

**Marion County, Oregon**

Request for Application for

Community Development Block Grant (CDBG) Funds/ HOME Investment Partnerships Funds/

HOME-ARP (American Rescue Plan) Funds

(July 1, 2023-June 30, 2024)

Date of Release: October 12, 2022 Applications Due: December 9, 2022 Additional copies available from:

Marion County Board of Commissioners

555 Court St. NE

P.O. Box 14500 Salem, OR 97309

[CDBG and HOME Programs (marion.or.us)](https://www.co.marion.or.us/BOC/CD/CDBG)

For questions about this Request for Application process please contact:

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1. **Opportunity**

Marion County estimates it will have approximately $1,100,000.00 in Community Development Block Grant (CDBG) funds, $600,000.00 in HOME funds and $1,900,000.00 remaining in HOME-ARP funds available to award to projects. Funds are available through the federal Community Development Block Grant (CDBG)/HOME Investment Partnerships program/and the American Rescue Plan under the U.S. Department of Housing and Urban Development (HUD). The program is administered at the local level by County staff, and subject to federal regulations.

The County requests applications from public agencies, non-profit organizations, and private developers to address housing and community development needs in our community.

The earliest any funding referenced in this Request for Applications will be available is after July 1, 2023.

# Application Schedule and Selection Process

The following schedule applies to the funding proposal process for Marion County’s 2023-2024 Program Year Funding. The County has approximately $1,100,000.00 in CDBG funding available, $600,000.00 in HOME funding available, and $1,900,000.00 in HOME-ARP funding.

The following process will be used in the County’s review and selection of funding applications.

**TENTATIVE TIMELINE**

October 12, 2022……………..Request for Applications available to the public December 9, 2022……………Applications Due
December 31, 2022…………. Staff Review of applications

January 31, 2023……………..Public Hearing on applications

 (Presentation by applicants to the Board of Commissioners)

 March 1, 2023……………..…Public Hearing on final determination of applications

April 3, 2023.………………...Draft Annual Action notice in paper May 3, 2023.…………………Public Hearing on Annual Action Plan

May 10, 2023.………………..Board approval of Annual Action Plan

May 15, 2023………………...Deadline for submittal to HUD

* Note this Does not include a Site Visit which is at the Board of Commissioners discretion to schedule.

1.) County staff will review each proposal to determine:

 Whether the proposal is complete, based on the requirements in Section IV of this Request for Proposals (RFP); and

 Whether the project is eligible for CDBG/HOME/HOME-ARP funding under each Federal Program

 Whether the project is consistent with the goals and funding priorities outlined in the Marion County Consolidated Plan.

2.) Marion County Board of Commissioners will ultimately decide which applications, if any, will receive funding. If your project is approved, County staff may enter negotiations with you to further determine the details of the project, including requirements under the CDBG/HOME/HOME-ARP Programs.

3.) During a work session applicants will be invited to deliver an oral presentation on their project proposal to the Board of commissioners. Applicants will be allowed approximately 10 minutes to present their proposals, followed by a 5 minute question and answer session.

The County’s funding recommendations will be incorporated into a draft Action Plan outlining the County’s funding decisions for the 2023-2024 CDBG/HOME/HOME-ARP Program Year.

The draft Action Plan will be made available for public review, and a public hearing will be held to receive public comment on the funding recommendations. *Revisions may be made to the draft plan as a result of comments received at the public hearing*.

Ultimately, any project will need to be consistent with the Priority Needs outlined in the Marion County Consolidated Plan 2021-2025 and the HOME-ARP Allocation Plan, available on the County website and are listed below:

The Needs Assessment and Market Analysis, which has been guided by the 2021 Housing and Community Development Survey and public input, identified 6 priority needs.

• Disaster Relief

• Low-to-Moderate Income Housing

• Special Needs Populations

• Public Facilities & Infrastructure

• Homelessness

• Economic Development

These priority needs are addressed with the following goals:

**Increase Availability and Affordability of Housing Options**: Improve the condition and availability of affordable housing over a five-year period through homeowner housing rehabilitation, new housing construction

**Provide for Community Housing Development Organizations (CHDO) Set-Aside**: Improve the condition and availability of affordable housing over a five-year period through the investment in CHDOs.

**Support Disaster Recovery Efforts with CDBG eligible activities in fire-affected areas**

**Invest in Vital Community Facilities and Infrastructure**: Ensure the livability of communities through the rehabilitation and development of public facilities and infrastructure.

**Increase Access to Community Services:** Help address the needs of non-homeless special needs populations in the Marion County Service Area (Marion County except for the City of Salem) through the funding of public services.

**Encourage Economic Opportunities**: Improve economic opportunities through activities aimed at improving the conditions needed for successful business and economic development that benefit low-to-moderate income households.

**Support Program Success**: Support program implementation in the Marion County Service Area through program administration. These actions include:

1. Support CDBG programs with CDBG program administration funds

2. Support HOME programs with HOME program administration funds

# Community Development Block Grant (CDBG) Overview

The CDBG program is authorized under Title 1 of the federal Housing and Community Development Act of 1974, as amended.

The primary objective of the CDBG Program is the development of viable urban communities through:

* + The provision of decent housing
	+ The provision of a suitable living environment, and
	+ The expansion of economic opportunities

The Community Development Block Grant Program is administered at the federal level by the Department of Housing and Urban Development.

# National Objectives

**Federal regulations specify that all activities undertaken using CDBG funding must meet at least one of the following national objectives:**

* + Benefit to low-and moderate-income persons
	+ Aid in the prevention or elimination of slums or blight, or
	+ Meet a need having a particular urgency

These three national objectives are summarized below:

#  Benefit to Low-and Moderate-Income Persons

Under this objective, CDBG-assisted activities must primarily benefit low-and moderate-income persons. The income thresholds for meeting the low-and moderate-income requirements are determined by HUD and changes each year. Projects funded with CDBG dollars must either:

* + Benefit all of the residents of a particular area, where at least 51% of the residents are low-and moderate income
	+ Benefit a limited number of people (e.g., homeless persons, elderly persons, or persons living with HIV/AIDS), so long as 51% of those served are low-or moderate-income,
	+ Provide or improve permanent residential structure for low-and moderate-income persons, or
	+ Create or retain permanent jobs, at least 51% of which will be made available to or held by low-and moderate-income persons.

Note: HUD presumes certain groups to be principally low- or moderate-income, so projects that exclusively serve these groups will meet the Benefit to low-and moderate-income persons national objective without having to demonstrate income eligibility. These groups include: abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with HIV/AIDS, and migrant farm workers.

#  Elimination of Slum and Blight

Under this objective, CDBG-assisted activities must help to prevent or eliminate slums and blighted conditions. These activities must either:

* + Prevent or eliminate slums or blight in a designated area in which slums, blighted or deteriorating conditions exist,
	+ Prevent or eliminate slums or blight on a spot basis in an area not located in a slum or blighted area, in cases where a specific condition is detrimental to public health and safety, or
	+ Be in an urban renewal area

#  Urgent Need

The Urgent Need category is designed only for activities that alleviate emergency conditions of recent origin that pose a serious and immediate threat to the health or welfare of the community, and for which no other sources of funding are available. An example of an eligible project under this category would be a major flood that causes serious damage to buildings and infrastructure, thereby threatening the safety of occupants or nearby residents.

Eligible Activities

In order to meet local needs within the national objectives, the CDBG program provides a great deal of flexibility in the eligible uses of CDBG funds. The following is a summary of the range and types of activities that may be funded through the CDBG Program. The summary is not a complete list of eligible activities. Please see the attached link ([CDBG and HOME Programs](https://www.co.marion.or.us/BOC/CD/CDBG) [(marion.or.us)](https://www.co.marion.or.us/BOC/CD/CDBG) with the Matrix Codes for all potential eligible activities. **Please contact the CDBG/HOME Program Manager for more detailed information regarding the eligibility of specific programs or projects.**

**Please Note**: The amount of total funding available for public services activities (15% of anticipated amount) through this RFA is limited to approximately $210,000 for the regular CDBG Program. HOME-ARP can be used exclusively for supportive services if the supportive services is geared toward qualifying populations.

# Ineligible Activities

In general, activities that are not specifically identified as eligible are considered by HUD to be ineligible. The following activities are specifically identified by HUD as activities that are not eligible for CDDBG funding. Please contact the County’s CDBG/HOME Program Manager for more information on ineligible activities.

* + Acquisition, construction, or reconstruction of buildings for the general conduct of government
	+ General government expenses
	+ Political activities
	+ Purchase of construction equipment, fire protection equipment, furnishing and personal properties
	+ Operating and maintenance expenses
	+ Income payments
	+ Construction of new housing (unless completed by a CBDO)

# Eligible Applicants

In general, only public, or private non-profit agencies or organizations are eligible to apply for funding. However, the following two exceptions apply: (1) for-profit organizations may apply for CDBG funds to undertake certain economic development activities, and (2) under certain limited circumstances, for-profit organizations qualifying under HUD Criteria as Community- Based Development Organizations (CDBOs) may apply for funds to carry out neighborhood revitalization, economic development, or energy conservation projects. Regulations pertaining to these exceptions can be found at 24 CFR 570.201 (o) and 24 CFR 570.204

# Note: Any acquisition of real property is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)

If you are interested in acquiring property, including talking to a seller about potential interest in the property, certain language and notice MUST be given otherwise the project may become ineligible to be awarded federal funds. Please view the County’s URA guidance and HUD Handbook 1378 for information about how the URA may apply to your project. Please contact staff for further information.

# HUD Income Limits

HUD requires that at least 51% of households benefiting from a CDBG-funded project must meet low-or moderate-income guidelines for the CDBG Program. HUD defines low-income households as those earning equal to or less than 50% of the Area Median Income (AMI) and moderate-income households as those earning equal to or less than 80% AMI.

An updated chart on the current income limits will be available on the County website.

# HOME Investments Partnership Program Overview

The HOME Investment Partnerships Program was created by the National Affordable Housing Act of 1990 (NAHA) and provides formula grants that communities use (often in partnership with local nonprofit groups) to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent, homeownership, or providing direct rental assistance to low-income people.

The primary objectives of the HOME program are to:

* + Provide decent safe affordable housing to lower income households
	+ Expand the capacity of nonprofit housing providers
	+ Strengthen the ability of state and local governments to provide housing
	+ Leverage partnerships

***Eligible Activities***

# 1.) Homebuyer Activities

* + - Acquisition
		- Rehabilitation
		- Forms of Assistance typically include:
			* Grants
			* Deferred-Payment Loans
			* Below-Market rate Loans
	+ Program Designs vary according to the needs of a community, but some standard designs include:
		- Down payment and closing cost assistance
		- Gap financing
		- Development Subsidy
		- Lease Purchase
		- IDA (Individual Development Account)
	+ Additional Requirements
		- Subsidy Layering
		- Eligible Property types
		- Property Standards
		- Eligible applicant/beneficiary
		- Affordability period and monitoring

# 2.) Homeowner Rehabilitation

* + - Eligible costs for homeowner rehabilitation activities include:
			* Hard costs
			* Project related soft costs
	+ Forms of Assistance typically include:
		- Grants
		- Deferred-payment loans
		- Non-interesting bearing loans
		- Interest bearing loans

# 3.) Rental Housing Activities

* + Eligible Costs for rental housing activities include:
		- New Construction
		- Rehabilitation or Reconstruction
		- Conversion
		- Site Improvements
		- Acquisitions of property or vacant land
		- Demolition
		- Relocation costs
		- Project related soft costs

# 4.) Tenant- Based Rental Assistance (TBRA)

Eligible Costs for TBRA activities include:

* + Rental assistance programs
	+ Voucher or certificate model
	+ Security deposit programs Additional Requirements:
	+ Eligible Applicant/beneficiary
	+ Eligible TBRA units
	+ Property standards

# HOME-ARP Program Overview

On March 11, 2021, President Biden signed ARP into law. To address the need for homelessness assistance and supportive services, Congress appropriated $5 billion in ARP funds to be administered through the HOME Program. As part of the allocation plan adopted on Oct. 5th, 2022, the two activities identified for funding are:

* + Supportive Services
	+ Acquisition and development of non-congregate shelter units.

In conjunction with each activity the eligible recipients must provide services to qualifying populations which is defined as individuals or families that are:

1.) Homeless-as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act

2.) At risk of homelessness-as defined in section 401 of McKinney-Vento

3.) Fleeing, or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking

4.) Part of other populations where providing supportive services or assistance would prevent a family’s homelessness or would serve those with the greatest risk of housing instability

5.) Veterans and families that include a veteran family member that meet a criterion in items 1-4

# Application Submission Requirements

Applications for this Request for Applications must contain the following information in the order presented below. Applications are expected to provide the requested information in a clear and concise manner. The County reserves the right to reject any Applications that do not contain all of the information outlined below or are otherwise non-responsive to this Request for Applications.

1. Project Summary Form (See Attachment-Form A)
2. Project Description- Please provide the following in the Project Description:
	* The need or problem your project will address and how your project will address the identified need or problem, including project background, project objectives, services to be provided by the project, the populations, or areas to be served, and how CDBG/HOME/ or HOME-ARP funds will be used:
		+ - If you are proposing an economic development project, please indicate the number of permanent jobs your project will create, and how many (on a full time equivalent (FTE) basis will be held by a low-income person.
	* How your project will address the identified need or problem in a way or to a degree not already being achieved in the community. Please identify any other similar programs or projects and how you project will add to or improve upon existing services;
	* The ways in which your project will have a long-term impact on the need or problem being addressed; and
		+ - If you are proposing an affordable housing project, please indicate the time period that the project will remain affordable and how your agency plans to ensure that the project remains affordable for the specified time period.
	* Please attach a map showing the project’s location. If the project will serve a specific area, the boundaries of the area served should be shown. If the project involves a specific site or a physical structure, include details about the site or structure, such as the size of the site, the floor area, the number and size of the residential units, the project amenities, the condition of any existing structures, and any proposed alterations to the site or structures.
3. Project Readiness

Please provide the following:

* + A detailed work program and timeline, including the anticipated start date and completion date for the project, and a list of tasks with estimated start and completion dates for each task;
	+ A description of the agency’s readiness to proceed with the project, including when potential sources of funding and/or additional staff will be secured. Also, if the purchase of property is involved, please describe how you will comply with the Uniform Relocation Act (as noted in Section III); and
	+ A description of any land use processes (such as a zone change or a conditional use permit) the project will require and what steps, if any, have been taken to address these issues.
1. Financing (See Attachment-Form B)

Please provide the following financial information:

* + A completed Budget Form (See Attachment-Form B) showing secured and potential sources of funding, including other federal and state grants and loans, monetary donations, in-kind contributions, volunteer labor, and donation of materials and supplies (attach additional sheets if necessary). Volunteer labor should be included under “Private Funds”. Attach letters of funding commitment form sources, if available;
	+ A description whether you are requesting funds as a loan vs. a grant;
		- If requesting funds as a loan, outline your repayment terms
		- If requesting funds as a grant, explain why you are not able to take on a loan
	+ A description of the assumptions used to determine the total project cost and the operating budget, including the sources consulted and how costs were determined;
	+ A brief description of your agency’s plan for funding the project after the first year, if applicable;
	+ A statement regarding your agency’s ability to proceed with the project without your requested CDBG funds, or with a CDBG award less than your requested amount; and
	+ For construction projects, please provide a detailed pro forma.
1. Self-Risk Assessment (See Attachment C): Excel format available on County Website
2. Other information

Please attach any other material you believe will assist the County in its review of your application.

# Application Submission Instructions

Electronically submit one (1) official proposal via email to tglisson@co.marion.or.us.

# Rules and Requirements for CDBG Recipients

Applicants awarded CDBG/HOME/HOME-ARP funds by the County (also referred to as “sub- recipients”) will be required to comply with all federal regulations and record-keeping requirements governing the use of CDBG/HOME/HOME-ARP Funds. Applicable federal regulations and requirements are summarized below. County staff will be available to provide technical assistance in determining which regulations apply to each project and interpreting the relevant regulation. However, sub-recipients will be responsible for satisfying these federal requirements, documenting how the requirements are being satisfied, and reporting to the county on how these requirements are being satisfied.

# Written Agreements

Each sub-recipient will be required to enter into a written agreement with the County that requires compliance with all CDBG/HOME/HOME-ARP grant or loan terms applicable to the project, and any modifications and conditions imposed by the County. This agreement must be signed and executed prior to the disbursement of any funds.

# Record-Keeping and Reporting Requirements

Sub-recipients will be required to maintain accurate records documenting that the targeted populations are being served by the project, and to provide reports to the County demonstrating that this requirement is being satisfied. Recipients may be required to collect this information for a period of five years beginning from date of project agreement and shall provide this information to the County at the County’s request.

The following summarizes the types of records that must be maintained to show that the targeted populations/areas are being served. A complete listing of HUD’s record-keeping requirements is available from County Staff and will be included in the grant agreement between the County and the applicant. The County will provide forms to sub-recipients to assist them in satisfying this requirement.

# Benefit to low-and Moderate-Income Persons

For all projects that fall into the category of benefiting low-and moderate-income persons, sub- recipients will be required to maintain records and documentation including, but not limited to:

* + Documentation showing the income characteristics of persons in the service area;
	+ Documentation demonstrating that the activity is designed for and used by a segment of

the population presumed by HUD to be low-or moderate-income

* + Information on the total number of dwelling units in multi-family structures that are

occupied by low-and moderate-income households; and/or

* + Listings of the total permanent jobs created and retained, and which of those jobs are held by low-and moderate-income individuals.

# Elimination of Slum and Blight

For all projects that fall into the category of Elimination of Slum and Blight, sub-recipients will be required to maintain records and documentation including, but not limited to:

* + A pre and post rehabilitation inspection report describing the deficiencies in each structure to be/have been rehabilitated

# Urgent Need

For all projects that fall into the category of Urgent Need, subrecipients will be required to maintain records and documentation including, but not limited to:

* + Documentation concerning the nature and degree of seriousness of the condition requiring assistance;
	+ Information on the timing and the development of the serious condition; and/or
	+ Evidence confirming that other financial resources to alleviate the need were not available

# Other Federal Requirements

In addition to the record-keeping and reporting requirements outlined above, CDBG/HOME/HOME-ARP-funded projects may also be subject to other federal requirements. The following is a brief summary of additional federal requirements that may apply to each project. The descriptions are very brief and do not provide all the information that sub- recipients will need in order to satisfy the requirements. Sub-recipients shall be solely responsible for complying with these and any other applicable federal requirements and shall be responsible for obtaining all of the information necessary to satisfy these requirements.

* + *Fair Housing and Equal Opportunity*: Discrimination on the basis of race, color, national origin, religion, disability or sex is prohibited.
	+ *Handicap Accessibility*: Generally, federally assisted buildings and facilities must be accessible.
	+ *Employment and Contracting*: Grantees may not discriminate in employment and must make efforts to provide training and employment opportunities to low-income residents.
	+ *Environmental Review*: Grantees must undertake environmental reviews in accordance with 24 CFR Part 58. Whereas these may be done by the County, in some situation it will be incumbent upon the Grantee to ensure compliance with this requirement.
	+ *Flood Insurance*: CDBG funds may not be provided in a Federal Emergency Management Agency (FEMA) designated special flood area unless specific precautions are undertaken.
	+ *Lead-Based Paint*: CDBG rehabilitation and construction activities must comply with 24

CFR Part 35 and Section 401 (b) of the Lead-Based Paint Poisoning Prevention Act.

* + *Labor Standards*: Construction Activities may be required to comply with the Davis Bacon Act and the Contract Work Hours and Safety Standards Act.
	+ *Debarred, suspended and ineligible contractors and sub-recipients*: CDBG funds cannot be provided to debarred, suspended, or ineligible contractors, subcontractors or sub- recipients.
	+ *Conflict of Interest*: CDBG recipients and sub-recipients must comply with procurement requirements found at 24 CDF 85.36 (state and local Governments) and 85.42 (non- profits) and with any other applicable conflict-of-interest provisions.
	+ *Acquisition and Relocation*: Acquisition, rehabilitation, and/or demolition activities may be covered by the Uniform Relocation Act and/or Section 104(d) of the Housing and Community Development Act.

# Other Information

**Posting**

This Request for Applications, including Uniform Relocation Assistance (URA) guidance, and the Marion County Consolidated Plan 2021-2025 summary, is posted on the Marion County website. In the event it is necessary to amend, revise, or supplement any part of the RFP, an addenda will be posted to the website. Applicants are encouraged to check the website for additional information.

# Disclaimer

All material submitted by the applicants shall be considered property of Marion County, and the County will not be required to return them to an applicant. The material submitted by applicant will be treated in the same manner as the County’s own record. After submission, all proposals become part of the public record unless exempt under Oregon Public Records Law.

The intent of this application is to solicit projects for consideration as applications are reviewed it may become apparent that additional information is needed from one or all project applicants. In the event that something pertinent to all applicants has been omitted from the application form, all applicants will be asked to provide supplemental information. Staff may also follow up with the individual applicants to clarify information contained in their proposal, or to gather additional information. Applications deemed incomplete will not be evaluated.

The County reserves the right to allocate funds to any, all, or none of the applications received.

The County reserves the right to reject any or all proposals and to waive irregularities and informalities in the selection process. The County further reserves the right to negotiate, amend, and refine applications in consultation with one or more of the prospective applicants.

The County is not liable for any costs incurred by applicants for the preparation and presentation of

their proposals. This includes any costs in the submission of the proposal or in making necessary studies or designs for the preparation thereof.

# FORM A- Project Summary Form

**Project Name:**

**Project Location:**

**Project Description:**

**Grant Funds Grant: $ Requested:**

**Loan: $**

**Applicant:**

**Address:**

**City, State & Zip:**

**Website:**

**DUNS/UEI Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Contact Person:**

**Phone Number:**

**Email Address:**

**FORM B-Budget Form**

Project Budget:

Other Public Funds:

Private Funds:

Remaining Project Total:

Funds Request:

Total Other Public Funds:

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| Source | Secured | Committed | Applied For | Use of Funds |
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