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DEPT. OF ECONOMIC DEVELOPMENT

2024

Pandemic Relief Housing

PROGRAM MANUAL

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1 INTRODUCTION

This program manual is designed to provide guidance and written standards for the administration and implementation of the Pandemic Relief Housing Program that utilizes funding provided through the COVID-19 State and Local Fiscal Recovery Fund through the American Rescue Plan Act of 2021.

The purpose of the program manual is to provide applicants and awarded organizations to employ leading practices, comply with funding requirements, achieve program goals, and successfully navigate the award lifecycle.

Program information and documents, including application information and grant schedule can be found on the Department of Economic Development’s webpage: <https://opportunity.nebraska.gov/programs/recovery/pandemic-relief-housing-program/>.

2 PROGRAM OVERVIEW

2.1 BACKGROUND

The American Rescue Plan Act (ARPA) is a \$1.9 trillion economic stimulus bill signed into law on March 11, 2021 by President Biden in response to the unprecedented public health emergency. Among other programs, ARPA designated \$350 billion to the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide financial assistance for State, territorial, local, and Tribal governments to respond to the economic and public health impacts of the COVID-19 public health emergency and address impacts on communities, residents, and businesses. Included in this allocation is \$130.2 billion for local governments split evenly between municipalities and counties.

Given the urgent need and exigent circumstances of the COVID-19 public health emergency, all ARPA funds must be obligated between March 3, 2021 and December 31, 2024 and must be expended by December 31, 2026.

Treasury published SLFRF administration guidance, reporting and compliance guidance, affordable housing guidance, and other resources that pertain to all SLFRF-funded programs. The present program manual synthesizes the Treasury guidance and requirements that apply to the PRH program. **Table 1**, below, summarizes this federal grant information.

Federal Awarding Agency	U.S. Department of Treasury
Funding Source	American Rescue Plan Act
Federal Award ID Number (FAIN)	SLFRP1965
Total Amount of the Federal Award	\$1,040,157,440.40
Federal Award Date	May 28, 2021
Pass-Through Entity	State of Nebraska, Department of Economic Development
Assistance Listings Number and Title	21.027 – Coronavirus State and Local Fiscal Recovery Funds

The State of Nebraska received \$1.04 billion in SLFRF from the American Rescue Plan Act. The Nebraska State Legislature appropriated \$723 million in SLFRF and state funding to the Nebraska Department of Economic Development (DED) via LB1014 and LB1024, and later reappropriated via LB531, for programs that strengthen the Nebraska economy and create more resilient communities.

Since 1967, DED has been focused on growing and diversifying the state’s economic base, bringing new dollars, new businesses, and new people into the state. The function of DED is to support communities with development

efforts, assist with starting, retaining, and expanding businesses and promote the state for business locations and expansions.

2.2 PROGRAM PURPOSE

The Pandemic Relief Housing (PRH) program is a one-time \$8 million fund for grants to nonprofit organizations that develop affordable housing, including housing for refugees and other such legal immigrants. The PRH program was established in Section 42(4) of LB1014, as follows:

(4) (a) There is included in the amount shown as aid for this program for FY2021-22 \$4,000,000 Federal Funds for grants to nonprofit organizations that develop affordable housing, including housing for refugees and other such immigrants. There is included in the amount shown as aid for this program for FY2022-23 \$4,000,000 Federal Funds for grants to nonprofit organizations that develop affordable housing, including housing for refugees and other such immigrants.

(b) The Department of Economic Development shall create a program in accordance with the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, for the purpose of awarding grants to nonprofit organizations that develop affordable housing, including housing for refugees and other such immigrants. Housing developed under this program shall be for households with an income at or below 185% of the most recent poverty guidelines published by the United States Department of Health and Human Services and shall including housing located in disproportionately impacted geographies or directed toward disproportionately impacted populations or households, including, but not limited to, those in a qualified census tract, as defined in 26 USC 42(d)(5)(B)(ii)(I), as such section existed on January 1, 2022.

(c) It is the intent of the Legislature that at least one-half of the funds distributed pursuant to this subsection (4) be awarded as grants to organizations located in counties with a population of fewer than 100,000 residents as determined by the most recent federal decennial census.

2.3 GRANT SCHEDULE

The PRH program grant schedule is outlined in **Table 2**, below. Pursuant to guidance from Treasury and as required by ARPA, all program funds must be obligated before December 31, 2024 and must be expended before December 31, 2026.

DED has determined that the period of performance will end on September 30, 2026 for all PRH program projects, regardless of the application cycle in which the grant was awarded. This will ensure that subrecipients have adequate time to submit final payment requests, compile data, and submit reports during the closeout process prior to the Federal deadline.

Table 2. Application and Award Schedule	
Application Cycle 1	
Start of Application Cycle	December 1, 2022
Letter of Intent Due	December 29, 2022 at 5:00 PM (Central)
Application Due	February 2, 2023 at 5:00 PM (Central)
Notices of Award	March 2023
Application Cycle 2	
Start of Application Cycle	March 29, 2023
Letter of Intent Due	April 12, 2023 at 5:00 PM (Central)
Application Due	June 1, 2023 at 5:00 PM (Central)
Notices of Award	July 2023
Application Cycle 3	
Start of Application Cycle	August 7, 2023
Letter of Intent Due	August 28, 2023 at 5:00 PM (Central)
Application Due	October 23, 2023 at 5:00 PM (Central)
Notices of Award	December 2023
Performance Period End	September 30, 2026

2.4 CONTACT INFORMATION

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3 PROGRAM DESIGN

3.1 PROGRAM ELIGIBILITY

PRH grants will fund projects that develop, repair, and operate affordable housing and services or programs to increase long-term housing security.¹ Nonprofit organizations with 501(c)(3) status are eligible to apply for PRH funding with proposals for projects located in disproportionately impacted counties or rural qualified census tracts (QCTs), or projects that will serve refugee and any such immigrant households exclusively, which may be located anywhere in the state. At least 50 percent of PRH grant funds distributed must be awarded to eligible organizations with projects located in rural counties.²

3.1.1 Applicants

PRH grants will be awarded only to eligible 501(c)3 nonprofit organizations that develop affordable housing, including housing for refugees and other such immigrants. To be considered an eligible applicant, a nonprofit organization must verify its 501(c)(3) tax-exempt status. Eligible applicants must propose a project that conforms to program criteria for project type, project beneficiaries, and/or project location.

¹ 31 CFR 35.6(b)(3)(ii)(A)(5)

² Section (42)(4)(c) of LB1014 requires that one-half of program funds be awarded to projects “in counties with a population of fewer than 100,000 residents as determined by the most recent federal decennial census.”

3.1.2 Project Types

PRH grants will be awarded to eligible applicants with projects that contain any of the following eligible activities:

- **Rental Housing:** construction, acquisition, and/or rehabilitation of single- or multi-family housing units for rent.
- **Homeowner Rehabilitation:** rehabilitation of owner-occupied housing units.
- **Homebuyer Projects:** homebuyer assistance, construction, acquisition, and/or rehabilitation of housing units for homebuyers.

For Projects that develop rental housing units, the cost of rent must not exceed 30 percent of household income at or below 185 percent of the Federal Poverty Guidelines, measured by the most recently published data by the U.S. Department of Health and Human Services, and based on the presumed household size of the rental housing unit, so as to ensure affordability for the compliance period. Housing must maintain this affordability restriction for a 20-year compliance period that begins on the date of occupancy of initial tenant upon unit completion (rental housing), project completion (homeowner projects), or transfer from the Awardee to the homeowner (homebuyer projects).

DED will require a declaration of covenant be filed on the property that will remain in force for the duration of the compliance period.

3.1.3 Project Beneficiaries

PRH grants will fund affordable housing projects that serve individuals, communities, or populations identified by DED as having been “disproportionately impacted” by COVID-19.

“Disproportionately impacted” entities experienced disproportionate public health or economic outcomes from the pandemic. To be classified as “disproportionately impacted,” pre-existing disparities were amplified by the impacts of the pandemic, causing more severe impacts in underserved communities. This contrasts with “impacted” entities, who were impacted by the disease itself or the harmful consequences of the economic disruption resulting from the pandemic, e.g., job loss or decreased business revenue, but for whom pre-existing disparities have not been identified.

Classification as having been “disproportionately impacted” may be made at the individual level or class level. Class-based classification only requires verification that an individual falls within the specified class and, unlike individual-level classification, does not require documentation supporting personal impact.

(A) REFUGEES AND OTHER SUCH LEGAL IMMIGRANTS

DED determined that refugees and other such immigrants were disproportionately impacted by the COVID-19 public health emergency. According to the 2020 decennial federal census, 142,569 of Nebraska’s nearly 2 million inhabitants, greater than 7 percent of the state population, were born in a county other than the United States. In fact, an average of 800 refugees settled in Nebraska each year between 2015 and 2020.

DED analyzed data on labor force participation of Nebraska’s foreign-born population between 2019 and 2020. This dataset included information from a sample of legally admitted immigrants, refugees, temporary residents (e.g., students, temporary workers), and undocumented immigrants.

DED’s analysis identified a more significant, negative economic impact during the COVID-19 pandemic among the foreign-born population as compared to Nebraska’s native-born population. The effect of individual- and household-level characteristics, including gender, age, educational attainment, and the presence of children in the household, were also considered in the data analysis, yet the effect of the COVID-19 pandemic remained statistically significantly more severe for the foreign-born population in Nebraska.

Note that no data are available that measures labor force participation for refugees only, but refugees were one group comprising the sampled population. As such, the data demonstrate that refugees, as well as other legally admitted immigrants and temporary residents, experienced more severe economic impacts during and due to the COVID-19 pandemic.

The PRH program will prioritize projects that serve refugees and other such immigrants *exclusively*, and such projects will therefore receive scoring preference.

Households, with at least one individual who is a refugee or other such legal immigrant, will be eligible beneficiaries under the PRH program. Any project developed with PRH grant funding will be designed for households with an income at or below 185% of the most recent Federal Poverty Guidelines. Housing developed for refugees and other such immigrants must maintain affordable rent limits and ensure occupancy by the eligible population for the 20-year compliance period.

(B) RESIDENTS OF A DISPROPORTIONATELY IMPACTED COUNTY

Forty-two (42) counties were determined by DED to have been disproportionately impacted by COVID-19 public health emergency. To be classified as “disproportionately impacted,” a Nebraska county had to have experienced disproportionately negative public health or economic effects during the COVID-19 pandemic when compared to other Nebraska counties. The classification required a county to meet at least three of the four following criteria:

1. Labor force decreased from 2010 to 2019;³
2. Labor force growth between 2019 and 2020 was depressed due to the COVID-19 pandemic;⁴
 - a. Estimated labor force growth was calculated based on the average rate of change over the last decade. If the actual labor force growth in 2020 was less than the predicted measure, DED considered the county’s labor force to have been negatively impacted.
3. More housing cost-burdened⁵ households per capita than the Nebraska measure;⁶
4. The 2020 household median income was less than Nebraska’s median income.⁷

Table 3, below, contains the list of counties classified by DED to have been disproportionately impacted by COVID-19.

Table 3. Disproportionately Impacted Counties			
Arthur County	Deuel County	Howard County	Polk County
Boone County	Dixon County	Jefferson County	Red Willow County
Box Butte County	Dundy County	Kimball County	Richardson County
Boyd County	Franklin County	Lancaster County	Scotts Bluff County
Brown County	Frontier County	Lincoln County	Sherman County
Butler County	Gage County	Logan County	Valley County
Cherry County	Garden County	Merrick County	Wayne County
Cheyenne County	Greeley County	Morrill County	Webster County
Custer County	Harlan County	Nemaha County	Wheeler County
Dakota County	Holt County	Pawnee County	
Dawes County	Hooker County	Phelps County	

Any project developed with PRH grant funding will be designed for households with an income at or below 185% of the most recent Federal Poverty Guidelines. Housing developed for residents of a disproportionately impacted

³ Bureau of Labor Statistics. (2010-2020). Local Area Unemployment Statistics. U.S. Department of Labor.

⁴ Id.

⁵ Cost burden is defined in 24 CFR 91.5 as “the extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data available from the U.S. Census Bureau.” DED utilized this definition for both owner- and renter-households.

⁶ U.S. Census Bureau. (2020). Tables B25074 and B25101. American Community Surveys (ACS) 5-Yr. Estimates.

⁷ Id.

county must maintain affordable rent limits and ensure occupancy by the eligible population for the 20-year compliance period.

(C) RESIDENTS OF A QUALIFIED CENSUS TRACT

A qualified census tract (QCT) is any census tract in which 50 percent or more of households have an income which is less than 60 percent of the area median gross income for the same year, or which has a poverty rate of at least 25 percent.⁸ **Table 4** lists Nebraska QCTs, excluding those in Gage, Jefferson, and Scotts Bluff Counties, which are eligible based on classification as a disproportionately impacted county. A map of QCTs in Nebraska is available at https://www.huduser.gov/PORTAL/sadda/sadda_qct.html.

Table 4. Qualified Census Tracts	
County	Tract(s)
Adams	9661.00
Buffalo	9695.00, 9696.00
Dodge	9644.00
Douglas	3.00, 4.00, 6.00, 7.00, 8.00, 11.00, 12.00, 16.00, 19.00, 20.00, 21.00, 23.00, 24.00, 26.00, 27.00, 29.00, 31.00, 32.00, 33.00, 38.00, 39.00, 40.00, 42.00, 49.00, 50.00, 51.00, 52.00, 53.00, 54.00, 58.00, 59.01, 59.02, 60.00, 61.01, 61.02, 63.01, 63.02, 63.03, 65.06, 66.03, 68.06, 71.01, 73.12
Madison	9607.00
Thurston	9401.00, 9402.00

Any project developed with PRH grant funding will be designed for households with an income at or below 185% of the most recent Federal Poverty Guidelines. Housing developed for residents of a QCT must maintain affordable rent limits and ensure occupancy by the eligible population for the 20-year compliance period.

3.2 REGULATORY FRAMEWORK

The PRH program and any awards made thereunder are funded with Federal SLFRF funds allocated to the State of Nebraska from the U.S. Department of the Treasury pursuant to ARPA. As such, all funds must be used in full compliance with all applicable laws, both federal and state, including but not limited to: Section 602(c) of the Social Security Act; 42 U.S.C. § 802(c); 31 CFR Part 35; Treasury regulations implementing that section; all relevant Treasury guidance; the Federal award terms and conditions; and the requirements of relevant state statutes and regulations.

The PRH program is an authorized use of SLFRF via Assistance Listing 21.027, designed to provide state and local governments with the resources needed to respond to the COVID-19 pandemic and its economic effects and to build a stronger economy during the recovery. Awards made by the PRH program will be used to respond to the COVID-19 public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.⁹

⁸ A qualified census tract is defined in 26 U.S.C. § 42(d)(5)(B)(ii)(I) as such section existed on January 1, 2022, as “any census tract which is designated by the Secretary of Housing and Urban Development and, for the most recent year for which census data are available on household income in such tract, either in which 50 percent or more of the households have an income which is less than 60 percent of the area median gross income for such year or which has a poverty rate of at least 25 percent. If the Secretary of Housing and Urban Development determines that sufficient data for any period are not available to apply this clause on the basis of census tracts, such Secretary shall apply this clause for such period on the basis of enumeration districts.”

⁹ 42 USC § 802(c)(1)(A)

The PRH program conforms to the eligible use of SLFRF enumerated in 31 CFR 35.6(b)(3)(ii)(A)(5), which provides financial assistance for the purpose of developing, repairing, and operating affordable housing and services or programs to increase long-term housing security, in response to the public health or economic impacts of COVID-19 on households and individuals who were presumed to be impacted or disproportionately impacted during this period.

3.2.1 Subrecipient Determination

DED has determined that those receiving grants (“Awardees”) under the PRH program are subrecipients. A subrecipient is an entity that receives a subaward to carry out a project on behalf of the State.¹⁰ Individuals or entities that are direct beneficiaries of a project funded by SLFRF funds are not considered subrecipients. Households, communities, small businesses, nonprofits, and impacted industries are all potential beneficiaries of projects carried out with SLFRF funds.

The distinction between a subrecipient and a beneficiary is contingent upon the rationale for why the State is providing funds to the individual or entity. If the State is providing funds to the individual or entity for the purpose of carrying out a SLFRF program or project on behalf of the State, the individual or entity is acting as a subrecipient. Conversely, if the State is providing funds to the individual or entity for the purpose of directly benefiting the individual or entity as a result of experiencing a public health impact or negative economic impact, the individual or entity is a beneficiary. As a beneficiary, the individual or entity is not subject to subrecipient monitoring and reporting requirements. As a subrecipient, the individual or entity is subject to subrecipient monitoring and reporting requirements.

The terms and conditions of Federal awards flow down to subawards to subrecipients, requiring subrecipients to comply with all of the same requirements the State must comply with such as the treatment of eligible uses of funds, procurement, and reporting requirements. Beneficiaries are not subject to the requirements placed on subrecipients in the Uniform Guidance (2 CFR Part 200), including audit pursuant to the Single Audit Act and 2 CFR Part 200 subpart F or subrecipient reporting requirements.

3.3 PROGRAM RESTRICTIONS

3.3.1 Ineligible Project Types

Project costs incurring prior to the Notice of Award (NOA) are not eligible for reimbursement under the PRH program.

With the exception of homeowner rehabilitation projects, proposals for projects with sites that are not vacant at the time of application will not be considered. A property will be considered vacant if no persons have occupied the site or property within 60 days of application submittal to DED and no persons would be displaced for the enactment of project activities.¹¹

3.3.2 Environmental Regulations

In accordance with SLFRF FAQ No. 6.4, the National Environmental Policy Act (NEPA) does not apply to Treasury’s administration of the SLFRF funds. However, projects that are supported with funds from other federal financial assistance programs may be subject to NEPA requirements.

3.4 PROJECT FUNDING & BUDGET

3.4.1 Award and Potential Matching Requirements

¹⁰ 2 CFR 200.1 “Definitions”

¹¹ As defined by 42 U.S.C. § 4601(6)(A), a property will be considered vacant if no tenant, homeowner, farm owner, or business owner occupied the site or property within 60 days of application submittal to DED, and no tenant, homeowner, farm owner, or business owner would be displaced, as defined by Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) found in (42 U.S.C. §§ 4601 through 4655), for the enactment of project activities.

Combined awards of the program not to exceed a total of \$8,000,000. Each Awardee will receive grant funds totaling between \$500,000 and \$1,000,000. Applicants may submit more than one application; however, the combined total may not exceed \$1,000,000. DED reserves the right to partially fund any request.

3.4.2 Cost Share or Match

PRH grant funds may be, but are not required to be, used along with other funding sources for completion of a project. There is no formal match requirement, however applicants are encouraged to leverage other funding sources when possible and if required for project completion.

Types of cost share or match is defined in 2 CFR 200.306 and include both other leverage funding sources and in-kind sources of products or services. Note that funds may not be used for a non-federal cost share or match if prohibited by other federal programs, and applicants should ensure appropriate braiding of multiple funding sources.

3.4.3 Duplication of Funds

Applicants are required to avoid a duplication of benefits. A duplication of benefits occurs when the amount of the award exceeds the total identified need. Applicants should conduct an analysis prior to applying for program funding to determine needs not met by other sources. Best practices to determine if there is a duplication of benefits include the following:

- Identify assistance from federal and state government, county agencies, and private or nonprofit organizations that applicant reasonably expects to be in a project or any other ARPA funds reasonably expected or that have been received;
- All applicants are required to identify other sources and amounts of covered assistance (sources and uses) and to certify that the funds requested does not duplicate other covered assistance that has been received or is reasonably expected to be received; and
- Applicants must agree to repay any assistance later received for the same purpose as the grant funds associated with this program.

3.4.4 Cost Principles

Awardees must assume responsibilities for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the federal award. Costs pertaining to a Federal award should be allowable, allocable, and reasonable and treated consistently. Cost Principles should be followed in accordance with 2 CFR §§ 200.400 through 200.476.

3.4.5 Audit Costs

Treasury's final rule and the Uniform Guidance outline the types of costs that are allowable, including certain audit costs. For example, per 2 CFR § 200.425, a reasonably proportionate share of the costs of audits required by the Single Audit Act Amendments of 1996 are allowable. However, costs for audits that were not performed, or not in accordance with 2 CFR Part 200 subpart F are not allowable. For more information, refer to 2 CFR Part 200 subpart E regarding Cost Principles and subpart F regarding Audit Requirements.

4 PRE-AWARD AND APPLICATION SUBMISSION

4.1 FEDERAL REGULATIONS

In applying for and receiving an award, the organization must adhere to the federal requirements of 2 CFR Part 200, including General Provisions of subpart B, Pre-Award Requirements of subpart C, Post-Award Requirements in subpart D, Cost Principles in subpart E, and Audit Requirement found in subpart F. Allowable costs are based on the premise that a subrecipient is responsible for the effective administration of federal awards, application of sound management practices, and administration of federal funds in a manner consistent with the program objectives and terms and conditions of the award. Subrecipients must implement robust financial management practices with a system of internal controls and effective monitoring.

4.2 PRE-AWARD REQUIREMENTS

4.2.1 Letter of Intent

Interested applicants must submit a letter of intent to apply for PRH grant funding. Letters of intent should be submitted via email to the DED program manager. Refer to §2.4 Contact Information for details.

The letter of intent should be entitled “2022 Pandemic Relief Housing Program Letter of Intent” and placed on the applicant’s letterhead. If a project site has been identified, applicants may submit a Site Review Form for each land parcel in conjunction with the letter of intent. Applicants who fail to submit a letter of intent will not be considered for funding.

For each application cycle, letters of intent for potential applicants are due two (2) weeks after the start date of the application cycle. To be considered for funding, letters must be received by 5:00 PM (Central) on the due date. Refer to §2.3 Grant Schedule for more information.

4.2.2 Unique Entity Identifier

A Unique Entity Identifier (UEI) is required for all applicants, recipients, and subrecipients of Federal financial assistance, in accordance with 2 CFR Part 25. Applicants without a UEI should follow the following instructions to obtain a UEI through the System of Award Management (SAM):

1. Go to [SAM.gov](https://sam.gov).
2. Create an account
 - a. Click “Sign In” in the upper right corner of the webpage.
 - b. Accept the terms to sign into the website on the pop-up window.
 - c. Select “Create an account” and enter the required information. Click “Submit.”
 - d. An account verification email will be sent to the provided email account. Follow the instruction in the email to continue the registration process. For assistance, refer to the Help or Contact Links resources at the bottom of the webpage.
3. Register your entity
 - a. Return to the [SAM.gov](https://sam.gov) “Home” page.
 - b. Select “Get Started” from the “Register Your Entity or Get a Unique Entity ID” sub-window of the webpage.
 - i. The progress bar across the top allows you to see where you are in the request process.
 - c. Click “Get Unique Entity ID” to initiate the request for a UEI for your organization.
 - d. Enter the required information. Ensure these details are an exact match to the legal name and physical address registered with your State’s filing office. When all required information has been entered, a “Next” arrow will appear. Click the arrow to advance to the next page.
 - e. A pop-up window will appear while the system searches for the organization match. When the search is complete, the pop-up window will disappear. Results will be displayed on screen.
 - f. During the Validate Information step, the system shows the entity details as you entered them and all possible matches. Select the correctly matching entity and click “Next.”
 - i. If the system was unable to validate the entity details as you entered them, a “No Match Found” message will appear at the top of the form. Review and correct the entity information as necessary.
 - ii. If you are unable to see your information, select “Start Over” to reenter your information.
 - iii. For assistance in this process, select “Create Incident” to request help.
 - g. In the Validate Additional Information step, organization details will be required, including year of incorporation and the state of incorporation. When complete, click “Next.”
 - h. In the Public Display step, select your preference to allow the organization to be a public display record. When complete, click “Next.”
 - i. In the Request UEI step, check the box to certify that you are authorized to conduct transactions on behalf of the entity. When complete, click “Request Unique Entity ID.”

- j. In the final step, you will receive a UEI. Retain this information for your records.

DED is aware of the delays with SAM.gov system as it relates to obtaining a UEI number. If the applicant's UEI number is pending, enter "PENDING" under the "Unique Entity Identifier (UEI)" field on the application. In Part 4 of the application in the "Other Applicant-Specific Attachments, As Needed" field, the applicant must also upload proof that it has applied for an UEI number. If the applicant is awarded funds, it must have a valid UEI number within 30 days of Award Date. **Failure to have a valid UEI number within 30 days of the Award Date may cause the conditional award to be revoked.**

4.2.3 Debarment and Suspension

Applicants and any subrecipients that are debarred, suspended, or otherwise excluded from Federal assistance programs or activities are ineligible for this program.

During the application process, applicants must disclose information about any and all proceedings involving the entity, its principles, or employees that are ongoing or reached final disposition within the most recent ten (10) years that:

1. Is or was in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the State of Nebraska or the Federal Government; or
2. Is one of the following:
 - a. A criminal proceeding that resulted in a conviction under verdict or plea;
 - b. A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages;
 - c. An administrative proceeding that resulted in a finding of fault and liability and your payment of a fine, penalty, reimbursement, restitution, or damages;
 - d. A bankruptcy proceeding; or
 - e. Any other criminal, civil, or administrative proceeding if:
 - i. It could have led to an outcome described in paragraph 2(a)-(c) of this subsection;
 - ii. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
 - iii. This requirement to disclose information about the proceeding does not conflict with applicable laws and regulations.

Failure to disclose information regarding debarment, suspension, or other exclusion from Federal assistance programs or activities will render the application or project ineligible.

4.2.4 Acknowledgement of Terms and Conditions for Federal Grants

The applicant must attest to DED in the application and, if awarded, in the subaward agreement, that funds will only be utilized for activities allowed under the federal grant.

The subrecipient must consent in the application and agreement that any activities performed, which are determined to be unallowable by DED, or State and Federal oversight monitors or auditors, must be returned to DED or the U.S. Department of the Treasury, as federal grantor.

4.3 APPLICATION SUBMISSION

Applications will be submitted electronically through DED's grant management system at any time during the application cycle.

4.3.1 Application Components

Applicants must complete all required fields and sections of the application and submit all required supplementary documents in order for the application to be considered for funding. Applicants may access the application through the program webpage available in Section 1 of this program manual.

Applications will have the following sections:

- Opportunity Details
- Project Information
- Forms
- Budget
- Performance Plan

Applicants must submit the following supplementary documents:

1. Current copy of charter/articles of incorporation
2. Current copy of by-laws
3. Nebraska Secretary of State – Certification of Good Standing
4. Evidence of Board Approval for grant request
5. IRS 501(c)(3) determination letter
6. 2019-2021 IRS Form 990 (Return of Organization Exempt From Income Tax)
7. Financial accountability notarized statement
8. Current copy of financial statements OR annual single audit
 - a. Include any corrective action plans associated with the audit, if applicable.
9. Current copy of policies and procedures related to sound financial management
10. Housing assessment completed within the prior 12 months
11. Project budget spreadsheet, including:
 - a. Project Cost Summary
 - b. Sources and Uses
 - c. Operating budget (annual)
 - d. Pro forma (20 years)
 - e. Detail about leveraged funding sources, if applicable
12. Implementation plan, including project timeline to completion

In addition, the following supplementary documents may be required:

1. Proof of pending UEI request issued by SAM.gov
2. Letter(s) of support for project from local government, community agencies, and/or relevant parties
3. Construction Memorandum of Understanding
4. New Construction Approval from Nebraska Department of Environment and Energy
5. Commitment letters from secured sources of funding and/or bank financing for the project
6. Site review forms for any site(s) identified since the submission of the letter of intent

4.3.2 Timely Receipt and Completeness Requirements

Applications must be submitted by the deadline in §2.3 of this document or as posted on the DED website. Applications will be accepted until 5:00 p.m. CDT on the due date. Applications must be completed online at <https://ne.amplifund.com/Public/Opportunities/Details/750afc1a-a317-424d-9c0c-26b7200fc9c5> and must fully comply with all requirements specified. Applications with missing or incomplete documentation will not be considered for funding. DED may request supplemental materials from applicants at its discretion. DED reserves the right to fund or not fund applications based on the Director's discretion. DED also reserves the right to partially fund a grant request.

4.4 CONFLICTS OF INTEREST IN THE ADMINISTRATION OF AWARDS

Awardees must disclose to DED any financial conflicts of interest that arise and are required to be managed during the life of the award. DED is required to disclose any potential conflicts of interest to the Federal awarding agency in accordance with 2 CFR § 200.113. Awardee employees may neither solicit nor accept gratuities, favors, or anything of monetary value from the contractors or parties to contract. Such a conflict of interest would arise when the employee of an Awardee or any member of their immediate family, their spouse/partner, or an organization

which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Awardees must assert that they conducted a due diligence assessment that reasonable efforts were made to prevent and detect any such financial conflicts of interest. Failure to make required disclosures can result in any of the remedies described in 2 CFR § 200.338. Remedies for non-compliance, including suspension or debarment.

5 AWARD DETERMINATION AND OBLIGATION

5.1 APPLICATION EVALUATION CRITERIA

Applications will be scored and evaluated using the following criteria:

Table 5. Evaluation Criteria Summary	
CAPACITY	10%
Ability to complete the program activities within the period of performance and maintain efficient and effective use of funds.	
FINANCIAL & ADMINISTRATIVE READINESS	10%
Experience in managing federal grant funds, developing internal controls, establishing procurement processes, and adhering to reporting requirements.	
HOUSING NEEDS	30%
The proposed project’s alignment with the described community needs, including how the project would support the local government’s plan for affordable housing and/or neighborhood stabilization and revitalization.	
PROJECT IMPACT	30%
The proposed project’s impact on the community relative to the investment of funds expended, including the number of new housing units produced or the existing housing units rehabilitated.	
PROJECT READINESS	10%
The feasibility of the project reaching completion within the period of performance.	
REFUGEE/IMMIGRANT HOUSING	10%
The project provides housing for refugees and other such immigrants <i>exclusively</i> .	

5.2 THRESHOLD REQUIREMENTS

Applications that fail to meet initial threshold requirements will not be reviewed or scored and will thus be ineligible for award during the application cycle. DED may request clarifying information of an applicant during the threshold review. The following criteria must be met to ensure the applicant and application has complied with all regulations and program requirements. Criteria will be evaluated individually on a pass/fail basis. Failure to comply with one or more of these criteria will result in failure to meet the threshold requirements.

- Letter of Intent submitted by the due date.
- Applicant is eligible to apply for grant funding for this program.
- Full application was submitted through the DED grants management system by the due date.
- All required attachment were included in the application.

5.3 APPLICANT RISK ASSESSMENT

DED will perform an assessment to identify the potential risks associated with this particular award and address those risks by including mitigating terms and conditions in the subaward agreement as well as additional

subrecipient monitoring procedures for Awardees requiring special conditions. This process differs based on the potential subrecipient’s organization type (e.g., nonprofit organization, for-profit business, academic institution). The risk assessment will be performed by reviewing information about the organization and assigning an appropriate risk level.

Applications will be evaluated as having low risk, moderate risk, or high risk. Overall level of assessed risk will not prohibit an application from being awarded grant funds.

For nonprofit organizations, a risk assessment will include evaluation based on the following characteristics:

- Financial Risk
 - Award amount
 - Financial capacity
- Operational Risk
 - Quality of grant management system policies
 - History of performance
 - Reliance on third-party organizations
- Compliance Risk
 - Reports & audit findings
 - Ability to implement statutory, regulatory, or other requirements
 - History of Federal, state, or local government programs

5.4 APPLICATION REVIEW AND SELECTION PROCESS

Applicants must justify how the proposed project and related costs are an eligible use of SLFRF funding. To justify the project as an eligible use, applicants must (1) identify the need or negative impact in the community and (2) explain how the program, service, or other intervention addresses the identified need or negative impact. DED will disqualify from further consideration any project that is not an eligible use of SLFRF funding.

Applications that pass review of threshold requirements will be scored by a committee based on the scoring criteria below. Award recommendations will be determined by a review committee.

Table 6. Evaluation Criteria Details	
I. CAPACITY	<ul style="list-style-type: none"> Track record in producing affordable housing that meets the needs of the local community Internal controls and financial management procedures Ability to take on additional projects and manage federal funds responsibly Relevant qualifications and experience of any staff that will play a key role in the project Existing community relationships and history of collaboration with project partners
II. FINANCIAL & ADMINISTRATIVE READINESS	<ul style="list-style-type: none"> Submitted key staff résumés with demonstrated skills/expertise in accounting & financial procedures Prior experience in federal grant management, developing internal controls, establishing procurement standards, and adhering to reporting requirements
III. HOUSING NEEDS	<ul style="list-style-type: none"> Local housing needs were evidenced in the housing assessment Refugee/immigrant housing needs was identified in the project area Proposed project addresses the identified need(s)

Proposed project aligns with the local government’s plan for affordable housing and neighborhood revitalization
<p>IV. PROJECT IMPACT</p> <p>Details the total number of housing units produced in the project and the number of program-assisted units</p> <p>Describes the impact of the proposed project on the local community</p> <p>Affirms plan to prioritize local contractors and any existing relationships</p> <p>Affirms plan to use program income in accordance with 2 CFR Part 200</p>
<p>V. PROJECT READINESS</p> <p>Assessed ability to implement the project quickly when funds are awarded</p> <p>Feasibility of the project reaching completion within the period of performance</p>
<p>VI. REFUGEE/IMMIGRANT HOUSING</p> <p>Project will serve refugee and immigrant households <i>exclusively</i></p>

Following the application review by the review committee, a recommendation will be provided to the DED Director.

6 AWARD ADMINISTRATION

6.1 NOTICE OF AWARD

DED issues written Notices of Award (NOA) to Awardees of grant funding. The NOA will outline the anticipated grant amount. These funds will be reserved for the potential Awardee until a grant agreement is signed by both DED and the Awardee, or until such time it is determined that a grant agreement cannot be entered between the Awardee and DED.

6.1.1 Non-Select Letters

DED issues written Notices of Non-Selection to applicants who submitted full applications that were not chosen for grant funding by the scoring committee. Non-select letters will describe the reason(s) for the decision and may include information for other funding opportunities that may be available for the proposed project.

6.2 GRANT AGREEMENT TERMS AND CONDITIONS

Following DED’s NOA, DED issues an electronic copy of the Pandemic Relief Housing Program Subaward Agreement via DocuSign. The agreement is entered into between DED and the Awardee. If the Awardee is an organization or other legal entity, an authorized representative of the Awardee must sign the agreement.

The Awardee must review, sign, date, and return the agreement via DocuSign to accept PRH awards. DED signs the contract after it is signed by the Awardee. Once all parties have signed the agreement, Awardees will be required to provide the [State of Nebraska W-9 and ACH Enrollment Form](#).

The Awardee must attest to DED in the grant application and agreement that funds will only be utilized for activities allowed under the federal grant.

The Awardee must acknowledge and will agree to in the grant application and agreement that any activities performed by the Awardee determined to be unallowable by DED or by State or Federal oversight monitors or auditors must be returned to the DED for utilization on other SLFRF allowable activities or returned to the federal grantor.

6.3 AWARD DISBURSEMENT

The Awardee may submit the first payment request after full execution of the agreement and approval of any required conditions specified in the agreement.

This award will be disbursed on a reimbursement basis using the grant management system. To receive reimbursement, the Awardee must create one expense and submit supporting documentation. Such documentation includes source (expense) documents and proof of completed payment for each expense. Expenses will be tracked against the Awardee's budget line items. The Awardee will then compile all expenses into a reimbursement payment request, which will be submitted to DED.

DED may reject the payment request and require resubmission if documentation is incomplete, funds are requested for ineligible costs, match contribution is not sufficient, or other issues are identified. Upon DED's approval of payment requests, DED will disburse grant funds on a reimbursement basis up to the amount detailed in the reimbursement documentation. An email from the grant management system administrator will give notice to Awardee's Grant Manager that DED has approved or denied the request for payment. Denied requests may be modified as required and resubmitted.

Funds are transferred electronically to the account designated on the State of Nebraska W-9 and ACH Enrollment Form. If an email address was provided on the State of Nebraska W-9 and ACH Enrollment Form, notification that payment has been processed will be sent via email to the address provided.

Awardees can find detailed instructions for how to submit payment requests in this manual and DED Help Center user guides. Payment of the reimbursement is subject to Awardee's submission of supporting documentation for review and approval by DED.

A source (expense) document is any document that contains the details of the business transaction, such as receipts, invoices, or payroll documents. A source document captures the key information about a transaction, such as the names of the parties involved, amounts paid (if any), the date, and the substance of the transaction, which demonstrates the allowability, applicability, and reasonableness of the cost.

Proof of payment means a copy of the cleared or cancelled check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, or other similar document, which provides substantiating evidence that payment has been made in the amount due as claimed.

The timing of the final disbursement request depends on the Awardee's ability to document expenditure of funds as required in the agreement but should be submitted to DED on or before the end of the contract term.

7 POST-AWARD MANAGEMENT AND IMPLEMENTATION

7.1 GOVERNING PROVISIONS

The Awardee must develop and operate a project in full compliance with all applicable laws and regulations, both federal and state, including but not limited to:

7.1.1 Programmatic Provisions

1. Title VI of the Social Security Act (42 U.S.C. 801 §§ 602 and 603), as added by section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), codified as 42 U.S.C. § 802 and 42 U.S.C. § 803 respectively.
2. Pandemic Relief Programs, 31 CFR Part 35, which specifies eligible use of SLFRF grant awards, ineligible use of such funds, payment of funds by Treasury to states pursuant to section 602(d)(1) of the Social Security Act, restrictions on compensation and capital distributions, and ensures compliance with the American Rescue Plan Act.

3. Universal Identifier and System for Award Management (SAM), 2 CFR Part 25, pursuant to which the award term set forth in Appendix A to 2 CFR Part 25 is hereby incorporated by reference.
4. Reporting Subaward and Executive Compensation Information, 2 CFR Part 170, pursuant to which the award term set forth in Appendix A to 2 CFR Part 170 is hereby incorporated by reference.
5. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200;

7.1.2 Civil Rights and Equal Opportunity Provisions

6. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-1 through 2000d-7, and Treasury's implementing regulations at 31 CFR Part 22;
7. Title VIII of the Civil Rights Act of 1968 (The Fair Housing Act), 42 U.S.C. §§ 3601 through 3631;
8. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794;
9. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 76 §§ 6101 through 6107, and Treasury's implementing regulations at 31 CFR Part 23;
10. Executive Order 13985, On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government;

7.1.3 Fair Housing Standards and Provisions

11. The Architectural Barriers Act of 1968, as amended, 42 U.S.C §§ 4151 through 4157;
12. Title III of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12181 through 12189;
13. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, 42 U.S.C. §§ 4601 through 4655;
14. Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988.

7.1.4 Labor Standards and Provisions

15. Title I of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12111 through 12117;
16. Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. § 1324a), known as the E-Verify Program;
17. Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101 through 8106), and implementing regulations outlined in 31 CFR Part 20;
18. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement), 2 CFR Part 180 and Treasury's implementing regulation at 31 CFR Part 19;

7.1.5 Other Provisions

19. New Restrictions on Lobbying, 31 CFR Part 21, and related Federal requirements imposed by 31 U.S.C. § 1352;
20. Hatch Act of 1939 (5 U.S.C. §§ 7321 through 7326), and specific regulations for State or local employees found in 5 U.S.C. §§ 1501 through 1508;
21. Transparency and public accountability guidance for SLFRF award funds, including the Federal Funding Accountability and Transparency Act (Pub. L. 109-282, 31 U.S.C. § 6101 and related Federal requirements); Memorandum M-21-20 and Memorandum M-20-21;
22. Nebraska Contractor Registration Act (Neb. Rev. St. §§ 48-2101 through 48-2117);

23. Executive Order 13043, Increasing Seat Belt Use in the United States;
24. Executive Order 13513, Reducing Text Messaging While Driving;
25. Generally applicable federal environmental laws and regulations;
26. Any and all federal laws and regulations that apply if subaward funds are used in conjunction with other federal funding sources; and
27. All applicable state laws, ordinances, rules, regulations, and statutes established by the State of Nebraska and its respective political subdivisions, that are relevant to the activities carried out by the Awardee set forth in the grant agreement.

7.2 FEDERAL POST-AWARD REQUIREMENTS

7.2.1 Statutory and National Policy Requirements

Federal funding that is expended and associated programs that are implemented must be managed and administered in a manner in full accordance with the U.S. Constitution, Federal Law, and public policy requirements: Including, but not limited to, those protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination. Relevant public policy requirements are incorporated directly or by reference in the terms and conditions of the subaward agreement.

7.2.2 Performance Management

DED will measure the Awardee's performance to show achievement of program goals and objectives, share lessons learned, improve program outcomes, and foster adoption of promising practices. Program goals and objectives should be derived from program planning and design. Where appropriate, the subaward agreement may include specific program goals, indicators, targets, baseline data, data collection, and expected outcomes with an expected timeline for accomplishment, and may include performance measures or independent sources of data that may be used to measure progress. Performance measurement progress must be measured by the Awardee and/or DED and reported.

Performance goals and objectives must be aligned with the Federal awarding agency strategic goals, strategic objectives, or performance goals that are relevant to the program. Performance reporting frequency and content will be established by DED at the beginning of the period of performance.

7.2.3 Financial Management

Awardees are required to manage their financial resources in accordance with state laws and procedures for expending and accounting for the state's own funds. DED has established a financial management framework that allows for the appropriate recording and reporting of the receipt and expenditures of federal grant funds. Awardees are required to be in compliance regarding expenditure requirements as outlined in 2 CFR § 200.302.

7.2.4 Internal Controls

Awardees are required to maintain effective internal control over the Federal award and agree to comply with Federal statutes, regulations, and the terms and conditions of the grant agreement. Awardee internal control requirements are further outlined in 2 CFR § 200.303.

7.2.5 Cost Sharing or Matching

Cost Sharing and Matching requirements do not apply to the SLFRF Program per Treasury guidelines.

7.2.6 Program Income

Program income means gross income that is directly generated by a supporting activity or earned as a result of the Federal award during the period of performance. Program income includes but is not limited to income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, and principal and interest on loans made with Federal award funds. Program income does not include interest earned on

advances of Federal funds, rebates, credits, discounts, or interest on rebates, credits, or discounts. Awardees of SLFRF funds should calculate, document, and record the organization's program income.

Program income must be tracked and used in accordance with 2 CFR § 200.307. Treasury clarified in the SLFRF Final Rule Frequently Asked Questions¹² that recipients may add program income to the Federal award. Any program income generated from SLFRF funds must be used for the purpose and under the conditions of the Federal award.

Additional controls that Awardees should implement include written policies that explicitly identify appropriate allocation methods, accounting standards and principles, compliance monitoring checks for program income calculations, and records. Awardees will report on program income following the reporting procedures enumerated in the grant agreement.

7.3 PROPERTY STANDARDS

7.3.1 Insurance Coverage

The Awardee must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided to property owned by the Awardee in accordance with 2 CFR §§ 200.310, 200.311 and 200.313. Awardees must submit a Certificate of Insurance to DED.

7.3.2 Real Property or Equipment

Any purchase or improvement of real property with SLFRF funds must be consistent with the Uniform Guidance at 2 CFR Part 200 subpart D.

Title to real property acquired using SLFRF funds will vest upon acquisition with the Awardee. Real property acquired or improved upon using Federal funds must be used for the originally authorized purpose.

When the real property is no longer needed for the originally authorized purpose, the Awardee may dispose of the real property by

1. Retaining title after compensating the U.S. Department of the Treasury, in accordance with 2 CFR § 200.311(c)(1). The amount due will be calculated by applying the percentage of SLFRF funds expended for the cost of original purchase and improvement of the property to the fair market value of the property.
2. Selling the property and compensating the U.S. Department of the Treasury, in accordance with 2 CFR § 200.311(c)(2). The amount due will be calculated by applying the percentage of SLFRF funds expended for the cost of original purchase or improvement to the proceeds after the sale after deduction of any actual and reasonable selling and fixing-up expenses.

Requirements for proper management of real equipment, supplies, and intangible property are found in 2 CFR Part 200 subpart D, specifically in 2 CFR §§ 200.313 through 200.315.

7.4 PROCUREMENT STANDARDS

DED and its Awardees are responsible for ensuring that any procurement using award funds, or payments under procurement contracts using such funds are consistent with the procurement standards set forth in the Uniform Guidance at 2 CFR §§ 200.317 through 200.327, as applicable. The Awardee must make available upon request any technical specifications on proposed procurements for which the Federal awarding agency or DED determines a review is required.

7.4.1 Competition

All written procurement policies will include procedures to conduct all procurement transactions in a manner providing full and open competition consistent with the standards. The Uniform Guidance requires that all

¹² SLFRF Final Rule Frequently Asked Questions can be found online at, <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-FAQ.pdf>

procurement transactions for property or services must be conducted in a manner providing full and open competition, consistent with standards outlined in the procurement standards, which allows for non-competitive procurements only in circumstances where at least one of the conditions below is true: the item is below the micro-purchase threshold; the item is only available from a single source; the public exigency or emergency will not permit a delay from publicizing a competitive solicitation; or after solicitation of a number of sources, competition is determined inadequate. The Uniform Guidance requires an infrastructure for competitive bidding and contractor oversight, including maintaining written standards of conduct and prohibitions on dealing with suspended or debarred parties. Awardees must ensure adherence to all applicable local, State, and federal procurement laws and regulations.

DED considers “full and open” competition to mean that a complete requirement is publicly solicited, except if specifically not required, and all responsible sources that are interested in doing so, are permitted to compete. There are numerous benefits to full and open competition, such as increasing the probability of reasonable pricing from the most qualified contractors and helping discourage and prevent favoritism, collusion, fraud, waste, and abuse.

7.4.2 Davis-Bacon Act

The Davis-Bacon Act requirements regarding prevailing wage rates do not apply to projects funded solely with SLFRF funds with the exception of certain SLFRF-funded construction projects undertaken by the District of Columbia, when undertaking capital expenditures.

Treasury encourages Awardees to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages Awardees to prioritize in their procurements, employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws. Additional standards may be applicable based on state statutes and award agreement terms and conditions.

7.4.3 Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms

The Awardee must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus are firms are used when possible. Affirmative steps are detailed in 2 CFR § 200.321.

7.4.4 Domestic Preferences for Procurements

The Awardee must provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States in accordance with 2 CFR § 200.322.

7.4.5 Supply Schedules and Purchasing Programs

The subrecipient procurement procedures must address what procurement methods will be used, including a description of those methods and the circumstances when used. These methods should also include a description of how and when the subrecipient will use joint procurements, purchasing agents, and Federal and State supply schedules.

8 PERFORMANCE & FINANCIAL MONITORING & REPORTING

8.1 RECORDS RETENTION AND ACCESS; INSPECTIONS

As required by Retention Requirements for Records found in 2 CFR §§ 200.334 through 200.338, Awardees must maintain all records and financial documents for five years after all funds have been expended or returned.

DED and any duly authorized official of the state and federal government will have full access to and the right to examine, audit, excerpt, and/or transcribe any of the Subrecipient’s records pertaining to all matters covered by this agreement. The Awardee must transfer records pertinent to this project and work undertaken as part of the project to DED upon request.

Treasury may request transfer of records of long-term value at the end of such period. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats.

Awardees must agree to provide or make available such records to the State of Nebraska, Nebraska Department of Economic Development, and the U.S. Department of the Treasury upon request, and to any authorized oversight body, including but not limited to the Government Accountability Office (“GAO”), Treasury’s Office of Inspector General (“OIG”), and the Pandemic Relief Accountability Committee (“PRAC”), and the Nebraska Auditor of Public Accounts.

8.2 INTERIM REPORTS

Prior to the first disbursement of any program funds, the Awardee must submit the following documentation to DED, which is subject to review and approval before final submission:

- Documentation evidencing adoption of procurement standards, including standards of conduct to ensure full and open competition
- Written policies for the allocation, accounting, and monitoring of program income
- Liens, deed restrictions, restrictive covenants, or any combination of such legal instruments, filed and currently existing for all sites on which program activities will occur
- Program guidelines
- Proof of insurance
- Written policies establishing internal controls, including oversight and monitoring processes and procedures, in order to have reasonable assurance that Project activities and services are rendered in compliance with applicable law and the terms and conditions of the subaward agreement
- Fair Housing information

8.3 ONGOING REPORTING REQUIREMENTS

All Awardees must complete and submit financial reports as required by the subaward agreement in accordance with the Coronavirus State Fiscal Recovery Funds reporting requirements.

Expenditures may be reported on a cash or accrual basis, as long as the methodology is disclosed and consistently applied. Reporting must be consistent with the definition of expenditures pursuant to 2 CFR § 200.1. Expenses will be entered and approved within DED’s grant management system in order to receive payments. A Final Financial Report will be required to receive final payment.

The Awardee must maintain records and financial statements in accordance with applicable Federal, State, and local regulations, outlined in the subaward agreement. DED may request additional information and change the frequency of reporting at its discretion, based on its assessment of the project performance.

Failure to provide required reports to DED by the required due dates may result in DED declaring the Awardee to be in substantial breach of the subaward agreement, for which DED may immediately terminate the subaward agreement and/or require repayment of all SLFRF funds disbursed to the Awardee for the project.

8.3.1 Reporting of Matters Related to Recipient/Subrecipient Integrity and Performance

If the total value of the recipient (or subrecipient) entity’s currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the recipient entity during that period of time must maintain current information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently Federal Awardee Performance and Integrity Information System [FAPIIS]) about civil, criminal, or administrative proceedings described in program manual. This is a statutory requirement under Section 872 of Public Law 110-417, as amended in 41 U.S.C. § 2313.

Before awarding a contract in excess of the simplified acquisition threshold, DED will review the performance and integrity information available in the Federal Awardee Performance and Integrity Information System (FAPIIS)

(available at <https://www.cpars.gov/>), including FAPIIS information from the SAM Exclusions and the Contractor Performance Assessment Reporting System (CPARS).

As required by Section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

8.3.2 Department of Economic Development Monitoring and Reporting

As a recipient of Federal award funds, DED is entrusted with financial resources and responsibilities for the management, disbursement, and accountability of SLFRF monies under ARPA. By extension, this responsibility extends to managing risks associated with the grants management process to facilitate efficient operation and compliance with regulatory and programmatic requirements. Monitoring and reporting is critical for the Federal awarding agency and DED to have up-to-date information on awards and subawards, and invaluable for Subrecipients in regard to meeting performance goals and ensuring compliance with applicable rules and regulations.

By accepting SLFRF grant funds, Awardees affirm their requirements to:

- Be responsible for oversight of the operations of Federal award-supported activities;
 - Monitor its activities performed under Federal awards to ensure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring will cover each program, function, and activity;
 - Submit performance reports for each open project to DED within 15 days of the reporting period end date, which will include the following:
 - Comparison of actual accomplishments to the objectives of the Federal award established for the period. Where the accomplishments of the Federal awards can be quantified, a computation of the cost.
 - The reason for not meeting established goals, if appropriate; and
 - Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high cost units;
 - Inform DED if the following occur between performance reporting dates:
 - Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of the action taken, or contemplated, and assistance needed to resolve the situation and;
 - Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned; and
7. Submit annual reports to DED on the status of real property in which the Federal Government retains an interest.

8.4 PERFORMANCE REPORTS

Project and financial reporting will be prepared and submitted by the Awardee at an interval described in the subaward agreement and in compliance with the Federal, state, and DED requirements, including Neb. Rev. St. §§ 81-1229 through 81-1231, and 2 CFR §§ 200.328 through 200.330.

The Awardee must establish and maintain a system which assures effective control over and accountability for all funds, property, and other assets used in the project. Financial reports will align with the Awardee's proposed budget and will be supported by appropriate source documentation (e.g., payroll records, invoices, receipts, etc.) and proofs of payment.

The Awardee must submit documentation evidencing completion of all financial management system requirements and execution of the financial management certification form prescribed by DED.

8.5 RECOVERY PLAN

DED must submit annually to Treasury a Recovery Plan, which will cover all SLFRF-funded programs during the previous 12-month period of the period of performance. DED may request additional information from the Awardee for the purpose of the Recovery Plan, which may include, but is not limited to:

- Executive Summary of the Awardee's eligible use of funds, including key outcome goals, project progress status, the Awardee's plan for use of funds to promote long-term housing stability in the community, and noteworthy challenges or opportunities identified during the reporting period.
- Uses of Funds, including both intended and actual uses of funds, which address how the SLFRF funds respond to negative economic impacts of the COVID-19 pandemic and to ensure effective, efficient, and equitable outcomes for disproportionately impacted communities, populations, or individuals.
- Promoting Equitable Outcomes, including details of the project's goals, design, access and distribution, outcomes, and prioritization of economic and racial equity as a goal.
- Community Engagement, including details of how feedback from the community, constituents, and community-based organizations was incorporated into the project design.
- Use of Evidence, including whether evidence-based interventions or program evaluation tools have been implemented by the Awardee to ensure program effectiveness and equitability.
- Required performance indicators and programmatic data, including the number of affordable housing units preserved or developed.

8.6 SINGLE AUDIT REPORT

Awardees that expend more than \$750,000 in total federal awards during their fiscal year will be subject to an audit under the Single Audit Act and its implementing regulation at 2 CFR Part 200 subpart F regarding audit requirements. Awardees may also refer to the Office of Management and Budget (OMB) Compliance Supplements for audits of federal funds and related guidance and the Federal Audit Clearinghouse to see examples and single audit submissions. Awardees will be notified via email through AmpliFund to submit an annual audit. More information can be found at the DED website: <https://dednebraska.zendesk.com/hc/en-us/articles/6660531499291-Submitting-the-Notification-of-Annual-Audit-NAA->

8.7 SUPPLEMENTAL FINANCIAL/INTEGRITY REVIEW

The Awardee will be required to report on the status of the project. DED reserves the right to audit the project at any time, ensuring that funds are spent appropriately, and timelines are met. Following project completion, a final report will be required.

8.8 CLOSEOUT

The Awardee will comply with program closeout procedures as specified by DED to ensure a timely closeout, in accordance with 2 CFR § 200.344 and 200.345.

All final financial and program reports will be submitted to DED by the Awardee reports must be submitted to DED by the Awardee within 30 calendar days of the end of the period of performance. DED may approve an extension if requested and justified in writing by the Awardee. The Awardee must account for any real and personal property acquired or improved upon with grant funds in accordance with 2 CFR §§ 200.310 through 200.316 and 200.330.

Project closeout does not affect the right of DED or any duly authorized official of the State of Federal government to disallow costs and recover funds from the Awardee on the basis of a later audit or other review. The obligation of the Awardee to return any funds due as a result of an audit is not affected by closeout of the grant or termination of the agreement between the Awardee and DED.

8.9 ENFORCEMENT AND TERMINATION

The grant agreement or contract may be terminated in full, or in part, if:

- DED suffers a loss of funding which permitted it to fund the award;
- A natural disaster or other similar event outside of the control of and not the fault of the Awardee or DED renders the project infeasible or unable to be performed;
- The Awardee and DED mutually agree to terminate the grant agreement, if both parties agree that continuation is not feasible or would not produce the beneficial results commensurate with the further expenditure of funds;
- DED identifies a deficiency or the Awardee's noncompliance with the grant agreement; or
- The Awardee makes any false statements or claims in connection with the Federal grant.

8.9.1 Remediation and Recoupment

If DED determines that the Awardee materially fails to comply with any term of this grant agreement, whether stated in a federal or state statute or regulation, an assurance, in a state plan or application, a notice of award, or any other applicable requirement, DED will have all remedies available under State or Federal law. DED, at its sole discretion, may impose sanctions without first requiring or allowing a corrective action plan.

Costs resulting from obligations incurred during a suspension or after termination of this grant are not allowable unless DED expressly authorizes them in the notice of suspension or termination or subsequently.

9 TECHNICAL ASSISTANCE FOR AMPLIFUND

To administer this program, DED uses AmpliFund, a grant management system (GMS). Applications will be submitted, and awards will be managed, through this GMS.

9.1 DED GRANTS HELP CENTER

DED has published user guides and tutorials for specific business processes for accessing and using the GMS to apply and facilitate the grant are available on DED's website, <http://opportunity.nebraska.gov/amplifund/>. The help portal is organized by topic displayed in tiles on the main webpage. You can enter key words into the search bar to find specific articles.

9.1.1 Applicant User Guides

- **User Management** provides instructions on registering users on the AmpliFund website in order to apply for an award.
- **How to Apply** contains instructions on applying through the GMS.

9.1.2 Awardee User Guides

- **Award Information** provides initial instructions to manage your award.
- **Amendments** contains information on submitting an amendment of your grant agreement within your award.
- **Budget** provides information on how to edit and track expenses within your award.
- **Payment Requests** contains instructions for submitting payment requests and supporting documentation within your award.
- **DED Reporting Requirements** provides instructions for completing and submitting required reports throughout the period of performance within your award.
- **ARPA** contains specific user guides specific to ARPA programs.

9.2 AMPLIFUND HELP PORTAL

For user guides about using AmpliFund, please visit <https://ne-amplifund.zendesk.com>. This help portal will assist users in navigating the system and more. You can enter key words into the search bar to find specific articles, user guides, access recorded and live trainings and videos, and submit a support ticket for assistance from the AmpliFund Help Desk.

9.2.1 Customer Support

If you need help using the GMS to apply or manage you award, you can reach out to customer support in three different ways:

1. Call toll-free 1-844-735-0239
 - a. Available from 7:00am to 7:00pm (Central)
2. Online chat
 - a. Available from 8:00am to 4:00pm (Central)
3. Email support@ne-amplifund.zendesk.com

10 RECORD OF CHANGE

Find the Version identifier on the cover page of this document. Summary of Changes includes a brief description of the revisions.

Version	Date	Summary of Changes
1.1	11/2022	Initial program version: Pandemic Relief Housing Program Manual
2.0	01/2023	<p>Revised sections:</p> <p>2.1 Background, combines ARPA authorization and federal grant information</p> <p>2.3 Grant Schedule, updated grant schedule to include multiple application cycles</p> <p>2.4 Contract Information, updated to Brittany Piper</p> <p>Section 3 “Program Design,” previously named “Eligibility”</p> <p>3.1 Program Eligibility, combines Eligible Use, Applicants, Funding Restrictions and Allowable Costs, (section 3.1 through 3.3 in version 1.0) and adds Project Types and Targeted Beneficiary Populations</p> <p>3.4 Project Funding & Budget, combines Award and Potential Matching Requirements, Cost Share or Match, Duplication of Funds, Cost Principles, and Audit Costs</p> <p>4.2 Pre-Award Requirements, combines Letter of Intent, Unique Entity Identifier, Debarment and Suspension, and Acknowledgement of Terms and Conditions for Federal Grants</p> <p>4.3 Application Submission (section 4.2 in version 1.0)</p> <p>4.4 Conflicts of Interest (section 4.3 in version 1.0)</p> <p>5.1 Application Evaluation Criteria, reformatted table and listed all required and optional supporting documents pertaining to the application</p> <p>5.3 Applicant Risk Assessment, additional details about how risk assessment is completed</p> <p>5.4 Application Review and Selection Process, added Table 6 of evaluation criteria for application review</p> <p>6.3 Award Disbursement, additional details on reimbursement payment requests based on current Departmental policy</p> <p>7.2 Federal Post-Award Requirements, adds new sections Statutory and National Policy Requirements and Performance Management, combines Financial Management, Internal Controls, Cost Sharing or Matching, Program Income (sections 7.1 through 7.4 in version 1.0)</p>

Version	Date	Summary of Changes
		<p>7.3 Property Standards, combines Insurance Coverage and Real Property and Equipment (sections 7.5 and 7.6 in version 1.0)</p> <p>8.1 Records Retention and Access (section 7.9 in version 1.0)</p> <p>8.3 Ongoing Reporting Requirements (section 7.11 in version 1.0)</p> <p>8.6 Single Audit Report (section 7.12 in version 1.0)</p> <p>8.7 Supplemental Financial/Integrity Review (section 5.2 in version 1.0)</p> <p>8.9 Enforcement and Termination (section 7.10 in version 1.0)</p> <p>Section 9 “Technical Assistance for AmpliFund” (section 8 in version 1.0)</p> <p>9.1 DED Grants Help Center, removed image and condensed information and removed custom links. All user guides are available on the main website linked in this section. Also expanded list of available user guides.</p> <p>9.2 AmpliFund Help Portal, removed image and combined customer service (section 8.3 in version 1.0)</p> <p>Section 10 “Record of Change” not enumerated in version 1.0</p> <p><u>Added sections:</u></p> <p>2.2 “Program Purpose”</p> <p>3.2 Regulatory Framework, contains information provided under other sections in version 1.0</p> <p>3.3 Program Restrictions, contains information provided under other sections in version 1.0</p> <p>4.1 Federal Regulations, contains information provided under other sections in version 1.0</p> <p>5.2 Threshold Requirements, contains information provided under other sections in version 1.0</p> <p>7.1 Governing Provisions, lists federal regulations and state statutes that apply to the program. This information was not enumerated in version 1.0 but is stated in the subaward agreement.</p> <p>7.3 Property Standards, additional details provided regarding real property and equipment, pursuant to published DED memo on this topic</p> <p>7.4 Procurement Standards, contains information provided under other sections in version 1.0</p> <p>Section 8 “Performance & Financial Monitoring & Reporting”</p> <p>8.2 Interim Reports, additional reporting details not described in version 1.0 but stated in the subaward agreement.</p> <p>8.4 Performance Reports, additional reporting details not described in version 1.0 but stated in the subaward agreement.</p> <p>8.5 Recovery Plan, additional reporting details not described in version 1.0 but stated in the subaward agreement.</p> <p>8.8 Closeout, additional procedures and policies not described in version 1.0 but stated in the subaward agreement.</p>