



COMMUNITY DEVELOPMENT BLOCK GRANT

**USE THIS APPLICATION FOR THE FOLLOWING
PROJECT TYPES:**

Handicapped Accessibility

Public Infrastructure

Community Facilities

Economic Development Infrastructure

Downtown Development

Housing (Facilities or Infrastructure)

1. PROJECT TITLE:**2. PROJECT TYPE:**

- Handicapped Accessibility
- Public Infrastructure
- Community Facilities
- Economic Development Infrastructure
- Downtown Development
- Housing (Facility or Infrastructure)

3. APPLICANT INFORMATION:

Applicant (City, Town, County):

Chief Elected Official:

Mailing Address:

Street Address:

Local Contact:

Position:

Mailing Address:

Phone:

Email:

Applicant DUNS Number:

A DUNS number is a unique nine digit identification number provided by Dun and Bradstreet. If you do not have a DUNS number, please see the link below for information on how to apply. This is now required for reporting under the Federal Funding Accountability and Transparency Act.

<https://www.sam.gov>

4. SUB-APPLICANT INFORMATION (IF APPLICABLE):

Name of Organization (as filed with Secretary of State's office):

Doing Business As:

Sub-Applicant DUNS #:

Contact Person:

Position:

Mailing Address:

Phone:

Email:

5. GRANT ADMINISTRATION CONTACT (if application is successful, who will be responsible for the grant administration?)

Name:

Mailing Address:

Phone:

Email:

6. PROJECT COSTS:

A. Amount of grant requested: \$

B. Total local/other contribution: \$

C. TOTAL Project Cost (a+b): \$

TITLE I CERTIFICATION OF APPLICANT

I, _____, the _____
(Typed or Printed Name) (Mayor/County Commissioner)

of _____, Wyoming certify that this application is being submitted
(City, Town, County)

with the understanding that the responsibility for the following program requirements rest with me as the Chief
Elected Official and the governing body of _____.
(City, Town, County)

1. Compliance with all provisions of Title I of the Housing and Community Development Act of 1974, as amended, and with all other applicable laws pertaining to distribution of Title I funds; including identifying community development and housing needs, the needs of low to moderate income persons and the activities to be undertaken to meet such needs. I certify that I have read the current Final Rules and Regulations as adopted for the CDBG Program and will comply with all applicable rules and regulations which are considered a part of this application. (see Appendix A)
2. Compliance with the requirements for a citizen involvement process (Chapter 1, Section 8) which included (at a minimum):
 - a. Notice advertising Public Hearing providing at least seven (7) calendar days' notice (Please attach a copy of notice and affidavit of publication) to be conducted prior to application being submitted.
 - b. A summary of public comment received at the hearing.
 - c. A copy of the signed minutes of the public hearing
 - d. A copy of signed council or commissioner's resolution supporting submittal of the application and including the grant type, amount of grant request and nature of the project, specified source and amount of match funding and public benefit resulting from the project.
3. Assurance that Community Development Block Grant funds will be expended exclusively for the purposes specified in the application and that in the event the project is not completed all grant funds will be returned to the state. **If there is a sub-recipient of these grant funds they must also stipulate to this provision.**
4. In the event that I am unavailable to sign required documentation, I authorize the following designee to sign on my behalf.

_____, _____
Name of Designee Position

Signature (Mayor/County Commissioner) Date

Name of City/Town/County

Certification of Applicant (continued)

Sub-Applicant signature if applicable:

Signature (Sub-Applicant)

Date

Printed Name

Name of Organization

Preliminary Regional Comments:

The WBC Regional Director must provide an overview of the project and address any concerns he or she may have. If there are concerns, the applicant is urged to address them as soon as possible before submitting the application. (Note: these comments are preliminary and the Regional Director will have an opportunity to revise them during the recommendation process.)

WBC Regional Director's Signature

Date

INTRODUCTION: COMMUNITY DEVELOPMENT PROJECTS

Purpose

The primary intent of the federal Community Development Block Grant (CDBG) grants is to provide funding to local governments to pay for Community or Economic Development activities.

Rules

Rules governing the CDBG Grant Program are available in the “Community Assistance” section of the Wyoming Business Council (WBC) website, <http://www.wyomingbusiness.org/>

National Objective

One of three national objectives must be met to qualify. See Rules: Chapter 1, Section 3.

Eligibility

Incorporated cities, towns and counties may apply.

Funds

The Maximum grant amounts are as follows:

Handicapped Accessibility	\$300,000
Community Facilities	\$500,000
Public Infrastructure	\$500,000
Econ. Dev Infrastructure	\$500,000
Downtown Development	\$500,000
Housing Facility	\$500,000
Housing Infrastructure	\$500,000

Projects that indicate financial support from other sources will be given preference over those that have no other source of financing. See the rules for full details.

Due Date

The WBC will accept applications but recommendations and decisions are subject to WBC Board Meeting schedules. Please consult the WBC website for current meeting and application deadlines.

Review

The review process includes an initial WBC staff screening, site visit and recommendation to the WBC Board.

Submissions

Applicants shall provide one copy of the completed application to the WBC Regional Director two weeks prior to submission. Two hard copies and one digital copy of the completed application must be submitted to the WBC staff in Cheyenne. Applications must be submitted on 8 ½ x 11” format with all application information and attachments clearly labeled or tabbed.

Contact Information

Sandy Quinlan, CDBG Program Manager
Wyoming Business Council
214 W. 15th Street
Cheyenne, WY 82002
Phone: (307) 777-2825 Fax: (307) 777-2838
Email: sandy.quinlan@wyo.gov

Converse, Niobrara and Natrona Counties	Big Horn, Hot Springs, Park and Washakie Counties	Campbell, Crook, Sheridan, Johnson and Weston Counties
Kim Rightmer East Central Regional Director 300 South Wolcott, Ste 300 Casper, WY 82601 Phone: (307) 577-6012 Fax: (307) 577-6032 Cell: (307) 287-2309 Email: kim.rightmer@wyo.gov	Leah Brusolino Northwest Regional Director 143 South Bent, Ste B Powell, WY 82435 Phone: (307) 754-5785 Fax: (307) 754-0368 Cell: (307-421-0140) Email: leah.brusolino@wyo.gov	Dave Spencer Northeast Regional Director PO Box 608 Sheridan, WY 82801 Cell: (307) 689-1320 Email: dave.spencer@wyo.gov
Sweetwater and Carbon Counties	Fremont and Teton Counties	Albany, Goshen, Platte and Laramie Counties
Pat Robbins South Central Regional Director 1400 Dewar Drive, Ste 208A Rock Springs, WY 82901 Phone: (307) 382.3163 Fax: (307) 382-3217 Cell: (307) 389-0867 Email: pat.robbins@wyo.gov	Roger Bower West Central Regional Director 213 West Main Street, Ste B Riverton, WY 82501 Phone: (307) 857-1155 Fax: (307) 857-0873 Cell: (307) 851-0908 Email: roger.bower@wyo.gov	Heather Tupper Southeast Regional Director 214 W 15 th Street Cheyenne, WY 82002 Phone: (307) 777-2804 Cell: (307) 772-1265 Email: heather.tupper@wyo.gov
Sublette, Lincoln and Uinta Counties	Send 2 hard copies and 1 digital copy of completed applications to:	
Elaina Zempel Southwest Regional Director 1100 Pine Avenue, Ste 3F Kemmerer, WY 83101 Phone: (307) 877-2203 Fax: (888) 507-4482 Cell: (307) 723-1510 Email: elaina.zempel@wyo.gov	Sandy Quinlan CDBG Program Manager Wyoming Business Council 214 W. 15 th Street Cheyenne, WY 82002 Phone: (307) 777-2825 Fax: (307) 777-2838 Email: sandy.quinlan@wyo.gov	

APPLICATION CHECKLIST AND INSTRUCTIONS

Consult with WBC Regional Director. Your WBC Regional Director will assist you with project development and application preparation. You must provide a copy of the application to the Regional Director two weeks prior to the date of submission. They will certify that he or she was consulted during the application process.

THIS IS A REQUIREMENT OF SUBMISSION. IF YOU DO NOT PROVIDE A COPY TO YOUR REGIONAL DIRECTOR TWO WEEKS PRIOR AND OBTAIN THEIR SIGNATURE, YOUR APPLICATION WILL NOT BE COMPLETE AND WILL NOT BE ACCEPTED.

Regional Director contact information is listed on the previous page and can also be found on the WBC website under “Contact”.

Secured Local Match. If there will be funds to match the CDBG funds, they should be confirmed by the time of the application submission. If they are from a third party, (entities other than local government grantee) include letter(s) of commitment with application.

Attach Certification of Applicant. The chief elected official’s certification of compliance with Title I Housing and Community Act of 1974, CDBG rules and regulations. **(Read Appendix A to this Application before completing)**, the citizen participation process and project completion requirements.

Citizen Participation. An applicant is required to solicit citizen input through a public hearing before submission of an application. For the purposes of this program **seven (7)** days is the minimum period for notification of a hearing date. Attach a public hearing notice, an affidavit of publication or posting and certified/signed public hearing minutes. Include a summary of public comments.

Attach Resolution of Support and accompanying minutes. After a public hearing is held, the applicant must pass a resolution of support. The resolution should state, at a minimum:

- The grant type, amount of grant request and nature of the project
- Specified source and amount of match funding
- Public benefit resulting from the project

Applicant and Sub-Applicant Development Agreement. For projects that include a sub-recipient, a draft agreement between the local government and sub-recipient must be received by the WBC with the application. If the application is successful, a formal agreement must be received by the WBC before funds are released. Contact the CDBG Program Manager for more information.

***For housing projects that include the services of a housing developer, a draft developer agreement must be received by the WBC with the application. If the application is successful, a formal agreement must be received by the WBC before funds are released. Contact the CDBG program manager for more information. **You must work with a housing funding entity or housing authority to qualify for funding.**

Organization Standing with the Secretary of State’s office. If this application is being sponsored by local government on behalf of a non-profit entity, the status of the non-profit entity, must be verified through Secretary of State’s office. This information can be obtained online at <https://wyobiz.wy.gov/Business/FilingSearch.aspx>. Please attach documentation that this standing

has been checked. If the organization is not in good standing for any reason, it will bear on the decision to award a grant or not.

System for Award Management (SAM). Attach evidence of being registered in the SAM system. If there is a sub-applicant they must also attach evidence of their SAM registration.

Attach site information. Include detail accurate certified cost estimates, a map of the site and if applicable, a picture of the proposed project, an explanation of ownership if public infrastructure, building or community facility.

- If land or building acquisition is proposed, include a market assessment with the application. If the grant is awarded, a certified appraisal will be required.
- If facility construction or rehabilitation is proposed, include preliminary floor plan
- If acquisition or rehabilitation of an existing building is proposed, a structural assessment completed according to WBC guidelines (Please see Appendix B) will be required.

DO NOT EXECUTE A PURCHASE OFFER OR AN OPTION TO PURCHASE WITHOUT CONSULTING THE CDBG STAFF. YOU MAY NOT OBLIGATE THE GRANT FUNDS IN ANY WAY PRIOR TO GRANT AWARD! CONTACT THE WBC.

Attach Financial Statements & Housing, Strategic or Business Plan. Sub-Applicant, non-profit organizations or businesses, as applicable, please attach your three prior years financial statements, tax returns **and** current business plan.

Consult with the State Historic Preservation Office (SHPO). Applicants must inform the SHPO of the project they would undertake with grant funds if awarded. This provision does not require the applicant to receive SHPO clearance prior to submitting an application, but rather is intended to inform the applicant of the SHPO procedures that will be required if a grant award is made. A sample letter to the SHPO is available on the WBC website.

NOTE: WBC staff reserve the right to request additional information as part of our application review process.

All Questions Section II through V must be fully answered as they apply to your project.

SECTION II: PROJECT INFORMATION

1. PROJECT DESCRIPTION:

Provide a description of the proposed project.

2. PROJECT NEED

a. Describe in sufficient detail the need for the project and why BRC funds are necessary. What are the repercussions if funding is denied?

b. Have any other Federal, State or Private sources been pursued for this project? (Check all that apply)

- Federal Grants (Specify)
- State Land and Investment Board
- Water Development Commission
- Department of Transportation
- Wyoming Department of Health
- Other State Sources (Specify)
- Private Donations or Foundation Grants (Specify)
- Commercial Financing (Specify Bank)

c. Why were these funding sources not obtained?

a. NATIONAL OBJECTIVE (as determined by the pre-qualification process):

Which one national objective below will be met through completion of this project?

- Benefit to low and moderate income persons
- Aid in the prevention or elimination of slums or blight
- Activity designed to meet community development need having a particular urgency

b. PROJECT OBJECTIVE:

Which one objective will be met?

- Suitable Living Environment (Activities that benefit communities/families/individuals by addressing issues in their living environment)
- Decent Housing (Housing activities that meet individual family or community needs; should not be used for activities where housing is an element of a larger effort)
- Economic Opportunity (Activities related to economic development, commercial revitalization and job creation).

c. PROJECT OUTCOME:

Which one outcome will be met?

- Availability/Accessibility (Activities that make services, infrastructure, housing and shelter available and accessible. Note that accessibility does not only refer to physical barriers).
- Affordability (Activities that provide affordability in a variety of ways. It can include creation or maintenance of affordable housing, basic infrastructure hookups, or services such as transportation or daycare).
- Sustainability (Activities that promote livable or viable communities and neighborhoods by providing services or by reviving slums or blighted areas).

6. PREVIOUS ACTION:

What previous actions have been taken and what efforts have been made to solve this problem? What other funding sources exist for this project?

7. INTEGRATED EFFORT:

- a. How does this project combine with other programs or financial resources to solve this problem?

- b. For Downtown Development Applications: Does a downtown organization exist that is actively involved in the promotion and development of the downtown? If so, describe the nature and function of this organization.

8. STATE HISTORIC PRESERVATION OFFICE:

Provide verifiable evidence that the State Historic Preservation Office was contacted, (all applicants must consult SHPO) consulted and the results of that consultation. (See Rules Chapter 1, Section 13).

9. PREVIOUS GRANT ADMINISTRATION:

- a. Describe previous grant management experience of applicant and sub-applicant, as applicable.

- b. List individually previous CDBG grant awards, during the last three years. Include percentage of project completed and funds expended.

10. COMMUNITY DEVELOPMENT PLANS:

How is the project consistent with your community's long range community and economic development plan?

11. SITE CONTROL INFORMATION:

	Expiration Date
<input type="checkbox"/> Owned	_____
<input type="checkbox"/> Optioned	_____
<input type="checkbox"/> Leased	_____
<input type="checkbox"/> Other (Explain)	_____

If this project involves acquisition of a site or a building, please attach a copy of a market analysis, if grant is awarded, a certified appraisal must be completed.

12. ZONING:

Please discuss the site zoning as well as any relevant ordinances or covenants.

13. UTILITIES:

Are utilities available and appropriately sized for the site? Who is responsible for the payment of any applicable fees (i.e. tap fees)?

14. TIMELINE/IMPLEMENTATION SCHEDULE:

Project Start Up

	Anticipated Completion Date
Site Acquisition	_____
Zoning	_____
Infrastructure Available	_____
Environmental Review	_____
Advertise Architect/Engineer	_____
Design Completion	_____
Advertise for Construction Bids	_____
Construction Bid Award	_____
Building Permits	_____
Other (please describe)	_____ _____
Project Activities	_____
Pre-Construction Conference	_____
Notice to Proceed	_____
Begin Construction	_____
Complete Construction	_____
Final Inspection/Certif of Occupancy	_____
Close-Out	_____

SECTION III: PUBLIC INVESTMENT INFORMATION

1. **Jobs:** Will this project create new jobs?

Yes No

If yes, please fill out the job creation table in Section V.

2. **Capital Expenditures:** Will this project spur private investment in real estate, property, or large equipment in the next 5 years?

Estimated investments

Year 1 Capital Expenditures:

Year 2 Capital Expenditures:

Year 3 Capital Expenditures:

Year 4 Capital Expenditures:

Year 5 Capital Expenditures:

3. **Payroll:** Will this project help to increase the wages for existing employees? If so, provide estimated average payroll increases for the next 5 years:

Current Annual Payroll:

Year 1 Average Increase: (%)

Year 2 Average Increase: (%)

Year 3 Average Increase: (%)

Year 4 Average Increase: (%)

Year 5 Average Increase: (%)

4. **Sales:** Will this project increase taxable sales or services provided by any businesses? If so, provide the estimated increase for the next 5 years:

Current Annual Sales:

Year 1 Increase:

Year 2 Increase:

Year 3 Increase:

Year 4 Increase:

Year 5 Increase:

SECTION IV: BENEFITING NON-PROFIT OR BUSINESS INFORMATION

5. Contact Information

Business Name:
Contact Person:
Mailing Address:

Phone:
Fax:
Email:

6. Provide a brief history of the organization or business and how long they have been in operation.

7. Describe the business/organization service and mission. Regarding long term plans, what role does this project play?

8. List the principals involved in this project.

9. What will the business/organization investment be if this project is implemented?

10. Why is public funding necessary for this project?

Please attach three years of financial statements (balance sheets and profit and loss statements), tax returns and the current business plan.

SECTION V: FOR APPLICATOINS PROPOSING TO CREATE JOBS (DOWNTOWN DEVELOPMENT OR ECONOMIC DEVELOPMENT INFRASTRUCTURE APPLICATIONS):

- Jobs must be expressed in Full Time Equivalents (FTE's)
- Wage data must exclude fringe benefits
- Retained jobs are defined as jobs that would otherwise be lost to the state if the business were to cease operations or move from Wyoming
- Do not include the business owners in the calculations as owners are not typically salaried employees

Year One				
	Jobs Retained	New Jobs	Average Annual Wage	Level of Education Required
Mgmt/Admin				
Technical Professional				
Office/Cerlical				
Sales				
Skilled Crafts				
Other				
Total for Year One				
Year Two				
	Original Retained Jobs & Created Year 1	New Jobs Created In Year 2	Average Annual Wage	Level of Education Required
Mgmt/Admin				
Technical Professional				
Office/Clerical				
Sales				
Skilled Crafts				
Other				
Total for Year Two				
Year Three				
	Original Retained Jobs & Jobs Created Years 1 & 2	New Jobs Created in Year 3	Average Annual Wage	Level of Education Required
Mgmt/Admin				
Technical Professional				
Office/Clerical				
Sales				
Skilled Crafts				
Other				
Total for Year Three				

JOB CREATION (CONTINUED):

1. Of the total number of jobs created, what percentage will be available to low to moderate income individuals?

2. Will the jobs created or retained be primary jobs (above the current average wage)?

3. How does the availability of the local labor force and the community's demographics compare to the demand for labor should this project be successful? Explain any strategies to overcome workforce issues and how jobs will be made available to low to moderate income persons.

4. Please attach a statement from the business certifying that at least 51% of jobs created will be available to low to moderate income individuals and certifying their commitment to the proposed relocation or expansion.

5. Please attach descriptions of the positions that will be created including any education and experience minimum requirements.

TYPE OF UNITS

OF UNITS

Single Family Homes	_____
Apartments	_____
Single Room Occupancy (SRO) Units	_____
Other (specify) _____	_____
Other (specify) _____	_____
TOTAL UNITS	_____

**PART I
PROJECT USES**

_____ **TOTAL NUMBER OF BUILDINGS**

Square Footage	# of Units	
_____	_____	Low Income Units
_____	_____	Market Units
_____	_____	Commercial Space
_____	_____	Common Space (Mgr Unit)
_____	_____	Common Space (Other)
_____	_____	TOTAL

Low Income Percentage

Percentage=(low income units / (low income units + market units + commercial space))

**PART II
PROJECT BENEFICIARIES**

_____ # UNITS WILL SERVE 0%-30% OF THE AREA MEDIAN INCOME

_____ # UNITS WILL SERVE 31%-50% OF THE AREA MEDIAN INCOME

_____ # UNITS WILL SERVE 51%-60% OF THE AREA MEDIAN INCOME

_____ # UNITS WILL SERVE 61%-80% OF THE AREA MEDIAN INCOME

_____ # UNITS WILL SERVE 81%-100% OF THE AREA MEDIAN INCOME

_____ # UNITS WILL SERVE MARKET RATE INCOME

_____ **TOTAL # OF UNITS**

**PART III
TARGETING OF UNITS/NUMBER OF UNITS**

_____ Exceeding Fair Housing Standards _____ Elderly _____ Other _____

_____ Family (2+ Bedroom) _____ Disabled _____ Other _____

_____ Units Meeting Section 504 Accessibility Standards (required minimum for federally assisted housing)

PART IV
LOW-INCOME COMPLIANCE PERIOD

This project will remain low-income with the occupancy described above for: _____ years

Will the project have tenant-based or project-based rental assistance? _____ Yes _____ No

*If yes, provide details as outlined in instructions:

SECTION VII: BUDGET INFORMATION

PART A: FUNDING SOURCES

Please list sources of funding for the project. List both the funding source and the agency that administers the program.

Include financing, grants, donations, and equity. Attach letter(s) of commitment.

Identify each source as to TYPE by noting after name (L) for Loan, (G) for Grant, or (E) for Equity.

Identify each source by DESCRIPTION CODE using the codes from the list below.

Indicate in the STATUS column whether: (P) Proposed, (R) Requested, or (A) Approved

LIST ALL SOURCES OF PROJECT FUNDING												
SOURCE	AMOUNT	TYPE	DESCRIPTION CODE	STATUS	RATE %	LOAN TERM (YEARS)	AMORITIZATION PERIOD (YEARS)	ANNUAL DEBT SERVICE	DATE REQUESTED	ACTUAL OR EXPECTED COMMITMENT DATE		
TOTAL SOURCES												
DESCRIPTION CODES												
1. USDA Rural Development	2. Loans (Conventional)	3. Low-Income Housing Tax Credit	4. Equity	5. Other Subsidies	6. Housing Agency Board	7. State & Local Grants	8. Foundations	9. Other Grants	10. HOME	11. Rental Rehabilitation	12. Other HUD	13. Other Loans (subsidized)
NOTE: TOTAL SOURCES OF FUNDS MUST EQUAL TOTAL USES OF FUNDS												

PART B: PROJECT COSTS/FUNDING USES

Some projects are more complex than others. Please complete all items that are applicable to your project.

	SOURCE:	SOURCE:	SOURCE:	SOURCE:	SOURCE:	SOURCE:	TOTAL PROJECT BUDGET:
LAND/BUILDING ACQUISITION							
Land							
Existing Structure							
Demolition							
Other							
TOTAL LAND/BLDG COSTS							
SITE WORK							
Site Work							
Off-Site Improvement							
Environmental							
Other							
TOTAL SITEWORK COSTS							
CONSTRUCTION & REHAB							
New Building							
Rehabilitation							
Accessory Structures							
General Requirements							
Contractor Overhead							
Contractor Profit							
Construction Contingency							
Other							
Other							
TOTAL REHAB & CONST. COSTS							
SUBTOTAL							

PART B: PROJECT COSTS/FUNDING USES (CONT.)

	SOURCE:	SOURCE:	SOURCE:	SOURCE:	SOURCE:	SOURCE:	TOTAL PROJECT BUDGET:
PROFESSIONAL WORK & FEES							
Architect Design							
Architect Supervision							
Attorney, Real Estate							
Consultant/Agent							
Engineer/Surveyor							
Other							
Other							
TOTAL PROF. WORK & FEES							
CONSTRUCTION/INTERIM FEES							
Hazard & Liability Insurance							
Credit Report							
Construction Interests							
Origination Points							
Discount Points							
Inspection Fees							
Title & Recording							
Legal Fees							
Taxes							
Other							
Other							
TOTAL CONST./INTERIM FEES							
PERMANENT FINANCING FEES							
Credit Report							
Discount Points							
Origination Fees							
Title & Recording							
Legal Fees							
Prepaid MIP							
Other							
Other							
TOTAL FINANCING FEES							
SUBTOTAL							

PART C: PROJECTED ANNUAL OPERATIONS AND MAINTENANCE COSTS

Double click to edit worksheet

Administrative							
	Advertising			Maintenance			
	Management				Decorating		
	Legal/Partnership				Repairs		
	Accounting/Audit				Exterminating		
	Other				Ground Expense		
	Total Administrative	\$	-		Snow Removal		
					Other		
					Total Maintenance	\$	-
Operating							
	Fuel			Taxes			
	Lighting & Misc Power				Real Estate Taxes		
	Water/Sewer				Other		
	Gas				Total Taxes	\$	-
	Trash Removal						
	Payroll/Payroll Taxes			Total Operating Expense	\$	-	
	Insurance			Annual Replacement Reserves			
	Other						
	Total Operating	\$	-	Grand Total Expenses	\$	-	

APPENDIX A
GENERAL INFORMATION AND SUMMARY OF GRANTEE RESPONSIBILITIES

Responsibility for Grant Administration:

The local government is responsible for the proper use and administration of the CDBG funds, regardless of any sub-grantee the government may sponsor. Grant agreements are between the state and the local government, and therefore, the local government is the grantee and responsible entity.

Release of Funds:

Prospective applicants and grant recipients should take special note that in all cases per 24 CFR Part 58.22(a-d) CDBG funds and non-CDBG funds cannot be obligated or expended until the environmental review process has been completed and accepted by the Wyoming Business Council (WBC). 24 CFR Part 58.22(a-d) reads:

- (a) *Neither a recipient nor any participant in the development process including public or private nonprofit or for-profit entities, or any of their contractors may commit HUD assistance under a program listed in Section 58.1(b) on an activity or project until HUD or the state has approved the recipient's RROF and the related certification from the responsible entity. In addition, until the RROF and the related certification have been approved neither a recipient nor any participant in the development process may commit non-HUD funds on or undertake an activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives.*
- (b) *If a project or activity is exempt under Section 58.34 or is categorically excluded (except in extraordinary circumstances) under Section 58.35(b) no RROF is required and the recipient may undertake the activity immediately after the responsible entity has documented its determination as required in Section 58.34(b) and Section 58.35(d) but the recipient must comply with applicable requirements under section 58.6.*
- (c) *If a recipient is considering an application from a prospective sub-recipient or beneficiary and is aware that the prospective sub-recipient or beneficiary is about to take an action within the jurisdiction of the recipient that is prohibited by paragraph (a) of this Section, then the recipient will take appropriate action to ensure that the objectives and procedures of NEPA are achieved.*
- (d) *An option agreement on a proposed site or property is allowable prior to the completion of the environmental review if the agreement is subject to a determination by the recipient on the desirability of the property for the project as a result of the completion of the environmental review in accordance with this part and the cost of the option is a nominal portion of the purchase price. There is no constraint on the purchase of an option by third parties that have not been selected for HUD funding, have no responsibility for the environmental review and have no say in the approval or disapproval of the project.*

Until the required environmental review is completed, funds are authorized for release by the Wyoming Business Council, and the formal grant agreement is fully completed, signed and returned to the grantee, funds for the project cannot be committed or expended.

Funds committed or expended before the signing of a grant agreement will not be eligible for reimbursement. Signing a contract with a consultant, architect/engineer or a construction contractor is considered a commitment of funds.

Federal Laws, Rules & Regulations:

If selected for funding, a grantee must agree to comply with all applicable federal laws and regulations. The following is a list of the major requirements that apply to projects using CDBG funds. They cover a wide range of issues including environmental impacts, labor standards, financial procedures, and civil rights. Many requirements may affect the cost and complexity of project administration. Therefore, all applicants are advised to understand the responsibility involved in receiving a CDBG grant. Detailed written information concerning these requirements may be obtained from the Wyoming Business Council.

The chief elected official of the grantee or other officer pre-approved by the state consents to or will comply with the following:

- (i) He/she is authorized and consents on behalf of the applicant and him/herself to accept the jurisdiction of the federal courts for enforcement of his responsibilities as such an official.
- (ii) The community development program has been developed to give maximum feasible priority to activities which will benefit low and moderate income families, or aid in the prevention or elimination of slums or blight.
 - (A) The requirement for this certification will not preclude the state from approving a pre-application where the applicant certifies, and the state determines, that all or part of the community development program activities are designed to meet community development needs having a particular urgency as specifically explained in the pre-application.
- (iii) It will consent to prepare an environmental assessment and assume the status of a responsible Federal Official under the National Environmental Policy Act of 1969, insofar as the provisions of such Act apply to the Wyoming Small Communities Block Grant Program; and
- (iv) It will, in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C.470), Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1974 by: (16 U.S.C.469(a)-1, et. seq.) by:
 - (A) Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (See 36 CFR Part 800.8) by the proposed activity.
- (v) It will comply with the regulations, policies, guidelines and requirements of the OMB Circular Number A-87, "Cost Principles for State, Local, and Indian Tribal Governments" and 24 CFR Part 85, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments", as they relate to the acceptance and use of Federal funds and will comply with all requirements imposed by the state concerning special requirements of law, program requirements, and other administrative requirements.
- (vi) It will administer and enforce the labor standards requirements set forth in the Davis-Bacon Act, Contract Work Hours and Safety Standards Act, Copeland Anti-kickback Act and regulations issued to implement such requirements
- (vii) It will comply with provisions or Executive Order 11988 relating to evaluation of flood hazards and floodplain management; and Executive order 11990 relating to wetlands protection.

- (viii) It will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973, Pub. L.93-234, after March 2, 1974, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area, that has been identified by the secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase “federal financial assistance” includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance.

- (ix) It will pursuant to Public Law 90-480 require every building or facility (other than a privately owned residential structure) designed, constructed or altered with funds provided under this Part to comply with the “American Standard Specifications for Making Buildings and Facilities Accessible to and Useable by the Physically Handicapped”, NumberA-117.1-R 1971, subject to the exceptions contained in CFR 101-19.604. Reference should also be made to the accessibility regulations promulgated under the authority of the Americans with Disabilities Act. The applicants will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

- (x) It will comply with:
 - (A) Title VI of the Civil Rights Act of 1964, (Pub.L. 88-352, and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United State shall, on the grounds of race, color or national origin, be excluded from participation in, be denied of, or be otherwise subjected to any discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance.

 - (B) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C 794) and the regulations issued pursuant thereto (24 CFR Part 8), which provides that “No otherwise qualified individual with disabilities in the United States shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance...”

 - (C) If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the property or structure is used for a purpose for which the federal financial assistance is extended, or for other purposes involving the provision of similar services or benefits.

 - (D) Title VIII of Civil Rights Act of 1968 (Pub. L. 90-184), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.

- (xi) It will:
 - (A) Comply with Title II (Uniform Relocation Assistance) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and HUD implementing regulations at 24 CFR Part 42 and 14 CFR 570.602(a);

- (B) Provide relocation payments and offer relocation assistance as described in Section 205 of the Uniform Relocation Assistance Act to all persons displaced as a result of acquisition of real property for an activity assisted under the Wyoming CDBG Program. Such payments and assistance shall be provided in a fair and consistent and equitable manner that insures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex or source of income;
 - (C) Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex or source of income.
- (xii) It will comply with the provision of the Hatch Act which limits the political activity of employees.

**Please note that if the project involves construction, in addition to compliance with the federal labor standards and Davis-Bacon, it is also required that the project be in compliance with the Wyoming Preference Act. This means that efforts must be made to hire Wyoming residents for labor whether or not the General Contractor is a Wyoming business. Additional Information will be provided if the grant is awarded.

APPENDIX A

Guidelines for Acquiring a Structural Assessment

What is required:

The purpose of acquiring a structural assessment is to engage a design team to assess an existing building for its ability to accommodate the end use desired by the project owner. The assessment should provide sufficient information such that a qualified and experienced contractor or cost consultant can assign reasonable budget estimates to the work required to achieve the intended use. The assessment shall include:

- An investigation of the building in its current condition
- Evaluation and statements of the integrity of the existing building systems necessary for the building to perform in its intended use.
- Statements as to the anticipated level of upgrade, or demolition and reconstruction, required for the project to achieve the intended use within the confines of the applicable building code.
- Where a project is determined by the design team to have aspects of unusual complexity or problems, provide recommendations for any further investigation or analysis necessary to provide reasonable cost information and further instructions on how to proceed with the project.

Qualifications:

The design team proposing to perform the assessment shall consist, at a minimum, of one professional engineer qualified in the discipline of structural engineering, certified to practice in the state of Wyoming. The structural engineer shall be experienced in the evaluation and retrofit of existing buildings and in the design of the project types consistent with end use intended for this project. The structural engineer shall be able to provide, upon request, a project list of similar projects completed by the applicants and at least three external architectural, engineering, general contractor, or subcontractor references.

The design team proposing to perform the assessment may include qualified personnel from additional professional disciplines or areas of expertise as determined to be appropriate for the project. Additional personnel shall be subject to the same project qualification and experience requirements as the structural engineer.

Cost Estimates:

Certified cost estimates are required for the project. The cost estimates must directly relate to the structural assessment and/or further analysis. If the engineer or architect is not the same as those performing the structural analysis, then they must provide the same qualifications stated previously.