



Tania Menesse, Director
Department of Community Development

Joy Anderson, Commissioner
Division of Administrative Services

**CITY OF CLEVELAND
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**Citywide Development Assistance Program
Request for Funding
Program Year 2019**

The Citywide Development Assistance Program provides support to non-profit organizations for programs that promote the revitalization of Cleveland's housing stock and neighborhood commercial districts. Eligible programs must accomplish, at a minimum, one of the following objectives:

1. Provide a comprehensive assortment of counseling services to help homeowners remain in their homes.
2. Increase affordable housing opportunities for renter households.
3. Implement a strategy to effectively address vacant and abandoned structures.
4. Stimulate the renovation or rehabilitation of vacant and abandoned structures.
5. Increase the availability of incentive-based housing rehabilitation programs for Cleveland residents
6. Strengthen the demand for housing through marketing and purchase assistance.
7. Strengthen and stabilize neighborhood commercial districts

Eligible programs must address one of the following National Objectives as designated by the U.S. Department of Housing and Urban Development (HUD):

1. Provide benefit(s) to low to moderate income persons
2. Aid in the elimination of slums and blighted conditions

Eligible Uses: Grants may be used for reasonable operating costs including administrative costs, professional staff, technical services and overhead.

The contract term for the grant awarded will cover a twelve (12) month period, with a program start date between June 1, 2019 and May 31, 2020.

Please submit original signed hard copy and attachments to:

City of Cleveland
Department of Community Development
Division of Administrative Services
601 Lakeside Avenue, Room 320
Cleveland, Ohio 44114
ATTN: Joy Anderson

You must also send an electronic copy of the proposal and attachments to the Department of Community Development via Dropbox.com. If you are a current grantee, a Dropbox link will be sent to you. New grantseekers should contact the Department of Community Development for instructions.

BOTH THE ORIGINAL PROPOSAL AND THE ELECTRONIC COPY ARE DUE NO LATER THAN FRIDAY, MARCH 8, 2019 BY 5:00 p.m. LATE PROPOSALS WILL NOT BE ACCEPTED. NO EXCEPTIONS.

**Citywide Development Assistance Grant Program
Request for Funding
Program Year 2019**

SECTION I: Organization Description

1. Describe agency operations and governance. Your statement should include:
 - a. Board composition and stakeholder group representation
 - b. How Board members are elected or appointed
 - c. Operative committees
 - d. Board meeting schedule
 - e. Board minute recordation process
 - f. Key Staff members, including length of service and qualifications
2. Describe the process for including resident and/or business participation in program development.
3. List all subsidiaries established by the organization (e.g., limited partnerships, limited liability corporations, joint ventures, etc.). Identify all real estate holdings of the organization and subsidiaries, and provide a brief description of each.
4. If a Community Membership base has been established, please provide a general statement that describes:
 - general composition (residents/business)
 - how members are recruited
 - associated dues structure
 - how Membership concerns are incorporated into the organization's goals/objectives.
5. Describe any working relationships with other organizations and the nature/objective of the relationship. Describe any special projects resulting from noted working relationships. List any accomplishments realized in **2018** that were a direct result of working relationships.
6. For the agency's current workforce, indicate the following:
 - a. Total employees at the date of application;
 - b. Open positions at time of application
 - c. Number of current employees who are residents of the City of Cleveland.

SECTION II: PROGRAM Description

Following the format as prescribed below, complete a separate Program Description form for **each** program to be administered. **Program Descriptions not using the prescribed format, or missing required information will not be reviewed for funding.**

DEFINITION OF "PROGRAM": A program is defined as an **ongoing** housing, land, commercial or industrial development activity administered primarily by the organization that is designed to address one or more of the organization's community development objectives (e.g., exterior housing rehabilitation, furnace repair program, etc.).

**Citywide Development Assistance Grant Program (Continued)
Request for Funding
Program Year 2019**

List each proposed program by name (e.g., Cleveland Residents Home Improvement Program) and identify as: Program # ___ of ___.

Program Description:

- A. Provide a concise description of the program(s) for which Citywide Development Assistance Grant Program funds are being sought, including specific details of each activity or service and implementation.
- B. Identify the target population and explain how each program will benefit program participants.
- C. Explain how the program(s) will advance objectives of Cleveland’s 2020 Citywide Plan. This Plan can be viewed or downloaded from the Cleveland Planning Commission website.

Program Status:

- A. Indicate whether the program is currently operating (Active) or if it will be initiated upon receipt of Citywide Development Assistance Grant Program funding (New).
- B. If the program is currently active but not receiving Citywide Development Support Services Grant funds, describe why funding is needed for continued operation of the program.

Program Accomplishments:

Using the prescribed format below, identify **in measurable units** the program accomplishments over the past two years (if applicable) and the anticipated accomplishments for the upcoming program year.

PY 2017-2018		PY 2018-2019		PY 2019-2020
Planned	Actual	Planned	Actual	Planned

Citywide Development Assistance Grant Program (Continued)
Request for Funding
Program Year 2019

Program Outcomes

For each program, indicate the actual **Outcomes** for the 2018-2019 program year and the planned outcomes for the 2019-2020 program year. An **Outcome** is a benefit or change for individuals, populations or neighborhoods during or after the execution of the activity for the specific time period. Please provide the source of the data being used to determine the outcome results.

Staff and Personnel Capacity

- A. Identify all individuals associated with the administration of the proposed program. Describe each person's role/responsibilities and attach a current resume for each individual.
- B. Identify the individual responsible for the program performance/management.
- C. Identify the person responsible for preparing and submitting program reports to the City

SECTION III: Other Development Activities or Projects

Briefly identify **other community development activities that are part of your program**, but are not funded through the Citywide Development Assistance Grant Program. This description should include the nature of the activity, your organization's role in the administration of the activity, and the status/accomplishments to date.

SECTION IV: Program and Operating Budgets

- A. **Program Budget:** Complete the attached operating budget for your organization. It must detail the amount of CDBG Citywide Development Assistance Grant funds requested through this proposal and all other sources, including any anticipated Neighborhood Development Activity (NDA) funds. All paid staff and contractual development team members associated with each program/project must be reflected in the budget.
- B. **Total Operating Budget:** Your total operating budget for the current fiscal year must also be attached. It should include all sources and uses for the entire organization for the fiscal year.

CITY OF CLEVELAND
DEPARTMENT OF COMMUNITY DEVELOPMENT
CITYWIDE DEVELOPMENT ASSISTANCE PROGRAM
PROPOSED OPERATING BUDGET FORM

AGENCY NAME _____

TOTAL PROPOSED BUDGET \$ _____

	Amount Requested			Total Program Budget
	Other Sources	Amount Requested From this Citywide Development Funding	*NDA	
A. Personnel				\$0.00
B. Fringe Benefits				\$0.00
C. Travel				\$0.00
D. Equipment				\$0.00
E. Overhead				\$0.00
F. Contractual				\$0.00
G. Other				\$0.00
Total Budget	\$0.00	\$0.00	\$0.00	\$0.00

BUDGET PREPARED BY: _____
Signature Title Date

APPROVED BY: _____
Signature Title Date

Note: Please also submit your agency's Total Operating Budget for the CURRENT fiscal year.

*List CDBG funding requested from Councilperson's NDA line item, and other sources as shown on Total Revenue for Agency Budget

B. FRINGE BENEFITS (FICA, WORKERS' COMPENSATION, UNEMPLOYMENT TAX, HOSPITALIZATION, ETC.)

Type	Other Sources	Amount Requested From this Citywide Development Funding	*NDA	Total
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00

C. TRAVEL (STAFF MILEAGE, PARKING, ETC.)

Description	Amount Requested			Total
	Other Sources	Amount Requested From this Citywide Development Funding	*NDA	
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00

D. EQUIPMENT

Description	Amount Requested			Total
	Other Sources	Amount Requested From this Citywide Development Funding	*NDA	
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00

E. OVERHEAD (RENT, UTILITIES, TELEPHONE, INSURANCE, INDIRECT COSTS, EQUIPMENT WITH OPTION TO BUY (LEASED), ETC.

Description	Amount Requested			Total
	Other Sources	Amount Requested From this Citywide Development Funding	*NDA	
				\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00

F. CONTRACTUAL (PROFESSIONAL SERVICES)

Description	Amount Requested			Total
	Other Sources	Amount Requested From this Citywide Development Funding	*NDA	
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00

G. OTHER (PROGRAM SUPPLIES, OFFICE SUPPLIES, EQUIPMENT REPAIRS, POSTAGE, PRINTING COSTS, ETC.)

Description	Amount Requested			Total
	Other Sources	Amount Requested from this Citywide Development Funding	*NDA	
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00

Agency Revenue Statement (All Sources)
See Important Note Below*

Fiscal period: From: _____ To: _____

	Last Year	Current Year	Projected Year	Total
1. Government Grants: (List each funder separately. Do not Use Acronyms. Add rolls as necessary)				
Neighborhood Development Activity (NDA/Council) (List Each Ward Amount)				
2. Corporate & Foundation Grants: (List each funder separately. Do not use Acronyms) Add rows if necessary				
3. Program Service Fees				
4. Investment Income				
5. Direct Support (Membership, funding, donations)				
6. Other Sources (List each funder separately. Do not use Acronyms. Add rolls as necessary)				
Total Revenues				

*NOTE: In lieu of completing this form, you may submit income statements or similar documents to provide this information.

Compliance Regulations & Guidelines

Any activity or project assisted by Federal dollars is subject to federally-mandated rules and regulations and the rules and regulations apply to **all** phases or components of the activity and project.

The Citywide Development Assistance programs, Social Services programs, Community Development Corporation (CDC) Operating Support Grants and Neighborhood Development Activity (NDA) programs are funded by federal Community Development Block Grant (CDBG) dollars.

The following federal and City rules and regulations apply to activities and projects funded under these programs:

1. **Equal Employment Opportunity**

Employment of staff and personnel by the agency is subject the Equal Employment Opportunity Ordinance Section 187, 188 and Section 3 of the City of Cleveland, and related regulations. Agency shall post in a conspicuous place all solicitations for employment, and/or advertise for employment in a citywide publication of common circulation, affording all interested parties opportunity to be aware of the position and to submit an application. All solicitations or advertisements shall state the agency is an Equal Opportunity Employer. A copy of the solicitation or advertisement, and the dates and locations published, shall be submitted to the City along with a copy of the job description.

2. **Employment Discrimination Prohibited**

The agency shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, Ethnic group, or Vietnam-era disabled veteran status. Agency shall take affirmative action to ensure that applicants are employed and that employees are treated without regard to of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, Ethnic group, or Vietnam-era disabled veteran status. "Treated" means and includes recruitment, whether by advertising or other means; compensation, whether in the form of rates of pay or other forms of compensation; selection for training, including apprenticeship; promotion; upgrade; demotion; downgrade; transfer; layoff or termination.

3. **Conflict of Interest**

No employee, agent, consultant, officer, or elected or appointed official of the City or agency who exercises or has exercised any functions or responsibilities with respect to the Citywide Scope of Service or any activities in any way connected with a contract between the City and the agency, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities or Citywide Scope of Service, may obtain a financial interest or benefit from such activity or Citywide Scope of Service, or have a financial interest in any contract, subcontract or agreement with respect thereto, or the proceeds hereunder, either for themselves or those with whom they have business or immediate family ties during their tenure or for one year thereafter.

4. **Design Review, Zoning & Building Permits**

Projects funded with CDBG dollars, and/or utilizing land purchased from the City, are bound by City regulations regarding design review. Project designs must be reviewed and approved by Community Development staff, and possibly the Design Review Committee, City Planning Commission or Landmarks Commission. In all cases, projects must comply with City regulations regarding zoning, building permits, building standards, health and licensing requirements, City-Wide Plan, design review, etc. Please be certain to obtain all required building permits and call for inspections at the appropriate times. If your project does not meet zoning code, the appeals process is triggered by rejection of your formal application to Building & Housing for a permit. A hearing and decision by the Board of Zoning Appeals generally takes about 5-7 weeks. Projects funded with CDBG dollars, and/or utilizing land purchased from the City, require advance review and approval by Community Development and may be held to standards exceeding regular zoning or building regulations.

Compliance Regulations & Guidelines (Continued)

5. **Procurement of Services (Professional/Contractual) or Equipment**
Federal regulations require that all hiring of services (such as accountants, attorneys or consultants) or purchase of equipment be conducted under conditions of fair and open competition. When professional or contractual services (in the form of a sub recipient contract), or equipment and other items whose cost exceeds \$500.00 will be purchased with federal funds provided by the City, a minimum of three (3) written bids is required. **The recommended award must be based on the lowest and best bid. The Request for Proposal (RFP), awarded bid, and contract for services (where applicable), must receive prior approval from the Department of Community Development.** Assistance is available to help you comply with this policy.

6. **Equipment Policy**
The usage, storage and inventory of equipment purchased with CDBG funds must comply with the Department's equipment policy. **The purchase of all equipment funded in whole or in part with CDBG funds must receive the prior approval of the Department.** Assistance is available to help you comply with this policy.

7. **Direct Benefit Activities**
CDBG-funded projects often provide direct benefits to individuals or households. Direct benefit activities provide services or assistance to individuals and/or families directly (normally through an application or sign-up process). Demographic data on each beneficiary must be provided to the City when submitting draw requests. This data must include name, address, household income, number of people in the household, dependents, race or ethnicity and whether the household is female-headed.

8. **Federal, State, Local Compliance Certification**
Regulatory guidelines and reporting requirements listed in Attachment 1 may apply to the program(s) proposed by your Agency. It is important that this listing is reviewed and signed/dated by the Agency Director and Board President.

9. **Debarred and Suspended Contractors**
HUD regulations require that the City not enter into contract with any agency, corporation, partnership, or other legal entity that has been debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by the Federal Government from participating in transactions involving Federal funds. As a condition of receiving Community Development Block Grant funds, your agency's Board President is required to sign the attached certification (Attachment 2) which specifies that neither the agency nor its principals are presently debarred or suspended. It also certifies that you will not use any of these funds to employ, award contracts to, engage the services of, or fund any contractor that is debarred or suspended.

10. **Requests for Reimbursement/Performance Reports**
Each request for reimbursement must be accompanied by the performance reports detailing the activities accomplished and the demographic information (if required) of persons who benefited during the period covered by the reimbursement request. Requests for reimbursement that are not accompanied by the performance report, or are accompanied by an incomplete or inaccurate report will be denied.

NOTE: For various reasons throughout the funding year (i.e., transactions that are frozen at the end of the City's accounting cycle, reimbursement requests held due to a lack of required documentation, etc.), the agency may be required to cover operational costs from non-CDBG funding sources. Therefore, each agency should have available at least two months' funding from sources other than CDBG.

Compliance Regulations & Guidelines (Continued)

CONTRACT PROCEDURES & DRAW REQUESTS

- CDBG contracts pay project costs on a **reimbursement basis**. Draw requests are submitted *after* items covered in your approved contractual budget are paid. For physical improvement projects, the City pays when costs are incurred. An analyst from the Department will provide you with instructions on how to prepare draw requests. You will need to include detailed invoices and/or canceled checks from vendors providing services, material or equipment to you. (All canceled checks must be made available for review by your assigned financial analyst prior to contract completion.)
- Special Disbursement Request Forms will be provided to you. Incomplete or improperly prepared draw requests will result in payment delays. Payments are made in the form of checks mailed to the address provided by your agency in the grant contract.
- It generally takes 30 working days from the date of receipt of a complete and accurate draw request and grant report to issue payment.
- CDBG contracts for physical improvements customarily include a 10% retainage. In most cases, this retainage is held by the City until all required documents are submitted, all permits are satisfactorily closed, all regulatory requirements and compliance have been met, and any other required proof of successful project completion is in hand.

COMPETITIVE BIDDING POLICIES

The following standards are **required** when funds are granted by the Department of Community Development (Department) to a third party agency, which then either: (1) enters into a contractual agreement for services **not** provided by staff employed by that agency; or (2) purchases property, equipment or goods and services whose cost is in excess of \$500.00:

1. CONSULTANTS/PROFESSIONAL SERVICES CONTRACTUAL AGREEMENT

When an agency is using CDBG funds to supplement regularly employed staff with professional services, the agency must issue a Request for Proposals (RFP) to qualified consultants, professionals, or others.

Prior to awarding the contract, the agency must submit:

- A copy of the Request for Proposal (RFP);
- A listing of the consultants solicited for the requested services;
- A list of the proposals received and the bid amount;
- Designation of the firm that is being recommended for the award, along with the reasons for that recommendation.

No contract can be established until the Department of Community Development has approved the proposal, the recommendation for award, and the service contract between the agency and the consultant.

Compliance Regulations & Guidelines *(Continued)*

The contract between the agency and the consultant must contain, at a minimum, the following requirements:

1. The agency and the consultant must comply with all the terms and conditions of the contract between the City and the agency, including compliance with all federal, state and local laws, rules and regulations.
2. The consultant must comply with the Equal Employment Opportunity Ordinance Section 187, 188 of the Codified Ordinances of the City of Cleveland.
3. The consultant must follow the timeline indicated in the contract between the City and the agency that awards funds for this activity.
4. The consultant must provide a final written report/study in a form acceptable by the City upon its completion. Final payment cannot be made to the consultant by the agency until the services have been completed and the final report has been received and approved by the City.
5. The consultant must submit to the City a copy of the final report or product.
6. All other requirements that the City's Department of Community Development determines are necessary and appropriate and has identified to the agency and/or developer must be followed.

Before disbursing funds for the consultant services, the City must be provided with all items detailed above, along with a copy of the fully executed contract between the agency and the consultant which has been approved by the Department of Community Development.

Final disbursement shall not be made until the City receives a performance report/study and accomplishments from the agency in a form acceptable to the City.

2. PURCHASE OF PROPERTY, EQUIPMENT, OR GOODS AND SERVICES

- When an agency uses federal/City funds to purchase property, equipment, goods or services in excess of \$500.00, the agency must obtain at least three bids and provide copies of those bids, along with its recommendation of award to the City for approval. Once the request is approved by the City, the agency may proceed with the purchase.
- Written receipts must be submitted to the City within 30 days of the date of the purchase for reimbursement.
- Equipment with a useful life greater than one year must be maintained according to the requirements of the City's Equipment Policy.

Attachment 1

**Federal, State, Local Compliance Certification
Citywide Development Assistance, Social Services, Neighborhood Development Activity Fund and
 Community Development Corporation (CDC) Activity Grants**

Financial assistance available through the City of Cleveland will be subject to compliance with all applicable Federal, state and/or local regulations. These compliance procedures will be required, with specific supporting documentation, if Federal assistance is pursued for a project. This documentation is required (unless otherwise notified in writing by the Department of Community Development) regardless of the date you apply for Federal assistance or the source of funds used to begin your project.

Failure to comply could substantially affect the ability of the City to participate in project financing for your project.

For any general Compliance questions, please contact Robert Laycock, Compliance Manager for Division of Administrative Services at (216) 664-4094 or rlaycock@city.cleveland.oh.us. For specific Compliance requirements, please contact the individuals below.

Applicable Law	Regulation	Triggers	Time Frame	Consequence of Non-compliance
<p align="center">PLEASE NOTE: This table briefly highlights regulatory requirements that may apply to your project. The information provided on each is not comprehensive or exhaustive. Please use this as a guide in your planning. Contact the individuals listed to discuss the specific details of your project and how the regulations apply in your case.</p>				
<p>Acquisition/Relocation Uniform Relocation Act (URA) FEDERAL/LOCAL Marc Foy – (216) 664-4389 mfoy@city.cleveland.oh.us</p>	<p>Uniform Relocation Act becomes applicable if any Federal funds are used or anticipated for projects that involve Acquisition, Demolition, Rehabilitation, or Conversion activities.</p>	<p>The use or anticipation of any Federal funds in project financing. ALERT: HUD requires specific types of notice before a Seller or Donor signs an option or agreement to sell or donate property (improved or vacant) to a project.</p>	<p>Planning Stage through post-construction.</p>	<p>Loss of dollars allocated to the project and/or prohibition on the use of property(s) acquired for the project.</p> <p>Failure to give proper or timely notice to tenants in a project could make them eligible for Displacement Benefits.</p>

Table continues on the next page

Applicable Law	Regulation	Triggers	Time Frame	Consequence of Non-compliance
<p>Environmental/Historic <i>FEDERAL</i> Note: Historic Preservation is part of the environmental compliance. Elizabeth Mackey– (216) 664-4133 emackey@city.cleveland.oh.us</p> <p>Brendan Barrington – (216)664-4127 bbarrington@city.cleveland.oh.us</p>	<p>Projects that have any type of Federal dollars involved must be reviewed for the impact or potential effects the project could have on the environment and/or historic properties/districts.</p>	<p>The use or anticipation of any Federal funds in project financing. ALERT: No Federal or non-Federal funds can be committed or work begun until a project as completed an Environmental Review and received authorization to proceed. ALERT: Purchase Agreements must include a specific clause that makes closing contingent on Environmental Review approval.</p>	<p>Planning Stage <u>Note:</u> If a Request for Release of Funds (RROF) is required from HUD, then a two-month lead time is necessary prior to the start of construction.</p>	<p>Loss of dollars allocated to the project.</p>
<p>Lead Abatement <i>FEDERAL/STATE/LOCAL</i> Michael Johnstone– (216) 664-4102 mjohnstone@city.cleveland.oh.us</p>	<p>Requires notification/disclosure of lead-based hazards to occupants, evaluation and reduction of lead hazards in rehabilitated residential units and, if applicable, ongoing maintenance of residential units.</p>	<p>Rehab and demolition activities.</p>	<p>Prior to Construction Stage</p>	<p>Fines. Loss of dollars allocated to the project.</p>
<p>Prevailing Wages Davis-Bacon <i>FEDERAL</i> Yvette Mosby – (216) 664-4092 ymosby@city.cleveland.oh.us</p>	<p>Payment of Federal prevailing wage rates to construction-related employees may be required depending on the number of units and the uses of the Federal funds.</p>	<p>Funding in excess of \$2,000 for construction costs <u>CDBG:</u> 8 units or more (under one roof) <u>HOME:</u> 12 units or more (under one roof)</p>	<p>Application Stage</p>	<p>Delay in payments or termination of contract. Set aside of funds owed to properly compensate workers. Assessment of liquidated damages. Contractor debarment.</p>

Applicable Law	Regulation	Triggers	Time Frame	Consequence of Non-compliance
Affirmative Marketing <i>FEDERAL</i> (HOME Funds Only) Yvette Mosby – (216) 664-4092 yvosby@city.cleveland.oh.us	Marketing efforts are required to attract and encourage families and individuals to apply for project-related housing (that is, those that would be less likely to apply for residence in the housing units).	5 units or more, any HOME dollars regardless of Davis Bacon applicability	Application Stage	Appropriate remedy for breach of contract.
Americans with Disabilities <i>FEDERAL</i> (Multi-Family New Construction or Multi-Family Rehabilitation Only) Yvette Mosby – (216) 664-4092 yvosby@city.cleveland.oh.us	Multi-family structures (15 units or more under one roof) built for occupancy after March 13, 1991 must meet accessibility requirements -- five percent (5%), or at least 1 unit, to accommodate persons with mobility disabilities. Also, two percent (2%), or at least one unit, for hearing or visually-impaired individuals.	All new construction or rehab of multi-family structures (15 units or more under one roof), regardless of prevailing wage applicability	Application Stage	Suspension or termination on contract. Contractor debarment. Referral to the Department of Justice.
Minority/Female Business Enterprise (MBE/FBE/CSB) <i>LOCAL</i> Jeremiah Triplett Office of Equal Opportunity (216) 664-4178 jtriplett@city.cleveland.oh.us	Construction projects are required to use 15% MBE, 7% FBE and 8% CSB to implement the project. All project related contractors and subcontractors must be reported.	\$50,000 or more of city assistance for construction contracts.	Monthly Reports during the Construction Stage	Forfeit 20% of principle loan/grant amount; 10% of retained contract funds.
Section 3 <i>FEDERAL</i> Yvette Mosby – (216) 664-4092 yvosby@city.cleveland.oh.us	Numerical Goals: require that thirty percent (30%) of new hires be low-income (Section 3 Residents). At least ten percent (10%) of total dollar amount of all Section 3 covered construction contracts to be awarded to certified Section 3 businesses. Also, at least three percent (3%) of total dollar amount of all Section 3 covered non-construction contracts to be awarded to certified Section 3 businesses.	\$200,000 in HUD-funded assistance.	Quarterly reports during the Construction Stage.	Delay or suspension of payments. Probation. Contractor debarment.
Applicable Law	Regulation	Triggers	Time Frame	Consequence of Non-compliance
Fannie M. Lewis Cleveland	Chapter 188 designed to	\$100,000 or more	Monthly Reports	Forfeiture of 1/8 th of

Resident Employment Law <i>LOCAL</i> Jeremiah Triplett Office of Equal Opportunity (216) 664-4178 jtriplett@city.cleveland.oh.us	increase employment opportunities for Cleveland residents on construction contracts funded by the City of Cleveland.	of city assistance for construction contracts.	during the Construction Stage	1% of the final total amount of the contract for each full percentage point by which the contractor falls short of the contract agreement.
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Furthermore, the following Federal and City rules and regulations apply to activities and projects funded under these programs:

1. Equal Employment Opportunity

Employment of staff and personnel by the agency is subject the Equal Employment Opportunity Ordinance Section 187, 188 and Section 3 of the City of Cleveland, and related regulations. The agency shall post in a conspicuous place all solicitations for employment, and/or advertise for employment in a citywide publication of common circulation, affording all interested parties opportunity to be aware of the position and to submit an application. All solicitations or advertisements shall state the agency is an Equal Opportunity Employer. A copy of the solicitation or advertisement, and the dates and locations published, shall be submitted to the City along with a copy of the job description.

2. Employment Discrimination Prohibited

The agency shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, Ethnic group, or Vietnam-era disabled veteran status. Agency shall take affirmative action to ensure that applicants are employed and that employees are treated without regard to of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, Ethnic group, or Vietnam-era disabled veteran status. "Treated" means and includes recruitment, whether by advertising or other means; compensation, whether in the form of rates of pay or other forms of compensation; selection for training, including apprenticeship; promotion; upgrade; demotion; downgrade; transfer; layoff or termination.

3. Conflict of Interest

No employee, agent, consultant, officer, or elected or appointed official of the City or agency who exercises or has exercised any functions or responsibilities with respect to the Citywide Scope of Service or any activities in any way connected with a contract between the City and the agency, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities or Scope of Service, may obtain a financial interest or benefit from such activity or Scope of Service, or have a financial interest in any contract, subcontract or agreement with respect thereto, or the proceeds hereunder, either for themselves or those with whom they have business or immediate family ties during their tenure or for one (1) year thereafter.

4. Requests for Reimbursement/Performance Reports

Each request for reimbursement must be accompanied by the performance reports detailing the activities accomplished and the demographic information (if required) of persons who benefited during the period covered by the reimbursement request. Requests for reimbursement that are not accompanied by the performance report, or are accompanied by an incomplete or inaccurate report will be denied. Reimbursement requests and performance reports are required to be submitted monthly no later than the last working day of the month following the reporting period end date.

5. Equipment Policy

The usage, storage and inventory of equipment purchased with CDBG funds must comply with the Department's equipment policy. The purchase of all equipment funded in whole or in part with CDBG funds must receive the prior approval of the Department. Assistance is available to help you comply with this policy.

6. Direct Benefit Activities

CDBG-funded projects often provide direct benefits to individuals or households. Direct benefit activities provide services or assistance to individuals and/or families directly (normally through an application or sign-up process). Demographic data on each beneficiary must be provided to the City when submitting draw requests. This data must include name, address, household income, number of people in the household, dependents, race or ethnicity and whether the household is female-headed. See appendix I and appendix II for more detail on what information is required to be submitted to HUD.

7. Federal, State, Local Compliance Certification

Regulatory guidelines and reporting requirements listed in table 12 may apply to the program(s) proposed by your Agency. It is important that this listing is reviewed before signing below.

8. Debarred and Suspended Contractors

HUD regulations require that the City not enter into a contract with any agency, corporation, partnership, or other legal entity that has been debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by the Federal Government from participating in transactions involving Federal funds. As a condition of receiving Community Development Block Grant funds, your agency’s Board President is required to sign the attached certification (Attachment 2) which specifies that neither the agency nor its principals are presently debarred or suspended. It also certifies that you will not use any of these funds to employ, award contracts to, engage the services of, or fund any contractor that is debarred or suspended.

9. Design Review, Zoning & Building Permits

Projects funded with CDBG dollars, and/or utilizing land purchased from the City, are bound by City regulations regarding design review. Project designs must be reviewed and approved by Community Development staff, and possibly the Design Review Committee, City Planning Commission or Landmarks Commission. In all cases, projects must comply with City regulations regarding zoning, building permits, building standards, health and licensing requirements, City-Wide Plan, design review, etc. Please be certain to obtain all required building permits and call for inspections at the appropriate times. If your project does not meet zoning code, the appeals process is triggered by the rejection of your formal application to Building & Housing for a permit. A hearing and decision by the Board of Zoning Appeals generally takes about 5-7 weeks. Projects funded with CDBG dollars, and/or utilizing land purchased from the City, require advance review and approval by Community Development and may be held to standards exceeding regular zoning or building regulations.

10. City of Cleveland Finance and Procurement Requirements

For various reasons throughout the funding year (i.e., transactions that are frozen at the end of the City’s accounting cycle, reimbursement requests held due to a lack of required documentation, etc.), the agency may be required to cover operational costs from non-CDBG funding sources. Therefore, each agency should have available at least two months’ funding from sources other than CDBG.

a. CONTRACT PROCEDURES & DRAW REQUESTS

- CDBG contracts pay project costs on a reimbursement basis. Draw requests are submitted after items covered in your approved contractual budget are paid. For physical improvement projects, the City pays when costs are incurred. An analyst from the Department will provide you with instructions on how to prepare draw requests. You will need to include detailed invoices and/or canceled checks from vendors providing services, material or equipment to you. (All canceled checks must be made available for review by your assigned financial analyst prior to contract completion.)
- Special Disbursement Request Forms will be provided to you. Incomplete or improperly prepared draw requests will result in payment delays. Payments are made in the form of checks mailed to the address provided by your agency in the grant contract.
- It generally takes 30 working days from the date of receipt of a complete and accurate draw request and grant report to issue payment.
- CDBG contracts for physical improvements customarily include a 10% retainage. In most cases, this retainage is held by the City until all required documents are submitted, all permits are satisfactorily closed, all regulatory requirements and compliance have been met, and any other required proof of successful project completion is in hand.

b. COMPETITIVE BIDDING POLICIES

The following standards are required when funds are granted by the Department of Community Development (Department) to a third party agency, which then either: (1) enters into a contractual agreement for services not provided by staff employed by that agency; or (2) purchases property, equipment or goods and services whose cost is in excess of \$500.00:

- **CONSULTANTS/PROFESSIONAL SERVICES CONTRACTUAL AGREEMENT**

- When an agency is using CDBG funds to supplement regularly employed staff with professional services, the agency must issue a Request for Proposals (RFP) to qualified consultants, professionals, or others.
- Prior to awarding the contract, the agency must submit:
 - A copy of the Request for Proposal (RFP);
 - A listing of the consultants solicited for the requested services;
 - A list of the proposals received and the bid amount;
 - Designation of the firm that is being recommended for the award, along with the reasons for that recommendation.
- No contract can be established until the Department of Community Development has approved the proposal, the recommendation for award, and the service contract between the agency and the consultant.
- The contract between the agency and the consultant must contain, at a minimum, the following requirements:
- The agency and the consultant must comply with all the terms and conditions of the contract between the City and the agency, including compliance with all federal, state and local laws, rules and regulations.
- The consultant must comply with the Equal Employment Opportunity Ordinance Section 187, 188 of the Codified Ordinances of the City of Cleveland.
- The consultant must follow the timeline indicated in the contract between the City and the agency that awards funds for this activity.
- The consultant must provide a final written report/study in a form acceptable to the City upon its completion. Final payment cannot be made to the consultant by the agency until the services have been completed and the final report has been received and approved by the City.
- The consultant must submit to the City a copy of the final report or product.
- All other requirements that the City's Department of Community Development determines are necessary and appropriate and has identified to the agency and/or developer must be followed.
- Before disbursing funds for the consultant services, the City must be provided with all items detailed above, along with a copy of the fully executed contract between the agency and the consultant which has been approved by the Department of Community Development.
- Final disbursement shall not be made until the City receives a performance report/study and accomplishments from the agency in a form acceptable to the City.
- **PURCHASE OF PROPERTY, EQUIPMENT, OR GOODS AND SERVICES**
 - When an agency uses federal/City funds to purchase property, equipment, goods or services in excess of \$500.00, the agency must obtain at least three bids and provide copies of those bids, along with its recommendation of award to the City for approval. Once the request is approved by the City, the agency may proceed with the purchase.
 - Written receipts must be submitted to the City within 30 days of the date of the purchase for reimbursement.
 - Equipment with a useful life greater than one year must be maintained according to the requirements of the City's Equipment Policy (see Item 5 above).

Certification

By signing and submitting this proposal, the applicant is certifying that the above federal rules and requirements shall be adhered to if federal funds are awarded through this application process.

Signed: _____ Date: _____

Print Name: _____ Title: _____

Authorized Representative

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

Lower Tier Covered Transactions*

(Note: Lower Tier refers to the agency or contractor receiving Federal funds, as well as any subcontractors that the agency or contractor enters into contract with using those funds.)

Title 24 Code of Federal Regulations Part 24 requires that the City not enter into contract with any agency, corporation, partnership, or other legal entity that has been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by the Federal Government from participating in transactions involving Federal funds. As a condition of receiving funding under the Community Development Block Grant, HOME, Emergency Shelter, and Housing Opportunities for Persons with AIDS (HOPWA) programs, you are required to sign the certification below which specifies that neither you nor your principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in programs funded by a Federal agency. It also certifies that you will not use, directly or indirectly, any of these funds to employ, award contracts to, engage the services of, or fund any contractor that is debarred, suspended, or ineligible under 24 Code of Federal Regulations Part 24.

If you need to determine whether your agency/firm has been debarred or suspended, or if a subcontractor you plan to hire is suspended or debarred, please refer to the following sources:

- *System for Award Management (SAM)*
- *Internet access available at <http://www.sam.gov>*
 - *Step A: 'Log In' - Create an Account (by creating a username & password)*
 - *Step B: Click on; 'Accept' to 'Usage Statement'*
 - *Step C: Click on; 'Search Records'*
 - *Step D: Click on; 'Advanced Search – Exclusion' then OK after reading search parameter statement*
 - *Step E: Click on; 'Single Search' – (Enter; Name of Company, State, Country, Agency – HUD, U.S. Dept. of)*
 - *Then click on; 'SEARCH' at bottom of page*
 - *Step F: Click on; 'Save Search' box, then 'Print' next screen showing ALL info. entered in Step E above*

If you have any questions, contact Mr. Robert Laycock, Compliance Manager, City of Cleveland Department of Community Development, at 664-4094.

Please note: Completion of this Certification is a requirement for funding under this grant. If it is not signed and included in your proposal or contract for funding, the City will not consider that proposal for funding nor execute the contract.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have

the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the "System for Award Management".

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three year period preceding the effective date of this contract been convicted of or had a civil judgment rendered against me or _____

(Contractor's Name)

for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

- (2) Where the prospective primary participant is unable to certify to any of these statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signed: _____
(Authorized Recipient Name/Title)

Date: _____

Print Name: _____

Organization: _____