

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF FINANCIAL ASSISTANCE**

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August 24, 2020

MEMORANDUM FOR: All Potential Applicants

FROM: Jennifer Seeger, Acting Deputy Director
Division of Financial Assistance

A handwritten signature in blue ink, appearing to read "Jennifer Seeger".

SUBJECT: Community Development Block Grant Program –
Coronavirus Response Round 1 (CDBG-CV1)
Notice of Funding Availability Amendment #1

The California Department of Housing and Community Development (Department) is pleased to announce the availability of approximately \$18.7 million in new federal funds for the Community Development Block Grant Coronavirus Response Round 1 (CDBG-CV1) funding for local assistance. Funding for this Notice of Funding Availability (NOFA) is made available pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act signed into law March 27, 2020.

Due to the recent wildfires the Department is amending the previously issued June 2020 NOFA to allow applicants additional time to complete their CDBG-CV1 applications. The changes are as follows:

1. The submittal deadline for the CDBG-CV1 Program NOFA applications and required attachments has been extended from 5:00 p.m. Pacific Standard Time (PST) on August 31, 2020, **to no later than 5:00 p.m. PST on September 21, 2020**. Applications must still continue to be accessed thorough the eCivis portal-Programs Available for Solicitation page.

Applications will be reviewed and awarded as received. Applicants must submit their approved governing body resolution prior to the Department's execution of a Standard Agreement. The Department will not execute agreements without an approved governing body resolution that is acceptable to the Department. In the event that the CDBG-CV1 funds are not fully awarded by the application closing date, the Department will either allocate additional funding to active contracts that have met performance and timeliness milestones, or it will roll unawarded funds into subsequent rounds of CARES Act funding as appropriate and available.

Applicants are encouraged to set-up their profiles in the Grants Network portal located at <https://portal.ecivis.com/#/login> as early as possible. Profile set-up instructions can be found in the Grants Network portal, external user manual on the CDBG webpage at <https://www.hcd.ca.gov/grants-funding/active-funding/cdbg.shtml>.

CDBG-CV1 Notice of Funding Availability Amendment #1

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Applicants are encouraged to begin the application process early to ensure successful submission before the application deadline. If you have any trouble logging into the portal or have questions on how to complete the online application, please contact the CDBG staff at cdbg@hcd.ca.gov and make sure to include CDBG-CV1 in the subject line of your message.

To receive CDBG-CV1 NOFA FAQs, notice of the NOFA webinar, and other program information and updates, please subscribe to the CDBG listserv at https://www.hcd.ca.gov/HCD_SSI/subscribe-form.html. For questions or assistance, please email cdbgnofa@hcd.ca.gov.

Attachment

**Community Development Block Grant Program -
Coronavirus Response Round 1 (CDBG-CV1)**

Notice of Funding Availability

Amendment #1



**Gavin Newsom, Governor
State of California**

**Lourdes M. Castro Ramírez, Secretary
Business, Consumer Services and Housing Agency**

**Gustavo Velasquez, Director
California Department of Housing and Community Development**

Division of Financial Assistance, Federal Programs Branch
Community Development Block Grant Program
2020 W. El Camino Avenue, Suite 200, Sacramento, CA 95833

CDBG Program Email: cdbg@hcd.ca.gov

June 5, 2020
Amended August 24, 2020

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I. Notice of Funding Availability

The California Department of Housing and Community Development (Department) receives funding from the United States Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) Program and allocates funds to CDBG eligible non-entitlement jurisdictions. Approximately \$18.7 million in new CDBG coronavirus response round 1 (CDBG-CV1) federal funds authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, will be allocated to eligible jurisdictions to perform Activities related to COVID-19 response and recovery. The CARES Act provides extra CDBG funds specifically targeted to prevent, prepare for, and respond to coronavirus.

The CDBG-CV1 Notice of Funding Availability (NOFA) provides funding ONLY for the following Activities, which are narrowly tailored as described in Section II.A and Section II.B of this Notice of Funding Availability (NOFA):

- Assistance to businesses and microenterprises impacted by COVID-19 stay-at-home orders and shut-downs
- Public services related to COVID-19 support
- Facility improvements related to COVID-19 healthcare and homeless housing needs
- Acquisition of real property to be used for the treatment or recovery of infectious diseases in response to COVID-19

CDBG-CV1 funds will be distributed through a simplified application via the Grants Network portal online grant management system and will be available to all CDBG-eligible non-entitlement jurisdictions as outlined in the Department's Annual Plan Amendment located at <https://www.hcd.ca.gov/policy-research/plans-reports/index.shtml>.

This NOFA outlines application requirements, timelines for eligible jurisdictions, and provides documentation requirements.

A. Tentative program timeline

EVENT	DATE
CDBG-CV1 NOFA and application released	June 5, 2020
OTC application window opens	June 8, 2020
Application deadline	September 21, 2020
Department announces awards	As applications are received

* Award timeline is dependent on receipt of HUD's grant agreement.

B. Authorizing Legislation

Funding under this NOFA is made available pursuant to the CARES Act (Public Law No: 116-136) and the Housing and Community Development Act of 1974 (HCDA) as amended and codified at Title 42 United States Code (U.S.C.) § 5301 et. seq., and Subpart 1 of the Federal CDBG Regulations, found at Title 24 Code of Federal Regulations (CFR) § 570.480 et seq. The requirements of the state administered CDBG program are in California Health and Safety Code (HSC) §§ 50825-50834. This NOFA should be read in conjunction with the following regulations that establish state and federal CDBG requirements. Relevant legal authority includes, but is not limited to, the following:

- Housing and Community Development Act of 1974 (HCDA) as amended and codified at Title 42 United States Code 5301 et seq., and Subpart 1 of the Federal CDBG Regulations
- [HSC §§ 50825-50834](#)
- [CFR, Title 24, Part 570, Subpart I](#)
- [24 CFR Part 58](#)
- [2 CFR Part 200](#)
- [CDBG Guidelines \(Guidelines\)](#)
- [The State of California 2015-2020 Consolidated Plan as amended](#)
- [The State of California 2019-2020 Annual Action Plan as amended](#)
- [Governor of California Executive Order N-66.20](#)

If state or federal statutes or regulations, or other laws, relating to the CDBG-CV1 funds are modified by the United States Congress, HUD, the Department, California State Legislature, or the Governor, the changes may become effective immediately and may be applicable to this NOFA and existing Standard Agreements.

If there is a conflict between the state and federal regulations, the federal regulations shall prevail. In addition, the Department reserves the right, at its sole discretion, to suspend or amend the provisions of this NOFA. If such an action occurs, the Department will notify interested parties. Awards made under this NOFA are also contingent upon the Department executing a grant agreement from HUD for the CARES Act funds.

C. Conditions

Applicants and Awardees acknowledge that the funding opportunities referenced in this NOFA, and all obligations of the Department herein, are expressly subject to the following conditions:

1. The ongoing availability of funds
2. The continued authority of the Department to administer the CDBG-CV1 funds
3. The execution of the CARES Act funding grant agreement with HUD
4. Issuance of the Governor's Executive Order providing regulatory relief from state statute

In the event that funds are not available to fund any, or all, Activities offered herein, or if the Department's authority to administer the CDBG-CV1 funds or act under this NOFA is eliminated, or in any way restricted, the Department shall have the option, at its sole discretion, to amend, rescind, suspend, or terminate this NOFA and any associated funding pursuant to the provision set forth immediately above. **This NOFA is not a commitment of funds to any Activity or Applicant.**

D. Applicant responsibility

It is the Applicant's responsibility to ensure that the application submitted is clear, complete, and accurate. It is also the Applicant's responsibility to ensure that the governing body resolution submitted is clear, complete, and accurate. The Department will not execute agreements without a resolution that is also acceptable to the Department. In this NOFA, the Department has gone to great lengths to explain what will be an acceptable resolution to the Department. After the application submittal deadline, Department staff may request clarifying information to make sure the application is complete and accurate and meets federal eligibility requirements. Applicants may be asked to make changes to their Activities to meet eligibility requirements. Applications that do not meet federal minimum eligibility requirements will be returned to draft status for Applicant changes. No Applicant may appeal the Department's evaluation of another Applicant's application.

II. **Eligible Activities (24 CFR §§ 570.201-203)**

Applicants can apply for a total of three (3) Activities with the total request not exceeding the allocation amount in Appendix A. **Activities funded under this NOFA will have a 12-month expenditure period.** See Appendix E for a list of eligible HUD Matrix Codes. Applicants must show a relationship between the need for services and COVID-19 impacts.

For the CDBG-CV1 NOFA, the following Activities are permitted:

A. Community Development

1. Public services to respond to COVID-19 impacts
2. Public facility improvements to increase capacity for healthcare facilities (facility improvements must include a documented connection with healthcare facility needs)
3. Public facility acquisition, provided that the end use increases healthcare facility capacity
4. Acquisition and/or improvement of housing facilities for persons experiencing homelessness

B. Economic Development with a focus on job retention

1. Business assistance
2. Microenterprise assistance (including Micro-financial assistance and Technical assistance)

III. Duplication of benefits

A Duplication of Benefits (DOB) occurs when a program beneficiary receives assistance from multiple sources for a cumulative amount that exceeds the total need for a particular funding need. The amount of the duplication is the amount of assistance provided in excess of the need. It is the Department's responsibility to ensure that each CDBG-CV1 Activity provides assistance only to the extent that the project's funding needs have not been met by another source. See the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (42 U.S.C. § 5155; HUD Memorandum dated 9 April 2020, subject: 'CARES Act Flexibilities for CDBG funds used to support coronavirus response and plan amendment waiver').

Section 312 of the Stafford Act prohibits federal agencies from providing assistance to any "person, business concern, or other entity" for any loss to which the entity has already received financial assistance from another source (42 USC § 5155(a)). The Federal Register Notice, published November 16, 2011 (Docket No. FR-5582-N), requires adequate policies and procedures in place to prevent a DOB and the recapture of funds, if necessary.

Applicants will be required to complete DOB documentation at application and will be required to continue to report on DOBs throughout the expenditure period for the CDBG-CV1 funds.

IV. National Objectives (24 CFR §§ 570.483-484)

A. Low- to Moderate-Income National Objective

At least 70 percent of the funds awarded shall benefit low- to moderate-income (LMI) individuals or households. No Activity or portion of a program assisted by these funds may exclude from its benefits the lowest-income eligible group.

Persons, households, and/or neighborhoods benefiting from LMI Activities must meet HUD's LMI requirements. Income limits are regularly updated. Applicants will be notified via a news email blast and information will be posted on the Department's website if the HUD Adjusted Median Family Income (HAMFI) limits or low- to moderate-income areas (LMA) are updated during the application period.

The LMI National Objective consists of the following categories:

1. LMI Limited Clientele (LMC), as defined by income limits or presumed benefit.

LMC refers to persons who earn 80 percent or less of HAMFI for the county of residence, as updated annually by HUD.

Presumed benefit LMC refers to persons who, as a category, are typically low income. This includes:

- Seniors
- Persons with a disability (must meet the [Bureau of the Census' Current Population Report's definition of "severely disabled"](#))
- Homeless persons
- Abused children and battered spouses
- Illiterate adults
- Persons living with acquired immunodeficiency syndrome (AIDS)
- Migrant farmworkers

2. LMI Area (LMA), as defined by census tracts and block groups.

- LMA eligibility is based on the American Community Survey using Census Geographies.
- At least 51 percent of households in the area must be earning at 80 percent or below HAMFI to meet LMA.

- Must be contiguous – the area must be a solid area, without certain streets or buildings being excluded, and the area should be mapped to show eligibility. If a service area is not contiguous it will be determined to be a separate Activity and will need a separate application.
- Activity must be a public benefit for the area, for example, the construction of a facility to be used for testing, diagnosis, or treatment of infectious disease.

LMA eligibility should be determined from the map application at HUD’s Low- and Moderate-Income Summary Data Application page. Instructions for HUD’s mapping application can be found at this link:

<https://hud.maps.arcgis.com/apps/webappviewer/index.html?id=ffd0597e8af24f88b501b7e7f326bedd>

3. LMI Housing (LMH), as defined by household income limits

- Households earning 80 percent or less of HAMFI.

4. LMI Job Creation or Retention (LMJ) Activities

- LMJ is based on the number of full-time equivalent jobs created or retained.
- Must create or retain jobs, and 51 percent of those jobs must be for LMI persons.
- To meet the public benefit requirements for LMJ Activities, for every \$35,000 spent (including Activity delivery), one full-time equivalent job must be created or retained.

B. Urgent Need National Objective

Urgent Need is a National Objective that is available for instances where the existing conditions in a community:

- Pose a serious and immediate threat to the health or welfare of the community.
- Are of recent origin or recently became urgent.
- The applicant is unable to finance the Activity.
- Other resources of funding are not available to carry out the Activity.

The availability of Urgent Need as a National Objective depends on the overall LMI performance of the state. The state may only offer Urgent Need in the margin above the statutory 70 percent LMI requirement. As a result, Urgent Need will not be a default National Objective and may only be designated on a case-by-case basis.

Applicants that have no option but to use Urgent Need must contact the Department to discuss how to prepare and submit their application.

Please note that if HUD should provide waivers of the 70 percent LMI requirement or other guidance that will allow for greater utilization of Urgent Need, the Department may make changes to the program allocation process to incorporate Urgent Need as a default National Objective without amending this NOFA. Applicants will be notified of any such changes via email.

V. Eligible applications

Applicants must meet the following requirements when the application is submitted to be eligible to apply for funding under this NOFA:

A. Eligible jurisdictions

Any California city or county is eligible to apply for CDBG-CV1 funding except a city or county that participates in the HUD-administered CDBG Entitlement program either as a direct entitlement, or as part of an Urban County consortium. Incorporated cities located in an Urban County as defined by 42 U.S.C. 5302(a)(6) must formally elect to be excluded from participation in the Urban County entitlement status.

HUD must be notified that the city has elected to be excluded from the Urban County participation as per 24 CFR 570.307(g) for it to be eligible for the state administered CDBG program, including CDBG-CV1 funding. Eligible Applicants may use the following approaches. Only eligible Activities from eligible Applicants will be reviewed.

1. An eligible Applicant may apply on its own behalf.
2. An eligible Applicant may apply on behalf of one or more other eligible Applicants. An application on behalf of one or more other eligible applications will need to include a Memorandum of Understanding (MOU), or similar formal agreement, fully executed by all parties of the application, that clearly identifies the lead Applicant and that details the roles, responsibilities, and requirements for each party. The agreement must be enforceable.
3. Two or more eligible Applicants, which share a program, may submit a joint application. A joint application must include a MOU, or similar formal agreement, fully executed by all parties of the application, that clearly identifies the lead Applicant and that details the roles, responsibilities, and requirements for each party. The agreement must be enforceable. Only one Applicant in a joint application may be designated as the lead agency and will have the lead responsibility for administering the Standard Agreement, financial management, and Activity reporting.

B. Financial Management Compliance (2 CFR Part 200)

The Applicant must demonstrate to the satisfaction of the Department that it is in compliance with the financial management requirements at 2 CFR §200, et seq., including the single audit requirements of 2 CFR §200.501.

C. Good standing

The Applicant, and any co-Applicant, together with the respective affiliates, must be in good standing with the Department (*i.e.*, are current on all loan and/or grant obligations, have a satisfactory past performance history in all of their prior dealings with the Department, and are in full compliance with all Department contracts and reporting requirements). Applicants not meeting the foregoing requirements shall include with their application evidence that they are actively working with the Department to resolve any issue.

D. Federal debarment

Pursuant to [24 CFR Part 5](#), all CDBG-CV1 Applicants are required to verify they and their principals, or any/all persons, contractors, consultants, businesses, sub-recipients, etc., that will be conducting business with the Applicant as part of the Activity are not presently debarred, proposed for debarment, suspended, declared ineligible, or voluntarily excluded from participation in the covered transaction or in any proposal submitted in connection with the covered transaction.

The Department will not award any CDBG-CV1 funds to Applicants that are debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from participation from federally assisted programs, or that are proposing to partner, contract, or otherwise fund Activities through an organization that is debarred, suspended, proposed for debarment, or otherwise ineligible from participation in federally assisted programs. Applicants are responsible for providing proof that all program partners, subrecipients, contractors, and any other program participants, current or future, are not debarred. Applicants must provide proof from the federal System for Award Management that the Applicant, all application partners, and any subrecipients, developers, consultants, and contractors that are or may be participating in the application, the potential administration of the award, or the potential implementation of the Activity, are not debarred. Applicants are not required to run debarment checks against individual employees. If the Applicant has not yet procured the contractor or identified a subrecipient for a specific Activity, the Applicant will be required to check for debarment prior to executing a contract or agreement for that Activity and shall include proof of debarment evaluation in the Activity file.

E. Restrictions on multiple Activities in the same political districts

Applications for eligible Activities outside the Applicant's jurisdiction must include a legally binding agreement, acceptable to the Department, with the city or county in which the eligible Activity is located. Applicants may not apply to both the state administered CDBG program (including CDBG-CV1) and to a CDBG program

administered by an Urban County or other entitlement entity during the same program year.

VI. Funding and Activity limits

IMPORTANT NOTE:

All applications must be submitted through the Department's online Grants Network portal via <https://portal.ecivis.com/#/login>; no hard copies will be accepted. Jurisdictions will submit **one application per** Activity. Each jurisdiction **can submit up to three (3) applications** during this NOFA cycle. Each Activity must have a unique application with a complete budget, National Objective, scope of work, and milestone timeline. There will be no "combo" Activities or applications accepted in this NOFA cycle. Each Activity, both projects and programs, is stand-alone with a separate budget and scope of work. General Administration should be budgeted for each Activity up to 17 percent of the total Activity budget. HUD allows a total of 20 percent of funding to be used for planning and administration. HUD limits the state to 3 percent, which allows up to 17 percent for local jurisdictions. The Department is not proposing to allocate any funding for planning only Activities, which will allow local jurisdictions to access the full administration balance. Each Activity will have a stand-alone Standard Agreement for that Activity. Applicants are encouraged to review the attached draft Standard Agreement as a sample of the applicable terms and conditions.

- Funds from this NOFA cycle will be available to eligible Applicants via allocation through a simplified application (See Appendix A for final jurisdiction allocations).
- Maximum total grant amount limits are the allocation for your jurisdiction. Program income is not included in the allocation amounts. Total Activity budgets may exceed the award limits if program income is included in the Activity application. Note that program income included in a CDBG-CV1 application will be required to meet the same performance terms, duplication of benefits, and expenditure period for the CDBG-CV1 funds.
- Milestones: All CDBG-CV1 funded Activities must be implemented according to the milestones defined in the Standard Agreement. Applicants must include at least two milestones per Activity application – a milestone for Activity initiation and a milestone for Activity closeout. Additional milestones are optional, though encouraged for best practice Activity implementation.

VII. Program administrative costs

Grantees will be allowed to use a total of 17 percent of their allocation for program administration costs. Costs incurred in COVID-19 response prior to the allocation may be eligible for reimbursement as per the CARES Act. Applicants will be asked to identify pre-agreement costs as part of the simplified application.

VIII. Pre-agreement costs

Costs incurred in COVID-19 response prior to allocation may be eligible for reimbursement as per the CARES Act. Applicants will be required to identify pre-agreement costs. Pre-agreement costs not identified as part of the application budget will not be eligible for reimbursement. See the attached sample Standard Agreement for pre-agreement cost reimbursement terms.

IX. Threshold requirements

- A city or county must be a non-entitlement jurisdiction and must not currently be party to an Urban County Agreement or participate in, or be eligible to participate in, the HUD-administered CDBG Entitlement program.
- The Activity applied for must be an eligible Activity as defined by [24 CFR §§ 570.201-203](#) and the CARES Act.
- The Activity must meet a CDBG National Objective as defined by 24 CFR §570.483.
- The Applicant must provide the Department with its most recent single audit, if applicable. If the Applicant has open single audit findings and does not have a plan or agreement to remediate those findings, the Applicant will be deemed ineligible for CDBG-CV1 funding through the state administered CDBG program until the findings are resolved or a remediation plan or agreement is established.
- Pursuant to 24 CFR § 570.486, applications must follow CDBG Public Participation regulations as identified in the state's updated [Citizen Participation Requirements for Federal Programs, Plans, and Reports](#). Applicants will be expected to provide opportunities for virtual meetings that include opportunities for the public to pose questions about the program and receive answers. Applicants will also be expected to meet noticing and public information requirements for the program as per federal regulations and the Citizen Participation Requirements.
- As per HSC § 50829, the Applicant must submit a draft and adopted Housing Element to the Department in accordance with the requirements listed in Government Code (GC) § 65580 et seq., most specifically GC § 65585. Applicants must demonstrate compliance with HSC § 50829 with documented proof at the time of application submittal. Documented proof includes, at a minimum, correspondence, resolutions or email verification from the Department. Failure to comply with the procedural requirements (i.e., GC § 65585) of Housing Element Law will invalidate the application for this NOFA and the Applicant will be deemed ineligible for funding through the state administered CDBG program, including CDBG-CV1 funding, until the Applicant has met procedural requirements. Applicants triggering the provision of HSC § 50830 must meet and document all pertinent requirements. See Appendix A for information on Housing Element status. For additional information and assistance, please contact Paul McDougall at paul.mcdougall@hcd.ca.gov.

- The Applicant must be in good standing with the Department as defined in Section V of this NOFA.
- The Applicant must demonstrate compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 relocation requirements, as applicable.
- The Applicant must demonstrate compliance with Article XXXIV, as applicable.
- To reduce delays in the application review, award, and contracting processes, Applicants are required to use the Department's *Sample Resolution of the Governing Body*. For reference, please see Appendix D.

X. Applications

A. Application webinar

The Department will hold a NOFA workshop webinar on June 24, 2020. Please visit the Department's website at <https://www.hcd.ca.gov/grants-funding/active-funding/cdbg.shtml> to register.

Applicants are also strongly encouraged to review available webinars and training materials on the CDBG program in general, the CDBG Redesign, using the Grants Network portal, and preparing a CDBG program application in the Grants Network portal.

B. Application submission

Applicants **must** follow instructions in both this NOFA and the online application. Failure to follow instructions will result in disqualification, and applications will be returned to draft status for correction and re-submittal.

The CDBG-CV1 application and all required attachments must be submitted to the Department through the Grants Network portal located at <https://portal.ecivis.com/#/login>. Applications must include all required information to be submitted. Applicants must certify that all information is true and complete to the best of their knowledge, under penalty of perjury.

Applicants that do not have an account with the Grants Network portal should log into the <https://portal.ecivis.com/#/login>. Use the "Create an account" option to initiate a profile.

Applications must meet all threshold and eligibility requirements upon submission. It is the Applicant's responsibility to ensure that the submitted application is clear, complete, and accurate. Department staff may request clarifying information and may request that applications be revised and resubmitted to help address eligibility and threshold issues prior to approving applications and issuing awards.

C. Disclosure of application

Information provided in the application will become public record available for review by the public pursuant to the California Public Records Act (PRA) (GC § 6250 et seq.). As such, the Department may disclose any materials provided by the Applicant to any person making a request under the PRA. The Department cautions Applicants to use discretion in providing information not specifically requested, including, but not limited to, bank account numbers, personal phone numbers, home addresses, or other personally identifiable information. By providing this information to the Department, the Applicant is waiving any claims of confidentiality, and consents to the Department's disclosure of the Applicant's material upon receipt of a PRA request.

XI. Application review, approval and commitment process

A. Application review

All applications are required to pass threshold requirements. Failure to meet threshold will result in immediate disqualification. Applications that do not meet threshold will not be further reviewed and will be returned to a draft status for Applicant revisions.

All applications will be reviewed for Activity eligibility. Activities that do not meet program eligibility will be disqualified, and the application will be returned to a draft status for Applicant revisions.

B. Recommendations

The Department will review applications and make award recommendations according to the above criteria. Applicants that are recommended for awards will be contacted and provided with an opportunity to update project schedules or other date-dependent data that may have aged during the application review period. Applicants will officially be notified of awards through the Grants Network portal. Applicants should ensure that the appropriate contact information is included in applicant profiles to facilitate notifications of awards and requests for changes. The award notification will include instructions for accepting or declining the award, as well as an executable Standard Agreement. Applicants that are not recommended for awards will be notified through the Grants Network portal that their application has been returned to draft status for Applicant revision, as applicable.

C. Standard Agreements

Successful Applicants (Grantees) will enter into a Standard Agreement with the Department. A draft sample is included as Appendix K of this NOFA. The Standard Agreement contains all the relevant state and federal requirements, Activity performance and management requirements, and disbursement requirements. A condition of award will be that a Standard Agreement must be executed by the Grantee within 30 days (contracting period) of the Grantee's receipt of the Standard Agreement(s). Failure to execute and return the Standard Agreement(s) to the

Department within the contracting period will result in award cancellation. Award cancellations are final.

XII. Awards announcement and grant implementation

The Department anticipates awards will be announced as applications are approved for funding.

XIII. Federal program requirements

A. Cross-cutting requirements

The CDBG-CV1 funding is administered under the general rules and regulations promulgated primarily in [24 CFR § 570.600](#), et seq. These primary regulations are known as the federal cross-cutting requirements and form the basis of the programmatic requirements. The Department incorporates all federal cross-cutting requirements into the state administered CDBG program, and the regulations in Part 570 are translated into required actions on the part of all Grantees of the state administered CDBG program, including CDBG-CV1 funds.

This following is a summary of the federal cross-cutting requirements:

1. Environmental Standards (based on the National Environmental Policy Act of 1969 [NEPA])
2. Labor Standards (Davis-Bacon and related laws)
3. Achieving a HUD National Objective
4. Public participation requirements
5. Fair Housing and Affirmatively Furthering Fair Housing
6. Equal Opportunity and Non-Discrimination in federal Grant Programs
7. Federal Procurement Guidelines
8. National Flood Insurance Program compliance
9. Relocation and displacement requirements
10. Employment and Contracting Opportunities Section 3 compliance
11. Lead-based paint requirements
12. No use of debarred, ineligible, or suspended contractors or sub-recipients
13. Uniform Administrative Requirements and Cost Principles
14. Conflict of interest prohibitions
15. Compliance with the Architectural Barriers Act and the Americans with Disabilities Act
16. Compliance with Eligibility Restrictions for certain resident aliens
17. Federal reporting requirements
18. Grant and subrecipient monitoring requirements

B. Relocation Plan requirement

Applicants engaging in project-specific Activities that may or will cause the temporary or permanent relocation and displacement of persons, property, or businesses must provide a project-specific relocation plan as part of the application. The plan must meet the standards established in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). Applicants must successfully demonstrate that they have met URA requirements prior to the start of the project or displacement Activity. Applicants should include relocation costs in project budgets.

Applicants must provide General Information Notices to persons who may be displaced if the Activity in the grant application is funded. This plan must outline how the Grantee will enforce and manage the project's temporary relocation and displacement Activities and estimate what relocation benefits will be required so those costs can be included in the project's development budget.

C. Article XXXIV compliance

Applicants engaging in low-income housing project Activities that are subject to Article XXXIV of the California Constitution must show that the project approval process complies with Article XXXIV requirements as defined in the California Constitution, California state statutes, and applicable case law. The state statutes implementing Article XXXIV can be found at [HSC § 37000, et seq.](#)

D. Procurement

Pursuant to [24 CFR §570.489\(g\)](#), all Grantees must comply with federal procurement requirements. The Department will review the Grantee's procurement documents for services (i.e., administrative sub-contractor, Davis-Bacon Act consultant, etc.) at time of monitoring.

Requirements for federal procurement can be found at [2 CFR §200.317-326](#). Applicants are responsible for meeting all federal procurement standards for goods and services funded through federal programs. Failure to meet procurement requirements may result in disqualification, recapture of federal funds, and debarment.

E. Certifications and Statement of Assurances

Applicants must sign and submit the Certifications and Statement of Assurances (Appendix J) with their application to meet threshold. Please review the Statement and confirm compliance with each requirement. Failure to comply with the certifications and assurances may result in disqualification, recapture of federal funds, and debarment.

