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Application Guidelines

Homeownership Production Program

Affordable Housing Construction Program

State of Nebraska CDBG-DR Program

May 2023 | Version 1.0

RECORD OF CHANGES

Application Guidelines – AHCP – Homeownership Production Program

The table summarizes changes by version. This identifier is also located on the cover page of this document.

| Version | Date | Description of Change |
|---------|------|-----------------------|
| 1.0 | TBD | Initial draft. |
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TABLE OF CONTENTS

| | |
|--|-----------|
| OVERVIEW AND TIMELINE | 4 |
| CHAPTER 1. HPP PROGRAM REQUIREMENTS | 5 |
| A. ELIGIBLE APPLICANTS:..... | 5 |
| B. ELIGIBLE ACTIVITY LOCATION..... | 6 |
| C. ELIGIBLE ACTIVITIES | 6 |
| D. AWARD LIMITS..... | 6 |
| E. KEY FEDERAL REQUIREMENTS | 8 |
| F. REPORTING | 8 |
| G. LETTER OF INTENT | 8 |
| CHAPTER 2. SCORING AND SELECTION | 9 |
| A. THRESHOLD REQUIREMENTS | 9 |
| B. COMPETITIVE SELECTION CRITERIA..... | 10 |
| C. TIERING CRITERIA..... | 10 |
| D. INITIAL REVIEW AND PRELIMINARY AWARDS | 11 |
| E. CONTRACTING/COMMITMENT PROCESS..... | 11 |
| CHAPTER 3. HPP APPLICATION | 11 |
| A. REQUIRED LETTER OF INTENT | 11 |
| B. REQUIRED DOCUMENTATION FOR SUBMISSION | 12 |
| C. SUBMISSION INSTRUCTIONS..... | 12 |
| D. APPLICATION INSTRUCTIONS, FORMS, & BEST PRACTICES | 13 |
| TEMPLATES & EXHIBITS | 17 |

OVERVIEW AND TIMELINE

This is a companion document; it does **not** replace the Affordable Housing Construction Program – Homeownership Production Program Guide. The purpose of this document is to assist prospective Applicants in understanding the detailed application process and timeline, including what to expect when entering the AmpliFund Application Portal and submitting their application. DED reserves the authority to revise the guidance in this document subsequent to its publication. timeline below

| Homeownership Production Program (HPP) Timeline | | | |
|---|---|--|------------------------|
| Date | Event/Action | Location | Responsible Party(ies) |
| Thursday, May 11, 2023 | Application Information Session at 9:00AM CST/8:00 AM MST | WebEx https://sonvideo.webex.com/weblink/register/r7ccb64fb6b69617133604468ddd7797d | NDED |
| Friday, May 11, 2023 | Application Portal opens at 12:00PM CST/11:00 AM MST | Application Portal https://opportunity.nebraska.gov/programs/community/cdbg-dr/ | NDED |
| Friday, May 26, 2023 | Required Letter of Intent must be received by 5PM CST/4PM MST | Email completed LOI to: christina.zink@nebraska.gov | Applicant |
| Thursday, June 1, 2023 | Office Hour at 9:00AM CST/8:00 AM MSTs | Available via email notification | NDED |
| Thursday, June 15, 2023 | Application Closes at 5PM CST/4PM MST | Completed in AmpliFund https://opportunity.nebraska.gov/cdbg-dr | Applicant |
| Monday, July 17, 2023 | Notification of Intent to Award* | Issued via email | NDED |

**In the event the HPP funds are not all awarded in the 2023 application cycle, DED will initiate a second application cycle. Similarly, in the event DED increases the funds*

allocated to AHCP, DED may re-consider acceptable applicants not previously selected for funding without re-opening the Program.

| Submission Summary | |
|---|---|
| Letter of Intent | Full Application |
| <p>Submit via email to:</p> <p>Christina Zink, Housing Program Manager, Disaster Recovery, at christina.zink@nebraska.gov</p> <p>Due: Friday, May 26, 2023 at 5PM CST/4PM MST</p> | <p>The full application must be completed in AmpliFund. Full application can be found here:</p> <p>https://opportunity.nebraska.gov/cdbg-dr</p> <p>Due: Thursday, June 15, 2023 at 5PM CST/4PM MST</p> |

CHAPTER 1. HPP PROGRAM REQUIREMENTS

The Homeownership Production Program (HPP) is being implemented to support recovery from the 2019 floods using funds from a Community Development Block Grant - Disaster Recovery (CDBG-DR) grant received from the U.S. Department of Housing and Urban Development (HUD). HPP is available within the counties defined by HUD as the “most impacted and distressed” (MID), which include Dodge, Douglas, and Sarpy counties. Goals of the HPP are to:

- Increase opportunities for owner-occupied, affordable housing in flood-impacted areas;
- Increase community resiliency in the face of future natural disasters; and
- Prioritization of disaster survivors and vulnerable populations.

NOTE: The following subsections of this chapter are guidelines and requirements as found in the Action Plan and HPP Program Guide included here for ease of reference. The CDBG-DR Action Plan and the HPP Program Guide can be found here: <https://opportunity.nebraska.gov/hud-requirements/>.

A. ELIGIBLE APPLICANTS:

HPP is open to two (2) types of Applicants:

- Non-profit organizations (with tax exemption under either 501(c)(3) or 501(c)(4) of the Internal Revenue Code). Nonprofits will be designated as “Successful Applicants” within the context of their funding agreement(s) with DED. For this program, Developers will be considered Successful Applicants.
- Units of local government (e.g., counties, cities, or villages). Pursuant to CDBG regulations, local units of government are designated as “Subrecipients.

For more information, see HPP Program Guide, Section 4.1.1

B. ELIGIBLE ACTIVITY LOCATION

The Affordable Housing Construction Program, including HPP, is limited to projects located in the MID counties of Dodge, Douglas, and Sarpy. In addition, specific sites must not be located within the 100-year flood plain and must not have characteristics that pose environmental risks (**see HPP Program Guide, Section 5.2.1: Environmental Review**).

In keeping with DED's affirmative fair housing obligations and sound real estate investment principals, sites should provide reasonable access to retail (e.g., grocery, pharmacy, general retail, etc.), educational opportunities, medical services, recreational amenities, job centers, transit, and public/governmental services. Sites should not be unduly impacted by incompatible nearby uses such as industrial facilities, hubs for commercial truck traffic, landfills, adult entertainment establishments, or similar land uses.

C. ELIGIBLE ACTIVITIES

HPP financing may be used to address three types of funding gaps common in the production of affordable homeownership units:

- **Appraisal gap:** It is common for the cost of building a home to exceed its appraised value. This difference is often referred to as the “appraisal gap.” Without a development subsidy to address the appraisal gap, units cannot be produced.
- **Affordability gap:** Even if subsidies are identified to cover the appraisal gap, the appraised value of the home usually exceeds the purchasing power of low- and moderate-income households. There is an “affordability gap” – in other words, the targeted buyers cannot afford to purchase the home outright, but need help with closing costs, prepaid expenses, and reducing their first mortgage to an affordable level. This is commonly provided in the form of second mortgage assistance to eligible buyers.
- **Financing gap:** Even when appraisal and affordability gap subsidies can be identified, developers of affordable homeownership projects often cannot obtain enough interim or construction financing from private sources to fund the development of the home until sale to the end buyer. There is a “financing gap.”

HPP funding from DED can address all three of these funding gaps. (**For more information, see HPP Program Guide, Section 4.1.3 Eligible Activities**).

D. AWARD LIMITS

The maximum award is up to \$2,000,000. Consistent with the Action Plan, awards are subject to the following additional restrictions:

- Not to exceed \$150,000 per housing unit; and
- The \$150,000 award cap for each household includes all hard and soft construction costs.

These limits will apply even if DED elects to award funding to a given entity via smaller individual contracts (e.g., one [1] covering production in a given county, one [1] covering production in another). Additional limits on specific elements of total cost are included in the HPP Program Guide, Section 8.5: Eligible Costs below, and direct buyer assistance to a given household is limited to \$50,000, per Section 11.4.1: Maximum Assistance Available.

(Additional detail on eligible costs can be found in the HPP Program Guide, Section 7.4)

In the event DED increases the funds allocated to AHCP, DED may re-consider acceptable applications not previously selected for funding without re-opening the Program.

E. KEY FEDERAL REQUIREMENTS

Subrecipients and Successful Applicants will be monitored for compliance with Federal requirements set forth for CDBG-DR programs and as described in the ***CDBG-DR Manual, Chapter 16: Monitoring and Compliance Plan***. Key federal requirements include but not limited to:

- Environmental Review
- Relocation
- Labor Standards
- MBW/WBE
- Section 3
- Debarment/Suspension
- Property Standards
- Fair Housing and Equal Opportunity
- Affirmative Marketing
- Buyer Eligibility Requirements

F. REPORTING

DED establishes procedures for Applicants to collect and report data relevant to HUD. At the award and/or project level (as may be appropriate), DED requires Applicants to report on general award progress (e.g., individual sites acquired, house starts, construction completion, marketing activity, and the like). Additionally, Applicants are required to report on demographic information on all individual applicants/prospective buyers, including those not selected for benefits, including, but not limited to:

- Household income at the time of application/assistance;
- Household income as a percentage of AMI at the time of assistance, as defined by HUD;
- The race, ethnicity, and gender of the head of household;
- The household's familial status;
- The presence or non-presence of a household member with a disability; and
- The presence or non-presence of a household member who is a veteran.

G. LETTER OF INTENT

All HPP applicants are required to submit a Letter of Intent to allow DED to verify eligibility, provide technical assistance, allow sufficient time for application review and plan for scoring. Only full applications, submitted by eligible applicants that have submitted a Letter of Intent by

the due date, will be accepted. The Letter of Intent form can be found in **Part V: Exhibits**. **The Letter of Intent is a threshold requirement. Applications not preceded by a Letter of Intent, by Friday, May 26, 2023, will not be reviewed, scored, or eligible for award.**

CHAPTER 2. SCORING AND SELECTION

Applications meeting the threshold requirements will be reviewed, scored, and ranked. The highest scoring projects will be recommended for award in the order that they are ranked. DED reserves the right to fund or not fund applications based on the Director’s discretion.

A. THRESHOLD REQUIREMENTS

Failure of the application to meet all threshold requirements will result in the application not being reviewed, scored or eligible for award during the Application Cycle. Clarifying information may be requested of applicants during the threshold review.

| Threshold Requirements | |
|--|---|
| Letter of Intent submitted by the due date | <input type="checkbox"/> Yes/ <input type="checkbox"/> No |
| Project incorporates CDBG-DR mitigation and green building standards | <input type="checkbox"/> Yes/ <input type="checkbox"/> No |
| The project is NOT located in the floodway | <input type="checkbox"/> Yes/ <input type="checkbox"/> No |
| The project is NOT located in the 100-year floodplain | <input type="checkbox"/> Yes/ <input type="checkbox"/> No |
| Applicant has development experience, including staff and board expertise adhering to state and federal funding requirements | <input type="checkbox"/> Yes/ <input type="checkbox"/> No |

WARNING: Applicants must submit their Letter of Intent in accordance with the instructions.

B. COMPETITIVE SELECTION CRITERIA

The following Selection Criteria provides information for the review and scoring of each application. All applications received by the due date and meeting all threshold requirements will be reviewed and scored by DED according to the Selection Criteria. For details, see *Tiering Criteria* subsection.

| Criteria | | Points Possible |
|--|--|-----------------|
| Tiering Criteria* | Meets a National Objective: Benefitting LMI persons | 1 |
| | Located in a HUD-defined MID (Dodge, Douglas, and Sarpy counties) | 1 |
| Competitive Scoring | Project Readiness <ul style="list-style-type: none"> • Site control • Identified buyers • Identified HUD-approved Housing Counseling Agency | 3 |
| | Cost per Beneficiary (not to exceed \$50,000 per buyer) | 1 |
| | Cost Reasonableness | 5 |
| | Resource Coordination | 5 |
| | Support and addresses needs of PHA(s) | 1 |
| | Marketing Plan: (Prioritization of disaster survivors, prioritization of vulnerable populations, and ongoing outreach efforts) | 5 |
| Total Possible Points | | 22 |
| Minimum Points Possible for Award | | 13 |

C. TIERING CRITERIA

DED established a tiering criterion to facilitate selection of projects meetings overall CDBG-DR objectives and program priorities as outlined in Figure 5-3 of the CDBG-DR Action Plan, as amended.

Tier 1: Project will be implemented in a HUD-defined MID area AND meets the LMI National Objective

Tier 2: Project will be implemented in a HUD-defined MID area OR meetings the LMI National Objective

Tier 3: Project will NOT be implemented in a HUD-defined MID area and does NOT meet the LMI National Objective.

In addition to the tiering criteria, Tier 1 and Tier 2 projects must satisfactorily address the initial threshold and competitive scoring criteria. Tier 1 applications will be recommended for an award before Tier 2 applications are considered. Tier 3 applications will not be considered until the program has reviewed all Tier 1 and Tier 2 projects.

D. INITIAL REVIEW AND PRELIMINARY AWARDS

Following receipt of a HPP application, DED will conduct a review and analysis of the project(s) and developers(s) as presented in the application. Applications will be scored using the criteria identified in the HPP Program Guide, NOFO and Application Guidelines.

Projects seeking CDBG-DR funds prior to the receipt of all other funding commitments may be provided with non-binding Preliminary Awards. Further, Preliminary Awards will be contingent upon the (1) continued availability of CDBG-DR funds from HUD; (2) DED's receipt of the HUD AUGF following completion of the Environmental Review process (as applicable); (3) receipt of firm commitments for all other financing needed for the project; (4) final underwriting; and (5) other items noted in the Applicant's-specific Preliminary Award.

E. CONTRACTING/COMMITMENT PROCESS

Following issuance of a Preliminary Award, Successful Applicants will be assigned to a DED Project Manager who is responsible for shepherding projects within DED through final underwriting and toward formal commitment and closing (i.e., execution of binding legal agreements obligating CDBG-DR funding). Successful Applicants will be required to submit additional due diligence items and/or other documentation needed for final underwriting, demonstrating satisfaction of general or special conditions of the Preliminary Award, and standard pre-closing items including but not limited to:

- Title commitments
- Evidence of full zoning approvals
- Detailed project budget

CHAPTER 3. HPP APPLICATION

All Applicants for HPP must comply with the submission criteria set forth in the NOFO published by DED. In all cases, DED reserves the right to require the submission of additional information as needed to complete project underwriting prior to closing on the CDBG-DR loan (**see HPP Program Guide, Section 8: Underwriting and Subsidy Layering**). Submission of materials must be completed within AmpliFund, DED's grant management system.

A. REQUIRED LETTER OF INTENT

The Letter of Intent is **required**. Only applicants that submit a Letter of Intent by the Letter of Intent due date will have a full application reviewed. The Letter of Intent template is provided in **Part V: Exhibits**. Provide the information, complete the document on letterhead, and submit via

email to Christina Zink, Housing Program Manager, Disaster Recovery, christina.zink@nebraska.gov

B. REQUIRED DOCUMENTATION FOR SUBMISSION

This section contains all forms and exhibits required for submission but is for reference only. All forms and exhibits will be completed in AmpliFund. Application narratives should be thorough and concise. DED reserves the right to verify all information, and to consult with other agencies on the proposed fund and potential projects.

Below is an outline of the HPP Application contents. **It is for reference only. All applications must be submitted in AmpliFund.**

- Part I. General and Project Information
- Part II. Project Readiness
- Part III. Application Questions
- Part IV. Funding Summary and Budget
- Part V. Exhibits
- Part V. Terms of Acceptance

C. SUBMISSION INSTRUCTIONS

I. Letter of Intent – An electronic copy of the Letter of Intent must be emailed to christina.zink@nebraska.gov by **5:00 pm CST on Friday, May 26, 2023.**

II. Full Application – Must be completed in AmpliFund and submitted to DED by **5:00 pm CST on Thursday, June 15, 2023.**

| Questions? | |
|---|---|
| <i>Have a program-specific question?</i> | <i>Have an AmpliFund question or issue with the system?</i> |
| For specific questions regarding the HPP application process, please contact Christina Zink, Housing Program Manager, Disaster Recovery, by phone 402-326-4091, or christina.zink@nebraska.gov . | For assistance on applying in AmpliFund, instructions and how-to guides, including browser troubleshooting, error guide, etc., can be found here: https://opportunity.nebraska.gov/AmpliFund . Follow the link above to the Help Center, contact AmpliFund Support directly, and see current office hours availability. |

Individuals who are hearing and/or speech impaired and have a TTY, may contact the Department through the Statewide Relay System by calling (711) INSTATE (800) 833-7352 (TTY) or (800) 833-0920 (voice). The relay operator should be asked to call NDED at (800) 426-6505 or (402) 471-3111. Additional information is at the Nebraska Relay website <http://www.nebraskarelay.com/>.

Nebraska Relay offers Spanish relay service for our Spanish-speaking customers. Spanish-to-Spanish (711) or 1-888-272-5528/ Spanish-to-English (711) or 1-877-564-3503. Nebraska le ofrece el servicio de relevo a nuestros clientes en español. Los consumidores de TTY pueden escribir por máquina en español y las conversaciones serán retransmitidas en español y inglés.

D. APPLICATION INSTRUCTIONS, FORMS, & BEST PRACTICES

In using AmpliFund, always remember:

- Save frequently.
- Save and continue to progress to the next sections.
- All sections will need to be Marked as Complete before submission.

Part I: Project and General Information

Enter the application name, award request, and primary contact information. When naming your application, include the name of the applicant organization. Enter all contact and organizational information.

Part II. Project Readiness

Complete the following sections by uploading the required documentation to verify that the organization meets all requirements.

NOTE ABOUT UPLOADS: Please use citations within the narrative when referencing uploads or exhibits. For sections that require further documentation beyond requested uploads or exhibits, please include the documentation as an Applicant Specific Attachment in the Exhibits section of the Application. Completed documents should be uploaded to the full application with file name as upload title.

| Section | Question | Upload (where applicable) |
|-------------------|---|---|
| Demonstrated Need | Summary of the low-income homebuyer needs of the neighborhood or community, including the required link to the housing study online and/or city planning department letter where HPP will be invested | <ul style="list-style-type: none"> • Housing Study (pdf) |
| | Unemployment rate of the neighborhood or community where HPP will be invested | |
| Capacity | Describe the capacity of the applicant to administer funding from HPP, including staff and board expertise | <ul style="list-style-type: none"> • Key Staff Resumes/Consultant Contract/Statement |

| | | |
|-----------------------------------|--|--|
| | Describe the organization’s housing development experience, including staff and board expertise | <ul style="list-style-type: none"> • Certification of Good Standing • Charter/Articles of Incorporation/By-Laws/Board Resolution |
| | Demonstrated collaboration with housing developers including for profit and non-profit, local employers, and community and economic development organizations in the community | |
| | Identify the fund administrator qualifications | |
| Investment Plan and Impact | Fund investment plan | <ul style="list-style-type: none"> • Annual Audit, or reviewed year-end Financial Statement • Financial Accountability Notarized Statement/CPA Certification • Bank Information Letter |
| | Impact HPP fund will have on the low-income homebuyer housing need | |
| Readiness | Potential projects to be financed under the HPP | |
| | HPP homebuyer selection process | <ul style="list-style-type: none"> • Homebuyer Selection Process |
| | Implementation plan | <ul style="list-style-type: none"> • Implementation Plan |
| | Site Control | <ul style="list-style-type: none"> • Relevant Zoning approval/confirmation letters • Map showing the location of the project (s) • Appropriate infrastructure approval/confirmation letters |

Part III. Application Questions

Answer the Application Questions provided in AmpliFund. For narrative questions, please be clear and concise.

Part IV: Proposed Funding Summary and Budget

Enter dollar amounts into the appropriate boxes in the funding summary table. Include a projected budget for the proposed, or potential, HPP housing projects to be funded from HPP.

Budget

1. Under the Expense Budget, Eligible Activities, click the + sign to add a line item.
2. Name: Eligible Activities
3. Direct Cost: The total amount of the requested award
4. Non-Grant Funded: Select “Yes”
5. Select Create

Part V: Exhibit Checklist

The following exhibits are located in the CDBG-DR Affordable Housing Construction Program Toolkit located here: <https://opportunity.nebraska.gov/programs/community/cdbg-dr/>.

INSTRUCTIONS: Completed exhibits are uploaded to the Full Application with file name as exhibit number. For example, the *Letter of Intent* will be uploaded with the file name “Letter of Intent”, *Exhibit 10: NDED Housing Site Review Form and Determination of Level of Review* will be uploaded with the file name: “Exhibit 10”, etc.

| Item Type | Mark Complete | Document Name & Description | Special Instructions |
|---------------------|--------------------------|---|--|
| Pre-Application | <input type="checkbox"/> | Letter of Intent | This is a <u>copy</u> of the document previously submitted via email by the listed due date. Follow the instructions within in the AmpliFund Application Portal. NOTE: Applicants not having submitted the LOI prior to completing their application will not meet threshold for scoring. |
| Application Exhibit | <input type="checkbox"/> | Exhibit 10: NDED Housing Site Review Form and Determination of Level of Review | Form must be submitted to Christina Zink, christina.zink@nebraska.gov prior to Full Application. Upload completed and NDED signed form at Full Application. |
| | <input type="checkbox"/> | Exhibit 11: Public Hearing Documentation | Use public hearing template. Upload proof of publication. |
| | <input type="checkbox"/> | Exhibit 12: Statement of Assurances and Certification Template | Use and update template to reflect the applicant’s information. This must be printed on the eligible entity’s letterhead or notarized. |
| | <input type="checkbox"/> | Exhibit 13: Residential Anti-Displacement and Relocation Assistance Plan | Use and update template to reflect the applicant’s information. This must be printed on the eligible entity’s letterhead or notarized. |
| | <input type="checkbox"/> | Exhibit 14: Applicant Certification Form for Non-Profits | Use and update template to reflect the applicant’s information. This must be |

| | | | |
|--|--------------------------|--|--|
| | | | printed on the eligible entity's letterhead or notarized. |
| | <input type="checkbox"/> | Exhibit 15: Authorizing Resolution | Use and update template to reflect the applicant's information. This must be printed on the eligible entity's letterhead or notarized. |
| | <input type="checkbox"/> | Exhibit 16: System for Award Management Documentation | Complete SAM registration and upload proof of registration showing entity registration and status. |

PART VI: Terms of Acceptance

Complete the terms of acceptance by entering name, checking the box, and date signed.

TEMPLATES & EXHIBITS

{Place on Official Letterhead}
LETTER OF INTENT TEMPLATE

{See Instructions and Submission Information below.}

{Date}

Christina Zink, Housing Program Manager
Disaster Recovery Division
Nebraska Department of Economic Development
245 Fallbrook Blvd, Ste. 002
Lincoln, NE 68521

RE: **2023 HPP Letter of Intent**
CDBG-DR Affordable Housing Construction Program (DR-4420)

Dear Ms. Zink:

On behalf of {Name of Applicant Organization}, we submit to the Nebraska Department of Economic Development, Disaster Recovery Division this letter of intent to apply for funding from CDBG-DR Affordable Housing Construction Program through the Homeownership Production Program (HPP).

{Insert any additional introductory or explanatory information about your project here. This does not need to repeat any of the information listed in the table below.}

| 2023 Homeownership Production Program (HPP) | | | |
|---|---|----------|--|
| 1 | Name of Applicant | | |
| 2 | Contact Name | | |
| | Contact Role in Proposed Project | | |
| | Contact Mailing Address | | |
| | Contact Phone | | |
| | Contact Email | | |
| 3 | Amount of HPP funds to apply for | Up to \$ | |
| 4 | Site Location(s) or Project Area (Attach Site Review Forms if sites are known) | | |
| 5 | Project Activities to be included | | |
| 6 | Mitigation and Green Building Standards Election | | |
| 7 | Describe Applicant's experience (board and staff) in adhering to state and federal funding requirements | | |
| 8 | List Any Other Funding Sources | | |

Signed,

[Authorized Signature]

{Printed Full Name of Authorized Signatory}
{Title of Authorized Signatory}

INSTRUCTIONS: update bracketed information [{"example}"] and complete the table as it appears. Do not add additional rows to the table. If you have additional information not listed in the table, you may include it in the body of the letter so noted. The fields listed in the table represent the minimum information an applicant to HPP should be prepared to submit. In preparing the LOI, applicants must use official letterhead. LOI is signed by the CEO or Authorized Official of the applicant entity. The original copy of the signed LOI should be retained within the applicant's files. Do not mail the LOI. In its review of the LOI, DED should be able to determine *what* you are building, *where* you are building and *how* you are building.

SUBMISSION INFORMATION: LOI are submitted via email to Christina Zink, Disaster Recovery Housing Program Manager at christina.zink@nebraska.gov. To be considered for an award, applicants shall submit an LOI via email and the Full Application. using the AmpliFund system.}

EXHIBIT 10

Nebraska DED Housing Site Review Form & Determination of Level of Review

Please complete all the information in Box A, B and C. Please provide one site review form for each address.

Part A. Project Information

| | | | |
|--|--|------------------|--|
| NAME OF PROJECT | | | |
| CONTRACT # <i>(or other identifier, if applicable)</i> | | | |
| APPLICANT | | DEVELOPER | |
| NAME OF PERSON COMPLETING FORM | | | |
| EMAIL ADDRESS | | PHONE | |
| FUNDING SOURCE <i>(select all that apply):</i> <input type="checkbox"/> CDBG-DR <input type="checkbox"/> HOME <input type="checkbox"/> HOME-American Rescue Plan (ARP) <input type="checkbox"/> National Housing Trust Funds (HTF) <input type="checkbox"/> NE Affordable Housing Trust Funds (NAHTF) <input type="checkbox"/> QCT Affordable Housing Program <input type="checkbox"/> Rural Workforce Housing Land Development Program <input type="checkbox"/> Pandemic Relief Housing Program | | | |
| PROJECT OVERVIEW Project activities include <i>(check all that apply):</i> <input type="checkbox"/> acquisition <input type="checkbox"/> rehabilitation <input type="checkbox"/> new construction <input type="checkbox"/> demolition <input type="checkbox"/> site improvements including infrastructure (i.e., roads, lights, turn lanes, etc.) <input type="checkbox"/> lot development only <input type="checkbox"/> Other: <hr style="width: 100px; margin-left: 0;"/> Types of units to be served <i>(check all that apply):</i> <input type="checkbox"/> single family <input type="checkbox"/> rental | PROPOSED DED REQUEST | \$ | |
| | PROPOSED TOTAL PROJECT COST: | \$ | |
| | NUMBER OF UNITS PROPOSED | | |
| | NUMBER OF BUILDINGS PROPOSED | | |
| | DESCRIPTION OF ALL ACTIVITIES PROPOSED FOR THE PROJECT: | | |
| | | | |

| | |
|--|--|
| <input type="checkbox"/> multi-family <input type="checkbox"/> homebuyer <input type="checkbox"/> townhouses (e.g., duplex, 3-plex) <input type="checkbox"/> elderly <input type="checkbox"/> special needs / homeless <input type="checkbox"/> secure building only <input type="checkbox"/> Other: _____ | |
|--|--|

Part B-1. Proposed Site Information

Property Physical Address and/or Parcel Number of Site proposed for the project: _____

Census Tract (QCT AHP, Pandemic Relief Housing Program and CDBG-DR only): _____

Condition of lot: vacant existing structure

Shape of Site Square Rectangular Other _____ (long narrow sites should be avoided)

Slope of Site No Slope Slight Slope Medium Slope Steep Slope

Is the site located in a suitable neighborhood or location? (consider noise, traffic, view, air pollution, etc.)
 Yes No **Refer to 24 CFR 93.150 for HFT and 24 CFR 983.6(b) for HOME Site & Neighborhoods Standards*

Is the site compatible with surrounding land uses? Yes No

The adjacent properties include: (Residential, Commercial, vacant?)
 North _____ South _____ East _____ West _____

Is the site located in reasonable proximity to facilities and services that may be utilized by the residents?
 Yes No

Describe the distance to the following locations:
 Day Care _____miles Grocery Store _____miles Hospital _____miles
 Parks _____miles Schools _____miles Shopping _____miles
 Other Health Care Services _____miles

Is the site located within a 100 year floodplain? (also known as a Special Flood Hazard Area [SFHA])
 Yes No

Are there any mitigating measures needed for the project?
 Yes No These measures will include: _____



Part B-2. Proposed Site & Project Information–Required for CDBG-DR only

Is the site in a location that addresses unmet housing needs outlined in the CDBG-DR Action Plan for DR-4420? Yes No

Is the site located within a 100-year floodplain? (i.e., Special Flood Hazard Area [SFHA])

Yes No

Are there any mitigating measures consistent with HUD CDBG-DR requirements needed for the project?

Yes No These measures will include: _____

Does developer have site control? Yes No

Have there been any choice limiting actions which would impair environmental review approvals?
Yes No

Part B-3. Environmental Review Record and Process & Determination of Level of Review (HOME/CDBG-DR Only)

All HOME and CDBG-DR projects are subject to the provisions of the National Environmental Policy Act of 1969 (NEPA), which establishes national policy and procedures for protecting, restoring and enhancing environmental quality. HOME and CDBG-DR is also subject to other statutes, Executive Orders and regulations dealing with a number of specific concerns, such as historic preservation, floodplain management, wetland protection, noise control, manmade hazards and others. The applicant must complete the environmental review and receive a Notice of Release of Funds from the Department, before starting any project activities, and obligating or expending any HUD or non-HUD funds (24 CFR 58.22).

In addition, a Determination of Level of Review form must be completed and submitted. Upon approval of DLR by DED then a complete ERR review will need to be conducted and approved prior to a contact.

For National Housing Trust Funds (HTF) Projects please refer to the following link for guidance: <https://www.hudexchange.info/resource/5121/notice-cpd-16-14-requirements-for-housing-trust-fund-environmental-provisions/>

Part C. Infrastructure

Are there unusual drainage problems?

No Yes If yes, problems include _____

Is street access appropriate for the scale of the development? Yes No

Are the streets paved? Yes No

Will the development also include paving? Yes No

Are there also sidewalks, curbs, and gutters? Yes No

Will the development include sidewalks, curb, and gutters? Yes No

Are there any additional street improvements or mitigating measures needed for the project? (i.e. additional street lights, turn lanes, etc.) No Yes If yes, these additional improvements/measures will include _____

Are there any mitigating measures needed for the project specifically related to infrastructure?

Yes No These measures will include: _____

Part D. REQUIRED Attachments to Accompany Form

Exhibit A: Short narrative 100 words or less on the proposed project. This project description should be consistent with that of the public hearing and the initial Environmental Review Determination of Level of Review (DLR) form, if applicable.

Exhibit B: Proposed site plan for the project.

Exhibit C: Aerial maps of the project site and surroundings and clearly identify the site on the map.

Exhibit D: FEMA Flood Insurance Rate Map (FIRM)
_____ [Map #, Panel #]

Exhibit E: Proof of current zoning.

Exhibit F: Legal Description of project site. Include parcel number and/or legal physical address.

To Be Completed by DED Representative

Site review was conducted by _____ on _____ (date).

CONCLUSION: Based on the site review, the Department has determined that the site is:

Approved, because the site is acceptable.

Approved with the following mitigation measures:

Not approved because the site is outside of disaster declared counties.

Not approved because the site is unacceptable based on _____

Not approved because the site is subject to re-inspection.

Not approved until the following mitigating measures can be agreed upon:

Signature

Printed Name

Date _____

DETERMINATION OF LEVEL OF REVIEW (DLR)

ERR Grant #:

Project Name: _____

Program Year: _____

Project Location: _____

Project Description:

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

- Exempt** from NEPA review requirements per 24 CFR 58.34(a)(_____)
- Categorically Excluded NOT Subject** to §58.5 authorities per 24 CFR 58.35(b)(_____)
- Categorically Excluded SUBJECT** to §58.5 authorities per 24 CFR 58.35(a)(_____)
- An **Environmental Assessment** (EA) is required to be performed. (An Environmental Assessment performed in accordance with subpart E of 24 CFR Part 58 is attached.)
- An **Environmental Impact Statement** (EIS) is required to be performed.

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

Preparer Name

Signature

Title

Date

Responsible Entity Certifying Officer

Signature

Title

Date

EXHIBIT 11

Public Hearing Documentation

INSTRUCTIONS: A public hearing is required as part of the joint application process. Please use the template on the following page in creating the official notice. At this hearing, the Applicant must convey specific federal program (e.g., CDBG-DR, HOME, HTF) requirements and related project issues. For example, if taxes or user charges will need to be increased as part of financing the project, it is especially important that residents understand the necessity of raising taxes/user charges. This discussion would then be specifically reflected in the meeting minutes.

The public hearing **must** include the following:

1. How the need for the activities was identified;
2. The nature of the proposed activities;
3. Project location, including address(es) and legal description (if no addresses are available, a location description must be used, e.g., between Maple Avenue and Oak Street and 23rd and 24th Streets);
4. All project activities to be undertaken;
5. Amount and source of funds for each activity;
6. Estimated total amount of requested federal funds (e.g., CDBG-DR/HOME/HTF) that will benefit low- and moderate-income people;
7. Amount and source of other funds, if any; and
8. Plans for minimizing displacement of persons and businesses as a result of CDBG-DR/HOME/HTF activities; and
9. Plans to assist persons actually displaced.

As part of the application submission, Applicants are required to submit the following documentation:

1. The notification to the public advertising the date/time of the public hearing.
2. Verification that the notification was published (Affidavit of Publication) or that the notification was posted within the community (Certificate of Posting).
3. Official meeting minutes as recorded by the appropriate local official.
4. Summary of public comments received, where applicable. If no comments received, this should be recorded in the meeting minutes and submitted, documenting no comments received.

Public Hearing Template

NOTICE OF PUBLIC HEARING ON APPLICATION FOR FEDERAL RESOURCES

NOTICE IS HEREBY GIVEN that on [Date] in the [Place], the [Name of eligible entity] will hold a public hearing concerning an application to the Nebraska Department of Economic Development for a [federal resource, e.g., Community Development Block Grant Disaster Recovery (CDBG-DR), HOME Investment Partnership (HOME), National Housing Trust Fund (HTF), etc.] award. This funding is available to eligible entities to [purpose of program, e.g., rebuild the affected areas impacted by DR-4420 and provide crucial seed money to start the recovery process (CDBG-DR only), for local affordable housing activities (HOME and HTF only)].

The [Name of eligible entity] is requesting [exact amount of federal funds] for [Detailed project description which must include: (1) How the need for the activities was identified; (2) The nature of the proposed activities; (3) Project location, including address(es) and legal description (if no addresses are available, a location description must be used, e.g., between Maple Avenue and Oak Street and 23rd and 24th Streets); (4) All project activities to be undertaken; (5) Amount and source of funds for each activity; (6) Estimated total amount of requested federal funds (e.g., CDBG-DR/HOME/HTF) that will benefit low- and moderate-income people; (7) Amount and source of other funds, if any; and (8) Plans for minimizing displacement of persons and businesses as a result of CDBG-DR/HOME/HTF activities; and (9) Plans to assist persons actually displaced.]

The grant application will be available for public inspection at [Place]. All interested parties are invited to attend this public hearing at which time you will have an opportunity to be heard regarding the grant application. Written and oral testimony will also be accepted at the public hearing scheduled for [Time], [Date], [Address, Room Number, etc.]. Written comments addressed to [Contact Person] at [Address] will be accepted if received on or before [Date].

Individuals requiring physical or sensory accommodations including interpreter service, Braille, large print, or recorded materials, please contact [Contact Person] at [Address, Phone Number] no later than [Date]. Accommodations will be made for persons with disabilities and non-English speaking individuals provided that a [Number] day notice is received by the [Name of eligible entity].

EXHIBIT 12

Statement of Assurances & Certifications Template

INSTRUCTIONS: The Statement of Assurances and Certifications is required as part of the application process. This must be printed on the eligible entity's letterhead or notarized. Below is the template to be updated to reflect the applicant's information.

APPLICANT'S STATEMENT OF ASSURANCES AND CERTIFICATIONS

The [Name eligible entity] (Applicant) hereby assures and certifies to the Nebraska Department of Economic Development (Department) regarding an application for Community Development Block Grant Disaster Recovery (CDBG-DR), HOME Investment Partnership (HOME), or National Housing Trust Fund (HTF) funds, the following:

THRESHOLD CERTIFICATIONS

1. There are no significant unresolved audit findings relating to any prior grant award from the federal and/or state government that would adversely affect the administration of this grant.
2. No legal actions are underway or being contemplated that would significantly impact the Applicant's capacity to effectively administer the program, and to fulfill the CDBG-DR/HOME/HTF program; and
3. No project costs have been incurred that have not been approved in writing by the Department.
4. Applicant must have addressed and cleared all compliance problems, if any, from past awards and have had responses accepted by DED.
5. Applicant is current with all reporting requirements: For example, semi-annual project status reports, closeout reports, program income reports, audit reports, notifications of annual audit reports, etc.
6. Applicant has met or exceeded contract milestones including but not limited to:
 - a. Applicant with contracts in their twenty-fourth (24th) month or greater must be one hundred percent (100%) complete with the Scope of Work, and HOME funds 100% expended or de-obligated.
 - b. Applicants and any member of the project team, including developers, consultants, non-profits or housing agencies that were approved for projects from the 2023 and prior NIFA/DED Joint Application (HOME Program Year 2022 and prior) must have closed award funding contract (release of funds) or greater to apply for HOME and CDBG-DR funds in the 2024-25 NIFA/DED Joint LIHTC application (HOME Program Year 2023).

FEDERAL COMPLIANCE CERTIFICATIONS

1. It will adopt and follow a residential anti-displacement and relocation assistance plan that will minimize displacement as a result of activities assisted with CDBG-DR/HOME/HTF funds.
2. It will conduct and administer its programs in conformance with:
 - a. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1).
 - b. Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services.
 - c. The Fair Housing Act of 1988 (42 U.S.C. 3601-19) and will affirmatively further fair housing.

- d. It will not attempt to recover any capital costs of public improvements assisted in whole or part by assessing any amount against properties owned and occupied by persons of low- and moderate-income (LMI), including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (1) grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than grant funds or (2) for purposes of assessing any amount against properties owned and occupied by persons of LMI who are not persons of very-low income, the Applicant certifies to the state that it lacks sufficient grant funds to comply with the requirements of clause (1).
- e. It will comply with all provisions of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

CITIZEN PARTICIPATION PLAN CERTIFICATION

It certifies that a detailed citizen participation plan is on file which includes:

- a. Providing and encouraging citizen participation with particular emphasis on participation by lower income persons who are residents of slum and blight areas in which funds are proposed to be used to include target areas as identified in the application.
- b. Providing citizens with reasonable and timely access to local meetings, information, and records relating to the Applicant's proposed and actual use of CDBG-DR/HOME/HTF funds.
- c. Furnishing citizens with information, including but not limited to, the amount of CDBG-DR funds expected to be made available for the current fiscal year including CDBG-DR/HOME/HTF funds and anticipated program income the range of activities that may be undertaken with CDBG-DR/HOME/HTF funds; the estimated amount of CDBG-DR/HOME/HTF funds to be used for activities that will meet the national objective of benefit to low- and moderate-income people, and the proposed CDBG-DR/HOME/HTF-funded activities likely to result in displacement and the Applicant's anti-displacement and relocation plans.
- d. Providing technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals. The level and type of assistance is to be identified within the plan.
- e. **Providing for public hearings at different stages of the program**, for the purpose of obtaining citizen's views and responding to proposals and questions. The hearings must cover community development and housing needs, development of proposed activities and review of program performance. The hearing to cover community development needs must be held before submission of an application to the state. **The hearing on program performance must be held during the implementation of the CDBG-DR awarded grant.** There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings are to be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be expected to participate.
- f. Providing citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in the application to the state and for grants already made, activities that are added to, deleted or substantially changed from the application to the state. Substantially changed is defined in terms of purpose, scope, location or beneficiaries defined by the state established criteria.
- g. Providing citizens, the address, phone number and acceptable hours for submitting complaints and grievances and providing timely written responses to written complaints and grievances within 15 working days where

practicable.

SPECIAL REQUIREMENTS AND ASSURANCES.

The Applicant will comply with the administrative requirements of the program, those applicable items in the Consolidated Plan, Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, and 24 CFR Part 570 (including parts not specifically cited below), and the following laws, regulations and requirements, both federal and state, as they pertain to the design, implementation and administration of the local project, if approved:

CIVIL RIGHTS AND EQUAL OPPORTUNITY PROVISIONS

- Public Law 88-352, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d), et. seq.) (24 CFR Part 1)
- Section 109 of the Housing and Community Development Act of 1974, As Amended
- Age-Discrimination Act of 1975, As Amended (42 U.S.C. 6101, et. seq.)
- Section 504 of the Rehabilitation Act of 1973, As Amended (29 U.S.C. 794) and the Americans with Disability Act
- Executive Order 11246, As Amended
- Executive Order 11063, As Amended by Executive Order 12259 (24 CFR Part 107)

ENVIRONMENTAL STANDARDS AND PROVISIONS

- Section 104(f) of the Housing and Community Development Act of 1974, As Amended
- Title IV of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4831) and the Implementing Regulations found at 24 CFR Part 35
- The National Environmental Policy Act of 1969 (42 U.S.C. Section 4321, et. seq., and 24 CFR Part 58)
- The Clean Air Act, As Amended (42 U.S.C. 7401, et. seq.)
- Farmland Protection Policy Act of 1981, (U.S.C. 4201, et. seq.)
- The Endangered Species Act of 1973, As Amended (16 U.S.C. 1531, et. seq.)
- The Reservoir Salvage Act of 1960 (16 U.S.C. 469, et. seq.), Section 3 (16 U.S.C. 469 a-1), As Amended by the Archaeological and Historic Preservation Act of 1974
- The Safe Drinking Water Act of 1974 [42 U.S.C. Section 201, 300(f), et. seq., and U.S.C. Section 349 as Amended, particularly
- Section 1424(e) (42 U.S.C. Section 300H-303(e)]
- The Federal Water Pollution Control Act of 1972, As Amended, including the Clean Water Act of 1977, Public Law 92-212 (33 U.S.C. Section 1251, et. seq.)
- The Solid Waste Disposal Act, As Amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et. seq.)
- The Fish and Wildlife Coordination Act of 1958, As Amended, (16 U.S.C. Section 661, et. seq.)
- EPA List of Violating Facilities
- HUD Environmental Standards (24 CFR, Part 51, Environmental Criteria and Standards and 44 F.R. 40860-40866, July 12, 1979)
- The Wild and Scenic Rivers Act of 1968, As Amended (16 U.S.C. 1271, et. seq.)
- Flood Insurance
- Executive Order 11988, May 24, 1978: Floodplain Management (42 F.R. 26951, et. seq.)
- Executive Order 11990, May 24, 1977: Protection of Wetlands (42 F.R. 26961, et. seq.)
- Environmental Protection Act, NEB. REV. STAT. 81-1501 to 81-1532 (R.R.S. 1943)
- Historic Preservation

LABOR STANDARDS AND PROVISIONS

- Section 110 of the Housing and Community Development Act of 1974, As Amended
- Fair Labor Standards Act of 1938, As Amended, (29 U.S.C. 102, et. seq.)

- Davis-Bacon Act, As Amended (40 U.S.C. 276-a - 276a-5); and Section 2; of the June 13, 1934 Act., As Amended (48 Stat. 948.40)
- U.S.C. 276(c), popularly known as The Copeland Act
- Contract Work Hours and Safety Standards Act (40 U.S.C. 327, et. seq.)
- Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701(u))

FAIR HOUSING STANDARDS AND PROVISIONS

- Section 104(a)(2) of the Housing and Community Development Act of 1974, As Amended Public Law 90-284, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601, et. seq.). As Amended by the Fair Housing Amendments Act of 1988
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, As Amended (42 U.S.C. 4630) and the Implementing Regulations Found at 49 CFR Part 24
- Relocation Assistance Act, NEB. REV. STAT. 76-1214 to 76-1242 (R.S. Supp. 1989)
- Nebraska Civil Rights Act of 1969 20-105 to 20-125, 48-1102 and 48-1116
- Uniform Procedures for Acquiring Private Property for Public Use, NEB. REV. STAT. 25-2501 to 25-2506 (R.R.S. 1943)

ADMINISTRATIVE AND FINANCIAL PROVISIONS

- 78 FR 78589 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards "Cost Principles"
- 78 FR 78589 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards "Administrative Requirements"
- 24 CFR 570.503 - Grant Administration Requirements for Use of Escrow Accounts for Property Rehabilitation Loans and Grants
- 24 CFR 570.488 to 570.499a - States Program: State Administration of CDBG Nonentitlement Funds
- Community Development Law, NEB. REV. STAT. 18-2101 to 18-2144 (R.S. Supp. 1982)
- Public Meetings Law, NEB. REV. STAT. 18-1401 to 18-1407 {R.R.S. 1943}
- 24 CFR Subtitle A (4-1-98 Edition) - 85 referenced as 2 CFR Part 200 Administrative requirements for grants and cooperative agreements to State, local and federally recognized Indian tribal governments

MISCELLANEOUS.

- Hatch Act of 1938, As Amended (5 U.S.C. 1501, et. seq.)

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

Printed Name of Authorized Signatory: _____

Printed Title of Authorized Signatory: _____

Authorized Signature: _____ Date _____

Subscribed in my presence and sworn to before me:

Notary Public (Not required if on letterhead)



EXHIBIT 13

Residential Anti-Displacement & Relocation Assistance Plan

INSTRUCTIONS: A Residential Anti-Displacement & Relocation Assistance Plan is required as part of the joint application process. The Residential Anti-Displacement & Relocation Assistance Plan must be **printed on the eligible entity's letterhead or notarized**. Below is the template to be completed to reflect the applicant's information.

Residential Anti-Displacement & Relocation Assistance Plan

The [Name of the Eligible Entity] will replace all occupied and vacant occupiable low-moderate-income dwelling units demolished or converted to a use other than as low- and moderate-income housing as a direct result of activities assisted with Community Development Block Grant Disaster Recovery (CDBG- DR) funds provided under the Housing and Community Development Act of 1974, as amended; Cranston-Gonzalez Affordable Housing Act of 1990 (HOME Program); Housing Trust Fund (HTF) funds provided under section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.

All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the [Name of the Eligible Entity] will make public and submit to OED the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low-moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and
6. The basis for concluding that each replacement dwelling unit will remain a low-moderate-income dwelling unit for at least ten (10) years from the date of initial occupancy.

The [Name of the Eligible Entity] will provide relocation assistance, according to either the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 CFR Part 24) or 24 CFR 570.496a(c) to each low/moderate-income family displaced by the demolition of housing, or the conversion of a low-moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the CDBG-DR/HOME/HTF program, the [Name of the Eligible Entity] will take the following steps to minimize the displacement of persons from their homes:

1. Maintain current data on the occupancy of houses in areas targeted for CDBG-DR/HOME/HTF assistance.
2. Review all activities prior to implementation to determine the effect, if any, on occupied residential properties.
3. Include consideration of alternate solutions when it appears an assisted project will cause displacement, if implemented.
4. Require private individuals and businesses to consider other alternatives to displacement causing activities if they are requesting CDBG-DR/HOME/HTF assistance.

Signed _____
(Authorized Signer)

Printed Name _____

Title _____

Date _____

Subscribed in my presence and sworn to before me:

Notary Public (Not required if on letterhead)



EXHIBIT 14

Applicant Certification Form for Non-Profits

(Required Format)

WHEREAS, (Name of Applicant) (the "Applicant") is applying to the State of Nebraska for assistance from HOME/CDBG-DR/HTF Programs; and

WHEREAS, APPLICANT understands it is necessary that certain conditions be met as part of the application requirements;

THEREFORE, APPLICANT certifies as follows:

1. APPLICANT is eligible for award under state statutes and program guidelines and agrees to comply with all applicable federal, state and local regulations in the event that this application is selected for funding.
2. APPLICANT will minimize displacement as a result of activities assisted with HOME/CDBG-DR/HTF resources and assist persons displaced as a result of such activities as specified by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 49 CFR part 24. The more limited requirements of Section 104(d) of Housing and Community Development Act of 1974 are more detailed as to policy, definitions and requirements listed in 24 CFR 570.606.
3. APPLICANT has previously adopted, on this day _____ of _____, 20____. Procurement Procedures that remain in effect. The procurement procedures were submitted to NDED on _____, ____.
4. APPLICANT will actively market in an on-going manner all housing units and services funded through HOME/CDBG-DR/HTF Programs.
5. APPLICANT is prepared and has the authority within its charter or by-laws or through statutory regulations to enter into a contractual agreement with the Nebraska Department of Economic Development for acceptance and use of HOME/CDBG-DR/HTF Program funds and makes this application and these certifications with the full cognizance (and approval) of its governing body.
6. There are no significant unresolved audit findings relating to any prior grant award from the federal and/or state government, which would adversely affect the administration of this grant.
7. No legal actions are underway or being contemplated that would significantly impact the

Applicant's capacity to effectively administer the program, and to fulfill the HOME/CDBG-DR/HTF programs; and

- 8. No project costs have been incurred which the Department has not approved in writing.

Signed _____ Printed Name _____
(Authorized Signer)

Title _____ Date _____

Subscribed in my presence and sworn to before me:

Notary Public (Not required if on letterhead)

EXHIBIT 15

Authorizing Board Resolution for Non-Profits

(Required Format)

RESOLUTION NO. _____

A resolution of the (AUTHORIZING BOARD) of (NAME OF ORGANIZATION) authorizing the submission of an application(s) for 20__ HOME Investment Partnership (HOME)/Community Development Block Grant-Disaster Recovery (CDBG-DR)/National Housing Trust Fund (HTF), certifying that said application(s) meets the community's housing and community development needs and the requirements of the HOME/CDBG-DR/HTF program, and authorizing all actions necessary to implement and complete the activities outlined in said application.

WHEREAS, the (AUTHORIZING BOARD) of (NAME OF ORGANIZATION) is desirous of undertaking affordable housing development activities; and

WHEREAS, the State of Nebraska is administering the HOME/CDBG-DR/HTF program; and

WHEREAS, the HOME/CDBG-DR/HTF Program requires that funds benefit low-income households; and

WHEREAS, the activity in the application addresses the proposed project area's low-income population housing needs; and

WHEREAS, a recipient of HOME/CDBG-DR/HTF Program is required to comply with the program guidelines and State regulations.

NOW, THEREFORE BE IT RESOLVED THAT the (AUTHORIZING BOARD) of (NAME OF ORGANIZATION) authorize application to be made to the State of Nebraska, Department of Economic Development for 20__ HOME/CDBG-DR/HTF Program, and authorize (NAME AND POSITION OF INDIVIDUAL) to sign application and contract or grant documents for receipt and use of these funds, and authorize the (NAME AND POSITION OF INDIVIDUAL) to take all actions necessary to implement and complete the activities submitted in said application(s); and

THAT, the (AUTHORIZING BOARD) of (NAME OF ORGANIZATION) will comply with all State regulations and HOME/CDBG-DR/HTF Program policies. Passed and adopted by the (AUTHORIZING BOARD) of (NAME OF ORGANIZATION) on this _____ day of _____, 20__.

Signed _____ Printed Name _____
(Authorized Signer)

Title _____ Date _____

Subscribed in my presence and sworn to before me:

Notary Public (Not required if on letterhead)



EXHIBIT 16

Applicant Certification Form for Non-Profits

(Required Format)

WHEREAS, (NAME OF ORGANIZATION) (the "Applicant") is applying to the State of Nebraska for assistance from the HOME Investment Partnership (HOME), Community Development Block Grant-Disaster Recovery (CDBG-DR), or National Housing Trust Fund (HTF) Program to finance a portion of the project costs for _____(the "Project"); and

WHEREAS, APPLICANT understands it is necessary that certain conditions be met as part of the project requirements;

THEREFORE, APPLICANT certifies as follows:

1. PROJECT is eligible for award under state statutes and HOME/CDBG-DR/HTF application guidelines.
2. PROJECT will receive additional financing at the time of application or in the future from the following governmental assistance _____ (e.g. City HOME funds or ARPA Funding.) (If no additional financial governmental assistance, please check box:)
3. APPLICANT will notify the Nebraska Department of Economic Development within 30 days of the applicant's knowledge of actual or potential changes in governmental assistance. Amended financing and budget forms submitted with the application affected by the change in other governmental assistance and the type and amount of assistance will be provided. In addition, applicant understands that any such changes may result in the non-selection of the application, termination or amendment of a contractual agreement with the department, significant delay in the OED approval of the project to proceed, and/or significant delay of pending Requests for OED Funds.
4. APPLICANT is prepared and has the authority within its charter or by-laws or through statutory regulations to enter into a contractual agreement with the Nebraska Department of Economic Development for acceptance and use of HOME/CDBG-DR/HTF Program funds and makes this application and these certifications with the full cognizance (and approval) of its governing body.

Signed _____ Printed Name _____
(Authorized Signer)

Title _____ Date _____

Subscribed in my presence and sworn to before me:

Notary Public (Not required if on letterhead)

EXHIBIT 17

System for Award Management Documentation

DESCRIPTION: The submission of the System for Award Management (SAM) documentation is required for all CDBG/HOME/HTF applicants and associated entities.

DOCUMENTATION REQUIRED FOR SUBMISSION INCLUDES:

- 1) Entity Registration
- 2) Exclusion Status

To view Entity Registration and Exclusion Status visit: <https://sam.gov/content/entity-information>

For applications that involve additional entities:

- For-Profit Entity: *Both the business and the business owner need to be reviewed within SAM. The business owner does not need to be registered within SAM; however, documentation must be provided that indicates that the business owner is not excluded from receiving federal funds. In addition, applications that involve a for-profit entity must provide documentation for the Non-Profit Development Organization (NDO) associated with the application. The NDO must be registered within SAM and demonstrate that they are not excluded from receiving federal funds.*
- Non-Profit Entity: *The non-profit organization must be registered within SAM and demonstrate that they are not excluded from receiving federal funds.*