



CITY OF UTICA, NEW YORK

DEPARTMENT OF URBAN & ECONOMIC DEVELOPMENT

HOME INVESTMENT PARTNERSHIPS PROGRAM

APPLICATION FOR FUNDING

2023-2024

GENERAL INFORMATION

All applicants must submit one (1) original hardcopy and one (1) electronic copy of the cover sheet, narrative (typewritten), budget forms, and all required and support documents. Electronic copies can be emailed to mpeek@cityofutica.com or submitted on a thumb drive.

Proposals must be submitted to the City of Utica Department of Urban and Economic Development, 1 Kennedy Plaza, Utica, NY 13502. Priority will be given to those applications received on or before any deadline date, if applicable. Any applications for funding will be reviewed and considered based on availability of funds, need for the program, and any other relevant facts or conditions.

Information and documents submitted pursuant to this application process are deemed to be public records and will be disclosed accordingly. However, while financial and credit information may be confidential, the City will process requests for this information pursuant to the provisions of the Freedom of Information Act. Additionally, if there are documents or information that you feel should not be released because of trade secret issues, please provide written explanation and identify the document or information in question.

HOME PROGRAM APPLICATION COVER SHEET
Background Information

Submitted by (Entity/Organization): _____

Authorized Signature*: _____

Title: _____

Contact Person:** _____

Address: _____

(Area Code) Telephone: _____ (Area Code) Fax: _____

E-mail Address: _____

HOME Funds Requested: _____ Total Project Costs: _____

Project Title: _____

Type of Project/Number of HOME Beneficiaries/Service Area: (Check only one type of activity)

<u>Type of activity:</u>	<u>Number of beneficiaries:</u>	<u>HOME costs per beneficiary:</u>
_____ Homebuyer Assistance	Households Assisted: _____	\$ _____ /household
_____ New Construction Single Family	Households Assisted: _____	\$ _____ /household
_____ New Construction Multi Family	Households Assisted: _____	\$ _____ /household
_____ Rehabilitation Single Family	Households Assisted: _____	\$ _____ /household
_____ Rehabilitation Multi Family	Households Assisted: _____	\$ _____ /household

Checklist of Required Documents (Please check all items submitted. See page 12 for more information.)

- _____ 1. Signed and completed application cover sheet.
- _____ 2. Project or Proposal Description/Narrative (See page 3 for requirements).
- _____ 3. Completed and signed computer-generated budget forms (See budget page handout).
- _____ 4. One Original hardcopy and one electronic copy of cover sheet, proposal narrative, and budget forms.
- _____ 5. Articles of Incorporation and Bylaws (must be signed and dated).
- _____ 6. State and Federal (IRS) Tax Exemption Determination Letters (non-profits only).
- _____ 7. List of Board of Directors (Names, Addresses, Employers, Occupations).
- _____ 8. Board of Director's authorization to request funds.
- _____ 9. Board of Director's designation of authorized official and contact person.
- _____ 10. Organization Chart.
- _____ 11. Job Description and Resume of Chief Program Administrator.
- _____ 12. Job Description and Resume of Chief Fiscal Officer.
- _____ 13. Most Recent Financial Statements and Audit.
- _____ 14. Completed and signed Conflict of Interest Disclosure Form. (See pages 16-18).
- _____ 15. Letters of Commitment for all matching funds (Letters should be current; i.e., dated within thirty (30) days of an application's submission for funds).
- _____ 16. Job Descriptions for all positions to be funded with HOME Program funds.
- _____ 18. Completed CHDO Checklist (if applying for CHDO set-aside)

Required Information for Narrative

I. Project Description (Narrative)

A. Project Summary (minimum one (1) page maximum three (3) pages)

Briefly describe the proposed project. The project summary should provide a general overview of the project, responsibilities of participants, phases of project, and financing. **The summary narrative must answer the following questions:**

1. **How many low-income persons are going to benefit from this activity?**
2. **What is the amount of HOME Program funds requested?**
3. **What is the project?** (Homebuyer assistance, new construction, rehabilitation)
4. **Where is the project located?** (address, streets, city, 2000 Census Tract Block Group)
5. **What steps or phases are necessary to complete this activity?** (engineering/design, bidding, contract award, construction; Is project part of CIP plan or multi-phase project? Please explain.)
6. **Why are HOME funds needed for this activity?**
7. **Please provide the details of the twenty-five (25) percent match.**

B. Documentation of Eligibility and Compliance (minimum one-half (1/2) page, maximum two (2) pages)

Describe in detail how and why the project is eligible for HOME Program funding. Please state the number of low-income persons to be assisted and the per person or per unit costs of services. HUD requires that records and documentation be maintained and reported regarding persons provided assistance and the condition of housing throughout the contract and affordability periods including data showing the size and annual income of the family of each person receiving the benefit and other demographic information. Please state how your organization will comply with these requirements in a timely manner, if it is funded. Please identify the staff assigned these responsibilities. (See HOME Proposal guidelines pages 19-40 for more information.)

Project means a site or sites together with any building (including manufactured housing unit) or buildings located on the site(s) under common ownership, management and financing, to be assisted with HOME funds as a single undertaking. The “project” includes all of the activities associated with the site and building.

The Applicant/Beneficiary

Each project or program assisted through the HOME Program must use 100 percent of its HOME funds to assist families with incomes below eighty (80) percent of the area median income. For rental housing more restrictive income eligibility provisions apply. Ninety (90) percent of the occupants of HOME-assisted rental units must have incomes that are sixty (60) percent or less of the area median. Twenty (20) percent of the units in each rental housing project containing five (5) or more units must be occupied by tenant families with incomes at or below fifty (50) percent of median income.

Applicant Income Eligibility: Income eligibility: Beneficiaries of HOME funds—homebuyers, homeowners, or tenants—must be low-income or very-low-income. Their income eligibility is determined based on their annual income (80% of MFI).

Annual income: Annual income is the gross amount of income anticipated by all adults in a family during the twelve (12) months following the effective date of the determination.

Income Verifications: Initial Verification: To determine if program applicants are income-eligible, income must be verified using source documentation. Once the initial income verification is completed, it is not required to re-examine the applicant’s income unless six months has elapsed before assistance is provided.

Annual Re-examinations: For rental programs, annual re-certifications of income are required.

Long-Term Affordability: To ensure that HOME investments yield affordable housing over the long term, HOME imposes rent and occupancy requirements over the length of an affordability period.

Affordability Periods: For homebuyer and rental projects, the length of the affordability period depends on the amount of the HOME investment in the property and the nature of the activity funded. The HOME Investment per unit and the length of the affordability period are listed below.

HOME Investment per Unit	Length of Affordability Period
Less than \$15,000	5 years
\$15,000 - \$40,000	10 years
more than \$40,000	15 years
new construction of rental housing	20 years
refinancing of rental housing	15 years

Occupancy: Throughout the affordability period, the HOME-assisted housing must be occupied by income-eligible households.

Rental housing: When units become vacant during the affordability period, subsequent tenants must be income-eligible and must be charged the applicable HOME rent.

Homebuyer assistance: If a home purchased with HOME assistance is sold during the affordability period, resale or recapture provisions apply to ensure the continued provision of affordable homeownership.

The Property: Property must be located within the City of Utica’s service area. Property must meet HUD environmental review criteria.

Maximum Subsidy: The Section 234 limits represent the maximum per unit subsidy that a PJ may invest in affordable housing on a per-unit basis as defined at 24 CFR 92.250. These limits are effective as of **March 17, 2022:**

	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
City of Utica	\$159,754	\$183,132	\$222,694	\$288,094	\$163,236

Property Types: Depending on the nature of the program activity, HOME rules specify the types of property that are eligible for funding.

Property Value: For owner-occupied and homebuyer properties, HOME limits the value of purchase price of the property. In short, the price or, in the case of rehabilitated properties, the value may not exceed 95 percent of the area median purchase price.

The 203(b) Mortgage Limits represent the maximum mortgage amount that can be insured under a FHA insured loan. These limits are effective as of **November 22, 2022:**

	one family	two family	three-family	four-family
Utica- Rome MSA Oneida County	\$472,030	\$604,400	\$730,525	\$907,900

Property Standards: HOME-funded properties must meet certain minimum property standards.

State and local standards: State and local codes and ordinances apply to any HOME-funded project regardless of whether the project involves acquisition, rehabilitation, or new construction.

Model codes: For rehabilitation or new construction projects where there are not state or local building codes, the national model codes must be enforced.

Housing quality standards: For acquisition only projects, if there are no state or local codes or standards, the City of Utica Housing Quality Standards (HQS) must be enforced.

Rehabilitation standards: Written rehabilitation standards apply to all HOME-funded rehabilitation work. These standards are similar to work specifications, and generally describe the methods and materials to be used when performing rehabilitation activities.

Model Energy Code: New construction requires compliance with the Model Energy Code.

Handicapped accessibility: In some cases, handicapped accessibility requirements apply.

Site and neighborhood standards: The site and neighborhood standards of 24 CFR 983.6(b) apply only to the **new** construction of **rental housing**.

The applicable standards vary by the type of activity.

All new manufactured housing must meet the construction and safety standards of 24 CFR 3280. New manufactured housing must be installed according to state or local codes or the manufacturer's written instructions.

C. Sponsoring Organization Information (minimum three (3) pages)

Background - Include the length of time the organization has been in operation, the date of incorporation, the purpose of the organization, your organization's legal status: incorporated, partnership, or non-profit. If your organization is a membership organization, please state the number of members and include a membership list. Please describe the type of services provided, locations, the organization's capabilities, the number and characteristics of clients served, and license to operate if required. Describe the organization's management, office policies and the daily operations of the organization. Discuss your organization's staffing pattern. Explain your organization's capacity for carrying out the proposed activities assisted with HOME Program funds. Please describe at least one year of your organization's history in the provision of housing. Provide a copy of your organization's **written program guidelines** that describe the application process and the standards and procedures your organization will use to carry out the activities funded with HOME Program funds and to ensure compliance with the requirements of this federal program. Please describe the organizational structure and include an organizational chart. Describe how your organization has actively involved the income-targeted individuals and families who may be or who are provided services and/or solicited the input of residents from the areas surrounding this proposed project. This may include, but is not limited to, participation in public hearings board meetings, and letters of support.

Personnel - Describe your organization's existing staff positions (the number of full-time vs. part-time) and include resumes and/or statements that describe the experience of staff that have successfully completed projects similar to the proposed project. Identify all subcontractors and contracts with consulting firms or individuals and describe their qualifications especially those with housing experience with similar projects. State whether or not the organization has a personnel policy manual with an affirmative action plan and grievance procedure. [Note: Job descriptions for each position requesting HOME Program funding must be on a separate page and include the essential job duties and responsibilities; the minimum job requirements such as knowledge or minimum education, minimum work experience, skills and abilities, special requirements, equipment used, contacts, supervision required, physical demands, work environment, hours, benefits and salary.]

Financial – Governmental entities: The requirements of OMB Circular No. A-87 and the following requirements of 24 CFR part 85 apply: 85.6, 85.12, 85.22, 85.26, 85.32-85.34, 85.36, 85.44, 85.51, and 85.52. Non-profit organizations: The requirements of OMB Circular No. A-122 and the following requirements of 24 CFR part 84 apply to sub recipients receiving HOME that are nonprofit organizations that are not governmental sub recipients: 84.2, 84.5, 84.13-84.16, 84.21, 84.22, 84.26-84.28, 84.30, 84.31, 84.34-84.37, 84.40-84.48, 84.51, 84.60-84.62, 84.72, and 84.73.

HOME Program funds are available on a reimbursement basis only and will cover approved budget costs associated with the approved proposal only. Please, describe the organization's current operating budget, itemizing revenues and expenses. Describe the organization's fiscal

management including financial reporting, record keeping, accounting systems, payment procedures, and audit requirements. Please provide references from financial institutions that have provided financing to project participants for similar projects. Identify applicant's financial arrangements including the amount of developer's profit and the method used to estimate this amount. Please include a sources and uses of funds statement which lists site acquisition and preparation costs, including any public infrastructure; housing construction costs for each type of unit (including builder profit); the amount of construction funds firmly committed and terms of the interim (construction) loan; permanent mortgage financing terms and amount of funds firmly committed (including determination of need to pre-qualify LMI buyers); and all other costs, such as A&E, various fees, administrative/overhead, marketing (if needed), etc. **[Note: All costs should be supported with documentation such as site appraisal(s), estimates from architects/engineers/contractors confirming development costs, and statements from builder(s) confirming their housing construction costs for each type/size of unit.]**

Please describe your organization's experience and working knowledge of federal guidelines especially OMB Circulars. Identify commitments for ongoing funding and provide letters of commitment for these funds. **[Note: Letters of commitment for all matching/other funds should be current; i.e., dated within thirty days of an application's submission for funding.] Do not mail separately. These letters must be included with application.**

Audit Requirements - In accordance with the Office of Management and Budget Circulars A-133 and A-110, the Federal Government requires that non-federal entities receiving \$300,000 or more in federal financial assistance in a fiscal year must secure a single audit. If the organization expends \$300,000 or more under only one Federal program, a program-specific audit may be acceptable. Organizations receiving less than \$300,000 must secure an audit, but neither a single audit nor program-specific audit is required.

Insurance/Bond/Worker's Compensation - State whether or not the organization has liability insurance coverage, in what amount, and with what insuring agency. State whether or not the organization pays all payroll taxes and worker's compensation as required by Federal and State Law. State whether or not the organization has fidelity bond coverage for principal staff who handle the organization's accounts, in what amount, and with what insuring agency.

Additional Information - Include any other pertinent information.

D. Project Details (minimum five (5) pages)

This section should describe in detail the proposed project, the need for the project, the experience of the applicant, past projects, details of project implementation, and qualifications of staff. In addition, applicant should provide the following:

Project. Provide map of project site. Describe the need for the project. Identify and describe the eligible activities proposed for HOME Program funding. Discuss all components of the proposed project. Identify all organizations and entities participating in the project. Describe project boundaries, linear or square feet, architectural plans, the number of housing units, the age of the housing, and unit size (number of bedrooms), common area improvements, etc. Provide details of how the project will be constructed and the materials to be used. (Example: HOME Program

funds will only be used to purchase materials.) Please include work specifications, cost estimates, cash flow analyses, market feasibility study, appraisal, site plan, proof of property ownership, taxes/appraisal, insurance and local government requirements such as building permits, zoning classifications, etc. Contingency plans for construction and permanent financing, project delays, and cost overruns also must be provided. **[Note: All building improvements must comply with Federal Disability Rights Laws and Accessibility Requirements. Describe the standards and procedures to be used to ensure compliance with these requirements by the proposed project.]**

Site Profile. Please describe the general neighborhood/site in which the project will be located. Please identify noise contours for aircraft; heavily traveled roadways; railways; or any hazardous industrial operations handling explosive or flammable fuels or chemicals within 1,000 feet of the proposed project site. **Applicant must include a flood plain map showing the flood plain classification of the property.**

New Construction. For new rental housing, a PJ must follow 24 CFR 893.6(b), HUD's Site and Neighborhood Standards to determine that the location is appropriate and suitable for the housing and meets federal site standards. In carrying out these requirements with respect to the new construction of rental housing, the following information is required: street addresses for each lot or site; if the project is for a new subdivision, a copy of the plan/layout with the lots identified must be provided; a map showing the locations of the structures to be constructed, including the census tract (CT) line/boundaries; CT racial data for each location; and if the minority concentration in a CT equals or exceeds the PJ's minority population, then you must submit documentation that shows there are comparable housing opportunities outside the concentrated minority area.

Housing Quality Standards. All assisted properties must be safe, sanitary, and decent. The site, the common use and visitor spaces, and each unit in buildings undergoing construction must comply with the City of Utica's Housing Standards at minimum. Housing rehabilitation projects must comply with the City of Utica's Written Rehabilitation Standards.

Local Building and Fire Codes/Requirements. All HOME projects must comply with local code and rehabilitation standards, and local ordinances for dwelling units. This applies to both new and rehabilitation work as well as un-altered conditions in existing facilities undergoing construction. Early consultation with the local Building Official and Fire Marshal's office is advised.

Projects without Local Code Authority. In the absence of applicable local codes, single-family projects will comply with the 2003 International Code. The electrical work on all projects will comply with the 2002 National Electrical Code and state licensed electricians must perform the work. All work also must comply with the 1992 Model Energy Code published by the Council of American Building Officials (CABO). Work for which reimbursement may be requested must meet or exceed the 1992 CABO Model Energy Code.

Disability Rights Laws/Accessibility Requirements

The Architectural Barriers Act or the Barriers Act requires certain buildings to be accessible to people with disabilities. The Barriers Act covers buildings constructed by or leased by the United States and buildings constructed under a loan or a grant from the United States. The accessibility standard is UFAS, the Uniform Federal Accessibility Standards.

Section 504 of the Rehabilitation Act includes housing built by a recipient of "federal financial assistance." The access standard is the Uniform Federal Accessibility Standards (UFAS). Five percent of units must be fully accessible to people with mobility impairments and two percent of units must be fully accessible to people with sensory impairments.

The Fair Housing Act covers almost all housing, public and private. The Act's accessibility requirements apply to "covered multifamily housing." This is housing designed and constructed for first occupancy after March 13, 1991. Covered multifamily housing includes: all dwelling units in buildings containing four or more units, with an elevator and all ground floor units in buildings containing four or more units without an elevator. HUD has adopted eight "safe harbors" by which compliance can be achieved.

Americans with Disabilities Act (ADA) Title II covers activities operated by state or local governments, including individual housing units, as well as offices, recreational areas, and other parts of a housing project or site that may not be covered by the Fair Housing Act. There are two access standards that can be used to comply with Title II: UFAS (Uniform Federal Accessibility Standards) and ADAAG (ADA Accessibility Guidelines.)

American With Disabilities Act (ADA) Title III covers places of public accommodation such as rental offices, day care centers and other places that serve the public associated with housing. Facilities built after January 26, 1993 must be built in compliance with the ADA Standards for Accessible Design and barriers in existing buildings must be removed if it is readily achievable to do so. The ADA Standards for Accessible Design differs from the ADAAG.

State and Local Building Codes: Most state and local building codes do not contain accessibility requirements that meet the standards in the Fair Housing Act or other federal laws that require accessibility. Builders, architects and others should not assume compliance with state or local codes means compliance with federal access standards. Individuals involved in the design and construction of housing must evaluate which federal accessibility laws apply to the housing and make sure that the housing meets all applicable requirements. If more than one law applies, then all of the laws must be applied and the provisions which require the most accessibility will prevail.

Lead Based Paint (LBP). The Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X of the Housing and Community Development Act of 1992, amended the Lead-Based Paint Poisoning Prevention Act of 1971 (Lead Act). Applicants will be expected to comply with OSHA worker safety laws, and Title X Residential Property Law concerning tenant/occupant notification of any LBP that may remain in the dwelling. In addition, Title X of the New York State Public Health Law covers lead-based paint activities in target housing (most housing constructed prior to 1978). For technical assistance, or information on property owner's responsibilities concerning renovations, operations and maintenance or existing LBP or further information, please see <http://ocgov.net/oneida/health> or contact the Oneida County Department of health, Adirondack Bank Building 5th Floor 185 Genesee Street Utica, New York 13501, or call (315) 798-6400 for more information.

The Asbestos Control Bureau of the New York State Department of Labor regulates the removal of asbestos from public buildings within the state. The rules and regulations enforced by the department include 10 NYCRR Part 73, 12 NYCRR Part 56, 6 NYCRR Part 360, 6 NYCRR Part 364 and the Federal National Emission Standards for Hazardous Air Pollutants (NESHAP). These rules and regulations apply to all buildings which are subject to public occupancy, or to which the general public has access, and to all persons disturbing, removing, encapsulating, or enclosing asbestos within public buildings for any purpose, including repair, renovation, dismantling, demolition, installations, or maintenance operations, or any other activity that may involve the disturbance or removal of asbestos-containing building materials (ACBM) whether intentional or unintentional. NESHAP applies to the abatement of friable ACBM or the demolition of a facility. For additional information please see call (315) 479-3215 or see http://www.labor.ny.gov/workerprotection/safetyhealth/DOSH_ASBESTOS.shtm.

E. Project Schedule (minimum one (1) page)

Discuss the timetable for completion of major tasks/phases and the overall project. If this project is a phase of a larger project, provide a description of all phases, the costs of each phase, and the total project, the year the phases will be constructed and how the construction will be funded. Please identify any deadlines required or necessitated by other funding entities, expiring land options, financing options or project participants. [Note: Project should be ready to implement within six (6) months of award of funds.]

F. Property Information/Acquisition (minimum one (1) pages, state if not applicable)

Provide details of any land acquisition necessary for this project, including address and location of property, size of property, zoning designation, flood plain designation, availability of water and sewer service, costs of providing water and sewer services if not available, the value of property, current tax rates, any liens and encumbrances. Documentation of current ownership should be provided and an appraisal, if available. The results of any existing studies and reports regarding the property also should be included.

Applicants are encouraged to have all necessary land acquisitions completed prior to applying for HOME Program funds. If land acquisition is a part of the project proposal, the Community Development Department **must be contacted prior to submitting the proposal on DATE** in order to comply with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. Foremost, among the provisions of this Act is the requirement that a general informational notice must be sent to property owners and tenants at the time that the HOME Program application is submitted to the City. The applicant must contact the Department of Urban and Economic Development at (315) 792-0181 to obtain the exact format for the notices that must be provided to owners, renters, tenants, and businesses effected by the acquisition of the property. In addition, the proposal also will have to address the costs associated with these requirements such as appraisals, utility, moving, and any other relocation costs.

G. Relocation (minimum one (1) page or state if not applicable)

The displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of a project assisted with HOME Program funds is not allowed. In this section, identify

individuals or businesses that are located on the project site. Please identify households, the number of persons in each household, whether they rent or own the residence, and length of time in residence. For businesses, please identify owner, describe the type of business, number of employees and length of time at location. **If a proposed project site is in use or occupied currently, please contact the Department of Urban and Economic Development at (315) 792-0181 regarding the applicability of the Uniform Relocation Act (49 CFR Part 24) before the submission of the project proposal.**

II. Budget (see budget pages handout)

Budget Narrative:

What is the amount of HOME Program funds requested? Discuss all funding sources, proposed and confirmed. Discuss major cost items. Please provide an explanation for any unusual budget expenditures listed in the line item budget. Complete the budget pages. (Please check budget items, subtotals, and totals for correctness. Number should be consistent between narrative and budget pages.)

Reasonableness--Explain why you consider your program costs to be reasonable. (See OMB Circular A-122 for definitions.)

Donated Goods and Services--Describe your use of donated goods and services. Estimate the value of these services and describe how you estimated these amounts.

Other/Matching Funds--Please describe what other funding sources will be involved in the proposed project. Include information on all collaborating organizations involved in the proposed project and identify the source of funds, amounts and how these funds will be used. **Please list all other federal funds received by your organization and briefly describe their use. NOTE: Match funds equal twenty-five (25) percent of HOME Program funds requested.**

Describe your plans to seek new funding to supplement HOME Program funding. Describe the sources to which you will apply, the amounts sought and the proposed use of those funds.

III. Standard Required Documents

Applicants must submit one (1) hard copy of the required documents and one (1) electronic copy of the cover sheet, the proposal narrative and budget pages must be submitted. Incomplete proposals will not be reviewed. Please check-off all items submitted on the cover sheet.

Articles of Incorporation/Bylaws/DBAs - Articles of Incorporation are the documents filed with the State of New York, which formally establishes a private corporation, business or agency. By-laws establish the governing procedures for the organization. DBAs are “doing business as.” Organizations that use a DBA must provide documentation of current registration. All these documents **must be signed and dated** and include a government seal or stamp.

State and Federal (IRS) Tax Exemption Determination Letters - Nonprofit organizations must submit tax-exemption determination letters from the Federal Internal Revenue Service and the State of New York.

List of Board of Directors' - A list of the current Board of Directors or other governing body of the organization must be submitted. The list must include the name, telephone number, address, occupation and employer of each member; and must identify the principal officers of the governing body.

Board of Directors' Authorization to Request Funds - A written document certifying that the Board of Directors has authorized the submission of the proposed project.

Board of Directors' Designation of Authorized Official - A written document certifying that the authorized person has the permission of the Board of Directors to act for the organization. Documentation of this requirement consists of a signed letter from the chairperson of the governing body providing the name, title, address, and telephone number of the authorized individual. It is the responsibility of the entity to provide the City of Utica with written notice of any changes in an entity's authorized official as soon as possible.

Board of Directors' Designation of Contact Person – A written document identifying **one** contact person for an entity submitting a proposal. It is the responsibility of the entity to provide the City of Utica with written notice of any changes in an entity's contact person, address, or telephone number as soon as possible. The City requests that the contact person be the organization's **only** liaison with the City in order to avoid any miscommunications and duplication of effort.

Organization Chart - An organization chart must be provided which describes the organization's administrative framework and staff positions. Please indicate where the proposed project will fit into the organizational structure and also identify any staff positions of shared responsibility.

Job Description and Resume of the Chief Program Administrator - Job descriptions must be on a separate page and include the essential job duties and responsibilities; the minimum job requirements such as knowledge or minimum education, minimum work experience, skills and abilities, special requirements, equipment used, contacts, supervision required, physical demands, work environment, hours, benefits and salary.

Job Description and Resume of the Chief Fiscal Officer - Job descriptions must be on a separate page and include the essential job duties and responsibilities; the minimum job requirements such as knowledge or minimum education, minimum work experience, skills and abilities, special requirements, equipment used, contacts, supervision required, physical demands, work environment, hours, benefits and salary. (See Financial Statements and Audit below for more information.)

Fiscal Officer should be knowledgeable of uniform administrative requirements and cost principles. The subrecipient shall comply with the policies, guidelines and requirements of 24 CFR part 85 (Administrative Requirements For Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments) and OMB Circulars A-87, A-100

(implemented at 24 CFR part 84-Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations), A-122, A-133 (implemented at 24 CFR part 45), and A-128 (implemented at 24 CFR part 44), as applicable, as they relate to the acceptance and use of Federal funds under this part. The applicable sections of 24 CFR parts 84 and 85 are set forth at Sec. 570.502. [See access.gpo.gov]

Fiscal Officer should be knowledgeable of Financial Accounting Services Board guidelines for standards of financial accounting and reporting especially “Statement of Financial Accounting Standards No. 117: Financial Statements of Not-for-Profit Organizations.” Note: Information available at www.fasb.org.

Recent Financial Statements and Audit – Non Profit: Please provide most current IRS Form 990, current year organization budget, balance sheet, and audit. Also, provide an organization budget for the period for which CDBG program assistance is requested. Financial statements should conform to the Financial Accounting Standard Board's "Statement of Financial Accounting Standards No. 117, Financial Statements of Not-for-Profit Organizations" and "Statement of Financial Accounting Standards No. 116, Accounting for Contributions Received and Contributions Made". [See www.fasb.org for more information.]

Audit: In accordance with the Office of Management and Budget Circulars A-133 and A-110, the Federal Government requires that non-federal entities receiving \$300,000 or more in federal financial assistance in a fiscal year must secure a single audit. If the organization expends \$300,000 or more under only one Federal program, a program-specific audit may be acceptable. Organizations receiving less than \$500,000 must secure an audit, but neither a single audit nor program-specific audit is required.

Completed and Signed Conflict of Interest Disclosure Form – Please review, sign and submit the form on **page 18** of this application.

Letters of Commitment - Letters of commitment for all matching funds should be current; i.e., dated within thirty (30) days of application for HOME funds. Letter must be signed by a person with the authorization to enter into financial or legal agreements for the organization or agency. Letters must be included with application. **Do not send letters separately.**

Job Descriptions - Written descriptions for all positions requesting HOME funding. Job descriptions for each position requesting HOME funding must be on a separate page and include the essential job duties and responsibilities; the minimum job requirements such as knowledge or minimum education, minimum work experience, skills and abilities, special requirements, equipment used, contacts, supervision required, physical demands, work environment, hours, benefits and salary.

Completed CHDO Checklist With Support Documents - CPD Notice 97-11, Field Office Guidance on Community Housing Development Organizations (CHDOs) under the HOME Program contains Attachment A, CHDO Checklist, which is used to document compliance with the HOME

regulations. (Please contact the City of Utica Department of Urban and Economic development at (315) 792-0818 for copies of the CHDO Checklist.)

Note: All applicants must submit material changes in their project descriptions as a written request for changes to the City during the proposal review process. Examples of material changes include, but are not limited to, a change in project site, the number of units/clients to be produced/served, changes in funding requirements and any changes to the standard required documents. Failure to comply with change in circumstance requirements may result in the applicants being barred from participation in the City of Utica HOME Program, as well as other HUD Programs administered by the City.

HOME Program Conflict of Interest 24 CFR 92.356

- (a) *Applicability.* In the procurement of property and services by PJs, state recipients, and subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, apply. In all cases not governed by 24 CFR 85.36 and 24 CFR 84.42, the provisions of this section applies.
- (b) *Conflicts prohibited.* No persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to activities assisted with HOME funds or who are in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest or benefit from a HOME assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.
- (c) ***Persons covered.* The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the PJ, state recipient, or subrecipient which is receiving HOME funds.**
- (d) *Exceptions: Threshold requirements.* Upon the written request of the PJ, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it determines that the exception will serve to further the purposes of the HOME Investment Partnerships Program and the effective and efficient administration of the PJ's program or project. An exception may be considered only after the PJ has provided the following:
 - (1) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
 - (2) An opinion of the PJ's or state recipient's attorney that the interest for which the exception is sought would not violate state or local law.
- (e) Factors to be considered for exceptions. In determining whether to grant a requested exception after the PJ has satisfactorily met the requirements of paragraph (d) of this section, HUD will consider the cumulative effect of the following factors, as applicable:
 - (1) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
 - (2) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
 - (3) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specified activity in question;
 - (4) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (c) of this section;
 - (5) Whether undue hardship will result either to the PJ or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

- (6) Any other relevant considerations.
- (f) *Owners and Developers.*
- (1) No owner, developer or sponsor of a project assisted with HOME funds (or officer, employee, agent, elected or appointed official or consultant of the owner, developer or sponsor) whether private, for-profit or non-profit (including a community housing development organization (CHDO) when acting as an owner, developer or sponsor) may occupy a HOME-assisted affordable housing unit in a project. This provision does not apply to an individual who receives HOME funds to acquire or rehabilitate his or her principal residence or to an employee or agent of the owner or developer of a rental housing project who occupies a housing unit as a the project manager or maintenance worker.
 - (2) *Exceptions.* Upon written request of a housing owner or developer, the participating jurisdiction (or State recipient, if authorized by the State participating jurisdiction) may grant an exception to the provisions of paragraph (f)(1) of this section on a case-by-case basis when it determines that the exception will serve to further the purposes of the HOME Program and the effective and efficient administration of the owner's or developer's HOME-assisted project. In determining whether or grant a requested exception, the participating jurisdiction shall consider the following factors:
 - (i) Whether the person receiving the benefit is a member of a group or class of low-income persons intended to be the beneficiaries of the assisted housing, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
 - (ii) Whether the person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted housing in question;
 - (iii) Whether the tenant protection requirements of §92.253 are being observed;
 - (iv) Whether the affirmative marketing requirements of §92-351 are being observed and followed; and
 - (v) Any other factor relevant to the participating jurisdiction's determination, including the timing of the requested exception.

Conflict of Interest Disclosure Form

The HOME Regulations at 24 CFR 92.356 provide that no person who is an employee, agent, consultant, officer, or elected official or appointed official of the PJ, state recipient or subrecipient and who exercise or have exercised any functions or responsibilities with respect to activities assisted with HOME funds or who are in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest or benefit from a HOME assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds hereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

Owners and Developers. No owner, developer or sponsor of a project assisted with HOME funds (or officer, employee, agent, elected or appointed official or consultant of the owner, developer or sponsor) whether private, for-profit or non-profit (including a community housing development organization (CHDO) when acting as an owner, developer or sponsor) may occupy a HOME-assisted affordable housing unit in a project. This provision does not apply to an individual who receives HOME funds to acquire or rehabilitate his or her principal residence or to an employee or agent of the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker.

A disclosure of the nature of the conflict must be made at the time a proposal for HOME Program funds is submitted to the City of Utica's Department of Urban and Economic Development.

_____ I certify that no conflict of interest exists between the City of Utica and

(Name of Organization)

_____ I certify that a conflict of interest exists between the City of Utica and

(Name of Organization)

The nature of the conflict of interest is described below: (Please identify the individual, employment, and the conflict of interest (their affiliation with your organization)).

Signature of Authorized Organization Official

Date

Typed Name and Title

PROPOSAL SUBMITTAL TO THE CITY OF UTICA

All applicants must submit one (1) original hard copy and one (1) electronic copy of the cover sheet, narrative, and budget forms and any and all other required supportive documentation. Electronic copies can be emailed to mpeek@cityofutica.com or submitted on a thumb drive.

Proposals must be submitted to the **City of Utica Department of Urban and Economic Development, 1 Kennedy Plaza, Utica, NY 13502**. Any applications for funding received will be reviewed and considered based on availability of funds, need for the program, and any other relevant facts or conditions.

The HOME Program guidelines are subject to change at any time by the U.S. Department of Housing and Urban Development. All proposals submitted for consideration must comply with the HOME Program guidelines. Please call the Housing Development Specialist, Michael Peek, for more information at (315) 792-0181.