



Notice of Funding Availability

Community Development Block Grant Funding to Provide Fair Housing Public Services

**Release Date: May 25, 2022
Due Date: June 22, 2022**

Community Services Division
Auburn City Hall
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Auburn, WA 98001
253-288-3168

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CDBG Application available on the City of Auburn website at:
www.auburnwa.gov/bids

Notice of Funding Availability

The City of Auburn Community Services Division is requesting proposals from qualified agencies to provide fair housing public services utilizing Community Development Block Grant (CDBG) funds.

The City of Auburn has received federal grant funds under the CDBG program since 1988. This program is administered by the U.S. Department of Housing and Urban Development (HUD). The City is a Participating Jurisdiction within the King County Consortium. As such, the City has entitlement status and participates in the Consortium for the use of HOME Investment Partnership Program. As recipients of CDBG funds, King County and the City are required to take steps to affirmatively further fair housing within their jurisdictions as part of the obligation they assume when they accept these funds. As part of these efforts, the City, in partnership with King County, completed a comprehensive Analysis of Impediments to Fair Housing Choice (AI) in 2019, the purpose of which is to serve as the substantive, logical basis for fair housing planning; provide essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and to assist in building public support for fair housing efforts. The County's AI, which includes the Fair Housing Action Plan, is available for review at the City of Auburn's website:

The Auburn City Council adopted Resolution 5628 on November 15, 2021, adopting the 2022 CDBG Annual Action Plan. Within that plan was an allocation for Fair Housing Public Services, to be made available via an application process in 2022. The City seeks to provide fair housing public services in order to ensure that all persons within the City of Auburn have equitable access to housing and opportunity. This project will be required to be operated in compliance with all pertinent federal regulations, including but not limited to 24 CFR Part 570 and OMB Uniform Guidance, 2 CFR Part 200.

Total funding available in this round is \$30,000.

This Notice of Funding Availability (NOFA) covers July 1, 2022 and ends December 31, 2022. Most services must be concluded by December 31, 2022. If an applicant would like to propose a project that goes beyond December 31, 2022, please discuss with staff during the Project Eligibility Review.

*Contingency projects will be identified and may be funded if additional funds become available.

Submission Guidelines

For funding consideration, all proposed projects must meet the CDBG Eligibility Requirements found in this NOFA. Respondents to this NOFA must complete the CDBG application available at: www.auburnwa.gov/bids. Applications are also available in

alternative formats by contacting the City of Auburn Community Services Division at (253) 288-3168. For a fillable word version of the application, please contact Joy Scott at jfscott@auburnwa.gov or Kyla Wright at kwright@auburnwa.gov.

If funding is sought for more than one project, submit one application per project.

One electronic copy must be provided by email. Additional requirements and the application checklist are included in the Application. Please refer to the checklist for details on what should be included and what will be required if the project is recommended for funding.

Technical Assistance

Due to COVID-19, no in-person technical workshop will be held. Technical assistance is available via email and/or phone and includes answering questions about CDBG regulations; application requirements; discussing the proposed project's compliance with program regulations; and eligibility for funding.

Please contact Joy Scott at jfscott@auburnwa.gov or 253-876-1965 for technical assistance. Kyla Wright at kwright@auburnwa.gov or 253-931-3096 is also available to provide technical assistance. Staff is available until June 21, 2022 at 4 pm to any agency wishing to submit an application.

Required Project Eligibility Review

All potential applicants are required to have a conversation with staff prior to submitting. The meeting and/or conversation must take place by 4 p.m. on Tuesday, June 21, 2022. Staff will work with applicants to determine eligibility.

Submission Deadline

All applications must be received in the City of Auburn Community Development Department by 5:00 p.m. on Wednesday, June 22, 2022.

Applications must be submitted to Joy Scott at jfscott@auburnwa.gov. Email subjects and files names must clearly be titled with the organization name, project name, and CDBG NOFA.

This requirement is firm as to place, date, and time. Attach only the required documentation. Any additional information not requested will be disposed of and not considered.

Applications that are submitted after the deadline will be rejected. Applications that are incomplete, or exceed the stated page limits, or have content errors or deficiencies may be

rejected. Any modifications and/or changes made to the format of the application will result in the rejection of your application. Once submitted, proposals may not be amended unless the amendment has been requested by the City. The City reserves the right to contact an applicant if additional information is required. The City, at its sole and absolute discretion, with or without cause, and without liability to any applicant, reserves the right to accept or reject any and/or all proposals either in whole or in part, waive any informalities or irregularities of any proposals, cancel this NOFA at any time, and/or take any action in the best interest of the City.

Application Review and Decision Process

Awards are contingent on project eligibility, satisfaction of evaluation criteria, and funding availability, as well as Federal, state, and local statutes, regulations, policies, and contract requirements.

Step 1 Community Services Division staff will perform a technical review of applications and prepare a technical summary and analysis for staff review panel.

Step 2 Staff review panel: a committee of City personnel will evaluate and rate the proposals (see evaluation criteria below)

Step 3 Final Decisions. Staff will notify all applicants of final decisions, including any funding awards.

Application Timeline

Wednesday, May 25, 2022	NOFA is released and application is available
Tuesday, June 21, 2022	Project eligibility review required to be completed with staff by 4 p.m.
May 25 – June 21, 2022	City staff available to provide technical assistance. Contact Joy Scott at 253-876-1965 or jfscott@auburnwa.gov or Kyla Wright at 253-931-3096 or kwright@auburnwa.gov
Wednesday, June 22, 2022	Application due no later than 5:00 p.m. by email to Kyla Wright at kwright@auburnwa.gov
June 23 – June 29, 2022	Staff review of all project applications submitted
June 30, 2022*	Applicants are notified of funding decisions
July 1, 2022	Anticipated Contract start date

*Subject to change

It is the intention of the City of Auburn to comply with the Americans with Disabilities Act (ADA). To request special assistance at a City meeting if we are able to meet in person, please contact Joy Scott at 253-876-1965 or jfscott@auburnwa.gov.

Evaluation Criteria

Section 1: General Requirements (Eligible for Review)

The application meets all requirements of the NOFA, including but not limited to:

- Proposed Project is eligible under CDBG regulations (24 CFR 570)
- Provided complete responses throughout the application
- Completed the required, Project Eligibility Review
- Application package is complete, includes all required attachments, and was submitted on time

Section 2: Applicant Capacity (30 points)

The application demonstrates sufficient organizational capacity to implement the project. The following factors, at a minimum, shall be considered:

- If previously funded with CDBG, the applicant has a successful record of performance
- The applicant demonstrates successful previous experience implementing and managing federally funded projects of similar scope, size, and complexity
- The applicant has a track record of successfully implementing projects requiring compliance with local, state and federal standards

Section 3: Project Scope (50 total points)

The application demonstrates how the proposed project will address a specific community need and establishes a clear timeline for completion and measurable outcomes.

- The scope of the project is clearly defined
- Project is clearly addressing community needs related to Fair Housing
- Project is culturally relevant and appropriate to the proposed target population,
- Target population expected to benefit from the project
- Estimates on the number of unduplicated households or individuals the project will serve
- Income characteristics of the households or individuals the project will serve
- Other characteristics of the individuals the project will serve, such as special needs
- Project meets and qualifies under a CDBG National Objective
- Project meaningfully contributes to achieving an unmet need in the City of Auburn
- Applicant establishes community need addressed by the proposed project
- The project's objectives and outcomes are realistic, measurable, and specifically address a population eligible to benefit from the investment of CDBG funds
- Applicant has plan to document relation to the City of Auburn's Analysis of Impediments to Fair Housing Choice

Section 4: Financial Feasibility (20 points)

The application clearly demonstrates that:

- The project is ready with minimal lead time and will be completed within 2022 (or within a reasonable period approved by staff)

- The project budget is complete and provides sufficient information to conclude that the sources and uses of funds are reasonable and appropriate
- Other funding sources needed to complete the project are either secured or are committed and will be available for the project

Total Points Possible: 100

General Subrecipient Requirements

If selected and awarded funding, your agency will be required to enter into a Subrecipient Agreement with the City of Auburn outlining terms and conditions of funding for your agency and the City. The Subrecipient Agreement is a legally binding contract and failure to adhere to its terms and conditions can result in the termination and required repayment of the funding award.

All applicants should be familiar with the CDBG regulations relating to program income, asset use, and reversion. Applicants planning to acquire property should provide appraisal documentation and a copy of the purchase and sale agreement. Evidence of site control may also be required of funding recipients, depending on the type of activity.

If your agency is awarded funding, all of the documents identified in the Application Checklist and the following documentation will be required prior to the execution of your Subrecipient Agreement:

Scope of Service: This provides an overview of the project as described in the application, goals and objectives, and specific services (e.g., working hours, location of services, number of clients to be served) achievable based on the funding level approved by the City Council.

Project Budget and Budget Narrative: The budget lists the general uses of funds approved by the City Council. The narrative describes in detail how the funds will be used to support the project. Please note that funding is disbursed on a reimbursement basis.

Schedule of Performance: This schedule outlines the major milestones through project completion.

Cultural Competence: The development of viable urban communities through the provision of decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low- and moderate-income, will be more effective when providers recognize and address the unique culture, language, and social literacy of diverse consumers and communities. All agencies that contract with the City of Auburn must demonstrate how strategies are used to ensure staff, at all levels, receives ongoing education and training in culturally and linguistically appropriate service delivery.

Additional Subrecipient Requirements

Readiness: Projects must display evidence of readiness to proceed. All funds must be in place and all land use requirements met prior to submission of application. Applicants must demonstrate that CDBG funds will be fully spent within the program year.

Indemnification: Agencies approved for funding must agree to defend, indemnify, and hold harmless the City, its officers, agents, and employees from and against all liability, claims, demand, losses, and expenses, including attorney's fees, original and on appeal, arising out of, or related in any way to the performance of the agreement.

Insurance: Agencies approved for funding will be required to obtain the following insurance coverage, each of which shall contain a provision that forbids any cancellation, changes or material alterations without prior notice to the City at least 30 days in advance. The insurance coverage shall be evidenced by an original certificate of insurance provided to the City prior to the execution of the Subrecipient Agreement. The required insurance is as follows:

- a. Commercial General Liability: \$2,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage and \$2,000,000 in the Aggregate.
- b. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
- c. Professional Liability, Errors & Omissions: \$2,000,000, Per Claim and in the Aggregate.
- d. Workers Compensation: Statutory requirements for Washington State.
- e. Stop Gap or Employers Liability Coverage: \$1,000,000.

Licenses: Agencies approved for funding will be required to obtain a City of Auburn business license.

Project Monitoring: Agencies approved for funding will be required to maintain and submit adequate information necessary to ensure program accountability and progress in accordance with the terms and conditions of the Subrecipient Agreement.

Fair Housing, Nondiscrimination, and Equal Opportunity: The City of Auburn, in accordance with federal and state law and City policy, prohibits discrimination on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition, ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. Agencies awarded funding will be required to comply with all applicable fair housing, nondiscrimination, and equal opportunity requirements.

Notification: All applicants will be notified of funding determinations. Receipt of an award letter is not a Notice to Proceed and does not guarantee funding. Neither CDBG funds nor other funds may be obligated until an environmental review has been prepared by City staff and approved by HUD and the Subrecipient Agreement is signed by all parties. For capital projects, if any work has already begun, stop work and contact City staff. Please be aware that past funding does not guarantee future funding or funding at the same level.

Compliance with Applicable Laws, Rules, and Regulations: Agencies that are awarded funding must act in accordance with all applicable federal, State of Washington, and City of Auburn laws, rules, and regulations. Applicants are strongly encouraged to be familiar with these requirements prior to submitting a funding request. These include, but are not limited to, the following:

- **24 CFR Part 570, as amended** – The regulations governing the CDBG program.
- **24 CFR Part 1 and 6, Public Law 90-284, Fair Housing Act** – The regulations issued following Title VI of the 1964 Civil Rights Act and Section 109 of the 1975 Housing and Community Development Act that prohibits discrimination in HUD programs based on sex, race, color, national origin, and religion and requires all programs and activities to be administered in a manner to affirmatively further the policies of the Fair Housing Act.
- **24 CFR Part 107 and 108** – The regulations issued following Executive Order 11063 and Executive Order 12892 which prohibit discrimination and promote equal opportunity in housing.
- **Section 504 of the Rehabilitation Act of 1973, 24 CFR Part 40 and 41** – The regulations that set forth policies and procedures for the enforcement of standards and requirements for disabled accessibility. The Architectural Barriers Act of 1968 and the Americans with Disabilities Act provide additional laws on accessibility and civil rights of individuals with disabilities.
- **Age Discrimination Act of 1975 (42 U.S.C. 6101)** – The regulations that prohibit discrimination on the basis of age.
- **29 CFR Parts 3 and 5** – The regulations on labor standard provisions that include the payment of prevailing wages on federally assisted projects as mandated by the Davis-Bacon Act and Contract Work Hours and Safety Standards Act. 24 CFR Part 70 provides information on the use of volunteers.
- **Copeland “Anti-Kickback” Act (18 U.S.C. 874 and 40 U.S.C. 276c)** – The regulations on contracts for construction or repair awarded by subrecipients shall include a provision for compliance.
- **24 CFR Part 58** – The regulations prescribing the Environmental Review procedure under the National Environmental Policy Act of 1969.
- **National Flood Insurance Act of 1968, 24 CFR Part 55 under Executive Order 11988** – The regulations for proposed projects and properties located in a floodplain.

- **36 CFR Part 800** – The regulations outlining the procedures for the protection of historic and cultural properties.
- **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** – the policies for displacement, relocation assistance, and real property acquisition as defined by 42 U.S.C. 4601 (URA) and implementing regulations issued by the Department of Transportation at 49 CFR part 24 and section 104(d) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(d)).
- **24 CFR Part 7 and 41 CFR Part 60** – The regulations outlining equal employment opportunity without regard to race, sex, color, religion, age, national origin, and disability in federally assisted construction contracts.
- **24 CFR 135** – Regulations outlining requirements of Section 3 of the Housing and Urban Development Act of 1968 providing for economic opportunities for low- and very low-income local residents. All projects must, to the greatest extent feasible, provide opportunities for training and employment for low- and moderate-income persons residing within the City of Auburn, and contracts or work in connection with the project be awarded to eligible business concerns which are located in or owned in substantial part by persons residing in the City of Auburn.
- **Residential Lead Based Paint Hazard Reduction Act of 1992** – The regulations implemented by 24 CFR Part 35, Subpart B imposes certain requirements on disclosure of lead based paint hazards.
- **24 CFR Part 24** – The regulations that prohibit use of debarred or suspended contractors on federally assisted projects and Drug Free Workplace requirements, issued according to Executive Order 12459.
- **2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** – These regulations include requirements for procurement, contracting, cost principles, and audit requirements including the Single Audit required for organizations expending \$750,000 or more derived from Federal Awards during the organization’s fiscal year. This Part replaces former requirements found at 24 CFR Part 84, 24 CFR Part 85, OMB Circular A-87, OMB Circular A-122 and OMB Circular A-133.
- **24 CFR Part 49** – The regulations on eligibility restrictions for resident aliens.
- **24 CFR Part 87 and Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)** – The regulations for restrictions on lobbying and required certifications.
- **Executive Order 13170** – The regulations on increasing opportunities and access for Disadvantaged Businesses.

- **HUD Requirements** – All other applicable required reports, OMB Circulars, and procedures.
- **Clean Air Act (42 U.S.C. 7401) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)** – The regulations that require compliance with all applicable standards, orders, or regulations issued following the rule.

The Code of Federal Regulations (CFR) and Executive Orders may be found at: CFR:

www.ecfr.gov

Executive Orders: www.archives.gov/federal-register/index.html

Eligible Applicants

1. Applicants must be incorporated public, nonprofit, or for-profit agencies able to implement the approved project serving residents of Auburn and must have an active Unique Identity ID number.
2. Applicants must have experience managing Federal Community Development Block Grant (CDBG) or Community Services Block Grant (CSBG) funds, with preference given to those agencies that have experience with CDBG funds in particular.
3. Applicants must demonstrate the financial management and programmatic expertise to successfully develop, design, implement, and monitor the proposed project. This expertise can be demonstrated through previous experience in successfully developing projects similar to the one proposed, either by partners or key agency staff.
4. Applicants must be able to meet all federal, State of Washington, and City of Auburn requirements relative to the CDBG program, specifically those concerning equal opportunity and fair housing, affirmative marketing, environmental review, displacement, relocation, acquisition, labor, lead-based paint, conflict of interest, debarment and suspension, and flood insurance. Pertinent requirements are noted in General Subrecipient Requirements. All applicants should be aware that if funded, additional requirements will apply.
5. Applicants must be able to report on their progress in addressing the impediments identified in the current effective Analysis of Impediments to Fair Housing Choice, available at https://auburnwa.gov/city_hall/community_services/CDBG.

Eligible CDBG Activities

The City of Auburn is interested in receiving proposals for the following type of projects, which must document relevance to Fair Housing and must not supplant any existing Auburn City funding.

- **Community Education, Outreach and Engagement**: Conduct community education and outreach through a variety of methods to increase community awareness of the laws and issues surrounding fair housing.
- **Respond to Inquiries**: Provide responses to all inquiries regarding illegal housing discrimination based on race, sex, national origin, marital status, familial status, physical and mental disability, religion, and all other arbitrary forms of discrimination as defined in state and federal laws and local ordinances.
- **Fair Housing Testing**: Conduct testing of multifamily housing complexes to evaluate compliance with State and Federal fair housing law regarding protected classes. Provide education and counseling to property managers to achieve compliance.

CDBG funds under this RFP may be used only for services to persons, at least 51% of whom are low- and moderate-income, who reside in the City of Auburn.

Ineligible Activities

Pursuant to 24 CFR 570.207, the following activities are not eligible:

1. Funds spent on buildings used for the general conduct of government, except to remove architectural barriers to the mobility or accessibility of elderly persons or of adults meeting the Bureau of the Census Current Population Report definition of "severely disabled."
2. General government expenses.
3. Political activities.
4. *Purchase of equipment (e.g., vehicles, computers, machines, furniture).
5. *Purchase of furnishings and personal property.
6. New housing construction (certain costs in support of affordable housing development are allowed).
7. Maintenance and operating expenses, unless necessary for providing an eligible service.

8. *Income payments, such as housing allowances, down payments, and mortgage subsidies, except emergency grant payments made over a period of up to three consecutive months to the provider of such items or services on behalf of an individual or family.

*Under certain circumstances these kinds of activities may be eligible for CDBG funds. Please contact city staff to discuss your proposal.