

2023 CITY OF RACINE CDBG PUBLIC SERVICES PROGRAM GUIDELINES

INTRODUCTION

The Community Development Block Grant (CDBG) program is a United States Housing and Urban Development (HUD) program that provides communities with resources to address community development needs. Since its establishment by Congress in 1974, the CDBG program has been one of the longest continuously run programs at HUD. As an entitlement community and Participating Jurisdiction (PJ), the City of Racine Department of City Development receives annual funding allocated by HUD.

The Federal objectives of the CDBG Program are to provide the following, principally for persons of low and moderate income (LMI): decent housing, a suitable living environment, and expanded economic opportunities. In addition, the City of Racine emphasizes three priority areas related to CDBG Public Services: jobs, youth services, and neighborhood safety/crime prevention and stability. These specific neighborhoods receiving programming funding have been identified as part of the City's 5-year plan.

Public Services funding is available to government and established nonprofit organizations (in operation for over two years, with successful implementation of other grant programs) who wish to implement programming that serves LMI areas and LMI citizens within the City of Racine. This is historically the most competitive eligible category under the CDBG program, due to a 15% cap on public services spending.

On May 16, 2023, the City of Racine will pass the 2023 Annual Action Plan, allocating the funds to certain specific programs and other uses as outlined in this Program Guide.

REQUESTS FOR REASONABLE ACCOMMODATION

The City of Racine's Department of City Development (hereafter referred to as the "City") will provide reasonable accommodation to allow for equal participation in the Request for Proposal (RFP) application process. To request a reasonable accommodation, please contact Brendan Saunders at 262.636.9477 or email Brendan.Saunders@cityofracine.org. This document will be provided in alternate formats, upon request.

ACCESS TO REFERENCED DOCUMENTS

This document contains active hyperlinks. Prospective applicants who are unable to access the Internet may request copies of the documents referenced in this RFP by contacting Brendan Saunders at 262.636.9151 or email Brendan.Saunders@cityofracine.org. All documents will be available on City Development's website.

NOTICE OF SOLICITATION

In addition to providing required notification via the City's publication of record, *The Racine Journal Times*, the City will provide notification to all known interested parties, and to other organizations and individuals currently on the Department's e-mail distribution list. Any individual or organization wishing to be added to the Department's e-mail distribution list in order to receive future notices of funding opportunities can make such a request by contacting 262.636.9477 or emailing Brendan.saunders@cityofracine.org. A copy of this Request for Proposal (RFP) will be posted to the department's website at <https://www.cityofracine.org/CityDevelopment/NeighborhoodServices/> Failure of the City to notify any interested party or parties directly regarding the availability of this RFP shall not void or otherwise invalidate the RFP process.

AVAILABILITY OF FUNDS

The City of Racine is soliciting applications for Community Development Block Grant – Public Services Programs consistent with our Consolidated Plan goals. Public Services are typically subject to 15% cap of the total CDBG appropriation per HUD regulations, but flexibilities in the CARES act have loosened the requirements for CDBG funds used to prevent, prepare for, or respond to coronavirus. Approximately **\$271,306** will be available to eligible projects, split among the following goals:

Goal	Targeted Amount
Homeownership Services	\$ 135,653
Economic Mobility	\$ 135,653
Total	\$ 271,306*

The City of Racine may add funds to either or both categories above as funding is available and as permitted by HUD.

A minimum funding request amount of \$60,000 is required to apply for funding under the Homeownership Services category; and \$60,000 for funding under the Economic Mobility category. Agencies that submit applications with a funding request less than the minimum amounts will not be considered for funding.

CITIZEN PARTICIPATION

HUD program regulations require that citizens be given the opportunity to examine and appraise the City's use of funds. Citizens are afforded an opportunity to participate by membership on the CDBG Advisory Board (CAB) and by attendance at Board meetings throughout the review and recommendation process. All CAB meetings are open to the public and published on the City's website. Members of the CAB establish priority funding categories based on the needs of the community, and are responsible for making funding recommendations for the use of the funds made available. A 30-day public comment period on the 2023 Annual Action Plan began on Friday March 10, 2023 through close of business on Monday April 10, 2023.

Applicants will present their applications to the review panel and public as part of the review process, allowing applicants the opportunity to answer questions or clarify their project goals.

DESCRIPTION OF SOLICITED SERVICES

The City of Racine Department of City Development is accepting applications from qualified applicants to undertake activities under the City's Community Development Block Grant (CDBG) Program related to Public Services. Public Services are programs that benefit low and moderate income (LMI) individuals, a HUD national objective. The primary objective of the program is the development of viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for low- and moderate-income persons. CDBG Regulations under 24 CFR 570.201 (e) detail criteria for public service funding.

Program Requirements

In order to be eligible for funding under the CDBG (public services) program, an application must meet the following four (4) criteria:

1. Be an eligible activity under U.S. Department of Housing and Urban Development (HUD) regulations. (A sample of eligible activities is provided on page 5. This is not an exhaustive list of allowable activities but rather examples.) (24 CFR 570.201(e)).
2. Meet HUD's CDBG National Objective (24 CFR 570.208 (a)), which is to benefit low to moderate income (LMI) persons. In order for a CDBG activity to be eligible under HUD's national objective LMI,

the activity must qualify under either 1) area benefit or 2) limited clientele.

- A. For CDBG activities based on **area benefit** (24 CFR 570.208 (a) (1)):

The public service activity must be offered to all residents of an area where at least fifty-one percent (51%) of the residents are low- and moderate-income per the latest census data available. The area must be clearly delineated by the grantee and must be primarily residential. A map of census tracts that are more than 51% LMI is provided in Attachment A. In the event the proposed activity has a city-wide area benefit it may be eligible as the city as a whole is slightly more than 51% LMI. To determine if your project is eligible under Area Benefit please contact Brendan Saunders at (262) 636-9476.
- B. For agencies serving a **limited clientele** (see Income Limits Summary Table below) (24 CFR 570.208 (a) (2)): Under limited clientele, activities benefit a specific targeted group of persons of which at least fifty-one percent (51%) must be low- and moderate-income. This can be achieved by meeting one (1) of the following criteria:
 - 1) Serving a group primarily presumed to be LMI such as abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers; (24 CFR 570.208(a)(2)(a)); or
 - 2) Serving at least fifty-one percent (51%) LMI, as evidenced by documentation and data concerning beneficiary family size and income (see Income Limits Summary table below); (24 CFR 570.208(a)(2)(b)); or
 - 3) Having income-eligibility requirements that limit the service to persons meeting the LMI income requirement, as evidenced by the administering agency's procedures, intake/application forms, and other sources of documentation (see Income Limits Summary table below); (24 CFR 570.208(a)(2)(c)).

HH of 1	HH of 2	HH of 3	HH of 4	HH of 5	HH of 6	HH of 7	HH of 8
\$0-\$18,150	\$0-\$20,750	\$0-\$23,350	\$0-\$27,750	\$0-\$32,470	\$0-\$37,190	\$0-\$41,910	\$0-\$46,630
\$18,151-\$30,250	\$20,751-\$34,550	\$23,351-\$38,850	\$27,751-\$43,150	\$32,471-\$46,650	\$37,191-\$50,100	\$41,911-\$53,550	\$46,631-\$57,000
\$30,251-\$48,350	\$34,551-\$55,250	\$38,851-\$55,600	\$43,151-\$69,050	\$46,651-\$74,600	\$50,101-\$80,100	\$53,551-\$85,650	\$57,001-\$91,150
\$48,351+	\$55,251+	\$62,150+	\$69,051+	\$74,601+	\$80,101+	\$85,651+	\$91,151+

Address one (1) or more of the following two (2) activity categories are prioritized by the City of Racine 2020-2024 Consolidated Plan:

a) Homeownership Services

Up to \$135,653 will support programs that will foster the creation of homeownership opportunities in the City of Racine, or financial empowerment for the purpose of homeownership.

b) Economic Mobility

Up to \$135,653 will be used to support organizations that provide training for City of Racine residents to move into living wage employment, or programs that minimize barriers to accessing training.

All funded activities must either be a new service or demonstrate a quantifiable increase in services provided with the funds requested. Funds may not be used to pay for an existing service, unless an exemption is made by HUD. **Note:** First time applicants or applicants requesting an increase in funding will need to describe how the funds will be used for a new service or an expansion of an existing service.

Programs that incorporate elements of workforce training, apprenticeship opportunities, or volunteer/community participation are highly encouraged.

Preference will be given to applicants whose work directly fosters racial equity by directly counteracting disparities between racial and ethnic groups. A performance retainage may be held until completion of quantifiable metrics as agreed upon between the City and applicant.

The long-term outcomes for Public Service projects must either:

1. Make services available or accessible to LMI citizens including those with special needs or disabilities; or
2. Make services affordable to LMI citizens; or
3. Promote services that improve communities and make them sustainable; and
4. All activities that specifically identify as preventing, preparing for, or responding to Coronavirus must do so in accordance with City procedures

PROGRAM REGULATIONS

Complete CDBG Program Regulations are found at [24 CFR Part 570](#).

Income calculations to determine LMI clientele program eligibility are found at [24 CFR Part 5](#).

Definitions and regulation subparts:

- Activity eligibility: 24 CFR 570.201(e)
- Area benefit: 24 CFR 570.208 (a) (1)
- Limited clientele: 24 CFR 570.208 (a) (2)
- Majority (>51%) LMI clientele
- Presumed LMI clientele: 24 CFR 570.208(a)(2)(a)

Eligible Project Activities

CDBG regulations allow the use of grant funds for a wide range of public service activities including:

- Employment services (job training);
- Establishment, stabilization, and expansion of small businesses;
- Crime prevention and public safety;
- Child care;
- Drug abuse counseling and treatment;
- Health services;
- Education programs;
- Energy conservation;
- Public safety services
- Recreation programs;
- Services for senior citizens;
- Services for homeless persons
- Youth programming

Note: Paying the cost of operating and maintaining that portion of a facility in which the service is located is also considered to fall under the basic eligibility category of Public Services, even if such costs are the only contributions made by CDBG for those services.

Two (2) activity categories are considered under the City of Racine 2020-2024 Consolidated Action Plan: homeownership services and economic mobility.

Ineligible Project Activities

Per the CDBG regulations (24 CFR 570.207), funds awarded as part of this contract shall not be used to support or pay for the following:

1. The provision of “income payments”: Payments made to an individual or family, which are used to provide basic services such as food, shelter (including payment for rent, mortgage and/or utilities), or clothing.
 - However, such expenditures are eligible under the following conditions:
 - a. The income payments do not exceed three (3) consecutive months, or six (6) consecutive months if intended to prevent, prepare for, or respond to coronavirus; and
 - b. The payments are made directly to the provider of such services on behalf of an individual or family.
2. Political activities.
3. General government expenses.

ELIGIBLE APPLICANTS

The City requires all applicants are registered as a business entity with the State of Wisconsin and have a Federal Tax ID number. Additional requirements are stated below and based on the funds, for which an agency applies. A non-profit, public or government agency serving residents of the City of Racine may apply to use these funds for eligible activities.

ANTICIPATED TIMELINES

The following anticipated timeline is subject to change, at the discretion of the City:

Due Date	Task
May 1, 2023	Notification of Funding Availability issued to known interested applicants, and posted on the City’s website.
May, 12 2023	Questions from prospective applicants are due via email/in writing no later than 4:30 p.m.
May 17, 2023	The City’s written response to each question submitted will be sent to all known prospective applicants for whom the City has a valid e-mail and/or postal address. The responses will also be posted on the City’s Website
May 26, 2023 (Friday)	Application submission deadline <u>no later than 4:00 pm.</u>
June 12, 2023	Members of the Community Development Block Grant Advisory Board (CAB) hear applicant and staff presentations, evaluate applications, and make preliminary funding recommendations at the CAB meeting, 6:00 p.m.
July 18, 2023	Members of the Common Council hear applicant and staff presentations, evaluate applications, and make final funding recommendations. 7:00 p.m.
July 2023	Award letters sent to agencies. Assumes HUD-issued funding agreement with the City of Racine.
January 1, 2023	Service begins. Program funds will not be officially allocated until a written agreement is signed. Beware of engaging in choice limiting actions by not having an Environmental Review conducted prior to physical work.

UNACCEPTABLE SUBMITTALS

Applications submitted that are not responsive to the minimum requirements of the solicitation are unacceptable and shall not be considered. Unacceptable applications are those which are subject to at least one (1) of the following shortcomings:

1. Does not address the essential requirements of the program.
2. Clearly demonstrates that the applicant does not understand and/or address the essential requirements of the program.
3. The applicant would not be able to fully satisfy the requirements defined in the program guidelines, or would be financially unable to provide the services in a timely manner.
4. Does not meet the deadline for submittal.
5. Does not contain the signed original.
6. Does not include the required original signed assurance document.
7. The applicant does not meet the qualifications listed under “Eligible Applicants”.
8. Does not include all the information and documents required as part of the application

Applicant agencies must demonstrate access to sufficient non-CDBG financing to accomplish a national objective through the application, if necessary; otherwise the application will not be accepted. The applicant must have non-federal financing secured if funds beyond the requested CDBG funds are needed to fulfill a national objective. Please attach evidence of financing with the other attachments in accordance with Question #22 of the application.

CONTACT

Cathy Anderson
Manager of Economic Development and Housing
Division of Economic Development and Housing
730 Washington
City Hall, Room 102
Racine, WI 53403
Phone: (262) 636-9151
Email: cathy.anderson@cityofracine.org

Brittany Brown
Community Development Compliance Specialist
Division of Economic Development and Housing
730 Washington
City Hall, Room 102
Racine, WI 53403
Phone: (262) 636-9151
Email: Brittany.Brown@cityofracine.org

QUESTIONS FROM APPLICANTS AND RESPONSE BY THE CITY

Inquiries regarding the content of this NOFA must be submitted to the City in writing or electronically, no later than **Friday, May 12, 2023 at 4:30pm** as indicated in the Anticipated Timelines section of the NOFA. Questions received after this date and time may not be answered. Questions may be submitted electronically to nsdapplications@cityofracine.org or via U.S. mail to either contact person identified in the Contact Section of this NOFA. City will time- and date-stamp all questions received via U.S. mail.

The City will provide a written response to each question received, and, as applicable, will issue any resulting amendments to this NOFA electronically via email to the applicant. Responses will also be posted on the City's website.

PROPOSAL FORMAT

Applicants must utilize the "City of Racine CDBG Application" document to submit their proposals. No other application formats will be accepted. A complete CDBG Public Services application packet must include:

1. Signed Acknowledgement of Required Assurances
2. Complete CDBG Public Services Funding Application
3. 501C3 Certificate of Good Standing (Nonprofit applicants)
4. Board Resolution or Minutes documenting approval of the application.

SUBMITTAL DUE DATE AND INSTRUCTIONS FOR SUBMITTAL

To be eligible for consideration, the Community Development Block Grant - Public Services Application (refer to pages 16-32 of this document) and required attachments must be received by City of Racine, City Development **no later than 4:00 p.m. Friday, May 26, 2023.** Applications postmarked prior to the deadline but not received by the City will be considered unresponsive and are ineligible for consideration. **Applications may be submitted electronically in their entirety to nsdapplications@cityofracine.org.** Applicants choosing to submit hard copies must place them in the red mail box by the west door of City Hall, but must email nsdapplications@cityofracine.org indicating that they have done so or intend to do so prior to the submission deadline.

Applications will be considered as submitted and the City will not contact the agency for corrections to the applications. Applicants are strongly encouraged to carefully review the instructions and anticipated timelines associated with this announcement.

Applicants submitting their application in hard copy must provide one (1) complete original with an original signature on the Acknowledgement of Required Assurances, including any requested documents and attachments. Applicants must use the forms provided. **Scanned emailed copies are also considered acceptable.**

The application must be signed by a person authorized to bind the agency in a contract.

Covers and three-ring binders must not be used. When mailed, applicants are strongly encouraged to send information to the City using certified mail, return receipt requested. All applications must be received by the deadline.

Each page of the response must be numbered, and document footers must contain the name of the applicant organization.

OWNERSHIP OF MATERIAL

Responses, applications, and other materials submitted in response to this request become the property of the City, are documents of public record, and will not be returned. By submitting an application, applicants acknowledge and agree that they and/or their organization claim no proprietary rights to the ideas or approaches contained in the applications.

APPLICATION COSTS AND PAYMENT OF CONTINGENT FEES

The City is not liable for any costs incurred by an applicant prior to the issuance of a contract. All costs incurred in response to this solicitation are the responsibility of the applicant, including travel costs to attend workshops, presentations, public meetings, and/or contract negotiation sessions.

In the event that the applicant's application was developed with the assistance of other individuals (i.e., non-employees) and/or organizations, the applicant understands and agrees that no contingent fees will be paid under any resulting award.

ACCEPTANCE OF TERMS AND CONDITIONS

By submitting a response to this NOFA, the applicant acknowledges and accepts all terms and conditions of this request and all City and State regulations and requirements related to the delivery of the eligible activities. If the applicant is awarded a contract, the applicant's application will become part of the contract agreement. The applicant is bound by the terms of the application unless the City agrees that specific parts of the application are not part of the agreement. The City reserves the right to introduce different or additional terms and/or conditions during final contract negotiations. Applicants will be required to enter into a formal written agreement with the City.

RIGHT TO REJECT OR NEGOTIATE

The City reserves the right to reject any or all applications, if such a rejection is in the City's best interest. This Notice of Funding Availability is a solicitation for offers and shall not be construed as an offer, a guarantee, or a promise that the solicited services will be purchased by the City. The City may withdraw or modify this notification at any time and for any reason without liability to applicants for damages, including, but not limited to, bid preparation costs.

Additionally, the City reserves the right to negotiate with selected applicants and may request additional information or modification from an applicant. When deemed advisable, and before a contract is issued, the City reserves the right to arrange an on-site visit/review to determine the applicant's ability to meet the terms and conditions described in this NOFA.

CONTRACT AWARD AND NOTIFICATION TO SELECTED APPLICANTS

Decisions regarding final contract awards for services solicited by this announcement will be made on or about September 23, 2022. Once completed, final awards will be made following completion of NEPA-level / HUD environmental reviews. After the environmental reviews are approved by City staff, a contract will be developed. Awarded contracts will become effective on the date signed by the Mayor or the appointed representative. CDBG funds will not be committed prior to the execution of an agreement with the City of Racine.

New applicant agencies must demonstrate financial sustainability sufficient to undertake the

proposed activity, or must secure a fiscal agent with at least five years of federal grant experience if the applicant does not have at least five years of federal grant experience. A nonprofit fiscal agent can offer numerous services as part of the arrangement. At minimum, the fiscal sponsor must retain supervision and management of funds in accordance with 2 CFR 200; ensure timely submission of reimbursement invoices and project updates; keep records proving that funds are used for tax-exempt purposes within applicant's mission and project proposal; and ensure that funds are used in accordance with all local, state and federal regulations.

EXPECTED TERM OF RESULTING AGREEMENT

The initial contract period is expected to be for 18 months with consideration given by the City for retroactive expenditures. At the discretion of the City (and informed by availability of Federal funding), the period of performance may be extended for the CDBG – Public Service contracts. Extending or renewing contracts will also be based on the contractor's performance.

RIGHT TO APPEAL

Applicants whose applications are not selected have the right to appeal the decision of the City, limited to procedural errors in the selection process. In the event that no such procedural errors are found to have occurred, the decision of the City's shall be final.

An aggrieved applicant may, within seven (7) business days after the selection of prospective eligible projects, appeal in writing to the Director of City Development or their designee. The appeal must state all facts and arguments upon which the appeal is based. The City Development Director, or the appointed Designee, will review the content of the City's solicitation document (NOFA), the applicant's application, and the facts which form the basis for the appeal. The Director, or the appointed Designee, will render a written decision within thirty (30) business days of the receipt of the appeal.

CANCELLATION OF APPLICATION

The City reserves the right, with or without cause, to cancel any contract resulting from this NOFA with a thirty (30) calendar day written notice sent by certified mail, return receipt requested, to the applicant's address of record, as indicated on the applicant's application to this NOFA (or last known address on file).

NOTIFICATION OF REQUIRED ASSURANCES

Applicants who are awarded a contract agree to provide services in accordance with the requirement of the contract, and with the statutes, regulations, requirements, and policies identified below, including but not limited to:

FFATA: The City will require agencies that are awarded CDBG funds to comply with the new Federal Funding Accountability and Transparency Act (*FFATA). FFATA requires the Office of Management and Budget (OMB) to maintain a single, searchable website that contains information on all Federal spending awards.

*For further information on FFATA visit <http://www.USASpending.gov>

Prime Awardee: As a "prime awardee" of CDBG federal funds the City is responsible to input information into the Federal Funding Accountability and Transparency Act Sub-award Reporting System (FSRS) regarding "sub-awardees/sub-recipients" that are awarded CDBG funds. In

order to comply with FFATA, the key data elements that the City will collect from agencies that are awarded CDBG includes (this list is not necessarily all inclusive):

- The “sub-awardees” nine (9)-digit Data Universal Numbering Systems (DUNS) number;
- The name of the “sub-awardees” organization;
- The “doing business as” (DBA) name of the “sub-awardees” organization, if applicable;
- Addresses where the sub-awardees” organization is located;
- “Sub-awardees” parent DUNS number, if applicable
- “Sub-awardees” principal place of performance (primary site where the work will be performed); and

- Sub-awardees” names and compensation of highly compensated officers if:

Q1. In your business or organization’s previous fiscal year, your business or organization (including parent organization, all branches, and all affiliates worldwide) received:

(a) Eighty percent (80%) or more of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, sub-grants, and/or cooperative agreements; AND

(b) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, sub-grants, and/or cooperative agreements.

If not, Q2 is not applicable. If yes, you will be required to respond Q2.

Q2. Does the public have access to information about the compensation of the senior executives in your business or organization (including parent organization, all branches, and all affiliates worldwide) through periodic reports filed under Section 13 (a) or 15 (d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m (a), 78o (d)) or section 6104 of the Internal Revue Code of 1986?

If awarded funds, these data elements will be inputted into FSRs by the City. The public will have access to this information on <http://www.USASpending.gov>.

Conflict of Interest: The Applicant covenants that no person who presently exercises any functions or responsibilities in connection with the City of Racine’s Community Development Block Grant (CDBG) program has any personal financial interest, direct or indirect, in this Agreement. The Applicant further covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The Applicant further covenants that in the performance of this project/application, no person having any conflicting interest will be employed. Any interest on the part of the Applicant or its employees must be disclosed to the City.

No officer, employee, or agent of the Applicant shall participate in the selection, award, or administration of activity funded in whole or in part with CDBG funds if a conflict of interest, real or apparent, would exist, nor shall their families, or those with whom they have business ties, so benefit.

Changes to Scope: For agencies that are funded with CDBG funds, if any changes are made to the scope, location, and/or beneficiaries of the program, the agency will be responsible for any costs associated with public notices placed in the Racine Journal Times the City’s legal paper of record, notifying the public of the programmatic change.

Environmental Review: All projects will need to have an environmental review completed in accordance with the National Environmental Protection Act (NEPA). The scope of the environmental review will depend on the nature and size of the project. If the project requires

an environmental assessment (EA) level review as defined in HUD regulations, the City may need to incur costs related to the completion of the EA. If this is the case, the cost will be passed on to the applicants a project cost. Once the funding application is received, the applicant cannot take any choice limiting actions until the EA is complete. Choice limiting actions include the acquisition of property, beginning construction activities, signing binding contracts, etc. If a choice limiting action is taken without the EA being completed, it will disqualify the project for federal funding.

Choice Limiting Actions: HUD only allows the use of purchase and sale contracts conditioned on completion of the environmental review for the purchase of existing one to four single family units. Conditional purchase contracts cannot be used for any other acquisition project (i.e. multi-family housing projects with more than four units). The responsible entity or applicant may enter into a purchase option on these projects if the option agreement meets the standards of Part 58.22(d). (Applicants will need to work with City staff to ensure that the option agreement meets the requirements of Part 58.22(d)).

Regulations at 24 CFR Part 58.22 make it clear that a recipient, any participant in the development process (including public or private nonprofit or for profit entities) or any of their contractors may not commit HUD or non-HUD funds on a project until the environmental review process has been completed and the Request of Release of Funds and related certification have been approved, if needed.

The City may request applicants submit a Phase I environmental, or other related studies, if applicable.

CDBG Public Services are generally categorically excluded under the NEPA. However, this determination must be made on a case by case basis prior to projects proceeding.

Equal Employment Opportunity: This law prohibits discrimination against any employee or application for employment because of race, color, religion, sex, or national origin. Provisions to effectuate this prohibition must be included in all construction contracts. The Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, creed, color or national origin.

Section 3 Requirements: For all contracts exceeding \$100,000 Section 3 requires that, to the greatest extent feasible, opportunities for training and employment arising from the project will be provided to low income persons residing in the program service area. To the greatest extent feasible contracts for work to be performed in connection with the contractor will be awarded to business concerns that are located in or owned by person residing in the program service area. A Section 3 plan for the project will be required to be completed prior to the start of construction and a Section 3 clause will need to be included in any construction contracts.

All agencies receiving funding will be required to inform LMI clientele of the benefits afforded to them through HUD's and the City of Racine's Section 3 Programs.

MBE/WBE: Developers of federally funded housing projects *must adopt* procedures to establish and oversee a minority outreach program to ensure, to the maximum extent possible, that minorities and women, and businesses owned by minorities and women (MBE/WBE's) are offered contracts. Applicants will need to include an outreach plan and include MBE/WBE

provisions in all construction contracts.

Handicapped Accessibility: All projects must comply with the following federal accessibility laws:

- A. Americans with Disabilities Act.
- B. Fair Housing Act.
- C. Section 504.

Financial Management: The applicant agrees to comply with the City and Federal audit requirements contained in the Office of Management and Budget Super Circular 2 CFR 200 which requires that non-profit organizations expending \$750,000 or more in federal funds in a fiscal year must secure an audit.

Other Federal Requirements: Recipients of CDBG funding will be required to comply with all federal laws and requirements including all OMB circulars and other federal requirements not listed in these instructions. These requirements will be spelled out in the written agreement between the City and applicant. Further information is available on request.

CITY REQUIREMENTS

Compliance with the policies of the City of Racine, WI.

Purchase of comprehensive liability insurance and bonding, as required by the City.

Compliance with federal and state laws requiring the safeguarding and disclosure of confidential information.

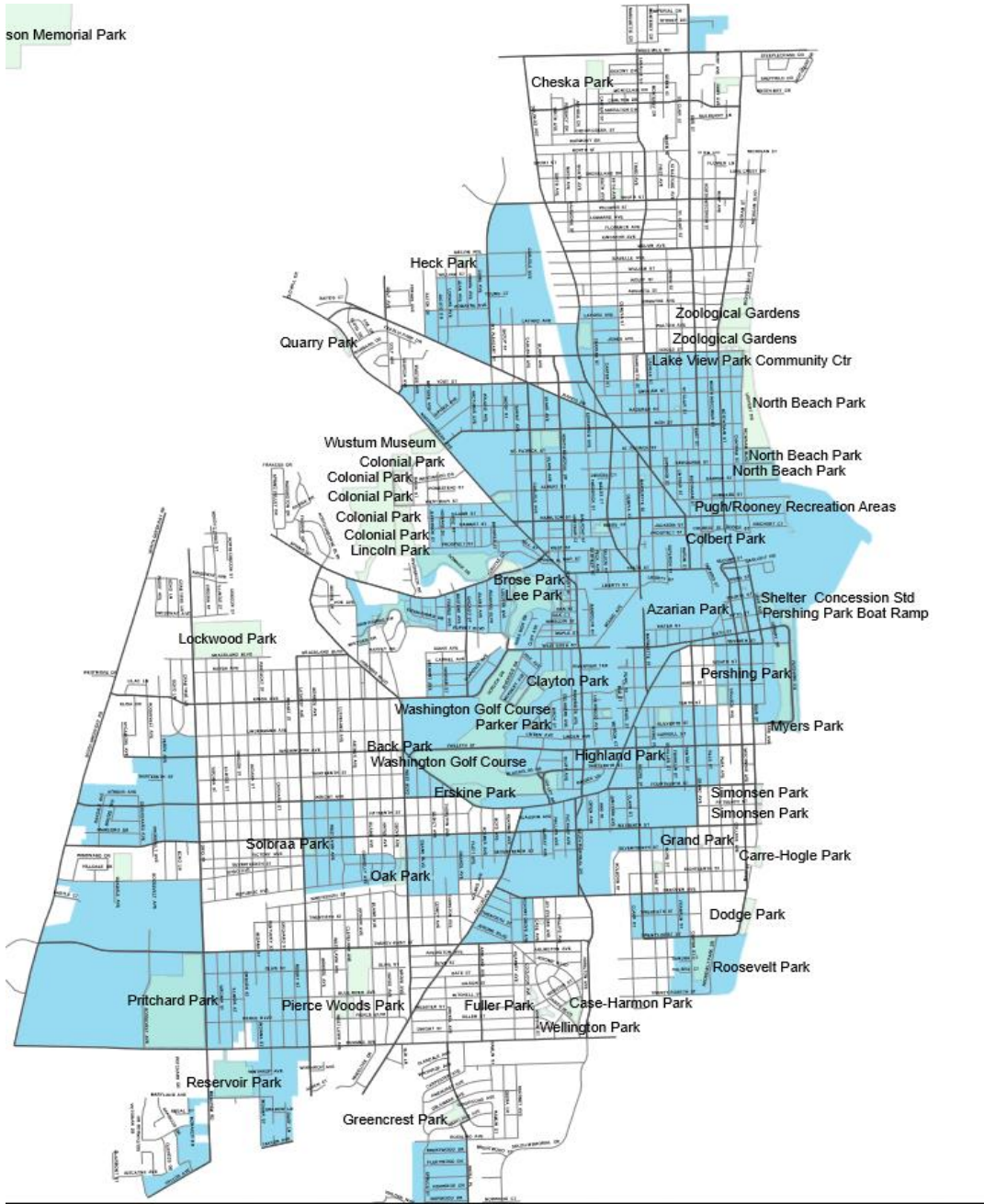
Completion and subsequent renewal of background checks for all employees, volunteers, or interns who will or may have unsupervised contact with children or vulnerable adults.

Certification that the firm, association, corporation, or any person in a controlling capacity or any position involving the administration of federal, state, or local funds is not currently under suspension, debarment, voluntary exclusion, or a determination of ineligibility by any agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any agency within the past three (3) years; does not have a proposed debarment pending; has not been indicted, convicted, or has not had a civil judgment rendered against said person, firm, association, or corporation by a court of competent jurisdiction in any matter involving fraud or misconduct with the past three (3) years.

Maintaining program and financial records for audit review and providing access to documentation upon request by the City.

Submission of program and financial reports, as required by the City.

ATTACHMENT A: CITY OF RACINE LMI BLOCK GROUPS (AREAS IN BLUE ARE LMI BLOCK GROUPS)



ATTACHMENT B: CITY OF RACINE APPLICATION RATING SYSTEM

Minimum Qualifications – If all application requirements and conditions are not met, application is disqualified: Must be typed, complete, on time, and meet a national objective.

Criteria to Earn Points	Total Possible	Points Earned
Activity Need/Justification: 20 Pts awarded if activity is demonstrated as directly furthering an Annual Action Plan public service project, with fewer points possible for a less direct connection. Sliding scale, 0-20 Pts. possible	20	
Racial Equity: Up to 15 Pts awarded for activities that directly address racial equity disparities that are present in the community. Sliding scale, 0-15 Pts possible.	15	
Activity Management & Implementation: Up to 15 Pts awarded for demonstrated ability to effectively manage and implement activity within parameters of the agreement. If applicable, applicants show consistent or increasing outcomes as appropriate for the services provided and population served. Sliding scale, 0-15 Pts possible.	15	
Experience & Past Performance: Awarded for those with experience and prior positive monitoring. 25 Pts for those with experience, qualified staff and prior excellent monitoring (or proof of such with another Federal funding source), 20 Pts for those with experience, qualified staff and adequate monitoring (or proof of other Federal source), 10 Pts for experience, qualified staff and corrected monitoring issues (and now in compliance and good standing).	25	
Collaboration: 10 Pts awarded for activities that are carried out through formal (documented through contracts/agreements) collaboration, 5 Pts for activities that have demonstrated collaboration but not under a formal contract with other agencies, 0 pts for no collaboration	10	
Matching Contribution: Up to 10 Pts awarded based on ratio of matching funds to the grant funds requested: 10 Pts for 10:1 or more, 8 Pts for 5:1, 5 Pts for 1:1, 2 Pts for ¾:1 and 0 points for a lower ratio	10	
Application Completeness: 5 Pts earned for applications with all concise descriptions and backup information, professional writing and accurate math. 1 point deducted for each piece of missing documentation or application error.	5	
Total Points Earned	100	