

City of Portland

CDBG Allocation Committee

CDBG Allocation Committee

Thursday, June 29, 2023 at 9:00 AM Remote
Meeting via Zoom



To submit written public comment on an agenda item, email rmcallister@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the CDBG Allocation Committee meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

REMOTE ACCESS INFORMATION:

The CDBG Allocation Committee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the Agenda Center following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar: <https://portlandmaine-gov.zoom.us/j/84813479091>

1. Introductions
2. Discuss the changes made to the Development/Construction Application
 - a. See Attached
3. Recommendations to Council for 24-25 Allocation
4. New Business
5. Adjournment



Community Development Block Grant Program

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City of Portland Construction Grant Application

July 1, ~~2023~~2024 – June 30, ~~2024~~2025



**COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM YEAR ~~2023-2024-2025~~
APPLICATION**

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I. APPLICATION INSTRUCTIONS

A. INTRODUCTION

The City of Portland CDBG program is designed to foster innovative and creating programs that address the critical issues facing the City of Portland. The CDBG funds should be seen as seed money for starting or expanding innovative programs. Our goal in funding a program is to help get it off the ground or successfully expand. *We strongly encourage new and innovative programs to apply for the 2023-2024-2025 round of CDBG funding.*

B. FEDERAL HUD REGULATIONS

1. **NATIONAL OBJECTIVES:** Each project must meet one of the following National Objectives:

a. **Benefit to Low to Moderate Income (LMI) Persons**

To qualify for funding under the LMI category, the persons or households served must have income levels at or below 80% of the *area median income* (AMI) as set forth in the chart below. HUD requires stratified income data on beneficiaries. You will need to report which category beneficiaries fall into below 80% of AMI, 50% of AMI or 30% of AMI.

FY 2020-2022 HUD Low to Moderate Income Guidelines for Portland, Maine**

** New income guidelines are expected prior to grant award. All CDBG recipients will be required to update any forms used to collect beneficiary information whenever new income guidelines are made available.

FY22 CDBG Income Limits Portland, ME HUD Metro FMR Area

Number in Household	1	2	3	4	5	6	7	8
Extremely Low Income 30%	\$23,450	\$26,800	\$30,150	\$33,500	\$36,200	\$38,900	\$41,550	\$44,250
Low Income 50%	\$39,100	\$44,700	\$50,300	\$55,850	\$63,350	\$64,800	\$69,300	\$73,750
Low Moderate Income 60%	\$46,920	\$53,640	\$60,360	\$67,020	\$72,420	\$77,760	\$83,160	\$88,500
Moderate Income 80%	\$62,550	\$71,500	\$80,450	\$89,350	\$96,500	\$103,650	\$110,800	\$117,950

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

- i. Low to Moderate Income Limited Clientele (LMC): an activity which provides benefits to a specific group of persons of which at least 51% of the beneficiaries of the activity qualify as LMI persons earning less than 80% of the area median income as defined in the table above. To qualify each individual must establish, by means of financial information on *household size and income*, that *at least 51%* of the clientele are persons whose household income does not exceed the LMI limit.
- i. There are certain populations that HUD presumes to be low to moderate income. For programs serving these populations income data does not need to be collected, however race and ethnicity do. Populations include *abused children, elderly persons, battered spouses, homeless persons, severely disabled adults, illiterate adults, persons living with AIDS, and migrant farm workers*.
- ii. Low to Moderate Income Area Benefit (LMA): an activity, which is available to benefit all the residents of an area qualifying under HUD guidelines. HUD has identified neighborhoods eligible to receive CDBG funding based on income data provided by the census and American Community Survey. The eligible areas are shown on the map (page 5) and include Cliff Island, plus Portland Housing Authority. The below map can also be found online at: <https://content.civieplus.com/api/assets/aca799f7-399e-42e8-b083-2becee894bf5?cache=1800>

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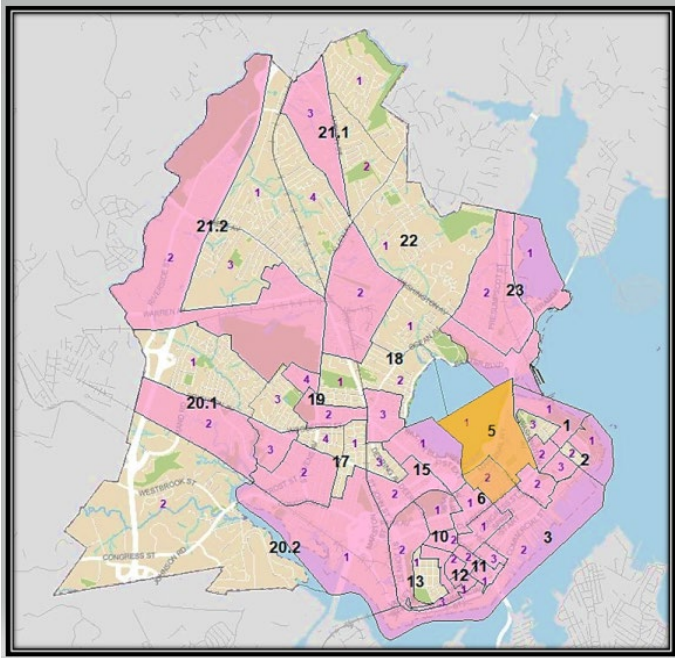
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Other service areas may be eligible on a case-by-case basis. After defining your service area, please contact the HCD Staff to determine eligibility. The current map is based on the 2010 Census and the American Community Survey.

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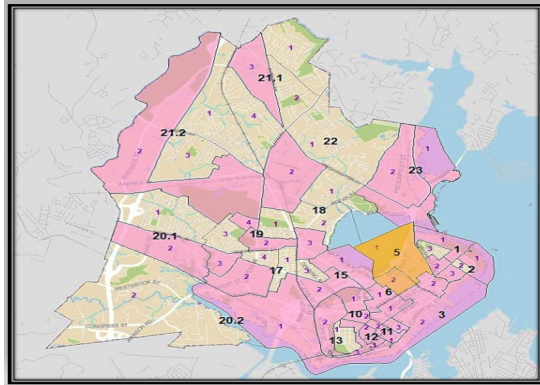
iii. *Low to Moderate Income Housing (LMIH)*: an activity which assists in the acquisition, construction, or improvement of permanent, residential structures benefiting LMI persons:

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b. Aid in the Elimination of Slum or Blight

The project *must be limited to eliminating* specific instances of blight (“spot blight”). To qualify an activity must meet the following criteria:

- i. The property must exhibit physical signs of blight or decay that are detrimental to public health, safety, or welfare. *Blight or decay must be documented and submitted as part of the application.*
- ii. The project must address one or more of the conditions which contributed to the deterioration of the property, *included in the description or scope of work.*
- iii. The project must be designed to eliminate specific conditions of blight or physical decay, such as acquisition, clearance, relocation, historic preservation or rehabilitation. *Rehabilitation is limited to the extent necessary to eliminate a specific condition detrimental to public health and safety.*

2. LIST OF ELIGIBLE ACTIVITIES: In addition to meeting a National Objective, each project must be an Eligible Activity, including:

- a. Public facilities and improvements including acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of buildings for eligible purposes. In addition, improvements of sidewalks, parks, playgrounds, publicly owned utilities and public buildings. *Maintenance is not permitted.*
- b. Removal of architectural barriers inhibiting handicap accessibility.
- c. Clearance, demolition, and removal of buildings.
- d. Rehabilitation and preservation of privately owned buildings; low-income housing; publicly or commercially owned buildings; non-profit owned non-residential buildings; or historic preservation, including rehabilitation, preservation or restoration of publicly and privately owned historic properties.

e. Acquisition of real property by purchase, long-term lease, or donation.

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f. Housing development support for construction of new permanent residential structures may be eligible under ~~certain~~very limited circumstances. Please contact HCD staff prior to submitting an application to ensure the proposed activity is eligible.

g. Home ownership assistance to low to moderate-income households and housing services, including housing counseling, loan processing, inspections, and homebuyer down-payment assistance.

h. Economic development activities such as:

i. Programs that provide assistance to private for-profit business including but not limited to grants, loans, technical assistance and other forms of support, for any activity where the assistance and other forms of assistance is appropriate for carrying out an economic development project.

ii. Programs that provide economic development services including but not limited to outreach efforts to market forms of assistance, screening of applicants, reviewing and underwriting applications for assistance, preparation of necessary agreements, management of assisted activities, and screening, referral and placement of applicants for employment in CDBG eligible economic development activities, including training for persons filling positions.

e-iii. Programs that provide assistance through a public or private organization or agency to facilitate economic development to microenterprises or persons developing microenterprises by providing credit or financial support, technical assistance or advice, or general support, including but not limited to peer support, counseling, childcare transportation and similar services.

3. LIST OF INELIGIBLE CDBG ACTIVITIES

- a. Improvements to buildings for the general conduct of government.
- b. General government expenses.
- c. Political activities and lobbying.
- d. Purchase of equipment, specifically for construction but also including fire protection equipment, furnishings and personal properties.
- e. Operating and maintenance expenses.
- f. New housing construction
- g. Income payments.
- h. Supplanting or substituting expenses currently paid for by other sources.

4. **PROJECT OBJECTIVES:** Once a national objective and eligible activity has been identified, each proposal must address *one* of the following objectives:

- a. **Creating Suitable Living Environments**
- b. **Providing Decent Affordable Housing**
- c. **Creating Economic Opportunities**

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5. FEDERAL REQUIREMENTS FOR ALL CONSTRUCTION PROJECTS: *If you have questions on any of these requirements, please ask.*

- a. **Environmental Review Requirements:** All funded projects that include construction will require an Environmental Review by the City to ensure compliance with the State Historic Preservation Office and local Historic Preservation Ordinances and other environmental regulations. All construction projects must undergo historic review regardless of location.
- b. **Federal Labor Standard Requirements:** Applicants applying for construction or rehabilitation projects must ensure that they and all subcontractors meet requirements for federal prevailing wage rates specified under the Davis-Bacon Act. The Act requires that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work over \$2,000, financed in whole or in part with assistance received under HUD programs, shall be paid the prevailing wage as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C.276a—276a-5).
- c. **Lead-based paint:** CDBG residential rehabilitation and construction activities must comply with 24 CFR Part 35 and Section 401(b) of the Lead-Based Paint Poisoning Prevention Act.
- d. **Handicapped Accessibility:** All federally funded projects must be accessible to handicapped persons.
- e. **Fair Housing and Equal Opportunity:** Discrimination based on race, color, national origin, religion, sex or age is prohibited.
- f. **Uniform Relocation Assistance and Real Property Acquisition Act (URA):** a federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms.
- g. **Section 3:** requires recipients of HUD funding to direct employment, training, and contracting opportunities to low-income individuals and the businesses that employ these persons within their community. Section 3 is a provision of the HUD Act of 1968 and is found at 12 U.S.C. 1701u. The regulations are found at 24 CFR Part 75.
- h. **Build America, Buy America Act (BABA):** establishes a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects after May 14, 2022.

6. CITY REQUIREMENTS: The City of Portland has added the following requirements to supplement the Federal Requirements:

- a. **Conflict of Interest:** Proposals will not be permitted from agencies or organizations that have staff, board members, contractors or anyone receiving financial gain volunteering on the City's CDBG Annual Allocation Committee.
- b. **Domestic Partner Ordinance:** All recipients must adhere to the Domestic Partner Ordinance of the City of Portland, Chapter 13.6.
- c. **Additional City Requirements:** Post ~~reward~~-award requirements are listed in Section I. Post Award and Sub-Recipient Criteria.

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C. CITY OF ~~PORTLAND'S~~ PORTLAND'S GOALS, PRINCIPLES, AND PRIORITIES

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1. GOALS

- **Neighborhood Investment and Infrastructure-** *Create strong, safe, accessible and vibrant neighborhoods-* Invest in infrastructure to improve neighborhood assets and build strong, safe, accessible and vibrant neighborhoods. Improve accessibility through ADA compliance. Build sidewalks and trails to improve connectivity, increase the use of bicycles as a mode of transportation, and redevelop streetscapes to create shared streets for cars, bikes, and pedestrians that integrate with the fabric of the neighborhood. Support programs that increase safety in neighborhoods for residents and visitors. Invest in programs and services that address the specific needs of members of the community. Encourage programs that build a sense of inclusiveness, safety, and security within individual neighborhoods.
- **Housing Availability-** *Increase housing availability and affordability-* Increase housing availability and affordability to all Portland residents regardless of income, race, ethnicity, and family size. Encourage housing development by removing barriers to traditional urban housing types while ensuring the inclusion of workforce housing in significant development projects.
- **Economic Opportunity-** *Create economic opportunities to transition people out of poverty-* Invest in Portland businesses to enable them to expand to create jobs. Invest in persons wanting to create microenterprises. Engage job seekers in a continuum of services to increase their professional capacity, financial stability, and ability to maintain employment. Focus on difficult to employ populations including homeless, new Americans and single parent head of households. Combine resources and build partnerships between public and private entities to provide opportunities to transition Portland residents out of poverty to sustainable employment and financial stability.
- **Address the Needs of the Growing Homeless Population-** *Prevent and reduce homelessness -* Prevent individuals and families from becoming homeless and entering into the shelter system. Rapidly rehouse those who enter the shelter system. Provide necessary resources to assist vulnerable population's transition out of homelessness, including housing opportunities for chronically homeless or long-term stayers at homeless shelters.

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2. GUIDING PRINCIPLES

- **Consistent.** All projects and programs will be reviewed with respect to the Consolidated Plan and other HUD requirements as well as City goals, priority impact levels, and other CDBG or HOME investments. Proposals should be coordinated with relevant City Departments where appropriate and align with City initiatives. City plans can be found online at: <https://www.portlandmaine.gov/484/Portlands-Plan-2030>
- **Measurable Community Impact.** Programs and projects will be evaluated based on how well they create a significant and measurable community impact.

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- **Location.** Projects should be complimentary to other requested or existing projects and/or focus on targeted locations within the eligible neighborhoods, for example neighborhood commerce districts, proximity to new affordable housing development, ~~and~~ identified troubled areas, etc. ~~This year's targeted area is the Bayside Neighborhood~~
- **Leveraged Funding.** CDBG cannot be the only source of funding for a program or project; leveraging other funds is essential.
- **Sustainability.** Programs and projects must demonstrate positive impacts on the environment and be energy efficient.
- **Diversity and Inclusiveness.** Projects shall address diversity and be inclusive in order to engage differences and create a culture of belonging.
- **Priority to Lower Incomes.** Priority will be given to projects and programs that serve the lowest income persons.

3. PRIORITY IMPACT LEVEL

- **Neighborhood Investment and Infrastructure-** *Create strong, safe, accessible and vibrant neighborhoods.* Eligible programs and activities include but are not limited to; HIGH PRIORITY: Community policing, public infrastructure in target neighborhoods, accessibility/ADA compliance, alternative modes of transportation; PRIORITY: Park and recreation facilities, historic preservation, tree planting, and non-profit rehab, inclusive and diverse community centers and engagement programs, senior services, disability services, public infrastructure outside of the targeted neighborhood.
- **Housing Availability-** *Increase housing availability and affordability.* Eligible programs and activities include but are not limited to; HIGH PRIORITY: Housing rehabilitation, adaptive reuse of housing, housing retention; PRIORITY: Rental assistance programs, environmental testing and remediation, energy efficiency/weatherization, fair housing activities, heating and fuel assistance, tenant landlord counseling services, and legal services.
- **Economic Opportunity-** *Create economic opportunity to transition out of poverty.* Eligible programs and activities include but are not limited to; HIGH PRIORITY: Job creation, expansion of microenterprise businesses, career advancement services (education, job training, GED attainment, ESL, etc.), Job retention support services (childcare vouchers, housing counseling, transportation assistance, etc.) PRIORITY: Façade improvements, and financial stability services (budgeting, financial planning, tax preparation, etc.).
- **Address the Need of the Growing Homeless Population-** *Prevent and reduce homelessness.* Eligible programs and activities include but are not limited to; HIGH PRIORITY: Food assistance, shelter services, mental health service, substance use disorder services, housing and housing services for long-term shelter consumers, emergency services to prevent homelessness; PRIORITY: Rental assistance, and at risk youth services.

4. SET ASIDES PROGRAM YEAR 2023-2024-2025

- **Public infrastructure set-aside** of up to 60% of the cumulative funding available to City programs

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D. APPLICATION GUIDELINES

1. **APPLICATION CHOICES:** There ~~is one~~ are three application options within this application.

a. **Construction Application:** For infrastructure improvement, renovation or construction of community facilities, non-profit rehabilitation, housing or other eligible construction activities. Any needed technical assistance or consulting for completing the project may be built into the request. *Please complete and submit Section III Construction Application, the Application Budget Form, plus relevant attachments.*

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~~*Please note: There is a separate development activity application for non-construction projects.*~~

b. **Development Activity Application:** For non-construction infrastructure improvement, housing activities, or other eligible activity. Any needed technical assistance or consulting for completing the project may be built into the request. *Please complete and submit Section III Development Activities Application, the Application Budget Form, plus relevant attachments.*

c. **Economic Development Application:** For programs that create at least one (1) full time equivalent job for every \$10,000 of CDBG project investment, with 100% match. When creating jobs, 51% of jobs created by CDBG funding must be filled with LMI residents of Portland. *Please complete and submit Section III Development Activities Application, the Application Budget Form, plus relevant attachments.*

~~*Please note: Individual businesses cannot apply for CDBG funds directly through the annual application; programs and organizations that assist businesses or individuals are eligible to apply.*~~

2. **FUNDING REQUEST RESTRICTIONS:** The City Council has imposed a number of restrictions regarding the amount of funds that can be requested per applicant.

a. **Minimum Grant Request**

\$10,000 Development Activities

b. **Maximum Grant Request- – EXCEPT Public Infrastructure Projects**

No more than 30% of the previous year's allocation amount or \$250,000, whichever is less

c. **Maximum Cumulative City Request**

85% of funding available for Development Activities

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3. **SUBMISSION GUIDELINES**

All applications must follow the prescribed formatting, or be subject to penalty points:

a. Projects at different locations cannot be combined into a single application; each distinct project must have a separate application.

~~b. Applications must be typewritten;~~

- ~~e. White 8 1/2 x 11" paper; with 1" margins;~~
- ~~d. Text must be Times New Roman 12pt for the narrative, single spaced with double spacing between paragraph, the Summary and Worksheet may use Times New Roman 11 pt;~~
- ~~e. All sections and narrative questions must be labeled, page numbering is encouraged;~~
- ~~f.b. Maps and larger sections must be shrunk to fit onto an 8 1/2 x 11" paper;~~
- ~~g. The check list provided must be completed and submitted with the application;~~
- ~~h.c. PageCharacter limits listed on in the check list application must be followed, additional pages may not be forwarded to the Committee for review;~~
- ~~i. Required and supporting documents shall be labeled and placed in an appendix. Extraneous information will not be considered;~~
- ~~j.d. Required for all applications (additional documents:- for each application are also listed below~~
 - ~~i. Scope of work and estimate provided by city or building professional~~
 - ~~ii. Plans, designs, and/or pictures~~
 - ~~i. Non-profit applications: verification of 501(c)3 status; agency organizational chart; most recent audit or if not available the most recent 990 financial statement.~~
 - ~~iii.ii. Project map of neighborhoods served by the project (LMA only)~~
- ~~e. Required documents for construction applications (in addition to above)~~
 - ~~i. Scope of work and estimate provided by building professional~~
 - ~~ii. Plans, designs, and/or pictures~~
 - ~~iii. Project timeline including specific dates and milestones~~
 - ~~iv. Verification of contact with City Historic Preservation staff~~
 - ~~vi. Verification of 501(C)3 status (nonprofit applicants only)~~
 - ~~vii. Most recent audit or if not available the most recent 990 financial statement (non-profit applicants only)~~
- ~~k.f. Supporting Documents (optional, but subject to scoring) These documents should be specific about how the organization's service is enhanced through the collaboration.~~
 - ~~i. Memorandum of Agreement: describes the relationship between partner entities for this application, including specific details concerning the allocation of funds, shared goals, objectives, space, employees, and other resources. If awarded funds, the MOA will be attached to your contract.~~
 - ~~a. Memorandum of Agreement: describes the relationship between partner entities for this application, including specific details concerning the allocation of funds, shared goals, objectives, space, employees, and other resources. If awarded funds, the MOA will be attached to your contract.~~

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~~b. Letter of Support: describes relationship between applicant and the entity writing the letter and the reason for support, including impacts the applicant has on the community, strength and benefits of partnerships established with other organizations, etc.~~

~~c. These documents should be specific about how the organizations service is enhanced through the collaboration. In addition, the document should describe where the service and collaborator fits on the "continuum of care".~~

~~ii.g. ii. Letter of Support: describes relationship between applicant and the entity writing the letter and the reason for support, including impacts the applicant has on the community, strength and benefits of partnerships established with other organizations, etc.~~

~~iii. Project Timeline: describes when the program will occur with specific dates and times~~

~~i. (1) full electronic version, submitted via email~~

~~m.h. All applications shall be complete, approved, and electronically signed by the owner, the Board of Directors, or the Executive Director authorized by the Board.~~

~~n. One (1) original electronic version of the application with electronic or original signatures must be submitted to the HCD office;~~

~~o.i. Applicant must have site control or ownership of proposed project or apply in partnership with the owner of the property;~~

~~p.j. All applications for improvements to City owned parcels must be requested by a City Department.~~

E. DEADLINES

- ~~1. POWERPOINT PRESENTATION MANDATORY APPLICANT MEETING will be available on the website until December 6th scheduled for XX, 2023.~~

~~To be eligible apply you must watch this presentation attend the meeting.~~

- ~~2. SUBMISSION DEADLINES One electronic application Online applications must arrive by the deadline. Each applicant will receive a notification confirmation of application receipt from the City's Housing and Community Development Division following submission.~~

DEADLINE: Friday, December 9, 2022XX, 2023 at 4:00pm

Applications must be submitted electronically to:

Roux Lobo

For any questions, please contact:

Rowen McAllister

HCD Program Manager

rjrmcallister@portlandmaine.gov

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~~NONO LATE APPLICATIONS APPLICATIONS OR SECTIONS WILL BE
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POINTS WILL BE DEDUCTED FOR INCOMPLETE SUBMISSIONS.~~

F. REVIEW PROCESS REVIEW PROCESS AND SCORING

REVIEW PROCESS

The Housing and Community Development staff will review all applications and designate the priority impact level of each application; giving ~~44~~5 points for 'High Priority' and ~~72~~ points for 'Priority' ~~0 points for other eligible projects (See Section I.C.3 above for more detail).~~ The CDBG Annual Allocation Committee will then review and score all applications based on need, goal, guiding principles, and other scoring categories. The staff of Housing and Community Development will prepare a list of the rated applications from highest score to lowest score for the City Manager, Mayor, and City Council. A draft ~~time line~~ timeline for the Allocation Committee is below and is available on the website:

<https://www.portlandmaine.gov/693/CDBG-Annual-Allocation-Committee>

November 1th Mandatory ~~Zoom presentation released~~ Applicants Meeting

December Mandatory ~~Zoom presentation expires at noon~~

November 8 Applications are available

December 09 4:00pm applications are DUE

Jan 2023- Mar 2024 Allocation Committee reviews & scores all applications

March 2024 Allocation Committee recommends funding allocations

April 2024 City Mngr. recommends funding allocations to Council

April/May Portland City Council Public Hearings, dates TBD

May 15 Staff submits the Annual Action Plan to HUD

2. SCORING CATEGORIES AND POINT DISTRIBUTION

SCORING CATEGORY, SEE I.B FOR MORE INFORMATION	POSSIBLE POINTS
Guiding Principles: measurable community impact, diversity and inclusiveness, priority to lower incomes, location, sustainability	30 points total
Capacity to deliver: financial need, leveraged funding, experience providing service, readiness to proceed, and financial stability	25 points total
Goal, Priority Impact Level & Community Need	30 points total
Partnership/Collaboration: A single overall score for the following:	

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•• Memorandum of Agreement (MOA) •• Letter of Support (LOS) •• Demonstrated Outreach	15 points total
PENALTY	POINTS DEDUCTED
Missing section/s	1 point deducted per item
Failing to follow Submission Guidelines , section I.C.3 (including but not limited to: application not typed, page limits, max/min request amounts, etc)	0.25 point deducted per instance
Errors (e.g. in budget calculation)	0.25 points deducted per instance

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3. APPEALS PROCESS ON SCORING

An applicant may appeal only the score that it receives. The appeal must be based on a factual error that was made and that, if corrected, would result in a grant award or a higher award. The appeal must be filed in writing within 10 calendar days of the date upon which the Allocation Committee publishes the scores. The appeal shall be filed to:

Office of the City Manager, Portland City Hall, 389 Congress Street, Portland, ME

The appeal shall identify the specific factual error or errors that are alleged and be accompanied by documentation that supports the allegation. If the City Manager or his/her designee determines that, if granted, the appeal would result in a change to the appellant's application score sufficient to result in a grant award or a higher grant award, the City Manager or his/her designee ("Hearing Officer") shall schedule the matter for a hearing. The hearing must be held within five days of the date upon which the appeals period ends. The Hearing Officer shall issue a written decision within three days after the completion of the hearing. The date of the hearing and the date by which the written decision must issue may be extended by agreement between the appellant and the City.

If an appeal is granted, the Hearing Officer's decision shall state the additional points awarded to the applicant and be transmitted to the Allocation Committee within 3 days after the completion of the hearing with instructions to make the appropriate adjustments in the CDBG allocations that result from the scoring change.

The Allocation Committee shall not be required to meet to make any final adjustments to its allocation grant awards recommendations until all appeals have been decided.

G. RESERVATION OF RIGHTS

The City of Portland reserves the right, at its sole discretion, to award all, a portion, or none of the available CDBG funding for this fiscal year, and may reject any and all proposals based on the quality and/or merits of the proposals, or when it is determined to be in the public interest to do so. Furthermore, the City may extend deadlines and timeframes, as needed.

The City of Portland reserves the right to substantiate any applicant's qualifications, financial information, capability to perform, availability, past CDBG performance, and to verify that the applicant is current in its financial obligations to the City.

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

H. POST AWARD AND SUB-RECIPIENT CRITERIA

All awards are subject to the City's receipt of its annual appropriation from the U.S. Department of Housing and Urban Development. All awards are subject to pre-contract agreement negotiations with the recipient.

The City of Portland is committed to monitoring the performance of grant recipients to ensure that Federal funds are used appropriately and in a manner to maximize low and moderate income public benefit. Grant recipients include City of Portland departments, divisions, outside social service agencies, non-profit organizations and local businesses. Monitoring each grant recipient ensures that the goals and objectives identified within the City of Portland's HUD Action and Consolidated Plan are met. Copies of the monitoring reports are kept in the Housing and Community Development Office.

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

- CDBG recipient shall not incur any costs or obligate any CDBG funding until a release of funds is received from the U.S. Department of Housing and Urban Development by the City of Portland and a contract between the City of Portland and the recipient is executed. Environmental Review and historic preservation at the State and local level are required before construction jobs bidding can begin.
- Program years begin when HUD has approved Portland's Annual Action Plan, projected to be July 1, 2023-2024. Construction activities must begin within six months of award and complete within 24 months, ending June 30, 2025-2026.
- CDBG recipients must sign the contract no later than July 1, 2023-2024. If the contract is not signed by such time, the award may be forfeited and the funds returned to the CDBG program for reallocation. In the case of construction projects, the contract will be signed once a scope of work has been provided and after the environmental review is complete. The term will remain July 1, 2024 - June 30, 2026.
- CDBG recipient shall ensure recognition of the role of the City of Portland Community Development Block Grant in providing services. All facilities constructed or providing services assisted with CDBG funding shall be prominently labeled as to the funding source.
- All non-City recipients must provide the following insurances:
 - Liability Insurance of \$400,000 with the City of Portland listed as an additional insured
 - Worker's Compensation Insurance (if you have employees)
 - Unemployment Insurance (if you have employees)
 - Crime Coverage or a fidelity bond

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- CDBG recipients will be required to maintain accurate records documenting the targeted populations and/or areas being served by the program or project, and to provide quarterly reports to the City demonstrating that eligibility requirements are being satisfied. The CDBG recipient must collect and track data elements associated with the program/project requesting funding.
- Recipients may be asked to provide a year-end summary reporting accomplishments and outcomes to be provided to HUD and the public. This includes a description of the impact or outcomes of the program or project. Quarterly updates may be requested and must be provided. If requested, funded recipients must comply.
- For economic development job creation programs, recipients are required to:
 - Provide baseline payroll prior to the beginning of the project
 - Hire at least 51% low to moderate income Portland residents.
 - Report and maintain accurate records of jobs for one year after the final job is created. Reports are to be submitted monthly or quarterly until project completion.
 - Follow the construction project requirements listed below, if applicable.

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- For construction, rehabilitation or acquisition projects recipients are required to:
 - Maintain accurate records for all expenses and relevant grant/loan transactions and information.
 - Conduct all procurement transactions in a manner that provides full and open competition, including choice of designers or contractors paid for in whole or in part through these federal dollars. This procurement process shall utilize formal advertising, and either: sealed bids with award going to the lowest price responsible bidder or competitive proposals where the award is given to the entity most advantageous to the project, with both price and other factors considered.
 - Obtain Competitive sealed bids are required for all construction work. For goods and non-construction services, obtain price or rate quotations from three or more vendors for all equipment or other purchases less than \$25,000. For equipment or other purchases For goods and non-construction services greater than \$25,000, competitive sealed bidding is required.
 - Comply with all applicable laws, ordinances, and codes of the City of Portland and State of Maine, and secure and pay fees for all permits required to perform the scope of work.
 - Comply with all Federal Laws and Regulations, including Environmental Review, Historic Preservation, Federal Davis Bacon Wage regulations, Fair Housing and Equal Opportunity, Handicap Accessibility, Lead Based Paint Poison Prevention, and other applicable federal regulations: including Section 3, BABA, and the URA.
 - Allow the City of Portland to retain a security interest in the property for up to 10 years. This may be in the form of a mortgage deed and/or promissory note.

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- Payments and Invoices

- Construction projects will receive payment based on work complete, substantiated by contractor or designer invoices. Davis Bacon certified payroll must be submitted with each construction invoice. 10% of the allocation will be kept until final inspection.

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H. CONSTRUCTION APPLICATION

COMPLETE APPLICATION CHECKLIST

Please submit each section of the application, including this checklist:

- ☐ ~~A. Construction Cover Page~~ *limit 1 page*
- ☐ ~~B. Construction Worksheet~~ *limit 2 pages*
- ☐ ~~C. Construction Narrative~~ *limit 4 pages*
- ☐ ~~D. Budget: Revenues and Expenditures~~, attached separately, *limit 1 page*
- ☐ ~~E. Construction Summary~~ *limit 1 page*

[Complete this section in whole; this is the only form forwarded to the City Council]

Required documents for ALL Construction Projects, applies to non-profit or City applicants:

- ☐ ~~Scope of work~~ provided by city or building professional: engineer, architect, project manager or contractor.
- ☐ ~~Estimate~~ provided by city or building professional: engineer, architect, project manager or contractor. *Please note: if the project is over \$2,000 and is not being built with City employees, federal wage rates apply.*
- ☐ ~~Plans or Pictures~~ if applicable, black and white, *limit 3 pages total*
For Slum/Blight projects: ~~Blight or decay~~ must be documented and submitted as part of the application (required for SB)
- ☐ ~~Project Map~~ of the neighborhood served by this project (LMA only)
- ☐ ~~Project Timeline~~ attached separately
- ☐ ~~Verification of contact with City Historic Preservation Staff~~

Supporting documents (subject to scoring)

- ☐ ~~Memorandum of Agreement~~, if applicable, that describes the relationship between partner entities for this application. *Limit 2 pages: can be one MOA that's two pages long or two MOA's that are one page each.*
- ☐ ~~Letter of Support~~, if there is no MOA; a letter of support may be submitted. *Limit 2 pages: can be one letter that's two pages long or two letters that are one page each.*

Additional required documents for non-profit organizations:

- ☐ ~~Verification of 501(c)3 Status~~, *limit 1 page*
- ☐ ~~Most Recent Independent Auditors Report and identified findings~~ or *if an Audit is not available* the most recent 990 Financial Statement
- ☐ ~~Complete list of Board Members~~

~~Signature of the President, CEO or Executive Director~~

~~Date~~

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- o Economic development programs will need to provide a cost per job/ cost per microenterprise assisted. Invoices or requests for payment will be paid based on costs incurred and must include back up of expenditures. Final costs per project are not to exceed the cost per unit. 10% of the allocation will be kept until all units (jobs, microenterprises, etc.) are provided.
- o Façade or Housing programs will receive payment based on work complete, substantiated by contractor, designer invoices or other. Davis Bacon certified payroll must be submitted with each construction invoice (as applicable). 10% of the allocation will be kept until final inspection. Final costs per project are not to exceed the cost per unit.

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A. CONSTRUCTION COVER PAGE, limit 1 page

COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM YEAR 2023-2024

Application Type	☐ Construction	☐ Development Activity	☐ Economic Development
Operating Agency/ Business			
Project Name			
Mailing Address			
Project Address			
Executive Director		Phone	Email
Project Director		Phone	Email
Financial Contact		Phone	Email
Person who completed the Application		Phone	Email
Amount of CDBG Funds Requested	\$	Total Project Budget \$	
DUNS Number Unique Entity Identifier (UEI)		Tax ID:	

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B. CONSTRUCTION

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B. CONSTRUCTION AND ECONOMIC DEVELOPMENT WORKSHEET, limit 2 pages

1. **HUD National Objective.** Indicate which National Objective this program activity will address, choose one. Refer to National Objective description p. 3 for additional information.

☐ **Prevention and Elimination of Slum or Blight** to address conditions that is detrimental to public health, safety, or welfare (SB) *Slum or blight must be documented & submitted with the application.*

☐ **Low and Moderate Income Area Benefit (LMA):** an activity which is available to benefit all the residents of an eligible area/census tract, plus housing authority properties.

If you choose LMA, please provide a map and outline on the map the area that your program serves.

☐ **Low and Moderate Income Clientele (LMC):** an activity which provides benefits to a specific group of persons of which at least 51% qualify as LMI Portlanders.

Does this activity benefit a population that HUD presumes to be low to moderate income, including abused children, elderly persons, battered spouses, homeless persons, illiterate adults, severely disabled adults, persons living with AIDS, and migrant farm workers? ☐ No

☐ Yes (please circle appropriate population)

☐ **Low and Moderate Income Job Creation (LMJC):** an activity that creates or retains permanent jobs where at least 51% will be made available to LMI Portland residents.

☐ **Low and Moderate Income Micro-enterprises (LMCMC):** activity that benefit micro-enterprise owners/ developers who are LMI Portland residents.

☐ **Low and Moderate Income Housing Project (LMH):** an activity to provide or improve permanent residential structures that will be occupied by LMI Portland residents.

2. **HUD Program Objectives.** Indicate which HUD program objective this program will address; choose one:

☐ **Creating a Suitable Living Environment**

☐ **Providing Decent Housing**

☐ **Creating Economic Opportunity**

3. **Primary Goal.** Indicate the primary goal your program or project addresses; choose one. Refer to the instructions on p. 7-8 for additional information.

☐ **Neighborhood Investment and Infrastructure:** Create strong, safe accessible and vibrant neighborhoods

☐ **Housing Availability:** Increase housing availability and affordability

☐ **Economic Opportunity:** Create economic opportunities to transition people out of poverty

☐ **Address the Needs of the Growing Homeless Population:** Prevent and reduce homelessness

4. **Location.**

A. What census tract is the project located?	A.
B. Is the project located in a historic district?	B.
C. Service Area: What neighborhoods will be served by this project (LMA only)	C.

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5. **Beneficiaries.** Describe the beneficiaries or clients served by the program.

(LMA answer A only)

A. Describe the beneficiaries or clients served by the program.	A.
B. How many will be served by the proposed program?	B.
C. How many are <u>residents of Portland</u> ?	C.
D. How many are <u>low to moderate income residents of Portland</u> ? See income data in the instructions	D.
E. What percentage of total clients are low to moderate income residents of Portland? (To calculate = $D/B * 100$; Must be > 51%)	E.

6. **Units of Service. (Development Activities Only)**

A. Describe the type of unit of service provided by the program.	A.
B. How many units of service will be provided by the program?	B.
C. What is the cost per unit of service?	C.
D. Explain the relationship between the cost per unit of service and the total program budget.	D.
E. What percentage of the total budget is CDBG?	E.

7.

6.8. **Program Objectives and Outcomes.** Please list below:

Program Objectives	Outcomes/ Community Impact

7. **Documentation** (not applicable for LMA)

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A. How will the beneficiaries' information be collected and documented?	A.
B. How will the units of service be tracked and documented?	B.
C. How will the outcomes be measured, collected, and documented?	C.

Please limit the Construction Worksheet to 2 (two) Pages.

C. CONSTRUCTION NARRATIVE

In a separate document please answer the following questions; you have four total single-sided pages. Be as direct and specific as necessary. Please include question headings, but in order to save space please do not restate the question in your response.

1. Narrative: Project Description/Scope of Work

Describe the proposed program or project. Describe the scope, goals, and any project plans or designs that have been developed to date.

2. Readiness to Proceed and Complete

Describe the project's timeline with specific dates/-times, including start dates, end dates, and milestones, as applicable.

3. Budget Narrative

~~Describe~~ Provide a short narrative description of the project's budget and expenses. ~~What will be paid for with the project or program.~~ Describe exactly what CDBG?

4. will pay for in this program or project. Please ensure that budget amounts listed in the narrative match the cover page, summary, and budget worksheet

4.5 Leveraged Funds, Financial Need

What other funding do you have to support this project? Will this project go forward without CDBG funding?

6. Goal

Choose and describe how this program meets one of the goals of the CDBG program 1) Neighborhood Investment and Infrastructure - Create strong, safe, accessible and vibrant neighborhoods; 2) Housing Availability - Increase Housing availability and affordability; 3) Economic Opportunity - Create economic opportunity to transition people out of poverty; 4) Address the needs of the growing homeless population- prevent and reduce homelessness

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7. Priority Impact Level

Choose and describe how this program best addresses one of the priority impacts level activities. (Descriptions on page 9).

5.8. Community Need Description

Why is this project needed?

6.9. Measurable Community Impact

What impact the project will this project have on the community?

7.10. Guiding Principles: Please choose one option below: Infrastructure or Non-Profit RehabFor Infrastructure Projects

- Describe how the Location of this project complements or completes currently or previously funded project.
- Describe how this project is Consistent with City Goals and Plans.

For Non-Profit Rehabilitation Projects

- Describe how the renovation project makes the building more energy efficient.
- Describe how the programs offered in the renovated space give priority to lower incomes.

For Development/Economic Development Activities

- Describe how the program meets each of the following Guiding Principles: Priority to Lower Incomes, Diversity and Inclusiveness, Consistent with City Goals and Initiatives (descriptions on page 8).

8.11. Experience Providing Service

Describe the applicant's experience in delivering and managing similar projects. Give specific examples of past projects completed on time and within budget.

9. Partnership/Collaboration

Describe any partnerships. If applying as a partnership, please describe the nature of the partnership, who is involved, and what agreement there is among partners. Partnerships are two or more organizations or businesses who will share valuable resources, work together toward a common goal, and increase efficiency in providing services.

If applying as a single entity please describe collaboration, or demonstrated between service providers; coordination of services; or outreach to the community support for the project.

Include any additional collaboration, coordination or outreach as relevant to ensure there is no duplication of services.

D. BUDGET: REVENUES AND EXPENDITURES, limit 1 page.

Complete separate Excel budget form.

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E. CONSTRUCTION SUMMARY, limit 1 page, (This is the only page that goes to Council)

Application Type	☐ Construction Project	☐ Development Activity	☐ Economic Development Activity
Applicant			
Project Name			
Project Address/Location			
Funds Requested	\$		
Project Summary			
HUD National Objective <i>Refer to Section III.B.1</i>	☐ Prevention of Slum/ Blight ☐ Low/Moderate Income Area	☐ Low/ Moderate Income Clientele ☐ Low/ Moderate Income Housing	
HUD Program Objective <i>Refer to Section II.B.2</i>	☐ Creating Suitable Living Environment ☐ Providing Decent Housing ☐ Creating Economic Opportunity		
Primary Goal <i>Refer to Section II.B.3</i>	☐ Neighborhood Investment ☐ Economic Opportunity	☐ Affordable Housing ☐ Prevent/Reduce Homelessness	
Units of Service (for development activities) - Refer to Section II.B.4			
<u>Type of Unit of Service</u>			
<u>Number of Units Provided</u>			
<u>Cost per Unit of Service</u>			
Location - For LMA projects Refer to Section II.B.4			
Census Tracts			
Service Area Neighborhoods (For LMA Projects)			
Beneficiaries/ Clients Served - Refer to Section II.B.5			
Client Description			
Number of Clients Served			
Number of LMI Portlanders			
LMI Portland Percentage			
Outcomes - Refer to Section II.B.6			

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Budget - Refer to Section II.D			
\$	CDBG Request (Must match CDBG Request on Cover Page and Budget Worksheet)		
\$	Total Program Budget (Must match Total Budget on Cover Page and Budget Worksheet)		
%	Percentage of CDBG Request of Total Budget [50% or less indicates at least a 1 to 1 match]		
Leveraged Funds - Refer to Section II.D			
\$	Federal	\$	Other grants
\$	State	\$	Endowment
\$	County	\$	Private Funds
\$	City (not CDBG)	\$	Gifts in kind

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