



Office of the Director

P.O. Box 1437, Slot S-201 · Little Rock, AR 72203-1437
501-682-8650 · Fax: 501-682-6836 · TDD: 501-682-8933



M E M O R A N D U M

TO: ALL INTERESTED PARTIES

FROM:  JOHN SELIG, DIRECTOR
DEPARTMENT OF HUMAN SERVICES

DATE: MARCH 3, 2010

SUBJECT: HUD HOMELESS ASSISTANCE GRANTS

The Arkansas Department of Human Services (DHS) has been selected to manage the Emergency Shelter Grants Program for the U. S. Department of Housing and Urban Development. DHS will award grants in two-tier funding to local community/nonprofit programs to provide and maintain emergency shelters for the homeless. Funding under Tier One is available to nonprofit organizations that have never received funding under the Emergency Shelter Grants Program. Funding under Tier Two is available to existing shelters and nonprofit organizations that are currently receiving funds under the Emergency Shelter Grants Program. The process for making application is outlined in the enclosed Request for Proposal package.

Proposals to be considered for funding must be submitted no later than 4:30 p.m., **Monday, April 26, 2010**. Proposals not received in the Office of Community Services, Seventh and Main Streets, Post Office Box 1437, Slot S330, Little Rock, Arkansas 72203 by 4:30 p.m., or postmarked by **April 26, 2010**, will not be considered and will be returned to the applicant. All grants will be awarded by **July 1, 2010**.

To All Interested Parties

Page 2

March 3, 2010

Please note the need for signature(s) of the local Mayor(s) or County Judge(s) and the DHS County Administrator on the Grant Agreement Form.

If you have any questions or need assistance, please contact the Office of Community Services at (501) 682-8716. **A pre-application workshop will be offered on Monday, March 22, 2010, at the Willie Hinton Neighborhood Resource Center located at 3805 W. 12th Street, Little Rock, Arkansas from 10:00 a.m. - 02:00 p.m. for all those who wish to apply and who need assistance. We will be in the auditorium. The deadline for the pre-application workshop reservations is Friday, March 19, 2010.** You may call (501) 682-8716 to make reservations.

Directions to the Resource Center: From the following - I-530, I-40, I-430, I-30 or I-440 take I-630 to Pine and Cedar Street exit 3B. **Cedar Street** is one way going South, take it to 12th Street and turn left in The Union Rescue Mission Thrift Store Parking Lot on the left side. The building is located across the street.

JS:mb

Enclosures

cc: Thomas E. Green
Clorinda Arace
File

IMPORTANT NOTICE

Although the grant packet is the same this year,
ESG is changing in 2010.

There will be a workshop on March 22, 2010
to discuss these changes.

ATTENDANCE IS MANDATORY

**EMERGENCY SHELTER GRANTS PROGRAM
2010 GRANT APPLICATION CHECKLIST**

**TIER ONE
NEW APPLICATION**

AGENCY _____

LOCATION _____

AREA SERVED _____

Point System

Required Forms	11 Points
Required information	8 Points
Narrative	50 Points
Continuum of Care Information and Affiliation	10 points
Budget Information	25 Points
Priority Points	<u>15 Points</u>
TOTAL	119 Points

A total of 119 points can be earned. Any application not scoring a minimum of 65 points will be dropped from the review process. ALL documents must be included in the application to be considered for funding. **Omission of an item will result in the loss of the points for that category.**

Required Forms

Page No.

- Federal Assistance Form SF 424 - Attachment A _____
- Grant Agreements/Signatory Sheet - Attachment B _____
- Clearinghouse Letter _____
- Assurances _____
 - 1. Illegal Drug/Alcohol - Attachment C _____
 - 2. Certification of Matching Funds - Attachment D (Support Documentation) _____
 - 3. Program Assurances - Attachment E _____
 - 4. Lobbying Disclosure - Attachment F _____
 - 5. Non-discrimination and equal opportunity requirements - Attachment G _____
 - 6. Mandate Client Involvement - Attachment H _____
 - 7. Mandate Formal Process - Attachment I _____

Additional Required Information

Page No.

- 1. Environmental Information Form _____
- 2. Current Health and Fire Inspection _____

3. Flood Plain Map with location of facility clearly marked _____
4. Pictures of Facility (Front and Back) _____
5. 501 C (3) Certification (Tax Exempt Status) _____
6. Audit Dates and Fiscal year _____

Narrative (5 pages or less)

Page No.

- | | | |
|-------------|-----------|-------|
| Question #1 | 5 points | _____ |
| Question #2 | 20 points | _____ |
| Question #3 | 10 points | _____ |
| Question #4 | 5 points | _____ |
| Question #5 | 10 points | _____ |

Continuum of Care Information/Affiliation and Participation letter _____

Budget Information

1. Budget Summary (page 1 of 3) _____
2. Budget Justification (page 2 of 3) _____
3. Budget Support Data for Matching Funds (page 3 of 3) _____
4. Comprehensive Total Budget Summary of Agency _____

Priority Points (15 points)

Points will be given for the subjects listed below. Up to 15 points can be earned (2 points for each category) except #5 which can earn 7 points. Tell how you plan to provide any or all of the services. Please use PRIORITY POINT PAGE only.

1. Public Baths and/or Laundry Facility _____
2. Job and/or Life Skills Training _____
3. Transportation for Supportive Services _____
4. Day Care Services for Children _____
5. A Whole Family Facility Serving Men/Women and Children _____

2010 EMERGENCY SHELTER GRANTS

REQUEST FOR PROPOSALS

(Tier One)

Overall Guidance

The Arkansas Department of Human Services (DHS) announces the availability of discretionary funds to help improve the quality of life of the homeless in Arkansas by helping to develop and/or improve the quality of emergency shelters for the homeless.

The Emergency Shelter Grants will allow new shelter operators to, (a) use up to 30 percent of these funds to provide essential services (employment, medical services, HMIS, drug abuse prevention, or education) (b) pay for the rent, insurance, utilities and furnishings of these facilities; (c) use up to ten percent of the grant for administration or staff costs; (d) general maintenance and/or repair, make major or minor renovations, rehabilitation, or conversion of buildings for use as emergency shelters for the homeless; and (e) use up to 30 percent of these funds for homeless prevention.

Funding requests should not exceed \$29,500; only one application per agency will be accepted. In the event all funds are not spent within 12 months of the date of the individual grant award, DHS reserves the right to transfer funds to other projects or applicants, and to move funds from one tier to another.

Projects to be considered for funding must be submitted no later than 4:30 p.m., **Monday, April 26, 2010**. All proposals not in DHS office by 4:30 p.m., or postmarked by **Monday, April 26, 2010**, will be returned to the applicant. The proposals will be reviewed by the Emergency Shelter Grants Committee of the Department of Human Services. All grants will be awarded on or before **July 1, 2010**. The DHS Emergency Shelter Grants Committee will have the authority for making the final decision.

WHO MAY APPLY

Tier One Criteria

Nonprofit organizations who are not receiving funding under the Emergency Shelter Grants Program may apply.

ALL GRANTS WILL BE MADE TO NONPROFIT ORGANIZATIONS THAT HAVE SECURED THE APPROVAL OF THE APPROPRIATE UNIT(S) OF LOCAL GOVERNMENT.

The grant application **MUST** contain:

- I. Federal Assistance Form SF 424 - Attachment A
(with 501 C-3 number in appropriate boxes)
- II. Signed grant agreements - Attachment B for each
County they have listed on the Attachment A (form
424 Line 12)
- III. Letter of receipt from State Clearinghouse
- IV. Signed letter of assurances - Attachment C
(Obligation to administer a drug and alcohol free
facility)
- V. Certification of Matching Funds - Attachment D
and Statement of Source of Matching Funds
attached to Attachment D.
- VI. Program Assurances - Attachment E
- VII. Lobbying Disclosure - Attachment F requirements -
Attachment G
- VIII. Non-discrimination and equal opportunity
- IX. Mandate Client Involvement - Attachment H
- X. Mandate Formal Process - Attachment I
- XI. Environmental Review information
- XII. Current Health and Fire Inspection. If the
inspections have not been completed, then explain
what you will do to bring the building up to
code.
- XIII. Picture of the Facility (front and back)
- XIV. Flood Plain Map with location of facility marked

- XV. 501 C-3 Certification (Tax Exempt Status)
- XVI. Audit Dates, Fiscal year
- XVII. Narrative - no more than five pages addressing the following criteria in the following order:
1. Provide documentation of the nature and extent of the unmet homeless needs of the county in which the grant is proposed to be used.

Example: Statistics, newspaper articles, verification from DHS County Administrator, other homeless surveys or public official information such as police records or church records of numbers served.
 2. How do you propose to use the Emergency Shelter Grants funds to address these unmet needs of the homeless in your area? Please give us your Plan, including a time frame for implementing the grant proposal, describing how the shelter will provide, a) essential services, b) supportive services and c) services essential for achieving independent living. (Example: food, medication, medical and mental health treatment, counseling, supervision, child care, job training or search assistance, transitional or permanent housing.)
 3. Provide description of previous experience in serving the homeless. A description of the agency which includes a list of Board members with names, addresses and phone numbers, personnel (a list of who does what), your agency's experience with the homeless population, services provided and a total number of clients served last year. If a newly formed agency, list services you will provide.
 4. Provide sufficient information to assure that the shelter building will continue to be used as a homeless shelter for three years, if rehabilitation or renovation has taken place. (One year only if no renovation or rehabilitation.) Your plan must describe how the shelter will be maintained in the future without this funding.

5. **Results.** ESGP is designed to be part of a Continuum of Care to enable homeless families and individuals to move toward independent living. List program activities used to produce behavior changes in clients to help them become independent. List the benchmarks that will show clients achieving this goal. Describe the system used for assessment and tracking, and give time frame.

XVIII. Continuum of Care information and affiliation. Letter of affiliation and number of meetings attended and your involvement.

XIX. Budget Summary Sheet (1 of 3), Budget (Numerical) Justification Sheet (2 of 3) must clearly explain the basis for each budget item expense, (Verbal) and Budget Support Data for Matching Funds (3 of 3)

Comprehensive Agency-Wide Budget Summary. (This should be all projected resources and projected expenses for the year)

XX. Priority points will be given if you address the subjects listed below. Up to 15 points can be earned.

Public bath and/or public laundry facility open free to both homeless men and women who are not staying at your shelters. (Bath-1) and/or (Laundry-1).

Job and/or Life Skills Training (2)

Transportation and supportive services (2)

Provide drop-in day care services at a licensed center or licensed family home, to provide freedom for the client to pursue an education, job search or medical treatment (2)

A whole family facility for men/women and children (7)

Points will be given for a completed grant package with all forms and required documents. (See Checklist)

Prepare one original plus eleven (11) copies. Submit to:
Office of Community Services - original and ten (10) copies.
Office of Intergovernmental Services (State Clearinghouse) - one (1) copy (Office of Intergovernmental

Services, State Clearinghouse, P. O. Box 8031, Little Rock, AR 72203-8031 or 1515 West 7th Street, Suite 400, Little Rock, Arkansas 72201). Grants will be awarded to shelter programs for the homeless only.

DHS RESERVES THE RIGHT TO TRANSFER FUNDS BETWEEN TIER ONE AND TIER TWO PROPOSALS

Agencies who do not submit a completed grant package may be ineligible.

2010 EMERGENCY SHELTER GRANTS

REQUEST FOR PROPOSALS

(Tier Two)

Overall Guidance

The Arkansas Department of Human Services (DHS) announces the availability of discretionary funds to help improve the quality of life of the homeless in Arkansas by helping to develop and/or improve the quality of emergency shelters for the homeless.

The Emergency Shelter Grants will be used to allow existing operators to, (a) use up to 30% of these funds to provide essential services (employment, health, drug abuse, HMIS, or education); (b) pay for the maintenance, insurance, utilities and furnishings of these facilities; (c) use up to ten percent of the grant for administration or staff costs; (d) to make minor rehabilitation, renovation and conversion of buildings for shelters; and (e) use up to 30% of these funds for homeless prevention.

No priority points will be given to Tier Two Emergency Shelter Grants applications.

Funding requests should not exceed \$14,500.00. This grant will be a one year grant from July 1, 2010 - June 30, 2011.

In the event all funds are not committed within 12 months of the date of the individual grant award, DHS reserves the right to transfer funds to other projects or applicants. If sufficient funds are not available for all Tier Two subgrantees, then the state will have "open competition" for the existing dollars.

Projects to be considered for funding must be submitted no later than 4:30 p.m., **Monday, April 26, 2010**. All proposals not in DHS office by 4:30 p.m., or postmarked by **Monday, April 26, 2010**, will be returned to the applicant. The proposals will be reviewed by the DHS/Office of Community Services (OCS) Emergency Shelter Grants Section. All grants will be awarded on or before **July 1, 2010**. The DHS Emergency Shelter Grants Section will have the authority for making the final decision.

**EMERGENCY SHELTER GRANTS PROGRAM
2010 GRANT APPLICATION CHECKLIST**

**TIER TWO
APPLICATION**

AGENCY _____

LOCATION _____

AREA SERVED _____

Point System

Forms	11 Points
Required information	4 Points
Narrative	50 Points
Continuum of Care Information and Affiliation	10 points
Budget Information	<u>25 Points</u>
TOTAL	100 Points

A total of 100 points can be earned. Any application not scoring a minimum of 65 points will be dropped from the review process. ALL documents must be included in the application to be considered for funding. **Omission of an item will result in the loss of the total points for that category.**

Forms

Page No.

- Federal Assistance Form SF 424 - Attachment A _____
- Grant Agreements/Signatory Sheet - Attachment B _____
- Clearinghouse Letter _____
- Assurances
 1. Illegal Drug/Alcohol - Attachment C _____
 2. Certification of Matching Funds - Attachment D (Support Documentation) _____
 3. Program Assurances - Attachment E _____
 4. Lobbying Disclosure - Attachment F _____
 5. Non-discrimination and equal opportunity requirements - Attachment G _____
 6. Mandate Client Involvement - Attachment H _____
 7. Mandate Formal Process - Attachment I _____

Required Information

Page No.

Environmental Information Form _____
Current Health and Fire Inspection _____

If you have moved or if you plan to use any money for Renovation and Repair, a new Environmental Review must be completed.

Please submit:

Page No.

1. Flood Plain Map with location of facility clearly marked _____
2. Pictures of Facility (front and back) _____

Narrative (5 pages or less)

Page No.

Question #1 5 points _____
Question #2 20 points _____
Question #3 10 points _____
Question #4 5 points _____
Question #5 10 points _____

Continuum of Care Information/Affiliation _____

Budget Information

1. Budget Summary (page 1 of 3) _____
2. Budget Justification (page 2 of 3) _____
3. Budget Support Data for Matching Funds (page 3 of 3) _____
4. Comprehensive Total Budget Summary of Agency _____

WHO MAY APPLY

Tier Two Criteria

Existing shelters and nonprofit organization who have been funded previously under the ESGP may apply for maximum grant award up to but not to exceed \$14,500.00

Organizations that did not received funding last year cannot apply for Tier Two funding.

Funding is not automatic. Each application will be rated on its individual merit. **Past performance will be a determining factor.** The DHS/OCS Emergency Shelter Grants Section reserves the right to deny funding in this round to any subgrantee which did not satisfactorily meet or comply with the funding requirements or applicable laws in the past rounds of funding.

ALL GRANTS WILL BE MADE TO NONPROFIT ORGANIZATIONS THAT HAVE SECURED THE APPROVAL OF THE APPROPRIATE UNIT(S) OF LOCAL GOVERNMENT.

The grant application **MUST** contain:

- I. Federal Assistance Form SF 424 - Attachment A
- II. Signed grant agreements - Attachment B
- III. Letter of receipt from State Clearinghouse
- IV. Signed letter of assurances - Attachment C
(Obligation to administer a drug and alcohol free facility)
- V. Certification of Matching Funds - Attachment D
and Statement of Source of Matching Funds
- VI. Program Assurances - Attachment E
- VII. Lobbying Disclosure - Attachment F
- VIII. Non-discrimination and equal opportunity requirements - Attachment G
- IX. Mandate Client Involvement - Attachment H
- X. Mandate Formal Process - Attachment I

- XI. Environmental Review Information - If you have moved or changed location or you plan to spend any of this funding on Renovation or Repairs, you must submit a picture of the facility front and back and a flood plain map with location of the facility clearly marked.
- XII. Current Health and Fire Inspection. If the inspections have not been completed, then explain what you will do to bring the building up to code.
- XIII. Narrative - no more than five pages addressing the criteria in the following order:
1. Give documentation of the nature and extent of the unmet homeless needs of the county in which the grant is proposed to be used.
 2. Explain how you propose to use the Emergency Shelter Grants funds to address those needs. Please give us your Plan including a time frame for the expenditure of funds and describe how the shelter will provide: a) essential services, b) supportive services and c) services essential for achieving independent living. Example: food, medication, medical and mental health treatment, counseling, supervision, childcare, job training or search assistance, transitional or permanent housing.
 3. Include an updated list of all Board members, listing their names, addresses and phone numbers, give background information on key persons who will be running the program and list the number of clients that were served last year.
 4. Give a plan with sufficient information to assure that the shelter building will continue to be used as a homeless shelter for three years, if rehabilitation or renovation has taken place. (One year only if no renovation or rehabilitation.) Your plan must describe how the shelter will be maintained without these funds.
 5. Give results. ESGP is designed to be part of a Continuum of Care to enable homeless families and individuals to move toward independent living. List program activities used to produce behavior changes in clients to help

them become independent. List benchmarks that will show clients achieving this goal. Describe the system used for assessment and tracking, and give time frame.

- XIV. Continuum of Care information and affiliation (Letter of affiliation, number of meetings attended and your involvement)
- XV. Budget Summary Sheet (1 of 3), Budget (Numerical) Justification Sheet (2 of 3) must clearly explain the basis for each budget item expense. (Verbal) and Budget Support Data for Matching Funds (3 of 3)
- XVI. Comprehensive Agency-wide Budget Summary. (This should be all projected resources and projected expenses for the year)

Prepare one original plus four (4) copies. Submit to: Office of Community Services - original and three (3) copies. Office of Intergovernmental Services (State Clearinghouse) - one (1) copy (Office of Intergovernmental Services, State Clearinghouse, P. O. Box 8031, Little Rock, AR 72203-8031 or 1515 West 7th Street, Suite 400, Little Rock, Arkansas 72201). Grants will be awarded to shelter programs for the homeless only.

DHS RESERVES THE RIGHT TO TRANSFER FUNDS BETWEEN TIER ONE AND TIER TWO PROPOSALS

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																		
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.																		
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																		
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.																		
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project																		
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																		
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.																		
7.	Select the appropriate letter in the space provided. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled</td> </tr> <tr> <td>B. County</td> <td>Institution of Higher</td> </tr> <tr> <td>C. Municipal</td> <td>Learning</td> </tr> <tr> <td>D. Township</td> <td>J. Private University</td> </tr> <tr> <td>E. Interstate</td> <td>K. Indian Tribe</td> </tr> <tr> <td>F. Intermunicipal</td> <td>L. Individual</td> </tr> <tr> <td>G. Special District</td> <td>M. Profit Organization</td> </tr> <tr> <td>H. Independent School District</td> <td>N. Other (Specify)</td> </tr> <tr> <td></td> <td>O. Not for Profit Organization</td> </tr> </table>	A. State	I. State Controlled	B. County	Institution of Higher	C. Municipal	Learning	D. Township	J. Private University	E. Interstate	K. Indian Tribe	F. Intermunicipal	L. Individual	G. Special District	M. Profit Organization	H. Independent School District	N. Other (Specify)		O. Not for Profit Organization	17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
A. State	I. State Controlled																				
B. County	Institution of Higher																				
C. Municipal	Learning																				
D. Township	J. Private University																				
E. Interstate	K. Indian Tribe																				
F. Intermunicipal	L. Individual																				
G. Special District	M. Profit Organization																				
H. Independent School District	N. Other (Specify)																				
	O. Not for Profit Organization																				
8.	Select the type from the following list: <ul style="list-style-type: none"> • "New" means a new assistance award. • "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. • "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> 	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)														
A. Increase Award	B. Decrease Award																				
C. Increase Duration	D. Decrease Duration																				
9.	Name of Federal agency from which assistance is being requested with this application.																				
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																				

ARKANSAS EMERGENCY SHELTER GRANTS PROGRAM
GRANT AGREEMENT

PART I - SIGNATORY SHEET

PROGRAM: EMERGENCY SHELTER GRANTS PROGRAM
GRANT AMOUNT REQUESTED: _____

(FOR DHS USE ONLY)
GRANT ID#: _____
GRANT AWARD: _____

GRANTOR

Arkansas Department of Human Services
Office of Community Services
P. O. Box 1437/S330
Little Rock, Arkansas 72203-1437
Phone: 682-8715

GRANTEE

Name: _____
Address: _____
County: _____
Phone: _____

LOCAL GOVERNMENT

Name: _____
Position: _____
Jurisdiction: _____
Address: _____
Phone: _____

DHHS COUNTY ADMINISTRATOR

Name: _____
Address: _____
Phone: _____

1. This agreement is entered into between the Arkansas Department of Human Services, herein referred to as Grantor, and _____, herein referred to as Grantee. The Grantor has received funds from the Department of Housing and Urban Development to implement an Arkansas Emergency Shelter Grants Program. The Grantee agrees to accept the funds to be made available and to use them for the purposes stated herein.

The DHS County Administrator, _____, is aware of the proposed project, and agrees to facilitate the provision of services of the Arkansas Department of Human Services to the clients of the project.

The Grantor and the Grantee certify that the activities indicated within this Agreement are eligible for funding under the Emergency Shelter Grants Program and meet the national objective of providing shelter and needed services to the homeless.

The local government official's signature below attests that it approves the proposed project.

2. This Agreement is entered into as of the Grantor's signature date below, and expires June 30 of the following year.

3. Approved for the Grantor

Approved for the Grantee

By: _____
Signature
Thomas E. Green, Asst. Director
Typed Name/Title Date

By: _____
Signature

Typed Name/Title Date

Approval of Local Government

DHS County Administrator

By: _____
Signature

Typed Name/Title Date

By: _____
Signature

Typed Name/Title Date

Clearinghouse letter goes here.

CERTIFICATION AND ASSURANCE

I, _____, _____ of
Name Title

_____ hereby make the
Name of Facility

following certification and assurances to accompany this
Emergency Shelter Grants Application. As project sponsor,
conducting activities, funded in whole or in part with
Stewart B. McKinney Emergency Shelter Grants Program funds,
I will administer, in good faith, a program designed to
ensure that the assisted homeless facility is free from the
illegal use, possession, or distribution of drugs or
alcohol by its beneficiaries.

Signature

Date

EMERGENCY SHELTER GRANTS PROGRAM SUBGRANTEE
CERTIFICATION OF MATCHING FUNDS

_____ certified that the
Agency Name
Matching supplemental funds required by the regulations at
24 CFR 576.1 will be provided. Attached to this
Certification is a description of the sources and amounts
of such supplemental funds.

Name and Title

Signature

Date

Please Attach Documentation of Match to this Sheet

LOCAL SUBGRANTEE

EMERGENCY SHELTER GRANTS PROGRAM ASSURANCES
AND CERTIFICATION BY THE CHIEF EXECUTIVE OFFICER

I, _____, Chief Executive Officer
of _____
will comply with:

1. The requirements of 24 CFR 576.21(a)(4)(ii) which provide that the funding of homeless prevention activities for families who have received eviction notices or notices of termination of utility services meet the following standards: (A) that the inability of the family to make the required payments must be the result of a sudden reduction in income; (B) that the assistance must be necessary to avoid eviction of the family or termination of the services to the family; (C) that there must be a reasonable prospect the family will be able to resume payments within a reasonable period of time; and (D) that the assistance must not supplant funding for preexisting homeless prevention activities from any other source.
2. The requirements of 24 CFR 576.51 (b)(2)(iii) concerning the submission by nonprofit organization applying for funding of a certification of approval of the proposed project(s) from the unit of local government in which the proposed project(s) from the unit of local government in which the proposed project is located.
3. The requirements of 24 CFR 576.51(b)(2)(v) concerning the funding of emergency shelter in hotels or motels or commercial facilities providing transient housing.
4. The requirements of 24 CFR 576.53 concerning the continued use of buildings for which emergency shelter grant funds are used for rehabilitation or conversion of buildings for use as emergency shelters for the homeless; or when funds are used solely for operating costs or essential services, concerning the population to be served.

5. The building standards requirement of 24 CFR 576.75.
6. The requirements of 24 CFR 576.77 concerning assistance to the homeless.
7. The requirements of 24 CFR 576.79, other appropriate provisions of 24 CFR Part 576, and other applicable federal law concerning nondiscrimination and equal opportunity.
8. The requirements of 24 CFR 576.80 concerning the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
9. The requirements of 24 CFR 576.80 concerning minimizing the displacement of persons as a result of a project assisted with these funds.
10. The grantee agency agrees to use funds as stated in the application and to repay to the state amounts found not to have been expended in accordance with this grant agreement.
11. The requirement of the Cranston-Gonzales National Affordable Housing Act (Pub. L. 101-625, November 28, 1990) contained in Section 832(e)(2)(c) "that subgrantees develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted" under the Emergency Shelter Grants Program "will, except with written authorization of the person or persons responsible for the operation of such shelter, not be made public."
12. The requirement of that recipients involve, to the maximum extent practicable, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, and in providing services for occupants of these facilities (42 U.S.C. 11375 (c)(7), as added by Section 1402(b) of the Housing and Community Development Act of 1992).

13. The grantee agency recognizes that right of the Department of Human Services to audit/monitor and/or hire an entity independent of any agency administering activities carried out under this grant to conduct an audit in accordance with generally accepted accounting principles, and state and federal regulations.
14. The grantee agency will cooperate with any such investigations as shall be instituted by the state or federal government relative to HUD funds.
15. The grantee agency agrees to submit a monthly progress and financial report to the Department of Human Services, in the form and at the time the Department of Human Services requires.
16. The grantee agency, at its principle office or place of business, agrees to maintain, using accepted procedures, complete and accurate accounts and records reflecting all matters and activities covered by this grant. The grantee agency agrees to make available to DHS its auditors or designee, all such records.
17. Fiscal control and fund accounting

The grantee agency assures that adequate fiscal and fund accounting procedures are in place to assure that HUD funds are used for the purposes intended.

I further certify that the grantee agency will comply with the requirements of 24 CFR Part 24 concerning the Drug Free Workplace Act of 1988.

I further certify that the grantee agency will comply with the provisions of, and regulations and procedures applicable under section 104(g) of the Housing and Community Development Act of 1974, with respect to the environmental review responsibilities under the National Environmental Policy Act of 1969 and related authorities as specified in 24 CFR Part 58 as applicable to activities of nonprofit organizations funded directly by the state.

I further certify that I am authorized to make application for the Emergency Shelter Grants Program for this agency and that said agency will carry out emergency shelter grant activities in accordance with applicable laws and regulations of the Department of Housing and Urban Development, State of Arkansas, and Department of Human Services.

Signature of Chief Executive Officer

Date

Signature of Board President

Date

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an office or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, 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, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

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.

Organization

Award Number

Name and Title of Authorized Representative

Signature

Date

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Pending
OMB
Approval

<p>1. Type of Federal Action:</p> <p><input type="checkbox"/> agreement</p> <p>a. contract b. grant c. cooperative d. loan e. loan guarantee f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p>A. <input type="checkbox"/> bid/offer/application</p> <p>a. initial award b. initial award c. post-award</p>	<p>3. Report Type:</p> <p><input type="checkbox"/> Only:</p> <p>a. initial filing b. material change For Material Change year ____ quarter</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier, if known</p>		<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p>
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable:</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p>	
<p>10.a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):</p> <p style="text-align: center;">N/A</p>	<p>b. Individuals Performing Services (including address if different from No. 10A) (last name, first name, MI):</p>	
<p>11. Amount of Payment (check all that apply)</p> <p>\$ <input type="checkbox"/> planned <input type="checkbox"/> actual</p>	<p>13. Type of Payment (Check all that apply):</p> <p><input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-timer <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____</p>	
<p>14. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member (s) contacted for payment indicated in item 11:</p> <p style="text-align: center;">(attach Continuation Sheet(s) SF-111-A, if necessary)</p>		
<p>15. Continuation sheet(s) SG-LLL-A attached: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		
<p>16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each.</p>	<p>Signature: _____</p> <p>Print Name: _____</p> <p>Title: _____</p> <p>Telephone No. _____ Date: _____</p>	
<p>Federal Use Only:</p>		<p>Authorized for Local Reproduction Standard Form - LLL</p>

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g. "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in Item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.
11. Area BLANKED OUT Pending OMB Approval
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction Project.

ATTACHMENT G

NON-DISCRIMINATION AND EQUAL OPPORTUNITY REQUIREMENT

The requirement of the Fair Housing Act 42 U.S.C. 3601-20 and implementing regulation at 24 CFR Part 100; Executive Order 11063 and implementing regulation at 24 CFR Part 107; and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) and implementing regulations issued at 24 CFR Part 1; prohibits discrimination in client served and person employed. The grantee must make known that use of the facilities and services are available to all on a nondiscriminatory basis, and that they are an equal opportunity employer.

I, _____, _____ of
Name Title

_____ hereby
Organization

certify that we will meet the Non-discrimination and equal opportunity requirements of this grant.

Signature Date

CLIENT INVOLVEMENT

IT IS REQUIRED THAT GRANTEES INVOLVE, to the maximum extent practicable, homeless individuals and families in constructing, renovating, maintaining and operating facilities assisted under the ESGP. This can include homeless serving in an advisory capacity, and in providing service for occupants of these facilities (4 U.S.C. 11375(c)(7), as added by Section 1402(b) of the Housing and Community Development Act of 1992).

I, _____, _____ of
Name Title

_____ hereby
Organization

Certify that we will meet the client involvement mandate in the following manner: (Please feel free to use additional attachments if necessary.)

Signature

Date

TERMINATION OF ASSISTANCE PROCESS

Section 1402(d) of the Housing and Community Development Act of 1992 amends Section 415 of the Stewart B. McKinney Homeless Assistance Act by adding a subsection that REQUIRES that termination of assistance to any individual or family be in accordance with a formal process, that recognizes the rights of individuals affected, which may include a hearing.

I, _____, _____
Name Title

_____ hereby
Organization

Certify that we will meet the formal process mandate by having the following process in place: (Please feel free to use additional attachments if necessary.)

Signature Date

ENVIRONMENTAL REVIEW

INFORMATION

NAME OF AGENCY _____

Location/Address of project to be funded: _____

Is the building in compliance with Safety and Sanitary Standards? _____ Yes _____ No

Please submit current Health and Fire Inspections.

Do you plan to make any improvements, repairs or renovations to this property with the Emergency Shelter Grant Program funds?
_____ Yes _____ No If Yes, what do you plan to do? _____

Is any part of the property located in the flood plain?
_____ Yes _____ No **If yes, please submit a flood plain map of your area with your location clearly marked.**

Is the property more than 50 years old? _____ Yes _____ No

Is the property near or in a historic district? _____ Yes _____ No

Is this property listed on, nominated for, or eligible for the Register of Historic Places? _____ Yes _____ No

Please submit pictures of your facility. These pictures need to be clear shots of the front and back of your building.

If funded, you will be contacted about any additional Environmental Review information that is needed.

No funds for project costs can be released until all environmental requirements have been met.

CONTINUUM OF CARE AFFILIATION

Shelter Grant recipients are required to be a participant of a Continuum of Care Network. Please provide information regarding your organization's involvement in the Continuum of Care Process.

1. What is the name of your Continuum of Care?
2. When and where do they meet?
3. How many meetings have you attended in the past year?
(Please submit your letter of attendance from your Continuum)
4. Do you serve on any committee's or sub committee's?
5. Please list what your Continuum of Care has done this past year.

BUDGET SUMMARY

NAME OF APPLICANT		DATE SUBMITTED	
<u>DESCRIPTION</u>	<u>ESGP</u>	<u>MATCH</u>	<u>TOTAL</u>
A. FACILITY IMPROVEMENT			
1. General Repairs & Maintenance	_____	_____	\$ _____
2. Major Rehabilitation	_____	_____	_____
3. Conversion	_____	_____	_____
B. ESSENTIAL SERVICES (30%)			
1. Employment	_____	_____	_____
2. Physical Health (Prescriptions)	_____	_____	_____
3. Mental Health	_____	_____	_____
4. Substance Abuse	_____	_____	_____
5. Education	_____	_____	_____
6. Food	_____	_____	_____
7. Other			
a. Transportation	_____	_____	_____
b. Motel	_____	_____	_____
C. HOMELESS PREVENTION (30%) _____			
D. MAINTENANCE AND OPERATION			
1. Staff Costs (10%)	_____	_____	_____
2. Insurance	_____	_____	_____
3. Utilities	_____	_____	_____
4. Furnishings	_____	_____	_____
5. Other Supplies	_____	_____	_____
TOTAL	\$ _____	\$ _____	\$ _____

BUDGET JUSTIFICATION SHEET

NAME OF APPLICANT SUBMITTED	DATE
--------------------------------	------

Please provide a justification for each line item on Budget Summary Sheet on separate sheet(s).

A. FACILITY IMPROVEMENT

1. General Repairs & Maintenance. . .
2. Renovation. . .
3. Conversion. . .

B. ESSENTIAL SERVICES

1. Employment. . .
2. Physical Health. . .
3. Mental Health. . .
4. Substance Abuse. . .
5. Education. . .
6. Food. . .
7. Other . .

C. HOMELESS PREVENTION

D. MAINTENANCE AND OPERATION

1. Staff Costs (10%). . .
2. Insurance. . .
3. Utilities. . .
4. Furnishings. . .
5. Other. . .

PRIORITY POINT PAGE

Location of Project: _____

County

Tell **HOW** you plan to provide any or all of the five services listed under the priority point section (for Tier I applicants only).

(Please feel free to use additional attachments, if necessary.)

**2 0 1 0 E M E R G E N C Y S H E L T E R
G R A N T S P R O G R A M**

POLICY AND TERMS

The Department of Human Services has been selected by the Governor to be the grantor for an Emergency Shelter Grant from the Department of Housing and Urban Development (HUD). The Department has developed a simple grant process in two tiers to make a maximum of \$29,500.00 or \$14,500.00 available to local community/nonprofit programs to rehabilitate or convert buildings for use as emergency shelters for the homeless, for provision of essential services, and for the payment of certain operating expenses in connection with emergency shelter for the homeless. The purpose of the grant program is to help improve the quality of emergency shelters and to help meet the costs of operating emergency shelters so that individuals have access not only to safe and sanitary shelter, but also to other types of assistance they need to improve their situation. The program is also intended to restrict the increase of homelessness through the funding of preventive programs and activities.

TIER ONE AND TIER TWO

A. Eligible Activities

1. Renovation, building maintenance and repair, major rehabilitation, or conversion of building for use as emergency shelters for the homeless.

2. Provision of essential services, including services concerned with employment, health, homeless prevention, education, food, drug abuse and education may include (but is not be limited to):
 - a. Assistance in obtaining permanent housing;
 - b. Psychological counseling and supervision;
 - c. Employment counseling;
 - d. Nutritional counseling;
 - e. Substance abuse treatment and counseling;

- f. Assistance in obtaining other federal, state, and local assistance, including mental health benefits; employment counseling; medical assistance; veteran's benefits; and income support assistance such as Supplemental Security Income benefits, Aid to Families with Dependent Children, General Assistance, and Food Stamps;
 - g. Other services such as child care, transportation, job placement and job training; and
 - (i) Not more than 30% of the grant funds can be used for Essential Services and/or Homeless Prevention.
 - (ii) New Eligible Activity under Essential Services is the implementation and operation of a Homeless Management Information System (HMIS). The eligible costs are:
 - (1) Purchasing HMIS software
 - (2) Leasing or purchasing computer equipment and server access.
3. Payment of maintenance and operation as in rent, equipment, insurance, utilities and furnishings is allowable. Staffing costs cannot exceed 10% of the total grant award.
4. Developing and implementing homeless prevention activities. Not more than 30% of the grant funds can be used for homeless prevention.
- a. Activities to prevent homelessness to families who have received eviction notices or notices of termination of utility services are eligible, subject to the following statutory criteria that must be documented in the file:
 - (1) The inability of the family to make the required payments must be due to a sudden reduction in income;

- (2) The assistance must be necessary to avoid eviction of the family or termination of services to the family;
- (3) There must be a reasonable prospect that the family will be able to resume payments within a reasonable period of time; and
- (4) The assistance must not supplant funding for pre-existing homeless prevention activities from any other source.

B. Limitations on Provisions of Essential Services

Emergency Shelter Grants Program (ESGP) funds provided to local nonprofits may be used to provide an essential service only if:

1. The service is (a) a new service, or (b) a quantifiable increase in the level of service above that which was provided during the 12 calendar months immediately before the grant amount was received, or (c) a complement to the present provision of essential services.
2. Not more than 30% of any grant provided to a nonprofit recipient is to be used for essential services.
3. The cost of planning and developing the Homeless Management Information System is not eligible.

C. Waiver of Limit on Essential Services

1. HUD may waive the 30% limitation on essential services if the state or unit of local government receiving the assistance demonstrates that program activities other than essential services and homeless prevention (i.e., maintenance and operating costs, renovation, rehabilitation and conversion activities) are already being carried out in the locality with other resources.

D. Homeless Prevention as a Separate Category

1. Types of activities that qualify as homeless prevention are:
 - a. Short-term subsidies to help defray rent and utility arrearages for families that have received eviction or utility termination of notices; (See Statutory Criteria)
 - b. Security deposits or first month's rent enabling a homeless family to move into its own apartment;
 - c. Programs to provide mediation services for landlord-tenant disputes;
 - d. Programs to provide legal representation to indigent tenants in eviction proceedings;
 - e. Making needed payments to prevent a home from falling into foreclosure; and
 - f. Other innovative programs and activities designed to prevent the incidence of homelessness.

These activities are to be treated as homeless prevention services and have a 30% cap over and above the 30% on essential services. This cannot be waived.

E. Ineligible Activities

1. ESGP funds may not be used for activities other than those authorized under Eligible Activities as listed. For example, ESGP funds may not be used for:
 - a. Acquisition or new construction of an emergency shelter for the homeless.
 - b. Rehabilitation services performed by a grantee's recipient's staff, such as preparation of work specifications, loan processing, or inspections.

- c. A primarily religious organization to acquire a structure, in the case of homeless prevention activities under 24 CFR part 576.21 (a)(4), or to rehabilitate a structure owned by the organization except as described in paragraph (b)(2) of this section; and
- d. Rehabilitation or conversion of emergency shelters in structures owned by primarily religious organizations. ESGP funds may be used to rehabilitate or convert to an emergency shelter a structure that is owned by a primarily religious organization, **only if:**
 - (1) The structure (or portion thereof) that is to be renovated, rehabilitated or converted with ESGP assistance has been leased to an existing or newly established wholly secular organization which may be established by the religious organization;
 - (2) The ESGP assistance is provided to the secular organization (and not the religious organization) to make the improvements;
 - (3) The leased structure will be used exclusively for secular purposes available to all persons regardless of religion.
 - (4) The lease payments paid to the primarily religious organization do not exceed the fair market rent for the structure before the renovation, rehabilitation or conversion was done;
 - (5) The portion of the cost of any improvements that benefit any unleased portion of the structure will be allocated to, and paid for by, the religious organization; and

(6) The primarily religious organization agrees that if the recipient does not retain the use of the leased premises for wholly secular purposes for the useful life of the improvements, the primarily religious organization will pay an amount equal to the residual value of the improvements to the original subgrantee from which the amounts used to renovate, rehabilitate or convert the building were derived; e.g., if the amounts used under this paragraph initially were made available to a state or a unit of general local government as a formula allocation or reallocation, the amount that the primarily religious organization provides to the recipient must be remitted to the state or unit of general local government, as appropriate. While the original subgrantee is expected to use this amount to alleviate homelessness in the original subgrantee's jurisdiction, there is no requirement that funds received after the close of the grant period be used in accordance with the requirements of this part. If, however, a private nonprofit organization is the lessee as well as the subgrantee, the organization must remit the amount referred to above to HUD.

e. Assistance to a wholly secular private nonprofit organization established by a primarily religious organization.

(1) A primarily religious organization may establish a wholly secular private nonprofit organization to serve as a recipient. The secular organization may be eligible to receive all forms of assistance available under this part.

- The secular organization must agree to provide shelter and other eligible activities under this part in a manner that is free from religious influences with the principles set forth in paragraph B(2) of this section.
- The secular organization may enter into a contract with the religious organization to provide essential services or undertake homeless prevention activities for the project; in such a case, the religious organization must agree in the contract to carry out its contractual responsibilities in a manner free from religious influences and in accordance with the principles set forth in paragraph B(2) of this section.
- The rehabilitation, conversion or renovation of emergency shelters is subject to the requirements of paragraph E of this section.

(2) The state will not require the religious organization to establish the secular organization before the selection of its application. In such a case, the religious organization may apply on behalf of the secular organization. The application will be reviewed on the basis of the religious organization's financial responsibility and capacity, and its commitment to provide appropriate resources to the secular organization after formation. Since the secular organization will not be in existence at the time of the application, it will be required to demonstrate that it meets the definition of private nonprofit organization contained in 24 CFR Part 576. The obligation of funds will be conditional upon compliance with these requirements.

- f. Planning costs incurred prior to implementation of an HMIS are not eligible.

F. Property Management

1. Real Property - No real property may be purchased in whole or in part with ESGP funds unless specifically approved by OCS in writing.
2. Property Disposition - When property purchased with ESGP funds is no longer needed for the approved project, the subgrantee shall request from OCS disposition instructions or permission to use that property in other programs consistent with ESGP purposes. This provision applies to tangible personal property having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.

G. Inventory Procedures

1. The subgrantee shall maintain an inventory listing of all property (with a unit cost of \$300 or more) purchased with ESGP funds. This listing shall include the date of purchase, inventory number, cost, portion of ESGP funds used to purchase the property, if not fully paid for by ESGP funds, procurement procedures used for purchase, location of property, and the ESGP contract/program for which the property was purchased. This listing shall be kept current at all times.
2. All property (with a unit cost of \$300 or more) shall be labeled with the inventory number assigned to it by the inventory listing required below.
3. This inventory listing need not be submitted to OCS but must be made available on request.
4. A comprehensive inventory to assure inventory listing accuracy must be conducted and recorded at least every two years.

H. Procurement Procedures

The subgrantee shall establish or have on file written procurement procedures which provide for, at a minimum, the following:

1. Proposed procurement actions which follow a procedure to assure that unnecessary or duplicative items are not purchased. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economically practical procurement.
2. Solicitations for goods and services shall be based upon a clear and accurate description of the technical requirements for the material, product or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement, and when so used, the specific features of the named brand which must be met by bidders/offerers shall be clearly specified.
3. The type of procuring instruments used, e.g., fixed price contracts, cost reimbursable contracts, purchase orders, incentive contracts, shall be determined by the procuring party but must be appropriate for the particular procurement and for promoting the best interest of the grant project or program involved. The "cost-plus-a-percentage of construction cost" method of contracting shall not be used.
4. Contracts shall be only with responsible contractors who possess the ability to perform successfully under the terms and conditions of a proposed procurement.

5. All procurement transactions shall be conducted in a manner to provide to the maximum extent practical, open and free competition.
 - a. Purchases of less than \$500.00 may be made without competitive bids.
 - b. Purchases of \$500.00 but less than \$5,000.00 shall require at least three informal bids. These may be either verbal or written. The record should indicate these bids and how they were obtained.
 - c. Purchases of \$5,000.00 or more shall be made only after receiving sealed bids in response to the advertised request.
 - d. Written justification must be in the file if other than the lowest bid is accepted.
 - e. Splitting purchases to avoid competitive bids will not be allowed.
 - f. Notice inviting bids shall be given not less than five calendar days nor more than thirty calendar days preceding the date for the opening of bids by publishing such notice at least one time in at least one newspaper having general circulation in the state, but in all instances, adequate notice shall be given. The notice shall include a general description of the commodities or services to be procured and shall state where invitations for bid may be obtained. The notice shall also state the date, time, and place of bid opening.
 - g. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. Each bid, together with the name of the bidder, shall be recorded and open to public inspection.
6. Solicitations shall clearly set forth all requirements that the bidder/offerer must fulfill in order for the bid/offer to be evaluated.

Awards shall be made to the responsible bidder/offerer whose bid/offer in response to the solicitation is most advantageous to the subgrantee, price and other factors considered. Factors such as discounts, transportation costs, and taxes may be considered in determining the lowest bid. Any and all bids/offers may be rejected when it is in the subgrantee's interest to do so. Subgrantees may not place unreasonable requirements on firms in order to qualify to do business or unnecessary experience and bonding requirements.

7. The subgrantee must make some form of price or cost analysis in connection with every procurement action with a total cost of \$500.00 or more. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted, market prices and similar indicators together with discounts. Cost analysis is the review and evaluation of each element of cost proposed by the offerer to determine reasonableness, allocability and allowability.
8. Where a subgrantee proposes to enter into a sole-source contract, or a contract where only one bid or proposal is received, such contract shall be subject to prior approval by OCS if the aggregate expenditure for all items procured from the contractor will exceed \$5,000.00 in a twelve-month period.
9. Subgrantees shall maintain records sufficient to detail the significant history of procurement. These records shall include, but are not necessarily limited to, information pertinent to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection and the basis for the cost or price.
10. A system for contract administration shall be maintained to ensure contractor conformance with terms, conditions, and specifications of the contract and to ensure adequate and timely follow-up of all purchases.

11. **Contracts for Procurement:** All contracts for procurement of property and/or services shall be in writing and shall provide appropriate remedies to the subgrantee in case of breach of the contractor. The collection of information on work performed and who performed it, shall be submitted in your closeout report to the Office of Community Services at the close of the grant year.
12. **Minority Procurement:** Where possible, subgrantees shall make every effort to contract with minority businesses.

I. Definitions

Conversion means a change in the use of a building to an emergency shelter for the homeless under this part, where the cost of conversion and any rehabilitation costs exceed 75% of the value of the building before conversion. If such costs do not exceed 75% of the value of the building before conversion, they are to be considered rehabilitation and the three-year use requirement applies. The conversion of any building to an emergency shelter that is assisted under this part must meet local government safety and sanitation standards. For projects of 15 or more units where rehabilitation costs are 75% or more of the replacement cost of the building, that project must meet the requirements of 24 CFR 8.23(a).

Emergency shelter means any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter or transitional shelter for the homeless in general or for specific populations of the homeless.

Emergency shelter grant amounts and grant amounts means grant amounts made available under this part.

Homeless means:

1. An individual or family which lacks a fixed, regular, and adequate nighttime residence, or

2. An individual or family which has a primary nighttime residence that is:
 - a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing) for persons with mental illness;
 - b. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - c. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
 - d. The term does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State Law.

Major rehabilitation means rehabilitation that involves costs in excess of 75% of the value of the building before rehabilitation. Major rehabilitation assisted under this part must meet local government safety and sanitation standards under section 576.75 of 24 CFR 576. In addition, for projects of 15 or more units where rehabilitation costs are 75% or more of the replacement cost of the building, that project must meet the requirements of 24 CFR 8.23(a).

Nonprofit recipient means any private nonprofit organization providing assistance to the homeless, to which a state or general local government distributes emergency shelter grant amounts.

Obligated means the grantee or state recipient, as appropriate, has placed orders, awarded contracts, received services or entered into similar transactions that require payment from the grant amount. Grant amounts that a unit of general local government or state awards to a private nonprofit organization by a written agreement or letter of award requiring payment from the grant amount are obligated.

Private non-profit organization means a secular or religious organization described in section 501(C) of the Internal Revenue Code of 1988 which:

1. is exempt from taxation under subtitle A of the Code;
2. has an accounting system and a voluntary board;
3. practices non-discrimination in the provision of assistance; and
4. is a participating member in good standing in their local Continuum of Care.

Rehabilitation means labor, materials, tools, and other costs of improving buildings, including repair directed toward an accumulation of deferred maintenance; replacement of principal fixtures and components of existing buildings; installation of security devices; and improvement through alterations or incidental additions to, or enhancement of existing buildings, including improvements to increase the efficient use of energy in buildings, and structural changes necessary to make the structure accessible for persons with physical handicaps. Rehabilitation also includes the conversion of a building to an emergency shelter for the homeless under this part, where the cost of conversion and any rehabilitation costs do not exceed 75% of the value of the building before conversion. Rehabilitation assisted under this part must meet local government safety and sanitation standards under 576.75 of 24 CFR Part 576. In addition, for projects of 15 or more units where rehabilitation costs are 75% or more of the replacement cost of the building, that project must meet the accessibility requirements of section 504 of the Rehabilitation Act of 1973, as amended, as set forth in 24 CFR 8.23(a); or where rehabilitation costs are less than 75% of the replacement cost of the building, that project must meet the requirements of 24 CFR 8.23(b).

Renovation means rehabilitation that involves costs of 75% or less of the value of the building before rehabilitation. Renovations assisted under this part must meet local government safety and sanitation standards under 576.75 of 24 CFR part 576. In addition, for projects of 15 or more units where rehabilitation costs are 75% or more of the

replacement cost of the building, that project must meet the requirements of 24 CFR 89.23(b).

Unit of general local government means any city, county, town, township, parish, village, or other general purpose political subdivision of a state.

Value of the building means the monetary value assigned to a building by an independent real estate appraiser, or as otherwise reasonably established by the grantee or the state recipient.

J. Match

Each subgrantee must supplement its emergency shelter grant amounts with 100% match from sources other than this grant. This match must be provided after the date of the grant award. This match may be calculated as follows:

1. The value of any donated material or building.
2. The value of any lease on a building.
3. The salary paid to staff of the grantee in carrying out the emergency shelter program.
4. The time and services contributed by volunteers to carry out the ESGP, determined at the rate of \$5.00 per hour. For the purposes of this section, the subgrantee will determine the value of any donated material, or any lease, using any methods reasonably calculated to establish a fair market value. Any subgrantee not able to meet the Match Requirement due to hardship may request a Waiver of Match, which will be taken under consideration.

K. Audit

1. Audit Requirements

Audit requirements are explained in the Department of Human Services Audit Guidelines, which have been made available to all ESGP subgrantees. The Guidelines dated January 10, 1992 (gray cover) apply to audits of fiscal years

ending prior to December 31, 1998. The Guidelines dated December 15, 1998 (green cover) apply to audits of fiscal years ending December 31, 1998 and thereafter.

2. Any subgrantee receiving grants in amounts less than indicated in the applicable DHS Audit Guidelines will be subject to a close out report in lieu of an audit. The close out report is due 90 days after the completion date of the subgrantee's ESGP program year.

3. Copies of Audits/Closeout Reports

All audits and closeout reports are to be submitted to the Department of Human Services, Office of Chief Counsel/Audit Section, Post Office Box 1437/Slot S270, Little Rock, Arkansas 72203 with a complimentary copy sent to the Office of Community Services.

L. Required Use of Building as a Shelter

1. In the case of major rehabilitation involving cost of 75% or more of the value of the building, there is a statutory mandated time period of 10 years use of building.

2. Minor renovation involving cost of less than 75% of the value of the building or the leasing of a commercial facility triggers a three-year use requirement.

a. Recipients using ESGP funds to provide essential services, or maintenance and operating costs, must carry out the assisted activities for a period of one year.

b. The shelter operator or service provider may use one or more sites or structures to carry out its activities but must serve the same general population.

3. If the recipient receives ESGP funds for homeless prevention only, the use requirement continues until the funds are expended, or for such additional time as the parties may agree.

M. Environmental Review

Section 482 of the 1988 McKinney Act revised the environmental review procedures for assistance and projects under Title IV of the McKinney Act by making applicable the provision of, and regulations and procedures under, section 104(g) of the Housing and Community Development Act of 1974 (HUD Act of 1974).

No funds for project costs can be released until these environmental requirements have been met. Upon accepting an ESGP award, the State assumes responsibility for this process. Environmental review procedures may begin upon notification of grant award.

N. Building Standards

Any building for which ESGP funds are used for renovation, conversion, or major rehabilitation, must meet local government safety and sanitation standards.

O. Assistance to the Homeless

Homeless individuals and families must be given assistance in obtaining:

1. Appropriate supportive services, including permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; and
2. Other federal, state, local and private assistance available for such individuals.

P. Other Federal Requirements

1. **Nondiscrimination and Equal Opportunity**

- a. The requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR part 100; Executive Order 11063 and implementing regulations at 24 CFR part 107; and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) and implementing regulations issued at 24 CFR part 1;

- b. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR part 146 and the prohibitions against discrimination against otherwise qualified individuals with handicaps under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8. For purposes of the Emergency Shelter Grants Program, the term "dwelling units" in 24 CFR Part 8 shall include sleeping accommodations.
- c. The requirements of Executive Order 11246 and the regulations issued under the Order at 41 CFR chapter 60;
- d. The requirements of section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (see 570.607(b) of this chapter);
- e. The requirements of Executive Orders 11625, 12432 and 12138. Consistent with HUD's responsibilities under these Orders, the grantee must make efforts to encourage the use of minority and women's business enterprises in connection with activities funded under this part; and
- f. The requirement that the subgrantee makes known that use of the facilities and services is available to all on a nondiscriminatory basis. Where the procedures that a subgrantee intends to make known the availability of such facilities and services are unlikely to reach persons with handicaps or persons of any particular race, color, religion, sex, age or national origin within their service area who may qualify for them, the subgrantee must also adopt and implement procedures designed to make available to interested persons information concerning the existence and location of services and facilities that are accessible to persons with a handicap.

2. **Applicability of OMB Circulars**

The policies, guidelines and requirements of 24 CFR Part 85 (codified pursuant to OMB Circular No. A-102) and OMB Circular No. A-87, as they relate to the acceptance and use of emergency shelter grants amounts by states and units of general local government, and Nos. A-110 and A-133 as they relate to the acceptance and use of emergency shelter grants amounts by private nonprofit organizations.

3. **Lead-based paint**

The requirements of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 48-21-4846) and implementing regulations at 24 CFR 35. In addition, the subgrantee must also meet the following requirements relating to inspection and abatement of defective lead-based paint surfaces:

- a. Treatment of defective paint surfaces must be performed before final inspection and approval of the renovation, rehabilitation or conversion activity under this part; and
- b. Appropriate action must be taken to protect shelter occupants from the hazards associated with lead-based paint abatement procedures.

4. **Conflicts of interest**

In addition to the conflict of interest requirements in OMB Circulars A-102 and A-110, no person:

- a. (1) Who is an employee, agent, consultant, officer or elected or appointed official of the subgrantee, state recipient, or nonprofit recipient (or of any designated public agency) that receives emergency shelter grants amounts and (2) who exercises or has exercised any functions or responsibilities with respect to assisted activities, or

b. Who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a personal or financial 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 him or herself or for those with whom he or she has family or business ties, during his or her tenure, or for one year thereafter. HUD may grant an exception to this exclusion as provided in 570.611(d) and (e) of this chapter.

5. **Use of debarred, suspended or ineligible contractors**

The provision of 24 CFR part 24 relating to the employment, engagement of services, awarding of contracts, or funding of any contractors or subcontractors during any period of debarment, suspension or placement in ineligibility status is applicable to grantees and recipients under this part.

6. **Flood insurance**

No site proposed on which renovation, major rehabilitation, or conversion of a building is to be assisted under this part, other than by grant amounts allocated to states under 576.43 of 24 CFR part 576, may be located in an area that has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, unless

- a. The community in which the area is situated is participating in the National Flood Insurance Program and the regulations thereunder (44 CFR Parts 59 through 79) or
- b. Less than a year has passed since FEMA notification regarding such hazards; and
- c. The subgrantee will ensure that flood insurance on the structure is obtained in

compliance with section 102(a) of the Flood Disaster Production Act of 1973 (42 U.S.C. 4001 et seq.).

7. **Coastal barriers**

In accordance with the Coastal Barrier Resources Act, 16 U.S.C. 3501, no financial assistance under this part may be made available within the Coastal Barrier Resources System.

8. **Drug Free Workplace Act of 1988**

Each subgrantee is required to certify that it (and its recipients) will maintain a drug free workplace in accordance with requirements of 24 CFR Part 24, Subpart F.

9. **Intergovernmental review**

The requirements of Executive Order 12372 and the regulations issued under the order at 24 CFR part 52, to the extent provided by Federal Register notice in accordance with 24 CFR 52.3.

10. **Relocation and acquisition**

- a. Minimizing displacement - Consistent with the other goals and objectives of this part, subgrantees must assure they have taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations and farms) as a result of a project assisted under this part.
- b. Relocation assistance for displaced persons - A displaced person (defined in paragraph (f)(1) of this section) must be provided relocation assistance at the levels described in and in accordance with 49 CFR Part 24, which contains the government-wide regulations implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 46-1-4655).

- c. Real property acquisition requirements - Acquisition of real property for a project is subject to the URA and the requirements described in 49 CFR Part 24, subpart B.
- d. Responsibility of subgrantees - Each subgrantee must assure it will comply with the URA, the regulations at 49 CFR Part 24, and the requirements of this section. The cost of assistance required by this section may be paid from local public funds, funds provided in accordance with this part, or funds available from other sources.
- e. Appeals - A person who disagrees with the subgrantee's determination concerning a payment or other assistance required by this section may file a written appeal of that determination with the state subgrantee or recipient. The appeal procedures to be followed are described in 49 CFR 24.10.
- f. Definition - Displaced person
- (1) The term, "displaced person" means a person (family, individual, business, nonprofit organization, or farm) that moves from real property, or moves personal property from real property, permanently and involuntarily, as a direct result of acquisition, rehabilitation, or demolition for a project assisted under this part. Permanent, involuntary moves for an assisted project include:
- A permanent move from the real property (building or complex) following notice by the subgrantee, or property owner to move permanently from the property, if the move occurs on or after the date the subgrantee submits an application for assistance that is later approved and funded:
 - A permanent move from the real property that occurs before the submission of

the application, if the state subgrantee determines the displacement resulted directly from acquisition, rehabilitation, or demolition for the project, or

- A permanent move from the real property by a tenant-occupant of a dwelling unit that occurs after the execution of the agreement between the state and subgrantee if: 1) the tenant has not been provided a reasonable opportunity to lease and occupy a suitable, decent, safe and sanitary dwelling in the same building/complex following the completion of the project at a rent, including estimated average utility costs, that does not exceed the greater of the tenant's rent and estimated average utility costs before the initiation of negotiations, or 30 percent of gross household income; or 2) the tenant has been required to relocate temporarily but the tenant is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation or other conditions of the temporary relocation are not reasonable, and the tenant does not return to the building/ complex; or 3) the tenant is required to move to another unit in the same building/complex but is not offered reimbursement for all reasonable out-of-pocket expenses incurred with the move.

(2) A person does not qualify as a "displaced person" if:

- The person has been evicted for cause based upon a serious or repeated violation of material terms of the lease or occupancy agreement and HUD determines the eviction was not undertaken for the purpose of evading

the obligation to provide relocation assistance;

- The person moved into the property after the submission of the application and, before commencing occupancy, received written notice of the expected displacement.
 - The person is ineligible under 49 CFR 24.2(g)(2); or
 - HUD determines the person was not displaced as a direct result of acquisition, rehabilitation, or demolition for the project.
- (3) The subgrantee may, at any time, request a HUD determination of whether a displacement is or would be covered under this section.
- (4) Initiation of negotiations. For purposes of determining the type of replacement housing payment to be made to a residential tenant displaced as a direct result of privately undertaken rehabilitation, demolition, or acquisition of the real property, the term "initiation of negotiations" means the execution of the agreement between the subgrantee and the state.

Q. Responsibility for Grant Administration

Subgrantees are responsible for ensuring that ESGP funds are administered in accordance with the requirements of the Emergency Shelter Grants Program Policy and Terms, 24 CFR part 576 and other applicable laws.

R. Method of Payment

Payments are made to a subgrantee based upon an expenditure and accrual funds request after the grant agreement has been fully executed. A subgrantee must not have over a 3-day supply of funds on hand at any given time.

S. Recordkeeping

Each subgrantee must ensure records are maintained for a three-year period to document compliance with the provisions of the Emergency Shelter Grants Policy and Terms.

T. Sanctions

If a state determines a subgrantee is not complying with the requirements of the Emergency Shelter Grants Policy and Terms or other applicable state and federal laws, the state will take appropriate actions, such as:

1. Issue a warning letter that further failure to comply with such requirements will result in a more serious sanction;
2. Condition a future grant;
3. Direct the subgrantee to stop the incurring of costs with grant funds;
4. Require that some or all of the grant funds be remitted to HUD.
5. Reduce the level of funds the subgrantee would otherwise be entitled to receive; or
6. Elect not to provide future grant funds to the subgrantee until appropriate actions are taken to ensure compliance.

Any ESGP funds that become available to a state as a result of a sanction under this section will, at the option of the state, be made available (as soon as practicable) to other nonprofit organizations or units of general local

government located in the state for use within the time periods specified in 578.55(a)(2) of 24 CFR 576.

U. Reallocations

Any ESGP funds that become available to HUD as a result of the imposition of a sanction under this section will be reallocated under 576.67(d) of 24 CFR 576.