsor must verify and maintain documentation regarding the family size and income of each person served. At least 51% of the clientele served must be low- and moderate-income persons or the activity funded must be limited exclusively to low- and moderate-income persons.

v. If the program's beneficiaries cannot be considered "Presumed", how will income eligibility be determined? (a.) Please provide details of how eligibility will be determined. (b.) ☐ (Check box, if,) A copy of the client intake form is attached.

_____
_____

3. INCOME VERIFICATION

i. If this program was carried out the previous program year (Oct. 1, 2021 – Sept. 30, 2022) how many LMI persons were served during this specific period? _____

ii. For this current project, what percentage of persons proposed to be assisted are expected to be low/mod? _____% of the (i.) figure indicated in this application.

iii. How many LMI persons are expected to be served? _____

iv. 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/TANF approved
- ☐ Income documentation (VOE, pay stubs, tax filing)
- ☐ Self-certification
- ☐ Other, describe: _____

IV. BUDGET AND FINANCIAL MANAGEMENT

The CDBG program requires that a project be completed and serve 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: $ _____

6. In the table below, identify each source and amount of funding to be used for the project. Indicate whether funds are pending or committed by placing the amount in the appropriate column. Provide Board Certification of committed funds.

BUDGET SOURCES

Development Budget Sources	**Pending**	**Committed**	**Total**
2019 GUAM – CDBG FUNDS	$	$	$
	$	$	$
Local funds (specify):	$	$	$
	$	$	$
Federal funds (specify):	$	$	$
	$	$	$
Private financing (specify):	$	$	$
	$	$	$
Other (specify):	$	$	$
	$	$	$
In-Kind	$	$	$
TOTAL	$	$	$

BUDGET OUTLINE

Use the following format to present your proposed budget. Funds and costs may not be spent or incurred prior to a contract award date (no sooner than October 1st) from the CDBG Program. Please round budget numbers to the nearest dollar. A Budget Narrative must be submitted as an appendix.

		Total Project Costs	CDBG Funds Requested	Other Funds and/or In-Kind Contributions	Other Sources
I.	**Property Acquisition Costs**				
	Purchase Price				
	Closing Costs				
	Other Acquisition Costs				
	Subtotal Property Acquisition Costs				
II.	**Construction Costs**				
	Site Improvements				
	Construction				
	Construction Contingency				
	Sales Tax (if applicable)				
	Permits				
	Other Construction Costs				
	Subtotal Construction Costs				
III.	**Professional Fees**				
	Architect/Engineer/Surveyor				
	Hazardous Materials Survey				
	Appraisal				
	Legal				
	Other Professional Fees				
	Subtotal Professional Fees				
IV.	**Other Development Costs**				
	Relocation Costs				

	Financing Costs				
	Other				
	Subtotal Other Development Costs				
I.	**Property Acquisition Costs**				
II.	**Construction Costs**				
III.	**Professional Fees**				
IV.	**Other Development Costs**				
	TOTAL COSTS:				

VI. PROJECT IMPLEMENTATION SCHEDULE/TIMELINE

Please include reasonable time for program activities, including hiring of program staff and procurement of professional service providers.

Projected Implementation Schedule with Performance Goals			
Activity Description	**Start Month/Year**	**End Month/Year**	**Performance Measurement Goal**
Example: Procurement of Consultant	***October 2018***	***December 2018***	***Contract executed***

Please provide statement of consideration for the proposed dates of above. *(ie. Changes to timeline may be determined by the XXX.)*

_____

_____

_____

_____

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 of relevant project staff
D. List of key staff and employees who will work directly with the proposed program, their primary job duties, and description of the supervisory structure.
E. Proof of Tax-Exempt status for non-profit organizations
F. Current year budget and most recent balance sheet approved by Board of Directors
G. Most recent audit
H. Non-Discrimination Policy
I. Board Certification of Committed Funds
J. Budget Narrative
K. Letters of Support
L. Intake Form

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:

   ☐ Single Audit ☐ Audited Financial Statement

   ☐ Reviewed Financial Statement ☐ Compiled Financial Statement

   ☐ No independent review ☐ Other (describe):_____

8. What period was covered by your most recent independent 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 local 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.).*
14. *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 hours in compliance with Texas Civil Statutes, Article 6252-17a, unless otherwise expressly provided by law.*
15. *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.*
16. *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.

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

19. *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).*

20. *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.

Certification of Fair Housing laws and Presidential Executive Orders

The Fair Housing Laws

Fair Housing Act: Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

Title VI of the Civil Rights Act of 1964: Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973: Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of Title I of the Housing and Community Development Act of 1974: Section 109 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.

Title II of the Americans with Disabilities Act of 1990: Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

Architectural Barriers Act of 1968: The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons.

Age Discrimination Act of 1975: The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972: Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

Fair Housing-Related Presidential Executive Orders:
Executive Order 11063: Executive Order 11063 prohibits discrimination in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the federal government or provided with federal funds.

Executive Order 11246: Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin.

Executive Order 12892: Executive Order 12892, as amended, requires federal agencies to affirmatively further fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President's Fair Housing Council, which will be chaired by the Secretary of HUD.

Executive Order 12898: Executive Order 12898 requires that each federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.

Executive Order 13166: Executive Order 13166 eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally-assisted and federally conducted programs and activities.

Executive Order 13217: Executive Order 13217 requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

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:

_____ Date Signed: _____

Signature

Printed Name & Title: _____

Organization Name: _____

APPLICANT CERTIFICATION

Organization (Project Sponsor):
Project Name:
Community Development Block Grant Program Funding Request: **$_____**
By submitting these documents, I am responsible for the contents and understand that the information contained in such documents are intentional and accurate representations. _____ (INITIAL HERE) **WARNING** Title 18, Section 1001 of the United States Code states that a person is GUILTY OF A FELONY FOR KNOWINGLY AND WILLINGLY MAKING FALSE OR FRAUDULENT STATEMENTS to any department or agency of the United States. MAKING FALSE STATEMENTS IS ALSO A FELONY UNDER GUAM LAWS. I do hereby certify under the penalty of perjury that all of the information contained in these documents, as well as any additional information and/or documentation provided in support of it, is true and correct. I understand and acknowledge that making false statements is a crime under Federal and Guam law.
Organization's Authorized Representative (Print Name):
Title:
Signature:
Date: