



DAYTON

City of Dayton, Division of Community Development
Community Development Block Grant (CDBG)
2019 Competitive Process
Request for Proposals

SUBMISSION DEADLINE

**FRIDAY, MAY 31, 2019, by 4:00 PM – MUST BE TIMESTAMPED BY
PLANNING & COMMUNITY DEVELOPMENT**

**LATE AND/OR INCOMPLETE APPLICATIONS WILL NOT BE
ACCEPTED.**

Applicants must submit one hard-copy original to:

City of Dayton
Department of Planning & Community Development
Attn: Sarah Geist

Mailing Address:

101 W. Third Street, P.O. Box 22
Dayton, Ohio 45401-0022

Physical Address:

101 W. Third Street
Dayton, Ohio 45402

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RFP Timeline

Date(s)	Action(s)
Wednesday, May 1, 2019	RFP Application Published
Monday, May 6, 2019 – 4:30 PM	Optional Technical Assistance Workshop
Tuesday, May 7 – Thursday, May 9, 2019 or Monday, May 20 – Thursday, May 30, 2019	Application Development and Consultation Meeting (mandatory and by appointment only)
Friday, May 31, 2019 by 4:00 PM	Deadline for Application Submission
Monday, June 3, 2019 – Wednesday, June 12, 2019	Staff Technical Review and Recommendations
Wednesday, June 12, 2019 – Friday, June 28, 2019	Scoring of Applications by CNDAB Review Committee
Friday, June 28, 2019 – 5:00 PM	Ranked Applications due to Division of Community Development
Monday, July 8, 2019 CNDAB Meeting	CNDAB Review and Recommendations
Tuesday, July 9, 2019	Funding Recommendations sent to City Manager
Friday, July 12, 2019 – Monday, August 12, 2019	30-day Comment Period for Action Plan Amendments
Monday, August 12, 2019 CNDAB Meeting	Public Hearing for Action Plan Amendments
Tuesday, August 13, 2019	Grant Award Letters Mailed

RFP Background

Overview

The City of Dayton Department of Planning and Community Development is accepting applications from neighborhood-based organizations, non-profit organizations, and governmental entities for the Community Development Block Grant (CDBG) 2019 Annual Competitive Process and Prior Year Discretionary Funding Process. The City desires to partner with organizations capable of meeting the priority needs and objectives described in the 2016-2020 Consolidated Plan.

2016 – 2020 Consolidated Plan Priority Needs and Objectives	
Priority Needs & Objectives	Priority Level
Revitalization of Neighborhoods	High
<i>Neighborhood Safety Measures</i>	
<i>Demolition of Abandoned Structures</i>	
<i>Infrastructure Improvements</i>	
<i>Targeted Code Enforcement Efforts</i>	
Quality of Affordable Housing	High
<i>Expand, Maintain, and Improve Affordable Housing</i>	
Expansion of Economic Opportunities	High
<i>Economic Development Incentives</i>	
<i>Workforce Training and Development</i>	
Provision and Coordination of Public Services	High
<i>Youth & Senior Services</i>	
Homelessness	Low
<i>Reduce Homelessness and At-Risk Homelessness</i>	

The 2019 CDBG Competitive Process application is open to activities that address any of the Priority Needs and Objectives from the 2016-2020 Consolidated Plan. The City encourages further development of neighborhood assets and neighborhood-centric services as well as additional economic and workforce training and development initiatives. All activities funded through the 2019 Competitive Process will have a contract start date of January 1, 2020, unless otherwise negotiated with Planning & Community Development staff.

Procurement Requirement

The Federal Office of Management and Budget (OMB) requires all federally funded programs be procured using a competitive process. The City of Dayton’s process is comprised of a competitive process for the annual CDBG allocation and targeted

discretionary funding for remaining prior year funds. The City's CDBG subrecipients are determined through this annual process.

Available Funding

The City of Dayton's annual RFP and application will be comprised of two funding allocations:

1. Annual Competitive Allocation

This allocation is comprised of \$490,000 in 2019 CDBG funding, and is open to all eligible CDBG activities for all priority needs and objectives.

Programs securing funding through the 2019 Annual Competitive Allocation will have a contract start date of January 1, 2020.

2. Targeted Discretionary Allocation

This allocation uses remaining prior year funding to address unmet goals from the City's 2016-2020 Consolidated Plan and specific City Commission priorities. The Targeted Discretionary Allocation for this competitive process is \$1,000,000.

Programs securing funding through the 2019 Targeted Discretionary Allocation will have a contract start date of January 1, 2020, unless otherwise negotiated with Planning & Community Development staff during the application process.

The 2016-2020 Consolidated Plan has three objectives that have not yet been addressed with CDBG funding:

- Neighborhood Safety Measures;
- Economic Development Initiatives; and
- Workforce Training and Development.

The City Commission has determined three priorities for the Targeted Discretionary Allocation:

- Apprenticeship Opportunities – The City Commission is interested in creating, aligning, and sustaining apprenticeship opportunities for students and adults throughout the community.
- Demolition Opportunities – Specific examples include targeted demolition efforts along thoroughfares; demolition in conjunction with leveraged investments; and demolition near neighborhood institutions, especially schools, libraries, and parks.
- Workforce Development Opportunities – Possibilities include, but are not limited to, entrepreneurship and wealth-building for immigrant communities; entrepreneurship in neighborhoods; creating a pipeline to address healthcare industry needs; workforce development to address demolition and deconstruction needs; and partnering with local educational organizations to create pathways through high schools.

Service Area

The City of Dayton's CDBG funding can ONLY be used to support Dayton residents. Proposed activities MUST occur within the city limits of the City of Dayton.

2019 Application Process

Application Due:
Friday, May 31, 2019 by 4:00 PM

Submit 1 hard-copy original in-person or by mail:
City of Dayton
Department of Planning and Community Development, Sixth Floor
Attn: Sarah Geist

<u>Mailing Address:</u> 101 W. Third Street, P.O. Box 22 Dayton, Ohio 45401-0022	<u>Physical Address:</u> 101 W. Third Street Dayton, Ohio 45402
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All applications must be time-stamped by the Department of Planning and Community Development by the deadline.

Eligible Applicants

Eligible applicants for CDBG funding include non-profit organizations, governmental entities, and under limited circumstances, private for-profit developers. At a minimum, applicants must:

- Have a current 501 (c)(3) status, be a local government entity, or a for-profit project management company. Applicants must be able to provide adequate documentation of their non-profit and Ohio State business registration status at the time of application to receive funding through the City of Dayton;
- Have an active DUNS number and Sam.gov registration with no Federal debarments or exclusions;
- Have the ability to document fiscal responsibility through financial audits or financial statements, and demonstrate the ability to operate on a reimbursement basis;
- Have appropriate internal controls for managing the type of proposed CDBG project. For additional information, please see Resource C – “What to Look for in Subrecipients Managing CDBG Funds” in the Reference Materials Section; and
- Organizations must be in good standing with the City of Dayton, including having no outstanding reporting issues, monitoring findings, or program capacity issues.

Guidelines

- All applications submitted for consideration must be for an eligible activity identified in “[The Community Development Block Grant \(CDBG\)](#)” section, and the eligible activity must meet one of the CDBG Program’s three national objectives.
- **The use of the 2016-2020 Consolidated Plan and CitiPlan 20/20 in preparing applications is strongly encouraged.** Both documents are available on the City’s website at: <https://www.daytonohio.gov/195/Document-Library>
- Applications must be submitted on standard 8 ½” x 11” paper with consecutively numbered pages. Please do not use folders, notebooks, three-ring binders, or portfolios, and only bind applications with binder clips.
- **Submission must include one hard copy of the completed application packet with original signatures in blue ink. Digital signatures will not be accepted. Applications must be mailed or delivered by hand, with a timestamp from the Department of Planning and Community Development by the deadline, and may not be submitted through fax or email. Late or incomplete applications will not be considered.**
- Please see the [Application Checklist](#) in Resource A for all required submission materials. Please keep all responses brief and concise. Responses may not exceed the space provided, and must utilize proper spacing and punctuation.

Mandatory Technical Assistance

All applicants are required to consult with Planning & Community Development staff prior to application submission. Early input into application development will ensure activities are not developed in contradiction to City policies and plans, and that activities do not duplicate existing services. Depending on the nature of the proposal, City staff may direct applicants to other departments for consultation.

Consultation with Community Development staff will be available by appointment only Tuesday, May 7 – Thursday, May 9, 2019, and Monday, May 20 – Thursday, May 30, 2019 at 4:00 PM, to assist applicants with determining CDBG eligibility and National Objective qualification, and answering overall application development questions.

Questions may also be submitted in writing, and all submitted questions will be answered and visible in the following Google Doc in the order that they are received:

<https://docs.google.com/document/d/192GZLPSHIQ6kUeTVNKE-BkmjPcAx6ixanml2gboRYdw/edit?usp=sharing>

To set up a Technical Assistance Consultation, please contact:

Nikki Patton
City of Dayton, Department of Planning & Community Development
Phone: (937) 333-3670

For questions, please contact:

Sarah Geist
Community Development Grant Administrator
City of Dayton, Department of Planning & Community Development
Phone: (937) 333-3814
Email: sarah.geist@daytonohio.gov

An optional technical assistance workshop will be held on Monday, May 6, 2019 at 4:30 PM. The workshop will be held at City Hall in the 6th Floor Training Room, 101 W. Third Street, Dayton, Ohio 45402. Validated parking is available in the Dayton Municipal Garage adjacent to City Hall on W. Third Street.

Please note: Technical assistance may not be used to assess the quality of applications or review applications prior to the submission deadline.

Conflict of Interest

The standards in 2 CFR Part 200, Subpart B Conflict of Interest, provide that no employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or perceived conflict of interest would be involved. Such a conflict would arise when an employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in the firm selected for an award. **Applicants must submit a Conflict of Interest Disclosure Form for their application to be considered complete.**

Debarment & Suspension Status

The U.S. Department of Housing and Urban Development (HUD) requires grantees verify the debarment status of all contractors and non-profit agencies via the online System for Award Management (SAM). **Applicants must have a registered DUNS numbers and active registration through Sam.gov at the time of application and during any contractual periods. Any parties or organizations listed by SAM as debarred or suspended, or lacking proper registration, are ineligible for CDBG funding.**

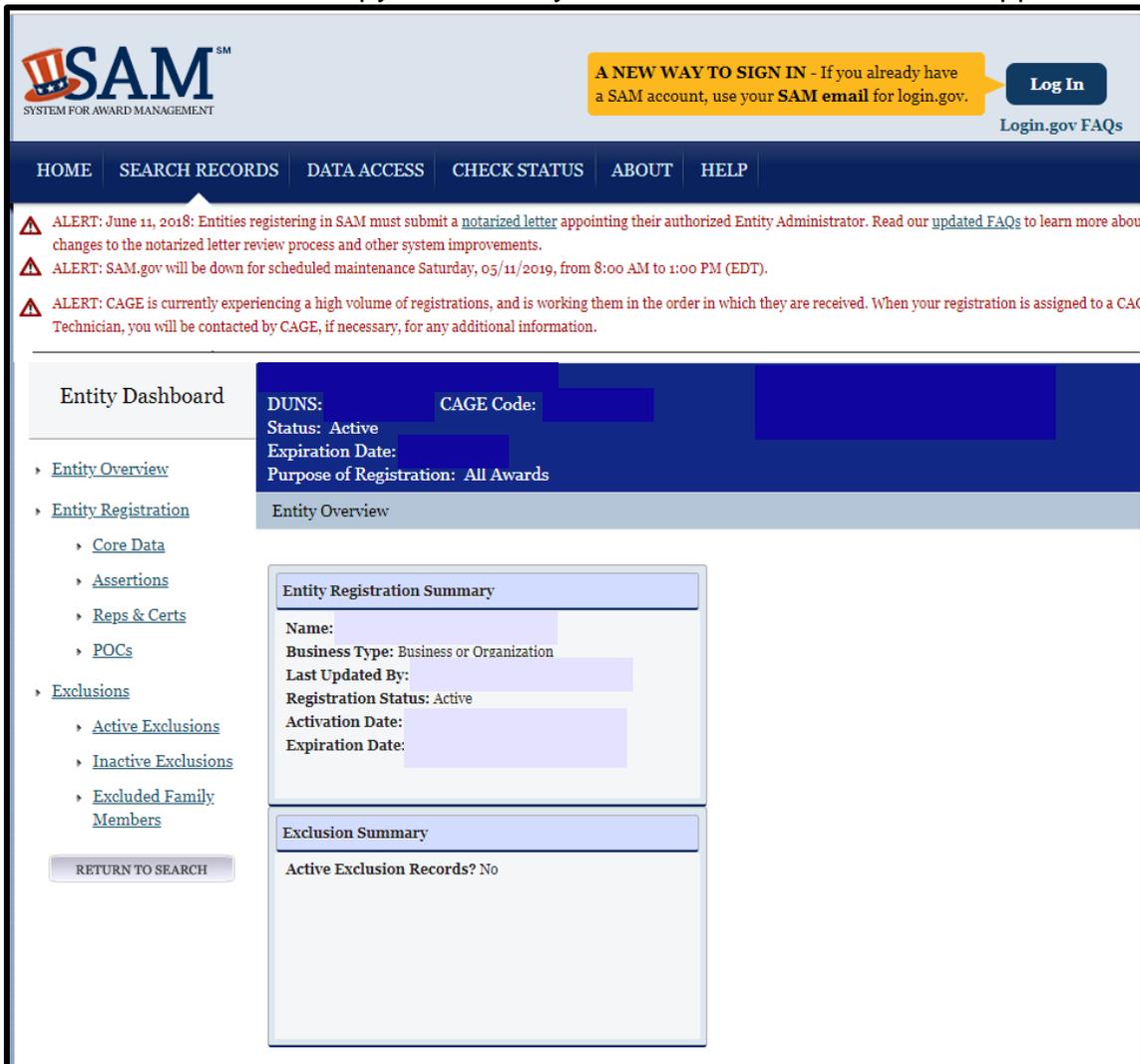
Please visit <http://fedgov.dnb.com/webform/> to register for a DUNS number via Dun & Bradstreet (D&B) free of charge. To register, applicants will need to have the following information ready:

- Organization Name;
- Organization Address;
- Name of CEO/Organization Owner;

- Legal Structure of the Organization (Corporation, Partnership, Proprietorship);
- Year Organization Started;
- Primary Type of Business; and
- Total Number of Employees (Full- and Part-time)

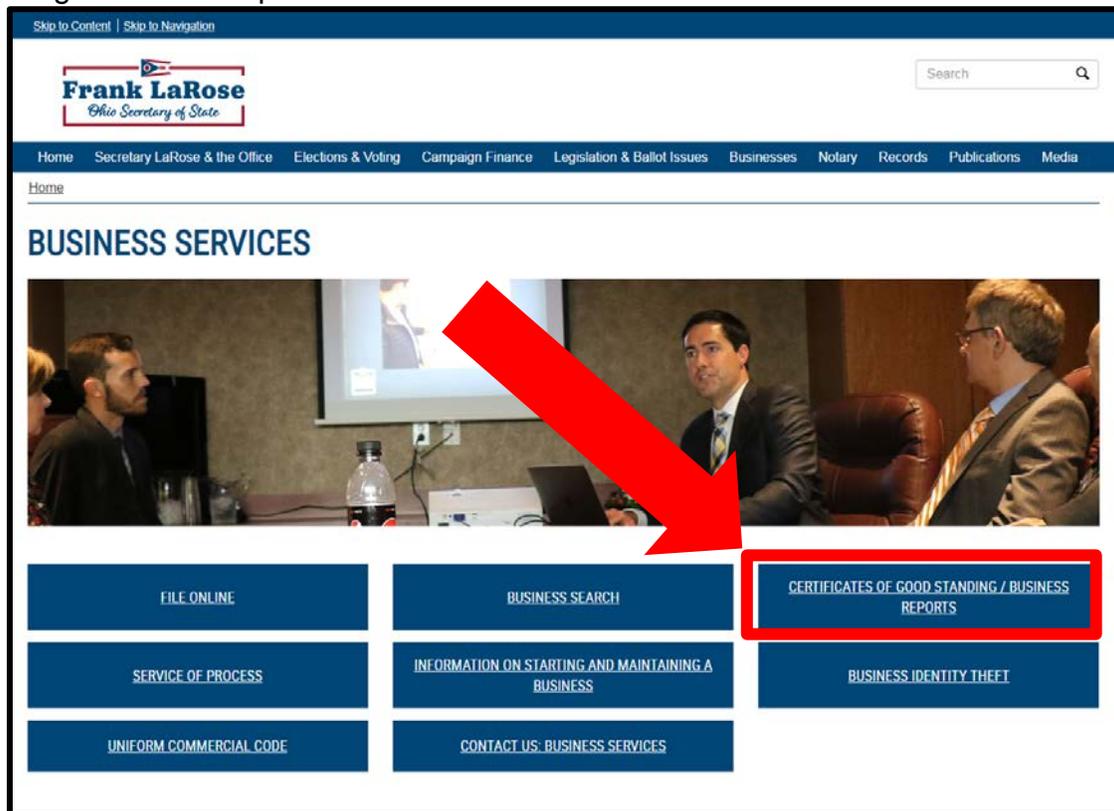
Obtaining a DUNS number places your organization on D&B’s marketing list, which is sold to other companies. Applicants can request not to be added to this list during the registration process.

System for Award Management (SAM) registration must be completed by visiting <https://sam.gov/SAM/> and selecting “Register Entity” under the “Getting Started” header. Applicants must include a copy of the Entity Dashboard screen with their application:



Applicants must complete the business registration for the City of Dayton, include AAA compliance. The application process and online forms can be found at: <http://www.daytonohio.gov/bid>.

Additionally, **applicants must provide a Certificate of Good Standing from the Ohio Secretary of State.** The application for the Certificate of Good Standing can be found at <https://www.sos.state.oh.us/businesses/> under the “Certificates of Good Standing/Business Reports” Section.



Application Review Process

The Application Review Process is a six-step process that includes eligibility and compliance review by City staff, Review Committee scoring and evaluation, review by the Community and Neighborhood Development Advisory Board (CNDAB), a thirty-day public comment period and public hearing, City Manager review and approval, and HUD review and approval.

1. Community Development staff members will review all submitted applications for completeness, accuracy, CDBG eligibility, and compliance with Federal regulations. Incomplete applications will not be considered, and additional information will not be requested from applicants for application deficiencies.
2. All approved applications will be distributed to the ten members of the Review Committee. The committee is comprised of five Community and Neighborhood Development Advisory Board (CNDAB) members and five City staff from the Economic Development, Public Works, Planning and Community Development, and Procurement, Management, and Budget departments. Each application will

be evaluated and ranked by Review Committee members using criteria identified in the “Review Criteria” below.

3. City staff will present the Review Committee’s evaluation results and rankings at the July 8, 2019, CNDAB meeting. Board members will recommend funding projects based on their rankings, with first place being first funded, until available funds are exhausted. The list of funded project recommendations will be approved by a majority vote. The Board’s recommendation will then be forwarded to the City Manager for approval.
4. The City Manager will review the recommendations from CNDAB, and all approved recommendations will be included in the appropriate Action Plan Amendments.
5. Community Development staff will prepare Action Plan Amendments for presentation and approval at the August 12, 2019 CNDAB meeting. A public comment period will run from July 12, 2019 until August 12, 2019, and a public hearing for all of the Amendments will be held during the regularly scheduled CNDAB meeting.
6. Once the Action Plan Amendments are approved, City staff will notify funded applicants and begin the contracting process.

Review Criteria

Application review and scoring will include a technical/compliance review completed by Community Development staff and a general criteria review and scoring by Review Committee members. Bonus points will be awarded in the areas of collaboration, activity impact, and creativity. A copy of the Evaluation Scoring Sheet can be found in the Reference Materials; [Resource B – 2019 Competitive Process Scoring Sheet](#).

Criteria	Maximum Points
Organizational Capacity and Experience	25
Evidence of Demand or Need for Activity	20
Priorities Addressed	30
Leverage	20
Implementation	15
Collaboration/Partnership	15
Impact	10
Creativity	5
Maximum Total Points	140

The Community Development Block Grant (CDBG)

CDBG funding is provided through the U.S. Department of Housing and Urban Development (HUD), and is authorized under Title 1 of the Housing and Community Development Act of 1974. The Community Development Block Grant was established to assist low- to moderate-income households and areas through the provision of decent housing, a suitable living environment, and expanded economic opportunities.

Each activity, excluding planning and administrative activities, **must meet one of the three CDBG National Objectives:**

1. Benefitting low- and moderate-income (LMI) persons;
2. Aiding in the prevention or elimination of slums or blight; or
3. Meeting a community development need having a particular urgency.

Descriptions of the National Objectives and Eligible Uses can be found at:

https://files.hudexchange.info/resources/documents/CDBG_Guide_National_Objectives_Eligible_Activities.pdf

Grantees (units of government receiving CDBG funding) must expend at least 70% of their annual CDBG grant for activities that benefit LMI persons; at least 51 percent of the persons assisted through an activity meant to benefit LMI persons must qualify as low- or moderate-income (at or below 80% of the area median income).

Eligible Uses

Eligible CDBG activities span a wide array of activities aimed at neighborhood revitalization, expansion of economic opportunities, improving public facilities and services, community planning, and housing development. Eligible activities include:

- a. Acquisition or Disposition of Real Property;
- b. Public Facilities and Improvements;
- c. Infrastructure Construction and Improvements;
- d. Public Services;
- e. Construction of New Housing (limited to CBDOs only);
- f. Rehabilitation of Residential and Commercial Structures;
- g. Removal of Architectural Barriers to Accessibility;
- h. Homeownership Assistance;
- i. Interim Assistance;
- j. Relocation;
- k. Clearance or Demolition of Vacant and Abandoned Properties;
- l. Code Enforcement;
- m. Special Economic Development Activities;
- n. Workforce Training and Development;
- o. Microenterprise Assistance;
- p. Planning and Capacity Building; and
- q. Historic Preservation.

Ineligible Uses

The following may not be assisted with CDBG funds under any circumstance:

- a. Buildings for the general conduct of government;
- b. General government expenses;
- c. Political activities;
- d. Purchase equipment;
- e. Operating and maintenance expenses for public facilities, improvements, and services;
- f. New housing construction by a non-CBDO; or
- g. Income payments.

Income Limits

Activities funded through the City of Dayton's CDBG Program must be used to benefit low- to moderate-income (LMI) persons, as defined by HUD. LMI individuals and households have a gross household income that is between 0% and 80% of the Area Median Income. Several groups, including senior citizens, youth under the age of 18, homeless individuals or families, handicapped persons, and abused children and battered spouses, are generally presumed to be low- to moderate-income.

Income limits are established by HUD on an annual basis, and are subject to change. The data below represents the 2018 HUD Income Limits. An updated list of income limits for 2019 will be made available to all applicants once it is released by HUD.

2018 City of Dayton Income Limits

Persons in Family	1	2	3	4	5	6	7	8
80% AMI	\$36,800	\$42,050	\$47,300	\$52,550	\$56,800	\$61,000	\$65,200	\$69,400

Source: <https://www.hudexchange.info/resource/5334/cdbg-income-limits/>

Reference Materials

Resource A – Application Checklist

- _____ All line items on the **2019 Competitive Process Application** are answered completely and accurately, and the application has been signed in blue ink by the appropriate parties.
- _____ **Attachment A – Work Plan & Implementation Schedule** is complete and signed in blue ink by the appropriate parties.
- _____ **Attachment B – Proposed Project Budget** is complete and signed in blue ink by the appropriate parties.
- _____ **Project Eligibility Certification**, *provided during in-person technical assistance*, is complete and signed in blue ink by the appropriate parties.
- _____ All applicable **certifications** are signed in blue ink by the appropriate parties.
- _____ The applicant is registered and able to do business with the City of Dayton, including AAA compliance: <http://www.daytonohio.gov/bid>.
- _____ The applicant has included the following printouts:
 1. Confirmation that the organization is in good standing on sam.gov via the printout described under “Debarment and Suspension Status” above.
 2. A copy of the Certificate of Good Standing from Ohio Secretary of State.
- _____ Capital Improvement Projects ONLY: **site plans, sketches, photographs** describing the physical dimensions of the proposed project are attached on 8 ½ x 11 paper.
- _____ Applications indicating **financial support** from other agencies ONLY: A commitment letter from the agency providing financial support, on said agency’s letterhead, is attached for each agency providing support.
- _____ Applications indicating *in-kind* support from other agencies ONLY: A letter from the agency providing in-kind support that describes the nature and value of the support provided (service, materials, labor, etc.), on said agency’s letterhead, is attached for each agency providing support.
- _____ The original, signed copy of the application and all applicable attachments has been submitted by May 31, 2019, at 4:00 PM to:

City of Dayton
Department of Planning and Community Development, Sixth Floor
Attn: Sarah Geist

Mailing Address:
101 W. Third Street, P.O. Box 22
Dayton, Ohio 45401-0022

Physical Address:
101 W. Third Street
Dayton, Ohio 45402

Resource B – 2019 Competitive Process Scoring Sheet

Criteria	Maximum Points
Organizational Capacity and Experience	25
Applicant has demonstrated experience in the proposed project type/area.	10
Applicant has adequate internal controls for managing CDBG funding and implementing the proposed project.	10
Applicant has demonstrated experience in utilizing and properly managing CDBG funding.	5
Evidence of Demand or Need for Activity	20
Applicant has assessed the need for the proposed project within the community	10
Applicant utilized statistical data to support the need assessment	10
Priorities Addressed	30
The proposed project meets 1 of 3 unaddressed Consolidated Plan Goals	10
The proposed project meets one of the Dayton City Commission priority areas	10
The proposed project carries out a project from a Commission-approved neighborhood plan and/or study	5
The proposed project meets any Consolidated Plan goal	5
Leverage	20
Applicant and partner contributions as a percentage (%) of the total proposed project cost:	
Less than 5%	0
5-10%	2
11-20%	6
21-30%	10
31-40%	14
41-50%	18
Greater than 50%	20
Implementation	15
Proposed project can be implemented by 1/1/2020.	3
Proposed project can be completed in two years, if seeking one year of funding, or three years, if seeking two years of funding.	3
All additional funding sources have been secured for the proposed project.	3

Applicant has identified future funding and/or a course of action for continuation and/or completion of the proposed project after this funding cycle is complete.	2
Applicant has identified quantifiable outcomes from the proposed project.	3
Applicant has named and identified a project manager for the proposed project.	1
Collaboration/Partnership	15
Applicant is working in conjunction with:	
No partners	0
At least one partner	2
Two or more partners	3
Three or more partners	5
Nature and frequency of collaboration with partner(s)	5
Applicant is collaborating with a partner for the proposed project	5
Impact	10
The proposed project provides a quantifiable increase in impact measurements for the service/project/target area (number of individual served, frequency of service provided, number of neighborhoods assisted, etc.).	5
The proposed project provides a positive impact on the target audience economically, socially, and/or to its built environment.	3
The proposed project has a geographic impact that is relative to the number of people that will be served.	2
Creativity	5
The proposed project addresses the specified need through innovative and creative means.	5
Maximum Total Points	140

Resource C – What to Look for in Subrecipients Managing CDBG Funds

A subrecipient is an external agency used to act as the implementing agency for a City CDBG-funded activity. **Subrecipients are public agencies, private non-profit organizations, or (under limited circumstances) for-profit entities provided CDBG funds by the City of Dayton for implementation of eligible community and economic development activities under the CDBG program.** In the administration of City CDBG funds, the subrecipient must meet the administrative requirements set forth by the Federal government.

The City selects a subrecipient to manage and implement CDBG-funded projects/activities through an annual competitive process utilizing the following criteria:

- Does the agency have the organizational capacity to implement the project/activity according to the federal administrative requirements?
- Does the agency have some knowledge or prior experience in carrying out the specific project and/or the use of CDBG funding?

The federal government mandates the following administrative requirements which the City uses to shape its determination of an organization's capacity for managing CDBG funds.

Financial Management

Financial Management System – The subrecipient must utilize and maintain a financial management system that is able to identify all Federal awards received and expended, and provide accurate, current, and complete financial data about the sources and uses of all funds. At a minimum, the accounting system should include 1) a chart of accounts; 2) a general ledger; 3) a cash receipts journal; 4) a cash disbursements journal; 5) a payroll journal; 6) payable and receivable ledgers; and 7) job cost journals (if involved in construction).

Internal Controls – The subrecipient must have a written set of policies and procedures that define separation of functions among staff, staff qualifications, staff roles and responsibilities, lines of authority, and access to assets and sensitive or personally identifying documents. The agency must have written accounting procedures for contracting, invoicing, and approving and recording transactions. A reconciliation of financial records and actual assets and liabilities should be performed periodically to confirm accuracy and file completeness. Internal controls must ensure the agency's compliance with Federal regulations, statutes, and Federal award terms and conditions. Written policies and procedures should also include a process for compliance evaluation, and steps for promptly remedying instances of non-compliance.

Allowable Costs – The subrecipient must have a clearly defined set of standards and procedures, consistent with the basic federal rules of 2 CFR 200.403, for determining

the reasonableness, allowability and allocability of costs incurred. The subrecipient must conform to all limitations set by the CDBG program, and may not charge any unallowable costs to the CDBG program. The agency must have an approved indirect cost allocation plan.

Source Documentation – The subrecipient must maintain up-to-date files of original source documentation (receipts, invoices, canceled checks, etc.) for all financial transactions, including those involving obligations incurred and the use of program income.

Budget Controls – The subrecipient must maintain current and approved budgets for all funded activities, and perform a comparison of that budget with actual expenditures for each budget category. The subrecipient should be able to compare progress toward the achievement of goals with the rate of expenditure of program funds.

Cash Management- The subrecipient must have and follow policies and procedures for accurately projecting the cash needs of the organization, and for minimizing the time between the receipt of funds from the City and their actual disbursement. The agency must be able to ensure that all program income is used for permitted purposes, and that such program income is properly managed, documented, and remitted to the City.

Financial Reporting- The agency must be able to provide accurate, current, and complete disclosure of the financial results of each federally sponsored project or program in accordance with the reporting requirements of the City.

Audits- The agency must have had an independent audit conducted within the prior fiscal year if the agency receives more than \$750,000 in Federal award funding. Agencies falling below this threshold must supply financial statements from the previous year, at a minimum. The City will consider any findings and follow-up actions taken to meet those findings prior to the award of funds.

Procurement and Contracting Standards

Procurement – The subrecipient must have and utilize written procurement and selection procedures for obtaining goods, services, materials and/or professional services, and the subrecipient must provide contract and contractor oversight. Procurement standards must meet federal procurement guidelines, and must cover conflicts of interest by prohibiting employees, officers, or agents from participating in the selection, award, or administration of a contract supported by a Federal award if a real or apparent conflict of interest exists. Subrecipients must use a free and open competitive procurement process for micro-purchases, small purchases, sealed bids, competitive proposals, and non-competitive proposals.

Contracting – The subrecipient must have proper documentation and reporting policies for management and monitoring of prevailing wage as it relates to construction or the use of labor in implementing the funded program. The subrecipient must also have a

written policy for bonding and insurance for construction or facility improvement activities, and a documented system of contract administration for determining the adequacy of contractor performance.

Property Management and Disposition

The subrecipient must have a clear understanding of how to manage real and personal property purchased or improved with CDBG funds, and must adhere to the requirements and eligibility guidelines for purchasing and maintaining real and personal property with CDBG funding as documented at 24 CFR 570.201 (a). The agency must have a clear understanding that any real or personal property (including supplies and materials) purchased with CDBG funds that are then sold or no longer in use for the program becomes the property of the City. Any proceeds from the sale or disposition of such property must be remitted to the City of Dayton at the point of sale or disposition.

Record Keeping and Reporting

Each subrecipient is required to establish and maintain three major categories of records for a period of AT LEAST 5 years after the City has notified the subrecipient of project closeout:

1. Administrative records including personnel files, property files, general program files, legal files;
2. Financial records including chart of accounts, manual of accounting procedures, accounting journals and ledgers, source documentation (purchase orders, invoices, canceled checks, etc.), procurement files, bank account records, financial reports, etc.; and
3. Project/case files including any documents related to the activities undertaken, clients served, location etc.

Project/Case files must have the following documents as applicable to the individual program:

1. Full description of each activity undertaken;
2. Determination of eligibility of each activity or client served;
3. Changes of use of real property acquired or improved with CDBG funds;
4. Compliance with acquisition, relocation, or displacement guidelines; and
5. Documentation of compliance with other federal requirements such as labor standards, employment and contracting provisions, lead based paint, etc.

All subrecipients must be able to retain records for at least five years from the date the program is closed out. After the five-year window, a subrecipient may transfer all program files to the City of Dayton for review before close-out and disposal. A subrecipient may not dispose of program files without first consulting City of Dayton Community Development Staff. Disposal of program files without prior City approval may warrant cancellation of current agreements or withholding of further contractual obligations with the City.

The agency will be requested to submit regular program and financial reports, at an interval described in the subrecipient agreement. At a minimum, these reports must include all financial, beneficiary, program income, and accomplishment data found on the quarterly and cumulative reports within the subrecipient agreement. Such information varies by activity, and is required by the U.S. Department of Housing and Urban Development (HUD).

Other Administrative Requirements

The following other administrative requirements are applicable only to specific types of activities. For example, the management of program income is only applicable to an activity in which that activity will cause an income stream, such as a loan program or a youth activity that does fundraising. Each of these requirements must be met and managed by the subrecipient as the activity dictates.

Program Income – Any gross income received by the subrecipient that was directly generated from the use of CDBG funds must be accurately collected, maintained, disbursed, reported and remitted as described in 24 CFR 570.504.

Civil Rights and Fair Housing; Employment and Contracting Opportunities – The subrecipient must certify that it will administer CDBG funds in compliance with the following laws and executive orders:

- Title VI of the Civil Rights Act of 1964;
- The Fair Housing Act;
- Executive Order 11063- prevention of discrimination because of race, color, religion, sex, or national origin in the use, occupancy, sale, leasing, rental, or other disposition of residential property assisted with federal loans, advances or grants;
- Section 104 (b) of Title I of the Housing and Community Development Act of 1974, as amended;
- Section 109 of Title I of the Housing and Community Development Act of 1974, as amended- prevents anyone being denied benefits of any activity funded in whole or in part with CDBG funds on the basis of race, color, religion, sex, or national origin; and

- Section 3 of the Housing and Community Development act of 1968- ensures that opportunities for training and employment arising in connection with a housing rehabilitation, housing construction, or other public construction project are given to low and very low income persons residing within the area in which the CDBG-funded activity is located.

Labor Standards – All laborers and mechanics employed by contractors or subcontractors on construction work in excess of \$2,000 and financed in whole or in part with CDBG funds must be paid “prevailing wages” that have been determined in accordance with the Davis Bacon Act. Additionally, all contracts in excess of \$100,000 that involve employment of mechanics or laborers must comply with 40 USC 3702 and 3704 – Contract Work Hours & Safety Standards.

Relocation, Real Property Acquisition and One for One Replacement Provisions – These requirements are applicable only when the subrecipient is utilizing City CDBG funds for the acquisition of 50 real property units, or if units to be rehabilitated are occupied and the tenants must be relocated during rehabilitation, or if occupied units are demolished.

Rights to Inventions – Subrecipients must comply with the requirements of the Rights to Inventions Made Under a Contract or Agreement at 37 CFR 401 if the agreement can be defined as a “funding agreement” under 37 CFR 401.2.

Lead Based Paint Standards – The rules applying to lead based paint are extremely cumbersome and can increase the cost of rehabilitating older housing stock significantly. Subrecipients utilizing City CDBG funds for housing renovation must be aware of the responsibility associated with compliance.

Environmental Standards – Contracts in excess of \$150,000 must comply with the Clean Air Act and the Federal Water Pollution Control Act. All subrecipients must meet the mandatory standards and policies related to energy efficient in the Energy Policy & Conservation Act.

Lobbying – The subrecipient must certify that it will not and has not used Federal funds to pay persons and/or organizations for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer of employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any award specified in 31 U.S.C. 1352.

Debarment & Suspension – All subrecipients must have an active SAM.gov account, and must be in good standing with no active debarment, suspension, or exclusion from participation in the Federal award system. The City shall not and will not willingly enter into an agreement with a subrecipient, agency, person, or organization that has been debarred, suspended, or otherwise excluded.