



2021 | WATER & SEWER APPLICATION

2021 WATER AND SEWER APPLICATION TABLE OF CONTENTS

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Water and Sewer

The Water and Sewer category will utilize approximately 25 - 55 percent of the annual allocation. The funding ceiling for a water or sewer grant is \$2,000 per beneficiary. For a full list of eligible activities please refer to the General Application Requirements. All applicants for water or sewer grants must have met with the Kansas Interagency Advisory Committee (KIAC) prior to the application due date. The KIAC is good for two consecutive calendar program years. Failure to do so will result in 10 points being deducted from the final rating score.

Applications for water and sewer projects will be accepted through **September 25, 2020**. Mailed applications must be postmarked no later than that date. Award announcements will be made on or about **January 18, 2021**. The rating criteria are discussed herein.

Category	Beneficiaries		Match Funds
	< 5,000	> 5,000	
Water & Sewer	\$600,000	\$700,000	25 %

To determine the grant amount, multiply the number of beneficiaries by \$2,000, up to the maximum allowed.

Ten points will be subtracted from any application received that fails to include any item on the Application Checklist or fails to meet a correctible threshold item. (See threshold requirements in the General Application Requirements.)

Need (60 Points) following:

Project Need (35 Points)

Applicants must state their need, the cause of the problem, how long has the problem existed and how the problem affects the community. Applicants must also document the urgency of the problem and what state/federal regulations are being violated. The more an applicant documents a need in actual terms and figures, the stronger the application. For example: How many waterline breaks did the community experience in the past three years? What was the water loss associated with the breaks in lines? How much did it cost to repair the lines? In the case of high nitrates, discuss the nitrate levels, and potential effect on the community. Is the community in violation of state or federal regulations? The applicant must explain the importance of this project need as compared to total community needs.

Project Alternatives (10 Points)

Applicants will be required to summarize all the alternative solutions that were examined to address the need above. This must also include a financial analysis of all the proposed solutions. Failure to include a discussion on financial analysis of alternatives will result in point deductions. Applicants will also be required to document all sources of funding for the project, as well as water purchase agreements and documentation of water rights. The applicant must state the solution it has chosen and the reasoning behind the choice. Describe any acquisition activities completed or required for the project.

Scope of Work: Describe the project (linear feet of sewer or water) including the project completion time frame, activities, project costs and costs per person benefiting. Describe separately the activities covered by the CDBG monies.

Discuss any force account construction labor and equipment proposed and basis of cost estimate for it. Provide a timeline of critical benchmarks in the total project.

Past Efforts to Address Need (10 Points)

Applicants must describe all the past efforts from the previous five years they have made to address the community's overall needs. This includes the proposed project and all other city activities, i.e., street improvements, water/sewer improvements, senior center, health department, ADA, etc. State your community's utility rates as affected by the project and a summary of rate changes over the past five years.

Project Readiness (5 Points):

Applicants must describe the degree to which the applicant is ready to proceed with the project. Has the applicant pre-selected the professional services it will need? In the event land must be procured, does the applicant have ownership of the land, or an "option to purchase" the land? Does the applicant have water purchase agreements and documentation of water rights, if needed? **Must attach proof to receive points.** Are there any environmental concerns that would delay the project? Finally, provide an explanation and documentation of leverage commitments. Points will be all or nothing.

Bonds are not required to be sold to be eligible, but commitment for purchase must be "in hand" for any issues other than private market. Bond ordinances must be passed, published and proof thereof included in the application.

Leverage (20 Points) A minimum match of 25 percent is required.

Twenty leverage points will be allocated to applicants that provide an equal or more match. Applicants providing less than an equal match will be awarded leverage points based on the percentage of leverage being provided in the application. The leverage percentage is calculated by dividing the CDBG request by the leverage being offered. In order to calculate the leverage points, the leverage percentage must be multiplied by 20.

Example 1: Community – Applying for \$100,000 CDBG, Leverage = \$120,000

Leverage points = 20

Example 2: Community – Applying for \$100,000 CDBG, Leverage = \$75,000

Leverage points = $\$100,000 / \$75,000 = 75\%$, $75\% \times 20 \text{ points} = 15 \text{ points}$

No project will be funded by CDBG without a local investment. No 100 percent grants from all sources are allowed. Local investment must be for more than administration. A minimum of 25 percent match is required.

NOTE: Only cash, in house architectural/engineering services, force account construction labor and equipment and the appraised value of privately donated land may be used for leverage. The donated land must be appraised by a certified appraiser and a review appraiser to document the value. Force account construction labor and equipment is determined by estimating number of hours to be worked and multiplying by employee's current hourly wage. The dollar amount must be in the resolution or letter from (ie: city/county employees only) the party providing the labor and equipment. The applicant will be held to the amount of cash pledged in the estimate. For those applicants wanting to match tax credits with the CDBG program only, cash-on-hand at date of application is what is counted. All leverage dollars countable must be in writing indicating the source of funding and dollar amount. **No volunteer labor and materials will be counted as match.**

All water and sewer projects over \$3 million total cost must have final design done and approved by application deadline.

Local Effort (20 Points)

Ten points in this category will be awarded based on the current water or sewer rates of the applicant applied to 5,000 gallons, compared to the state average water or sewer rate applied to 5,000 gallons. Current statewide rates are: city - \$38.00, RWD - \$50.00, sewer - \$30.00. Water districts and municipalities will be compared separately.

$$\frac{\text{W/S rates @ 5,000 gallons – Applicant}}{\text{Average W/S rates @ 5,000 gallons – State}}$$

Ten points will be awarded based on the ratio of the total water or sewer revenues of the applicant compared to the per capita income of the applicant divided by the total water or sewer revenues of the pool of applicants compared to the average of the per capita income of the pool.

$$\frac{\text{Total W/S revenues – Applicant}}{\text{Per capita income – Applicant}}$$
$$\frac{\text{Total W/S revenue – Pool}}{\text{Average per capita income – Pool}}$$

Per capita income is based on county figures. For water districts covering more than one county, the county figures will be used for the applying county.

The first 10 points measures the extent that the local authority is providing for the care of the water and sewer system. The second 10 points measures the extent that the water/sewer system revenues impact persons of low- to moderate-income.

Incomplete Applications (Negative 10 Points)

If an incomplete application is submitted for funding consideration, 10 points will be deducted from the score total. An application is considered incomplete when a required signature is missing, required form(s) are left out of the application or the forms are incomplete.

A preliminary engineering report is required for all water and sewer projects and an architectural report is required for construction or rehabilitation of all building structures. Specifications for these reports are included in the application materials and will be considered as a threshold requirement.

All applicants for any water or sewer activity must have met with the Kansas Interagency Advisory Committee within two years prior to application due date for the proposed project. KIAC meetings are held the 2nd and 4th Tuesday, May through August. The 2nd Tuesday in August is reserved for cities and counties in western Kansas and will be held in Hays. If you attended a KIAC meeting in 2019, the KIAC is good for applications in 2020 and 2021. Failure to attend will result in 10 points being subtracted from the final rating score. KIAC Profiles and PER's must be received by the Commerce office at least two weeks prior to the KIAC meeting date. A KIAC meeting will not be scheduled without the required profile and PER.

Specifications for Preliminary Engineering/Architectural Report

CDBG-assisted **water/sewer projects** must be reviewed by a licensed professional engineer or architect, as appropriate. The review will consist of a preliminary report sufficient in scope to analyze the need, determine the most appropriate solution alternatives, provide estimated construction and non-construction costs and recommend the required level of funds for operation and maintenance of the facility, if applicable. Failure to submit the required preliminary report is a threshold item.

For all projects involving water or sewer, the applicant is encouraged to contact their KDHE regional office prior to submitting the preliminary engineering report to discuss the proposed project in order to prevent any disagreement in the design of the project.

Five copies of the preliminary engineering/architectural report must be submitted with the CDBG application. Please do not staple to the application. Do **not** send the reports to KDHE regional or state offices or any other state agency that performs technical review of the CDBG applications.

At a minimum, the following must be addressed in the preliminary engineering/architectural report:

1. Name of the applicant or owner of the facility.
2. Name, address, telephone number of the engineering/architectural company.
3. Date of review.
4. Description and documentation of the problem.
5. Cause(s) of the problem, including the age of any existing publicly owned facility(ies).
6. Discussion of the alternatives – Several alternatives should be considered to determine feasibility and cost-effectiveness, with justification of the alternative selected. The alternatives must be listed. Financial alternatives must be included.
7. Must discuss regionalization possibilities for water projects only.
8. Drinking water projects which generate waste streams must coordinate with KDHE to complete a waste stream disposal review prior to further development of the project, e.g., reports, design memorandums and project design, for example. Completing a review and reaching a consensus early on ensures adequate protection of the environment and minimizes the potential for the projects progress to be adversely impacted.
9. Estimated construction and non-construction costs. Cost per square foot is not an acceptable architectural estimate. Costs must be broken out for the specific structure.

10. If the scope of the report includes more activities than the proposed CDBG project, **clearly identify the CDBG portion in narratives and cost estimates.**
11. Analysis of operation, maintenance and replacement budget.
12. Land requirements – Identify sites and easements required. Also specify whether these properties are currently owned, to be acquired or leased. **Must attach proof to receive credit.**

NOTE: Utilization of USDA Rural Development's Preliminary Engineering Report will meet the requirements of Commerce/CDBG if all items CDBG requires are included in the report, unless the project cost is over \$3 million, then final design is required. An incomplete or inadequate Preliminary Engineering Report can result in the application losing 10 points.

Commerce also encourages the review of consolidation and/or regionalization of water supply service.

NOTE: If a vendor is used to supply a cost estimate, said vendor cannot bid on the work if the applicant receives a grant award.

Threshold Requirements

Before the application will be scored and ranked, it must meet the following threshold requirements.

1. The application must be received within the application period, postmarked on or prior to the deadline for Water and Sewer.
2. Only complete standard application forms will be accepted.
3. The proposed activity for CDBG funding must be an eligible activity under Section 105(a) of Title I of the Housing and Community Development Act of 1974, as amended, and meet one of the National Objectives discussed herein.
4. The applicant must be eligible.
5. Preliminary or final engineering or architectural report must be included, if applicable. The report shall address the items included in the section herein discussing such requirement.
6. Survey, if applicable, must have a minimum of 51 percent LMI responding. LMI documentation must be correct, as discussed herein. Persons must be 51 percent LMI. If the survey conducted is to challenge census data and there is more than six percent variance between the two, an explanation of the difference must be provided. An explanation, survey forms, tabulation form and details of methodology must be included in the application.

7. Funding Limits: See page 1.
8. The public hearing notice must be published at least five full days before (starting one day after publication date and not counting the date of the hearing, i.e. a total of seven days) but not more than 20 days prior to the public hearing. The public hearing must occur a minimum of 15 days but not more than 120 days prior to the application due date.
9. Absence of required interlocal agreements shall be considered a threshold criterion.
10. Construction Management Contracts are not allowable under Kansas CDBG regulations because of free and open competition for bidders.
11. Two maps: (1) Target Area Map, (2) City map if different from target.

Should any document be missing, incorrect or otherwise have deficiencies that would cause the project to be thresholded or not rated, contact will be made with the applicant after the applications are initially reviewed. The applicant will be given two weeks from notification to correct the deficiency, but 10 points will be deducted from the final score. Threshold items such as inadequate amount of time for public hearing, public hearing not having required information or public hearing too late would not be correctable and the application will not be scored.

The purpose of this allowance of additional time is in no way intended to give extra time for the purpose of obtaining commitment from other sources, removing contingencies or finishing the details of the application.

Application Checklist for Water and Sewer

Applications must be submitted in the following order:

Application Summary *

Form A – Community Needs Form

Form B – Project Budget Form

Opinion of Probable Cost

Form C – Local Effort

Form D – Public Facilities LMI Benefit

Form E – Public Facilities Narratives

Form F – Pre-Selection of Professional Services

Statement of Assurances and Certifications

Resolution of Governing Body to File Application

Operations and Maintenance Resolution (must include dollar figure and source)

Commitments from other funding sources

Disclosure Report

Anti-displacement Plan

Affidavit of Public Hearing Notice *

Copy of Survey Instrument, if applicable, Fact Finder data if survey, Census if census

Copy of Survey Tabulation, if applicable w/description of variance, if applicable

Survey Methodology

Intergovernmental Agreements (on behalf of or multi-jurisdictional applications), if applicable

Map of Project Area

Engineering or Architectural Reports

Environmental Review – Determination of Level of Review

*** The total project funding and CDBG amount requested must match what appears in the public hearing notice.**

NOTE: Do not include letters of support in the application.

An original and five (5) copies of the Water/Sewer application should be submitted to the CDBG program postmarked on or before September 25, 2020.

All original applications and all copies must be stapled or bound, (comb binding, spiral binding, report covers or staples.) No 3-ring notebooks, paper clips or binder clips please.

Please mark the original application and copies.

Ten points will be deducted from the applicants' total score if the applicant fails to include any necessary item(s) in the application. Applicant should refer to the Application Checklist, Application Summary Form Instructions and Threshold Requirements to ensure that no necessary item is missed.

Application Summary Form Instructions

1. Applicant – The legal name and complete address of applicant, including name of chief elected official. DUNS # - To receive a city/county DUNS # please go to: <http://fedgov.dnb.com/webform>.
2. Sub recipient – For “on behalf of” applications, include all requested information.
3. Application Preparer – The name, address, city, telephone number, fax number and email address.
4. Citizen Participation – See General Application Requirements to assure accurate and complete citizen participation requirements are met.
5. Project Type – Select only the one being applied for in this application.
6. Project Description – Provide a brief summary of the proposed project.
7. Proposed Funding – The applicant must list the amount of CDBG funds requested, the funds to be supplied by all other sources, local cash contributions and a total of the project funding.

Funds from other sources must be committed and have documentation attached specifying dollar amount and source.
8. Project Benefit – Identify the number of persons benefiting from project; indicate the number of LMI persons benefiting; calculate percentage. Must match Form D.
9. Method of Determining LMI – Applicants addressing the national objective of benefit to low- and moderate-income persons must complete this item.
10. State and U.S. legislators should be completed.
11. Self-Explanatory
12. Self-Explanatory
13. By signing the Statement of Assurances and Certifications, the chief elected official is also agreeing that this application and attachments are part of the agreement between the applicant and the state and that they are accurate.
14. Submit a completed Determination of Level of Review to include a proper project description.

Form A – Community Needs Form

The applicant should discuss the prioritized community needs of its jurisdiction, including how these needs were determined and if they have been formalized in any document. This is not just the needs of the project, but of the applicant as a whole. Must include housing needs.

Form B – Project Budget Form

The project budget form shows the total amount of funds required for a proposed project and the sources of these funds by activity.

Form C – Local Effort

User Fees – For water and sewer applicants, both columns must be completed. Failure to complete this section will prohibit points being assigned in rating for water and sewer projects.

Form D – Public Facilities LMI Benefit

Civil Rights Information (all applications) – Must be completed for all applications. Census or survey data may be used, whichever way you qualified the project. If the project serves more or less than the population of the applicant, b.), “Total Persons to be Served by Project,” must also be completed.

Form E – Public Facilities Narratives

Must be completed for all Water and Sewer applications. Be as specific and detailed as possible.

Form F – Pre-Selection of Professional Services Contractors

If the applicant has pre-selected either the engineer, administrator or architect for this project, this section must be completed. Failure to follow the correct procedures could result in disallowance of these services to be paid with CDBG funds.

☐ ORIGINAL
☐ COPY

**Kansas Small Cities Program
Community Development Block Grant
2021 Application Summary**

FOR COMMERCE USE ONLY

Date Received: _____

1. APPLICANT (City/County)

Name: _____
STREET ADDRESS+4: _____
PO BOX+4: _____ ** ZIP-CODES.COM
City, Zip+4: _____
County: _____
Telephone: _____
Fax: _____
E-mail Address: _____
Chief Elected Official: _____

Population: _____
DUNS # _____

2. SUB RECIPIENT (ON BEHALF OF APPLICATIONS)

Name (entity): _____
Address: _____
City, Zip: _____
Telephone: _____
Chief Official of sub recipient: _____

Population: _____

6. PROJECT DESCRIPTION OF PROPOSED ACTIVITIES (summary should be brief and clearly define the project)

7. PROPOSED FUNDING

(USE ONLY WHOLE DOLLAR AMOUNTS)

CDBG funds requested in this application \$ _____

Funds to be supplied by other sources: ☒ A Resolution or documentation of Commitment of Funds must be attached

Source	Contact Person	Telephone	Amount
a) _____	_____	() _____	\$ _____
b) _____	_____	() _____	\$ _____
c) Force account construction estimate:			\$ _____
d) Cash claimed for <u>final</u> plans and specifications:			\$ _____
e) Total matching funds: (a+b+c+d)			\$ _____
f) Total project funding: (CDBG \$+e) (should match budget)			\$ _____

The total project funding and CDBG amount requested must match what appears in the public hearing notice.

8. PROJECT BENEFIT *

Total persons benefiting: _____
Total LMI persons benefiting: _____
Percent LMI persons benefiting: _____

9. METHOD OF DETERMINING LMI

Census: _____ Limited Clientele: _____
Survey: _____ Past 3 years records: _____
Date of survey: _____

***Provide a copy of the American Fact Finder sheet showing applicant population, if applicable.**

***Zip + 4 is needed for the street address and the PO Box (if you have one). The +4 is different for street address and PO Box numbers. Please use the provided zip code link.**

10. STATE REPRESENTATIVE

(Name): _____
 (District #): _____

STATE SENATOR

(Name): _____
 (District #): _____

U.S. REPRESENTATIVE

(Name): _____
 (District #): _____

11. PROGRAM ADMINISTRATION

List previous open CDBG projects within last five years and percent of completion.

	Year	Project Type	Percent Complete	Close Out Date
(a)				
(b)				
(c)				
(d)				

12. PERFORMANCE CAPACITY

Check how the proposed project will be administered:

- ☐ With in-house staff
☐ With consultant services only
☐ Hire staff

13. The applicant agrees that, if approved, this application with the attached certifications will become a part of the agreement for activities and services authorized under the Housing and Community Development Act of 1974, as amended.

This application does not represent a binding contract between any parties referenced herein. Any services and/or contracts paid for by funds applied for herein must be procured according to the requirements of the program.

Form A – Community Needs Form:

(Include how these needs were determined, including if a formal assessment instrument was used - if so, what tool was used?)

- ✓ Must be limited to one page
- ✓ Must be complete
- ✓ Must include Housing Needs

Form B – Project Budget Form:

Activity	CDBG Funds	Other Funds	Total Cost	Source of Other Funds
1. <u>Public Facilities proposed:</u> (whole dollars)				
a.)				
b.)				
c.)				
d.) Acquisition, including easements				
e.) Engineering Design				
f.) Construction Inspection				
g.) Architectural Services				
h.) Other Professional Services*				
Total, Public Facility Activities				
2. <u>Reserved for Housing Activities:</u>				
Total, Housing Activities				
3. <u>Administration:</u>				
a.) Administrative Activities				
b.) Legal**				
c.) Audit				
Total, Administration				
4. Total, All Activities				

*Other professional services; please explain:

**Provide explanation of need of these expenses:

Instructions for Budget – Form B:

Please attach a copy of the Engineer/Architect opinion of probable cost on the firm's letterhead.
This needs to include only CDBG eligible items and would match the budget on Form B.

Some Ineligible Items:

- Preliminary or Final Engineer Report if over \$3 million total project cost
- Environmentals completed for other agencies
- Completion of LMI surveys
- Writing the grant
- Contingencies

Form C – User Fees:

User Fees (Must be completed by all water and/or sewer applicants or sub-applicants - whoever owns the facilities.) Both columns required.

Water	Sewer	Description	
		a.)	Number of current residential users
		b.)	Number of current non-residential users
		c.)	Total number of current users (1+2)
		d.)	Number of residential users added by this project
		e.)	* Monthly cost per current user for 5,000 gallons
		f.)	* Total revenues received in last completed fiscal year

- If entire new system is proposed, i.e., these costs and revenues **must be provided** based on projections for first year's operation.
- Only the water or sewer rate at the time of application will be entered into the rating formula. Any future water or sewer rate hikes will be disregarded.

Form D – Public Facilities LMI Benefit:

1.Civil Rights Information (all applications)

To document compliance with Title VI of the Civil Rights Act of 1964, provide the information in the space provided below.

a.) Total Population of Applicant: _____ (Census)

	Ethnicity Number				Ethnicity Number		
	Hispanic	Non- Hispanic	Total Population		Hispanic	Non- Hispanic	Total Population
White	_____	_____	_____	A	_____	_____	_____
BAA	_____	_____	_____	A/W	_____	_____	_____
BAA/W	_____	_____	_____	AI/AN/BAA	_____	_____	_____
AI/AN	_____	_____	_____	AI/AN/W	_____	_____	_____
NH/PI	_____	_____	_____	Other	_____	_____	_____

Number of Persons with Disability _____

Female Head of Household _____

b.) Total Persons to be Served by Project (if different from a.): _____ (Census)

	Ethnicity Number				Ethnicity Number		
	Hispanic	Non- Hispanic	Total Population		Hispanic	Non- Hispanic	Total Population
White	_____	_____	_____	A	_____	_____	_____
BAA	_____	_____	_____	A/W	_____	_____	_____
BAA/W	_____	_____	_____	AI/AN/BAA	_____	_____	_____
AI/AN	_____	_____	_____	AI/AN/W	_____	_____	_____
NH/PI	_____	_____	_____	Other	_____	_____	_____

Number of Persons with Disability _____

Female Head of Household _____

Source of (a) above: _____

Source of (b) above: _____

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Numbers must match Application Summary, #1 population and #8 persons benefitting from project.

American Fact Finder may only be used to extrapolate demographic data.

Form E – Public Facilities Narrative (for Water and Sewer:

On a separate sheet of paper, discuss as specifically and briefly as possible the following items. Please number and identify each item as it is listed below. (Do not include this page in your application.)

1. Project Need (35 Points)

Applicants must state their need, the cause of the need, how long the need has existed and its impact on the community. Applicants must further document if any state or federal regulations are being violated. Careful attention must be placed on the documentation of need in terms of number of waterline breaks, sewer backups and all associated costs.

Describe why this need is greater than any other needs currently facing the community as described on Form A of this application.

2. Project Alternatives (10 Points)

- a. Alternatives: Applicants must summarize all the alternative solutions that were examined to address the need above. Applicants must provide a financial analysis of the alternatives and discuss the reasons behind its choice from among the alternative solutions. Failure to include financial alternative discussions will result in point deductions. This must include regionalization for water projects only.
- b. Scope of Work: Describe in detail the entire project in terms of linear feet of sewer or water, etc. Application must include all project timelines, activities and project costs. Describe separately the activities that will be paid for using CDBG funds.
- c. Discuss any force account construction labor proposed and the basis of the cost estimate.

3. Past Efforts to Address Need (10 Points)

Applicants must discuss their efforts within the last five years to address community needs. This includes the proposed project and other city utilities such as street repairs, fire station improvements, purchase of new ambulances or fire trucks, park renovations, etc. Also, discuss the utility rates as they affect the project as well as any changes in rates for the past five years.

4. Project Readiness (5 Points)

Applicants must discuss the degree to which they are ready to proceed with the project, if funded. If needed, does the applicant have an option to purchase a tract of land? Does the applicant have water rights or a water purchase agreement? **Must provide proof in application.** Has the applicant pre-selected its professional service, i.e. engineers, architects and administrators? Are there any environmental concerns that may delay the project?

If any local, state or federal commitments have been made to this project, briefly describe. Indicate the name of the contact person and attach a letter of commitment showing the amount awarded, for what activities and date of award. If General Obligation Bonds are involved, give date and result of election approving the issuance of the bonds. Specify the nature of any necessary action or funding which will be needed prior to the project moving forward once awarded.

5. Discuss the long range financing of the Operations and Maintenance of the project, include:
 - a. Cost estimate and funding sources.
 - b. Resolution by governing body must be attached.
6. Provide a timeline for critical benchmarks of the project.
7. To what extent will this project meet all of the needs of the system?

Form F – Pre-Selection of Professional Services Contractors:

Type of Service	Firm Name/Person	Proposed Cost	Source of Funds	Date of Selection	Date of Contract
1. Eng. Design					
2. Eng. Inspection					
3. Arch. Design					
4. Arch. Inspection					
5. Administration					

If any of the above services have been pre-selected, complete the following for each service selected to date:

- a.) Number of proposals received for:
- 1.) _____
- 2.) _____
- 3.) _____
- 4.) _____
- 5.) _____
- b.) Basis of selection documented? ☐ Yes ☐ No
- c.) Non-selected firms notified in writing? ☐ Yes ☐ No
- d.) If only one proposal was received on any of the above, has Commerce been notified? ☐ Yes ☐ No
If so, please attach approval. Must have been approved before application deadline.

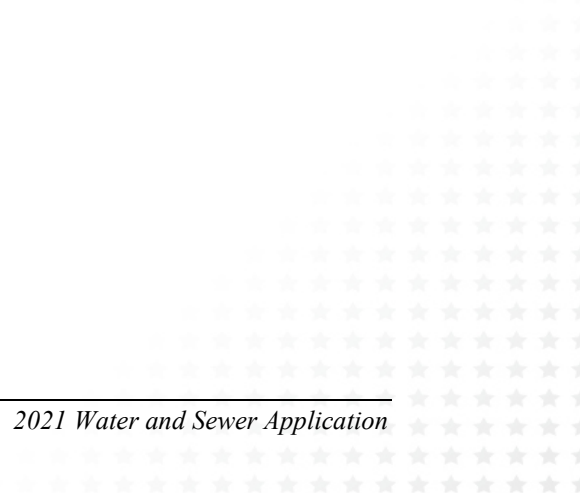
STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies with respect to the grant that:

- (1) It possesses legal authority to make a grant submission and to execute a community development and housing program.
- (2) 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 grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (3) Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a)(2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.
- (4) It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee 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, and other financial resources are not available.
- (5) Its chief executive officer or other officer of the grantee approved by Commerce:
 - (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
 - (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and
- (6) The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):

- (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1;
- (b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
- (c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);
- (d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;
- (e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;
- (f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;
- (g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
- (h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
- (i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;
- (j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended;
- (k) Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended.
- (l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
- (m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;

- (n) The regulations, policies, guidelines and requirements of OMB Circular Nos. A-87, A-110 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;
 - (o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;
- (7) The conflict of interest provisions of 24 CFR 570.489 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;
- (8) It will comply with the provisions of the Hatch Act that limits the political activity of employee;
- (9) It will comply with the provisions of 24-CFR-200.
- (10) It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant;
- (11) It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).
- (12) The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.
- (13) It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for CDBG funding.



- (14) It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.
- (15) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

The applicant hereby certifies that it will comply with the above stated assurances.

Signature, Chief Elected Official

Name (typed or printed)

Title

Date

To Whom It May Concern:

As Chief Elected Official of the City/County of _____, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

Mayor/County Commission

ATTEST:

City/County Clerk

THE CITY/COUNTY OF _____, KANSAS

RESOLUTION NO. _____

RESOLUTION CERTIFYING LEGAL AUTHORITY
TO APPLY FOR THE 2021 KANSAS
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FROM THE KANSAS DEPARTMENT OF COMMERCE
AND AUTHORIZING THE MAYOR/COMMISSIONER
TO SIGN AND SUBMIT SUCH AN APPLICATION

WHEREAS, The City/County of _____, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City/County of _____, Kansas, intends to submit an application for assistance from the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City/County of _____, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR/COMMISSIONER of _____, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby dedicates \$ _____ in cash funds toward this project and \$ _____ in force account labor for same.

APPROVED BY THE GOVERNING BODY OF THE CITY/COUNTY OF _____, KANSAS, this _____ day of _____, 20 ____.

APPROVED _____
MAYOR/COMMISSIONER

ATTEST _____

(SEAL)

THE CITY/COUNTY OF _____, KANSAS

CITY/COUNTY OF _____, KANSAS

RESOLUTION NO. _____

A RESOLUTION ASSURING THE KANSAS DEPARTMENT OF COMMERCE THAT FUNDS WILL BE CONTINUALLY PROVIDED FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS TO THE _____ SYSTEM TO BE FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, The City/County of _____ is applying for Small Cities Community Development Block Grant funds under the Water/Sewer Category, as administered by the Kansas Department of Commerce; and,

WHEREAS, The City/County of _____ wishes to utilize this funding for the purpose of constructing improvements to the city's/county's _____ system, as described in the Community Development Block Grant application submitted to the Kansas Department of Commerce; and,

WHEREAS, The City/County of _____ has determined that the annual operation and maintenance costs of the _____ system improvements are anticipated to be approximately \$_____; and,

WHEREAS, The annual _____ budget has been determined to be adequate to fund the operation and maintenance of the _____ system,

NOW, THEREFORE, BE IT RESOLVED THAT: The Governing Body of the City/County of _____, Kansas, hereby assures the Kansas Department of Commerce that sufficient funds will be provided for the continued operation and maintenance of the above described improvement; that these operation and maintenance costs will be reviewed annually; and that the budget will be adjusted, when necessary, to reflect and cover any increase in costs.

ADOPTED BY THE GOVERNING BODY OF THE CITY/COUNTY OF _____, KANSAS
THIS _____ DAY OF _____, 20____.

ATTEST:

MAYOR/COMMISSIONER

CITY CLERK/COUNTY CLERK

(SEAL)

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 11/30/2018)

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

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

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).

☐ Yes ☐ No

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

☐ Yes ☐ No.

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:

X

[CLICK HERE FOR FORM FILL PDF](#) [CDBG Disclosure Report](#)

****SEE GENERAL APPLICATION REQUIREMENTS FOR DISCLOSURE REPORT REQUIREMENTS****

(Minimum required by all applicants for funding – must be submitted with application)

**Residential Anti-displacement and Relocation Assistance Plan
under Section 104(d) of the
Housing and Community Development Act of 1974, as Amended**

The jurisdiction will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the [jurisdiction] will make public and submit to the Kansas Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as Section 104(d) replacement dwelling units;
5. The source of funding and a time schedule for the provision of Section 104(d) replacement dwelling units; and
6. The basis for concluding that each Section 104 (d) replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten years from the date of initial occupancy.

The jurisdiction will provide relocation assistance, as described in Section 570.488 to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the act, the jurisdiction will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of project, the following occupied dwellings (by address) will be demolished with grant funds (should contain proposed demolitions):

As chief official of the jurisdiction, I hereby certify that the above plan was officially adopted by the jurisdiction of _____ on the _____ day of _____, _____.

Date: _____ Signature – Chief Elected Official: _____

2020 LMI Sample Survey – Kansas Small Cities CDBG Program

The City/County of _____ is conducting a survey to determine the need for improvements in public facilities and services. Some of the improvement projects may be eligible for Federal funding. Your answers will be kept confidential and a public hearing will be held regarding potential improvement projects prior to any grant applications being submitted.

- (1) Name and address or Number Identification Code: _____
- (2) How many persons live at this address? _____
- (3) How many persons are unrelated individuals (not members of a family)? _____
- (4) How many families (persons related by birth, marriage, or adoption) live at this address? _____

How many persons are in each family? Family 1 _____ Family 2 _____ Family 3 _____

NOTE: If more than one family or unrelated individual lives at this address, please check the appropriate line for each family or unrelated individual.

FOR EACH FAMILY INDICATED ABOVE, PLEASE CHECK WHETHER YOUR TOTAL FAMILY INCOME IS ABOVE, BETWEEN OR BELOW THE INCOME FIGURES PROVIDED FOR YOUR FAMILY SIZE									
Family Size	Income Limits					FAMILY #1 FAMILY SIZE: _____	FAMILY #2 FAMILY SIZE: _____		
	A (30%)		B (50%)		C (80%)				
1		TO		TO		<input type="checkbox"/> Income below Column A	<input type="checkbox"/> Income below Column A		
2		TO		TO		<input type="checkbox"/> Income between Column A & B	<input type="checkbox"/> Income between Column A & B		
3		TO		TO		<input type="checkbox"/> Income between Column B & C	<input type="checkbox"/> Income between Column B & C		
4		TO		TO		<input type="checkbox"/> Income above Column C	<input type="checkbox"/> Income above Column C		
5		TO		TO					
6		TO		TO					
7		TO		TO					
8		TO		TO					

Race	Total Number Person(s)	Number Hispanic Origin
White		
Black/African American		
Asian		
American Indian/Alaskan Native		
Native Hawaiian/Other Pacific Islander		
American Indian/Alaskan Native & White		
Asian & White		
Black/African American & White		
American Indian/Alaskan Native & Black/African American		
Balance/other		

Female Head of Household

- ☐ Yes
☐ No

How many? _____

Disabled ¹

- ☐ Yes
☐ No

How many? _____

¹A disabled person is defined as a person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such an impairment or is regarded as having such an impairment.

Low- and Moderate-Income (LMI) Survey Tabulation

To access LMI Excel Spreadsheet Tabulation click on: [LMI Survey Tabulation](#)

City/County: _____

		3.	4.	5.				6.	7.	8.
1.		2.	Above Low/Moderate Income Levels		Below Low/Moderate Income Levels				Totals	
Family Size	Income Limit	Family Number	Persons	Family Number	Below 30%	Between 30 – 50%	Between 50 – 80%	Total LMI Benefit	Sum of 3 & 5 Family	Sum of 4 & 6 Persons
One Person	1									
Two Persons	2									
Three Persons	3									
Four Persons	4									
Five Persons	5									
Six Persons	6									
Seven Persons	7									
Eight Persons	8									
Nine Persons	9									
Ten Persons	10									
Eleven Persons	11									
Totals										

9. Surveys Distributed _____ (Must reflect each household in Target Area)

10. *Population of Target Area _____ HUD updated census data from guidelines, or 2.4 multiplied by number of households, if census data not available. (target area)

11. *LMI Population _____

12. *LMI Percent _____ **Must be over 51 percent to qualify.**

13. HUD Percent, if applicable _____ (Census Data)

14. Variance of Survey & HUD _____

(If variance is more than 6 percent +/-, a detailed explanation of causes must be submitted with application. Failure to include will result in a 10 point deduction.)

*Figures to be reflected on CDBG Application Forms

15. All data below must be extrapolated to 100 percent of population (to match #10):

Population Data	Number Reported
Disabled Persons	
Female Head of Household	

Population Data Ethnic/Racial Background	Total Number Reported	Hispanic Latin	LMI
White			
Black/African American			
Asian			
American Indian/Alaskan Native			
Native Hawaiian/Other Pacific Islander			
American Indian/Alaskan Native & White			
Asian & White			
Black/African American & White			
American Indian/Alaskan Native & Black/African American			
Balance/Other			
Total			

Kansas Department of Commerce
Community Development Block Grant (CDBG) Program
1000 S.W. Jackson St., Suite 100
Topeka, KS 66612-1354

DETERMINATION OF LEVEL OF REVIEW

ENVIRONMENTAL REVIEW RECORD (ERR)

Grantee Name & Project Number: _____

Project Location: _____

Project Description: _____

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

- ☐ Exempt from NEPA review requirements per 24 CFR 58.34(a)(____)
- ☐ Categorical Exclusion NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(____)
- ☐ Categorical Exclusion SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(____)
- ☐ An Environmental Assessment (EA) is required to be performed.
- ☐ An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

_____ Chief Elected Official (print name/title)	_____ Chief Elected Official's Signature
_____ Date	