

4. GRANT ADMINISTRATOR Consultant** Subrecipient Municipal Staff

Name: _____ Title: _____

Organization: _____

Address: _____

_____ Zip Code: _____

Telephone #: _____ Fax #: _____ E-mail: _____

5. APPLICANT POLITICAL DISTRICT INFORMATION

United States:

House of Representatives: Member's Name: _____ District #: _____
 Member's Name: _____ District #: _____

New York:

Assembly: Member's Name: _____ District #: _____
 Member's Name: _____ District #: _____
 Member's Name: _____ District #: _____

Senate: Member's Name: _____ District #: _____
 Member's Name: _____ District #: _____
 Member's Name: _____ District #: _____

6. TYPE OF APPLICATION

Economic Development Small Business Assistance Microenterprise

7. BUSINESS INFORMATION (For each business to be assisted. Attach additional pages if necessary.)

	A. Name of Business	B. DUNS #	C. Type of Products Produced/Services provided	D. NAICS code	E. Is the business currently seeking funding from another NYS administered program? **	F. Has the business previously applied for or received funding from a NYS administered program? **
1.					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Location: _____					
2.					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Location: _____					
3.					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Location: _____					

*Federal procurement requirements may be applicable, 24 CFR 85.36

**If the answer to E or F is "Yes", provide on a separate page, a description of the project as submitted to the other entity including the date of application, the requested amount of funds and purpose of the funds. Additionally, provide a description of the funding source including the name of the agency and its contact information, the status of the funding and the terms of the funding.

8. CITIZEN PARTICIPATION: Date of Public Hearing: _____

COMMUNITY DEVELOPMENT PROPOSAL

The proposal must be clear, concise and labeled accordingly. It must not exceed 10 pages and must be on letter sized paper in a 12 point font size. Complete each applicable section.

A. Community Needs Description and Underwriting – Required for all activity types (Economic Development, Small Business & Microenterprise)

Underwriting

For each business to be assisted or for a microenterprise program as a whole, describe how the proposed activities meet the following underwriting guidelines for evaluating project costs and financial requirements (see Appendix A to 24 CFR Part 570 – Guidelines and Objectives for Evaluating Project Costs and Financial Requirements for further guidance):

1. That project costs are reasonable;
2. That all sources of project financing are committed;
3. That to the extent practicable, CDBG funds will not be substituted for non-federal financial support;
4. That the project is financially feasible;
5. That to the extent practicable, the return on the owner's equity investment will not be unreasonably high; and
6. That to the extent practicable, CDBG funds will be disbursed on a pro rata basis with the other financing.

B. Project Description – Complete for Economic Development and Small Business projects only

- Provide a detailed description of the business/activity seeking funding including all appropriate quantifiable information and any unique aspects. Examples of quantifiable information include the number of grants or loans to be made; the number of jobs to be created/retained; impact on residents, suppliers or end users, etc. The description should be specific and provide sufficient detail concerning the nature, scope, location, and purpose of activities that will be addressed by the proposed project and coordination of related activities. Describe any past efforts to resolve the needs identified. Explain why the proposed project is the best approach to addressing the need identified.
- Provide the following information for the business(s) to be assisted: (Only if the proposed project involves public infrastructure activities may more than one business be identified.)
 1. A description of the business.
 2. A description of the proposed project.
 3. A description of the benefit of the project to the community.
 4. The National Objective to be achieved by the project.
 5. For each business identified, provide a description of the number and type of jobs to be created and/or retained including the skills required to perform the job and the qualifications for employment.
 6. A list of all project funding sources and uses including the current status of all proposed funding.
 7. A description of the activities to be funded with NYS CDBG funds (e.g. construction, working capital, purchase of machinery and equipment).
 8. A description of how the NYS CDBG funds will be used in financing the project including the amount and terms (e.g. loans, grant, and interest subsidies).
- Provide a detailed description of the program delivery and administration tasks required to undertake this project including who will undertake these tasks, the costs associated with the tasks, and how the costs were determined. (See Appendix B for overview of program delivery and administration costs.)
- Identify the regulatory requirements (e.g. design requirements, board approvals, historic, and environmental requirements, permits, and any actions or requirements of local, state and federal governmental agencies) that are applicable to the proposed project and describe any compliance actions taken prior to submitting this application.
- Describe any form of local regulatory relief (regulatory relief can include any local regulatory actions that could reduce the cost of the project or positively impact the schedule of the project).
- Describe efforts to secure alternative or additional funds from all appropriate public or private sources available to assist in financing the proposed activity. In detail, explain the impact of the NYS CDBG funds on the total cost of the project and the beneficiaries (e.g. lack of other sources of funding). List the sources of cost estimates (where appropriate, project costs should be as recent as possible and documented by a qualified third party).
- Describe how the applicant and business will comply with job reporting requirements contained in the NYS OCR Grant Administration Manual, which is available at www.nyshcr.org. Reference Chapter 9, 'Reporting Requirements' for guidance.

Public Infrastructure Activities Only

In addition to the applicable information required above, applicants proposing public infrastructure (i.e., water or sewer) activities must provide the following:

- Evidence of long-term financial support for operations and maintenance of the facility;
-
- Source of construction cost estimates;
- A description of the type of labor to be employed (municipal or non-municipal); and
- The status of site control.

If the capacity to operate the new infrastructure does not exist among current municipal employees, describe how the municipality will obtain capacity, including the ability to plan for future capital expenditure needs.

C. For Microenterprise Programs Only

Program Design Plan

Applicants proposing microenterprise activities must submit a Program Design that describes how the proposed activities will be implemented. The Program Design should provide a clear detailed description of the following information:

1. **Eligibility** - Explain who is eligible to participate, the process that will be followed for determining and verifying participant eligibility, and what activities are eligible under the program.
2. **Funding** - Describe the terms and conditions for providing assistance, and the means of securing compliance during the regulatory term (ex. until jobs are created).
3. **Marketing and Supportive Activities** - Describe how the program will be marketed and any outreach efforts. Summarize any unique program design features or additional administrative support for the program (such as business counseling, job training, technical assistance, etc.) that will increase the likelihood of successful completion. In addition, describe the efforts to be taken that will ensure that at least 50% of the grants will be awarded to start up enterprises.
4. **Entrepreneurial Training Requirement** – Describe the entrepreneurial assistance or small business training program each beneficiary must complete prior to receiving NYS CDBG Microenterprise funds.
5. **Program Objectives and Impact** – Provide a detailed description of all appropriate quantifiable information and any unique aspects. Describe how the benefits of the program will be sustained resulting in long-term benefits.
6. **Program Oversight and Grant Approvals** – Provide a clear demonstration of expertise to manage the grant fund program and identify the other resources that will be made available to the participants. In addition, describe the grant approval process and a list of individuals who will be involved in the selection and approval process. The Grant Committee for the Recipient community should be diverse and include qualified individuals from professions, such as bankers, business owners, attorneys, etc.

FORM 2B – PROJECT BUDGET FOR MICROENTERPRISE PROGRAM (BUSINESSES NOT IDENTIFIED)

APPLICANT NAME:

LIST OF ACTIVITIES	TOTAL CDBG \$ Requested	OTHER FUNDING SOURCES (must correspond to Form 3)			TOTAL FUNDING ALL SOURCES
		EQUITY	Source #____	Source #____	
MICROENTERPRISE					
1 Microenterprise Program	\$	\$	\$	\$	\$
1A Program Delivery	\$	\$	\$	\$	\$
1B Training	\$	\$	\$	\$	\$
2 Grant Administration	\$	\$	\$	\$	\$
3 Total Amount of Funding	\$	\$	\$	\$	\$
4 % of Total Project Cost	%	%	%	%	100%

Training, Program Delivery and Grant Administration costs cannot exceed a total of **25% of the total CDBG grant** amount. Of the 25% maximum, administrative costs cannot exceed 5% of the total CDBG grant amount.

FORM 2B – PROJECT BUDGET FOR MICROENTERPRISE PROGRAMS (BUSINESSES IDENTIFIED)

APPLICANT NAME:

LIST OF ACTIVITIES/BUSINESSES	National Objective Code *	CDBG \$ Requested Per Business	TOTAL CDBG \$ Requested	OTHER FUNDING SOURCES (must correspond to Form 3)			TOTAL FUNDING	
				EQUITY	Source # ____	Source # ____	OTHER SOURCES	ALL SOURCES
MICROENTERPRISE (#1-3B: list all proposed activities or businesses and list, as a separate activity, the associated Program Delivery and Training costs.								
1		\$		\$	\$	\$	\$	\$
1A Program Delivery		\$		\$	\$	\$	\$	\$
1B Training		\$		\$	\$	\$	\$	\$
2		\$		\$	\$	\$	\$	\$
2A Program Delivery		\$		\$	\$	\$	\$	\$
2B Training		\$		\$	\$	\$	\$	\$
3		\$		\$	\$	\$	\$	\$
3A Program Delivery		\$		\$	\$	\$	\$	\$
3B Training		\$		\$	\$	\$	\$	\$
4	Total CDBG \$ Requested For Businesses (Total 1-3)		\$					
5	Grant Administration		\$					\$
6	Total Amount of Program Delivery (Total 1A-3A)		\$					\$
7	Total Amount of Training (Total 1B-3B)		\$					\$
8	Total Amount of Funding		\$	\$	\$	\$	\$	\$
9	% of Total Project Cost		%	%	%	%	%	100%

Training, Program Delivery and Grant Administration costs cannot exceed a total of **25% of the total CDBG grant** amount. Of the 25% maximum, administrative costs cannot exceed 5% of the total CDBG grant amount.

* Refer to the eligible national objectives and beneficiaries chart in the application instructions for the appropriate national objective codes.

FORM 3 – PROPOSED PROJECT FINANCING AND LIEN STRUCTURE
APPLICANT NAME:

NAME OF FINANCING SOURCE		AMOUNT OF FINANCING	% of TOTAL	INTEREST RATE	TERMS	ANNUAL PAYMENT	FINANCING STATUS	DATE
1	CDBG							
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								

FORM 4A - ACTIVITY DETAIL – ECONOMIC DEVELOPMENT & SMALL BUSINESS ONLY
APPLICANT NAME:
ACTIVITY NAME (or business to be assisted):

1. Will the jobs to be created as a result of the proposed project meet the Low to Moderate Income Jobs (LMJ) National Objective, made “available to” persons from LMI families or will the jobs be “taken by” persons from LMI households?

 Available To

 Taken By *

*Attach the business’ hiring practices.

2. ALL JOBS MUST BE CREATED AND/OR RETAINED WITHIN THE SPECIFIED PROJECT COMPLETION PERIOD OF **24 MONTHS**.

PROPOSED ACCOMPLISHMENTS	PROPOSED NUMBER:
CREATED	
NEW FULL-TIME JOBS TO BE CREATED	
NEW FULL-TIME LMI JOBS TO BE CREATED	
NEW PART-TIME JOBS TO BE CREATED	
NEW PART-TIME LMI JOBS TO BE CREATED	
AVERAGE # OF HOURS WORKED PER WEEK PER PART-TIME JOB CREATED	
TOTAL PART TIME HOURS # of Part-time jobs X average # of hours (part-time) worked per week	For OFFICE USE ONLY
TOTAL FTE JOBS CREATED	For OFFICE USE ONLY
RETAINED **	
FULL-TIME JOBS TO BE RETAINED	
FULL-TIME LMI JOBS TO BE RETAINED	
PART-TIME JOBS TO BE RETAINED	
PART-TIME LMI JOBS TO BE RETAINED	
AVERAGE # OF HOURS WORKED PER WEEK PER PART-TIME JOB RETAINED	
TOTAL PART TIME HOURS # of Part-time jobs X average # of hours (part-time) worked per week	For OFFICE USE ONLY
TOTAL FTE JOBS RETAINED	For OFFICE USE ONLY

** Provide evidence which clearly demonstrates that jobs will be lost if not for NYS CDBG assistance. (For guidance, refer to *Special Rules for Retained Jobs* on page 18 of the instructions.)

- 3.

TYPE OF JOB:	CREATED	RETAINED
OFFICIALS AND MANAGER		
PROFESSIONALS		
TECHNICIANS		
SALES		
OFFICE AND CLERICAL		
CRAFT WORKERS (SKILLED)		
OPERATIVE WORKERS (SEMI-SKILLED)		
LABORERS (UNSKILLED)		
SERVICE WORKERS		
NUMBER OF JOBS WITH EMPLOYER SPONSORED HEALTH CARE BENEFITS:		

FORM 4B - ACTIVITY DETAIL – MICROENTERPRISE ONLY

APPLICANT NAME:

ACTIVITY NAME:

All activities must be completed within the specified project completion period of **24 months**.

1. Business / Persons to benefit from business assistance activity.

	PROPOSED NUMBER:
TOTAL NUMBER OF NYS CDBG MICRO GRANTS TO BE ISSUED	
OF THE TOTAL, ENTER THE # OF BUSINESS OWNERS WHO QUALIFY AS LMI (meeting the LMCMC National Objective)	

2. To be completed for National Objective LMJ microenterprise activities only.

	PROPOSED NUMBER:
NEW FULL-TIME JOBS TO BE CREATED	
NEW FULL-TIME LMI JOBS TO BE CREATED	
NEW PART-TIME JOBS TO BE CREATED	
NEW PART-TIME LMI JOBS TO BE CREATED	
AVERAGE # OF HOURS WORKED PER WEEK PER PART-TIME JOB CREATED	
TOTAL PART TIME HOURS # of Part-time jobs X average # of hours (part-time) worked per week	For OFFICE USE ONLY
TOTAL FTE JOBS CREATED	For OFFICE USE ONLY

FORM 5 – CDBG PROGRAM INCOME SUMMARY

APPLICANT NAME:

Source of Program Income (NYS CDBG or HUD projects only)			Eligible Use of Program Income	Total Revenue Generated	Total Amount Re-loaned or Re-granted	Current Balance on Hand
Type of Activity	Activity/Project Number	Source Code (F, S)				

Source Code: Federal (F), State (S).

For the program income balance listed above, indicate the status of the funds (e.g. encumbered, committed). If funds are available and are not being used to finance all or part of the proposed project, provide an explanation as to why these funds will not be used for this proposed project:

FORM 6 – CERTIFICATION OF BUSINESS

FOR ECONOMIC DEVELOPMENT & SMALL BUSINESS PROJECTS ONLY

Certification of Business

The undersigned does/do solemnly affirm that to the best of my/our knowledge, information and belief, all statements in this application, including all schedules, appendices and additional information submitted in connection herewith, are true and accurate.

- A. Is the Company, or any of its principal officers, presently the subject of any litigation, or is any litigation threatened, which would have a material adverse effect on the Company’s financial condition? Yes No
- B. Has the Company, any of its principal officers, or any of its affiliates, ever been involved in bankruptcy, a creditor’s rights or receivership proceeding, or sought protection from creditors? Yes No
- C. Has the Company, or any of its affiliates, ever settled debt with a lending institution for less than the full amount outstanding? Yes No
- D. Has a senior manager or principal of the Company ever been convicted of a felony or misdemeanor, other than a minor traffic violation, or are any such charges pending? Yes No
- E. Has the Company or any of its affiliates, been cited for a violation of federal, state, or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution operating practices? Yes No
- F. Are there any outstanding judgments or liens pending against the Company other than liens in the normal course of business? Yes No
- G. Is the Company delinquent on any New York State, federal or local tax obligations? Yes No

(NOTE: If your answer is “Yes” for any of the above questions, please provide an explanation.)

Signature: _____
Chief Executive Officer

Print Name: _____

Date: _____

Title: _____

FORM 7A – SUPPORTING DOCUMENTS

FOR ECONOMIC DEVELOPMENT & SMALL BUSINESS PROJECTS

Attach, as appropriate, those items applicable to the proposed project. Check each item included. Mark the items N/A that are not applicable. Attach the documents following this page or as an appendix.

REQUIRED

Business Information:

- Business plan, with resumes of principals, market analysis, marketing strategy, and impact on local competitors.
- A written commitment from the business that it will make at least 51% of the jobs on a FTE basis available to LMI persons as well as a commitment of the equity contribution proposed in the budget.
- A description of the hiring process when indicating that at least 51% of the jobs will be "taken by" LMI persons

Business Financial Information:

- Business financial statements for each of the past three years (balance sheets and income statements), including all notes and disclosures.
- Past three years business federal income tax returns, complete copies.
- Current business financial statements (less than 60 days old).
- Current business debt schedule (corresponds to current balance sheet).
- Projected business debt schedule (with CDBG and other new debt).
- Monthly cash flow projections for two years, with and without CDBG.
- Balance sheet and profit and loss statement for three years with and without CDBG (five years for start-up operations and businesses less than three years old).

Personal Financial Information:

- Current personal financial statement of principal(s) with 20 percent or more ownership less than 60 days.
- Past three years personal federal tax return (complete copies) for each principal with 20 percent or more ownership.

Source Documents:

- Commitment Letter(s) from all other funding sources, including proposed terms.
- Third party cost estimates, including documentation of the cost of real property, acquisition, construction/rehabilitation, and/or equipment costs.

Documentation of State Environmental Quality Review (SEQR) Compliance:

- Short Environmental Assessment Form if classified as an Unlisted Action

Compliance with Citizen Participation requirements:

- Copies of public hearing notices

OTHER SUPPORTING DOCUMENTATION: (as applicable)

- Green Checklist (For applications to assist a small business only)
- Draft CDBG Loan Agreement.
- Draft Subrecipient Agreement.
- Appraisals of real property.
- Evidence of Site Control.
- Letters of Support.
- Draft Lease Agreement(s) (if applicable).

FORM 7B – SUPPORTING DOCUMENTS

FOR MICROENTERPRISE PROJECTS

Attach, as appropriate, those items applicable to the proposed project. Check each item included. Mark the items N/A that are not applicable. Attach the documents following this page or as an appendix.

REQUIRED

- Program Design Plan (see page 23 for details.)
- Program Application and other applicable forms that are to be completed by each program beneficiary.
- Draft CDBG Grant Agreement. (Agreement between Recipient and Microenterprise)
- List of Grant Committee members and experience. (Grant committee is a panel chosen by the applicant to review grant applications and to make recommendations and/or approval of grant award.)
- Letters of Support.
- Documentation for all third party costs (Applicants proposing Microenterprise projects that include soft costs such as classroom instruction, technical assistance to businesses, marketing, etc. must provide supporting cost documentation.)
- Entrepreneurial training program syllabus

Source Documents:

- Commitment Letter(s) from all other funding sources, including proposed terms. If Form 2 – Project Budget identifies “Other Funding Sources” provide copies of commitment letters from all funding sources listed.

Documentation of State Environmental Quality Review (SEQR) Compliance:

- Short Environmental Assessment Form if classified as an Unlisted Action

Compliance with Citizen Participation requirements:

- Copies of public hearing notices

IF BUSINESSES ARE IDENTIFIED IN THE APPLICATION:

Business Information:

- Business plan, with resumes of principals, market analysis, marketing strategy, and impact on local competitors.

FORM 8 – APPLICANT/RECIPIENT DISCLOSURE/UPDATE REPORT

**Applicant/Recipient
Disclosure/Update Report**

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 9/30/2013)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report

or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code):	2. Social Security Number or Employer ID Number:
3. HUD Program Name NYS CDBG PROGRAM	4. Amount of HUD Assistance Requested/Received
5. State the name and location (street address, City and State) of the project or activity:	

Part I Threshold Determinations

<p>1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No.</p>
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If you answered “No” to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds. Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- Any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:	Date: (mm/dd/yyyy)
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Public reporting burden for this collection of information is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, collection information unless that collection displays a valid OMB control number.

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is optional. The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §4.38.

Note: This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

Instructions

Overview.

A. Coverage. You must complete this report if:

- (1) You are applying for assistance from HUD for a specific project or activity **and** you have received, or expect to receive, assistance from HUD in excess of \$200,000 during the during the fiscal year;
- (2) You are updating a prior report as discussed below; or
- (3) You are submitting an application for assistance to an entity other than HUD, a State or local government if the application is required by statute or regulation to be submitted to HUD for approval or for any other purpose.

B. Update reports (filed by "Recipients" of HUD Assistance):
General. All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

Line-by-Line Instructions.

Applicant/Recipient Information.

All applicants for HUD competitive assistance must complete the information required in blocks 1-5 of form HUD-2880:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered.
2. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
3. Applicants enter the HUD program name under which the assistance is being requested.
4. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.
5. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity

to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.

Part I. Threshold Determinations - Applicants Only

Part I contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

If the answer to either question 1 or 2 is No, the applicant need not complete Parts II and III of the report, but must sign the certification at the end of the form.

Part II. Other Government Assistance and Expected Sources and Uses of Funds.

A. Other Government Assistance. This Part is to be completed by both applicants and recipients for assistance and recipients filing update reports. Applicants and recipients must report any other government assistance involved in the project or activity for which assistance is sought. Applicants and recipients must report any other government assistance involved in the project or activity. Other government assistance is defined in note 4 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available.
2. State the type of other government assistance (e.g., loan, grant, loan insurance).
3. Enter the dollar amount of the other government assistance

that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).

4. Uses of funds. Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as "total structure" to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

B. Non-Government Assistance. Note that the applicant and recipient disclosure report must specify all expected sources and uses of funds - both from HUD *and any other source* - that have been or are to be, made available for the project or activity. Non-government sources of funds typically include (but are not limited to) foundations and private contributors.

Part III. Interested Parties.

This Part is to be completed by both applicants and recipients filing update reports. Applicants must provide information on:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. Any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Note: A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses. If the person is an entity, the listing must include the full name and address of the entity as well as the CEO. Please list all names alphabetically.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each

person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

Note that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

Notes:

1. All citations are to 24 CFR Part 4, which was published in the Federal Register. [April 1, 1996, at 63 Fed. Reg. 14448.]
2. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Fed. Acquisition Regulation (FAR) (48 CFR Chapter 1).
3. See 24 CFR §4.9 for detailed guidance on how the threshold is calculated.
4. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
5. For the purpose of this form and 24 CFR Part 4, "person" means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

FORM 9 - CERTIFICATIONS

CERTIFICATION REQUIRED BY TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, WITH RESPECT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

In accordance with the Title I of the Housing and Community Development Act of 1974, as amended, the Applicant hereby certifies that:

- a. It possesses legal authority to make a grant submission and to execute a community development and housing program;
- b. Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the Applicant to submit the subject application and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the Applicant to act in connection with the submission of the application and to provide such additional information as may be required;
- c. Prior to submission of its application to the Office of Community Renewal (OCR), the Applicant has met the citizen participation requirements at 24 CFR 570.486 and New York State's Citizen Participation Plan as amended;
- d. The grant will be conducted and administered in compliance with:
 - Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 USC 2000d et seq.); and
 - The Fair Housing Act (Public Law 90-284, 42 USC 3601-20);
- e. It will affirmatively further fair housing;
- f. It has developed its application so as to give maximum feasible priority to activities, which will benefit LMI families or aid in the prevention or elimination of slums or blight. The application may also include activities, which the Applicant certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. The grant shall principally benefit persons of LMI in a manner that ensures that not less than 70% of such funds are used for activities that benefit such persons;
- g. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Act or with amounts resulting from a guarantee under section 108 of the Act by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - 1) Funds received under section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of the Act; or
 - 2) For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies that it lacks sufficient funds received under section 106 of the Act to comply with the requirements of subparagraph (1) above;
- h. Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the applicable laws and regulations found at 24 CFR 570.608;
- i. It will minimize the displacement of persons as a result of activities assisted with CDBG funds;
- j. It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under 24 CFR 570.606 (c) governing the residential anti-displacement and relocation assistance plan under section 104 (d) of the Act (including a certification that the Applicant is following such a plan); and the relocation requirements of 24 CFR 570.606 (d) governing optional relocation assistance under section 105 (a)(11) of the Act;

- k. It has adopted and is enforcing:
- 1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
 - 2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction;
- l. To the best of its knowledge and belief:
- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement;
 - 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
 - 3) It will require that the language of this anti-lobbying certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly;
 - 4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- m. It will or will continue to provide a drug-free workplace by:
- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - 2) Establishing an ongoing drug-free awareness program to inform employees about:
 - i. The dangers of drug abuse in the workplace;
 - ii. The Applicant's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - 3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
 - 4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will:
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
 - 5) Notifying the OCR in writing, within ten calendar days after receiving notice under subparagraph (4) (ii) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

- 6) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4) (ii), with respect to any employee who is so convicted:
 - i. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency
- 7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5) and (6).
- 8) The Applicant may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

- 9) Workplaces under grants, for Applicants other than individuals, need not be identified on the certification. If known, they may be identified on the certification. If the Applicant does not identify the workplaces at the time of the application, or upon award, if there is no application, the Applicant must keep the identity of the workplace(s) on file its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the Applicant's drug-free workplace requirements.
 - 10) Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g. all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
 - 11) If the workplace identified to OCR changes during the performance of the grant, the Applicant shall inform OCR of the change(s), if it previously identified the workplaces.
 - 12) This certification is a material representation of fact upon which reliance is placed when OCR awards the grant. If it is later determined that the Applicant knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, OCR may take action authorized under said Act.
- n. It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the implementing regulations in 24 CFR part 135. Section 3 requires that employment and other economic opportunities arising in connection with housing rehabilitation, housing construction, or other economic opportunities arising in connection with housing rehabilitation, housing construction, or other public construction projects shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be given to low- and very low-income persons;
 - o. It will comply with the other provisions of the Act and with other applicable laws;
 - p. It is in compliance with a HUD-approved Consolidated Plan;
 - q. It is in compliance with grant spending threshold requirements as outlined in the Application; and
 - r. It will comply with all applicable Federal/State/local affirmative action requirements.
 - s. To the best of its knowledge and belief all data provided in this application is true and correct.

Signature of Authorized Official

Date