**Exhibit P: Program Guidelines**

**Record of Changes**

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| --- | --- |
| **Date** | **Description of Change** |
| 2022 | Exhibit template added to CDBG website |
| 2025 | Updated title and footer; included program guidelines suggestions, significant changes in checklist (removed public benefit info and added note for matching, application review and amount of assistance, added additional amendment process section). |

## **INSTRUCTIONS:** This exhibit only applies to local units of government applying within the Downtown Revitalization Opportunity, which includes the Commercial Rehabilitation activity. Program Guidelines will describe and reference relevant city codes, any design standards in place, the process for application and approval between the local government and the business, etc. Use this checklist to ensure all necessary components are provided to DED.

**Program Guidelines Suggestions:**

* Please refer to CDBG Manual, Chapter 4, for further guidance
* When determining program guidelines for your community, consultation with local legal counsel is advised.
* For an example of an implemented Program Guidelines, contact your Program Representative.

**Thresholds and Project Requirements – SUBMISSION CHECKLIST**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **APPLICANT** | Click or tap here to enter text. | | **DATE Checklist Completed** | Click or tap here to enter text. | |
|  | | | | | |
| **FOR DED USE ONLY** | | | | | |
| **APPLICATION** | | Click or tap here to enter text. | | | |
| **DATE RECEIVED** | Click or tap here to enter text. | **DATE REV./UPDATED** | Click or tap here to enter text. | **DATE APPROVED** | Click or tap here to enter text. |

VERIFIED THRESHOLDS REVIEW – checklist assists in determination that proposed program meets all thresholds and project requirements. Deficiencies in this review can be addressed after the application is received but as a part of special conditions and prior to the release of funds.

For clarity and ease of reference throughout review and program implementation, applicants are strongly encouraged to use section numbers in drafting their guidelines. *Note: Any grayed in areas within the “Not Applicable” section cannot be checked, but these thresholds must be completed.*

| **VERIFIED THRESHOLDS**  **COMMERCIAL REHABILITATION** | Date Acknowledged |
| --- | --- |
| Activities will be completed within contract term (e.g., 30 months) | Click or tap here to enter text. |

**Commercial Rehabilitation Program Guidelines**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| The following requirements are met: | Yes | No | N/A | Page # & Section |
| **1. Statement of Purpose** |  |  |  |  |
| **2. Identification of Funding Source(s)** |  |  |  |  |
| **3. Application Form** |  |  |  |  |
| **4. Application Cycle** (e.g., deadline(s)/due date(s)) |  |  |  |  |
| **5. Application process** |  |  |  |  |
| a) Eligible Applicants, including requirement of completion of US Citizenship Attestation Form when applicant is an individual or sole proprietor. |  |  |  |  |
| b) Eligible improvements, including definitions (e.g., façade, restoration, renovation, replacement, reconstruction, etc.) |  |  |  |  |
| c) Identification of Application materials (i.e., renderings of proposed changes, estimated costs, photographs of existing conditions, and other such specifications of improvements)  **NOTE**: where code enforcement is proposed, this is limited to exterior improvements of the building and structural integrity. The application must include the provision of municipal/local inspection. |  |  |  |  |
| d) Matching requirements.  **NOTE**: Should include city vs. business responsibilities and expected match percentages for each. |  |  |  |  |
| e) Application review process  **NOTE**: If more than one award cycle include additional process. |  |  |  |  |
| f) Identification of the review committee and how established |  |  |  |  |
| g) Conflict of Interest Clause |  |  |  |  |
| h) Priority Ranking System, if applicable, for selection does not contain discriminatory criteria |  |  |  |  |
| i) Formal notification of selection and non-selection policy  **NOTE**: should include provision that such an authorizing document is signed and dated by an authorized party |  |  |  |  |
| j) Grievance Procedures, See *Policy Statement* regarding grievances |  |  |  |  |
| k) Outline of Workflow Process from Application to Approval Process through Implementation and Completion |  |  |  |  |
| **6. Assistance Details** |  |  |  |  |
| a) Types of assistance provided (i.e., loan, deferred conditional grant) |  |  |  |  |
| b) Terms of assistance provided (e.g., five years), including provision to comply with CDBG rules and regulations as triggered (see note below).  **NOTE**: If CDBG portion exceeds the current small purchase threshold, (2 CFR 200.88) per property, for the five-year period from the CDBG Contract date of completion, grantee must include policy for compliance with 24 CFR 570.489(j) and 24 CFR 570.503(b)(7) generally involving maintaining meeting of the national objective and complying with change of use rules.  **Best practice** to ensure compliance period, grantee may use an instrument of their choosing; loan agreement, lien, or similar is recommended in the amount of the **CDBG portion only**. In contrast, a mortgage may be overly burdensome. Compliance measures by the grantee may also involve annual review by the appropriate local committee or organization, or other such assessment method. |  |  |  |  |
| c) Categories of assistance provided (i.e., façade improvements, street boundaries, signage, awnings, private property only, code enforcement (for reconstruction building’s exterior and structural integrity), etc.) |  |  |  |  |
| d) Amounts of assistance allowed, including CDBG funds and other sources (include maximum allowable amount)  **NOTE:** Take into consideration the number of proposed benefits |  |  |  |  |
| e) Geographic boundaries where the properties within communities must be located |  |  |  |  |
| f) Policy for compliance with local and state codes and standards, including provision of use of any required permitting, inspections, etc. |  |  |  |  |
| g) Policy for compliance with local design standards, as established |  |  |  |  |
| h) Provision for completion of ERR Tier II |  |  |  |  |
| i) Policy for compliance with SHPO and historic preservation standards |  |  |  |  |
| **7. Implementation Details** |  |  |  |  |
| a) Policy regarding official notice to proceed  **NOTE**: should include provision that such an authorizing document is signed and dated by an authorized party |  |  |  |  |
| b) Policy regarding bid/procurement process, at a minimum at least two outside sources must be obtained to verify costs are reasonable |  |  |  |  |
| c) Policy regarding use of “pre-qualified contractor” list |  |  |  |  |
| d) Provision to comply with DBRA, active SAM registration, and E-Verify requirements |  |  |  |  |
| e) Method of financial management, including identification of cost reimbursement process |  |  |  |  |
| f) Method of acceptance of work and notification of completion  **NOTE**: should include provision that such an authorizing document is signed and dated by an authorized party |  |  |  |  |
| g) Method and approval process for forgivable loan transference by property owner at the time of a sale  **NOTE**: should include provision that such an authorizing document is signed and dated by an authorized party |  |  |  |  |
| **8. Process for Amending Program Guidelines, include DED approval** |  |  |  |  |
| 1. If an amendment is triggered, submit the request in DED’s Grant Management System. |  |  |  |  |