

Madison County, Illinois HOME-ARP Notice of Funding Opportunity



June 7, 2024

**Prepared by: Madison County
Community Development**
Madison County, Illinois

Christopher P. Otto, Administrator
157 N. Main Street, Suite 312
Edwardsville, IL 62025

618-692-8940

Home Investment Partnership-America Rescue Plan (Home-ARP)

A. Program Overview

Notice of Funding Opportunity

The Madison County Board, through the Madison County Community Development office, is issuing the Notice of Funding Opportunity (NOFO) to solicit applications for Business Resiliency program funded by the HOME Investment Partnership-American Rescue Plan funding through the U.S. Department of Housing and Urban Development (HUD).

Program Description

The objective of this program is to use HOME-ARP funds to acquire and develop non-congregate shelter (NCS) for individuals and families that meet one of the Qualifying Populations defined in the CPD Notice CPD-21-10: Requirements for the Use of Funds in the HOME-ARP Plan Program. NCS provides private units or rooms as temporary shelter to individuals and families and does not require occupants to sign a lease or occupancy agreement. This activity may include the construction of new structures or the acquisition and/or rehabilitation of existing structures (such as motels, nursing homes, or other facilities) to be for used as a HOME-ARP NCS.

B. Requirements and Disclaimers

The following requirements and disclaimers apply to all applications submitted for consideration under the HOME-ARP Program.

1. Projects awarded primarily benefit individuals or families from the five qualifying populations.
2. Costs previously incurred (such as design) as well as costs incurred in preparation of applications are not reimbursable under this grant program.
3. MCCD reserves the right to reject any or all applications received and/or negotiate or cancel in part or in entirety grants resulting from application awards if it is in the County's best interest to do so.
4. MCCD reserves the right to withdraw a commitment for HOME-ARP funds where special grant conditions have not been satisfied 90 days after the date of the Notice of Award, or at the discretion of the Madison County Community Development if it is determined the project will not progress.
5. Madison County Community Development reserves the right to establish the amount of grant funds awarded, raise the individual grant ceilings, and to shift funds from one HOME-ARP component funding area to another. Madison County Community Development further reserves the right to award funds to the next highest rated applicant(s) for any component should funds become available due to de-obligations, etc.
6. Madison County Community Development reserves the right to deny funding when submitted applications involve eligible entities with serious unresolved audit or monitoring findings related to performance, and/or owe funds to any County Agency.
7. On an annual basis, Madison County Community Development may re-evaluate the timely distribution of funds under all program components, as well as the availability of unspent and recaptured funds. Unspent and recaptured funds will be awarded to fund additional HOME ARP eligible projects.

8. Madison County Community Development reserves the right to consider an outside technical review by an appropriate agency or agencies.
9. Any additional non-HOME-ARP resources must be firmly committed and demonstrated by appropriate documentation in the application. If documentation is not evident, clear or firmly in place, the Madison County Community Development will consider the documentation insufficient, and the application will be deemed DNF (Do Not Fund) and not reviewed further.
10. A subrecipient agreement will be issued for a contract period of twenty-four months for the construction of a Non-Congregate Shelter grants. Extensions are not guaranteed, and no more than one twelve-month extension will be considered.
11. Proposed projects (including the fund source, cost estimates, benefit, project area, and/or construction activities) supplied in the grant application submitted for funding must not be changed or modified prior to grant award or at the time the project is bid. If extenuating circumstances exist, the Grantee may submit a modification request after the receipt of its executed Grant Agreement.
12. Requests for Modifications must be presented to Madison County Community Development prior to any changes being made to the project area, project location, project design, project beneficiaries, cost estimates, or funded activities. All modifications must be within the original and environmentally-cleared project area. Requests for activities outside the original project area will not be considered. Modifications to decrease or increase the scope of work due to greater than or less than estimated costs will not be considered.
13. No environmental review activities can take place until the applicant has received the Notice of Award, and the execution of the subrecipient agreement. Once this Notice is received, and the subrecipient agreement has been fully executed, Madison County Community Development will conduct an Environmental Review in accordance with Federal NEPA requirements and State law.
14. In accordance with the Interagency Wetland Policy Act of 1989, an applicant whose proposed project site is located on or within 250 feet of a wetland site listed on the National Wetlands Inventory will be required to comply with the requirements of the Act. This includes: developing a plan to minimize adverse impacts on wetlands, or providing written evidence that the proposed project will not have an adverse impact on a wetland. Project must also comply with Federal Wetlands Protection regulations at 24-CFR 58.5(b)(2) and Executive Order 11990, which may require preparation of an Eight-Step Wetlands Review.
15. A FEMA issued Floodplain Map must be included in the application. You can obtain this map by calling FEMA at 1(800) 358-9616 or by using their website: <https://msc.fema.gov>. The project area must be clearly drawn on the map prior to submission. The most current version available on <https://msc.fema.gov> must be used.
16. HOME ARP grant funds may not be used for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain in accordance with Executive Order 11988 and 24 CFR 55. In accordance with 24 CFR 55, CDBG grant funds must not be committed in a FEMA-designated floodway.
17. HOME ARP grant funds may not be used for any activity that would duplicate other benefits received. A duplication of benefits (DOB) occurs when a person,

household, business, government, or other entity receives financial assistance from multiple sources for the same purpose within the same time period, and the total assistance received for that purpose is more than the total need for assistance. Within the HOME ARP program, all grantees are bound by Section 312 of the Stafford Act, as amended by the Disaster Recovery Reform Act, and the OMB Cost Principles within 2 CFR part 200 that require all costs to be “necessary and reasonable for the performance of the Federal award.”

C. Eligible Projects

Eligible Projects are limited to:

1. New construction of a non-congregate shelter.
2. Acquisition and rehabilitation of existing property and conversion of property into a non-congregate shelter.

D. Qualifying Populations

Eligible uses include non-congregate shelter. Projects must benefit Qualifying Populations defined in the CPD Notice: Requirements for the Use of Funds in the HOME-American Rescue Plan Program (“the Notice”). Homeownership projects are not eligible for funding through this RFP. **All projects must be completed and in service by September 30, 2028.**

1. Homeless – as defined at 24 CFR 91.5 (1), (2), and (3)
 - a. Not paragraph (4)
2. At Risk of Homelessness – as defined at 24 CFR 91.5
3. Fleeing/Attempting to Flee Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking
 - a. Domestic Violence, Dating Violence, Sexual Assault, and Stalking from VAWA regulation at 24 CFR 5.2003
 - b. Human Trafficking from Trafficking Victims Protection Act of 2000
4. Other Populations: 1) Families Requiring Services or Housing Assistance to Prevent Homelessness OR 2) Those at Greatest Risk of Housing Instability.
 - a. Veterans and families that include a veteran family member that meet one of the preceding criteria.

Non-Congregate Shelter Eligible Activities and Costs:

Overview: HOME-ARP funds may be used to acquire and develop non-congregate shelter (HOME-ARP NCS) for individuals and families that meet one of the Qualifying Populations defined in the CPD Notice: Requirements for the Use of Funds in the HOME-American Rescue Plan Program (“the Notice”). NCS provides private units or rooms as temporary shelter to individuals and families and do not require occupants to sign a lease or occupancy agreement. This activity may include the construction of new structures or the acquisition and/or rehabilitation of existing structures (such as motels, nursing homes, or other facilities) to be for use as HOME-ARP NCS. The Notice establishes requirements applicable to HOME-ARP NCS.

Non-Congregate Shelter Definition (NCS): For purposes of HOME-ARP, NCS is defined as one or more buildings that:

- Provide private units or rooms for temporary shelter;
- Serve individuals and families that meet one or more of the qualifying populations;

- Do not require occupants to sign a lease or occupancy agreement;

Eligible Activities: HOME-ARP funds may be used to acquire, rehabilitate, or construct NCS units to serve individuals and families Qualifying Populations.

Eligible Costs: HOME-ARP funds may be used for:

Acquisition Costs: Costs to acquire improved or unimproved real property for use as or development of HOME-ARP NCS.

Demolition Costs: Costs to demolish existing structures for the purpose of developing HOME ARP NCS.

Development Hard Costs: Costs to rehabilitate or construct HOME-ARP NCS units to meet the HOME-ARP minimum habitability standards. Costs to make improvements to the project site, including installation of utilities or utility connections, laundry facilities, community facilities, on-site management, or supportive service offices.

Related Soft Costs: Reasonable and necessary costs incurred by the Project Jurisdiction (PJ), subrecipient, or project owner associated with financing, acquisition, and development of HOME-ARP NCS projects.

Replacement Reserve: Costs to capitalize a replacement reserve to cover reasonable and necessary costs of replacing major systems and their components.

Ineligible Costs: HOME-ARP funds may not be used to pay ongoing costs of operating HOME ARP NCS or to convert NCS to housing.

Project Requirements

Property and Habitability: Standards: At project completion, HOME-ARP NCS units and common areas must meet all applicable State and local codes, ordinances, and requirements and HUD's Lead Safe Housing Rules at 24 CFR Part 35. Project classification as acquisition only, rehabilitation, or new construction is determined by the PJ's local code requirements based on specific work to be performed. Projects must meet HOME-ARP NCS ongoing property standards throughout the restricted use period.

Restricted Use Period: HOME-ARP NCS projects must comply with HOME-ARP requirements during the restricted use period established in the HOME-ARP Notice.

- New Construction: 15 years
- Rehabilitation: 10 years

Use as NCS: The NCS may remain as HOME-ARP NCS with continued operation as originally specified in written agreement serving the same population:

- ESG funds can be provided for operating and essential services;
- Operated in compliance with all requirements at 24 CFR part 576;
- All applicable ESG requirements govern in the event of conflict with HOME-ARP

Replacement Reserve: HOME ARP funds can capitalize a replacement reserve to pay the reasonable and necessary costs of replacing major systems and their components whose useful life will end during the restricted use period.

- Collective Negotiation Agreement (CAN) is required to capitalize a replacement reserve.
- Major systems include:
 - Structural Support
 - Roofing
 - Cladding & Weatherproofing
 - Plumbing, Electrical & HVAC

Return of Replacement Reserve:

- If NCS Project continues as NCS:

- Projects can retain the replacement reserve to pay reasonable and necessary costs.
- If NCS project Will Not Continue as NCS:
 - Remaining funds in replacement reserve must be returned to the PJ's HOME Treasury Account.
- If the HOME-ARP grant has expired or closed out, remaining funds in the replacement reserve must be:
 - Deposited in the PJs local HOME account.
 - Recorded as program income receipt in IDIS.
 - Used for eligible costs under 24 CFR part 92.

Admission and Occupancy:

- HOME-ARP NCS units may only be occupied by individuals or families that meet the criteria for one or more of the Qualifying Populations.
- Program participants may not be charged occupancy fees or other charges to occupy a HOME-ARP NCS unit unless the PJ determines such fees and charges are customary and reasonable and the charges comply with 24 CFR 578.77(b).
- Program participants will be allowed to stay in NCS for a period of up to 90 days.
- PJs are encouraged to incorporate HOME-ARP NCS units into the Coordinated Entry System (CES) established by the CoC(s) for the area the NCS is funded to serve, if the CES complies with the requirements established in the HOME-ARP Notice. Non-DV shelters will be required to participate in the CoC's CES.
- HOME-ARP supportive services may also be provided, if needed, to Qualifying Populations served by the NCS.

Project Requirements:

Property and Habitability Standards: At project completion, HOME-ARP NCS units and common areas must meet all applicable State and local codes, ordinances, and requirements and HUD's Lead Safe Housing Rules at 24 CFR Part 35. Project classification as acquisition only, rehabilitation, or new construction is determined by the PJ's local code requirements based on specific work to be performed. Projects must meet HOME-ARP NCS ongoing property standards throughout the restricted use period.

Restricted Use Period: HOME-ARP NCS projects must comply with HOME-ARP requirements during the restricted use period established in the HOME-ARP Notice.

New Construction:	15 years
Rehabilitation:	10 years
Acquisition Only:	10 years

Use as NCS: The NCS may remain as HOME-ARP NCS for the restricted use period or may be used as NCS under the Emergency Solutions Grant (ESG) program.

PJ Management and Oversight:

Project Development Due Diligence: Applicants must demonstrate that the acquisition and/or development is financially feasible. In addition, the applicant must show the capacity and the ability to maintain continued operation of the NCS and must address whether the HOME-ARP NCS project has secured or has a high likelihood of securing operating funding, because operating costs

cannot be paid with HOME-ARP.

Applicants must include information from the owner and/or developer demonstrating the project's financial feasibility throughout the restricted use period. In addition, the owner and/or developer must determine whether the owner intends to continue operating the project as HOME-ARP NCS or emergency shelter NCS under ESG for the restricted use period or plans to convert the HOME-ARP NCS to housing after the minimum use period has been met.

Subrecipient Agreement: A subrecipient, as defined by HUD, is a private nonprofit organization, State or local government, or instrumentality of a State or local government, or a public housing agency that receives a subgrant from a recipient to carry out all or part of a HOME-ARP project.

Project Completion:

Project Completion for HOME-ARP NCS means:

- All necessary title transfer requirements and construction work has been performed;
- The project complies with the requirements of this Notice, including the HOME ARP NCS property standards as evidenced by a final inspection;
- The project is actively operating as a HOME ARP NCS;
- Final drawdown of HOME-ARP funds has been disbursed; and
- Project completion information is entered into IDIS.

All HOME ARP NCS projects must be completed within 4 years of the date of commitment of the HOME ARP funds based on the date of the last signature on the written agreement. If the PJ fails to complete a project within 4 years of project completion, it must comply with the terminated project requirements at 24 CFR 92.205(e)(2). HOME ARP NCS rehabilitation and new construction projects must begin operating as active shelters within 6 months after the date of completion of the construction work.

State and Federal Compliance Areas

Applicants who receive a grant award will be expected to submit signed assurances that they will comply with all federal mandates. Some areas which applicants must comply with include:

1. **Other Federal Requirements and Nondiscrimination**
The requirements in 24 CFR 92.350 apply to the HOME-ARP program. PJs must comply with the Federal requirements set forth in 24 CFR part 5, subpart A, including: nondiscrimination and equal opportunity; disclosure requirements; debarred, suspended or ineligible contractors; drug-free work; and housing counseling and the nondiscrimination requirements at section 282 of NAHA. The requirements in section 282 of NAHA are waived in connection with the use of HOME-ARP funds on lands set aside under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108). PJs must also comply with the Violence Against Women Act (VAWA) requirements set forth in 24 CFR 92.359.
2. **Affirmative Marketing and Minority Outreach**
The requirements in 24 CFR 92.351 apply to HOME-ARP activities.
3. **The National Environmental Policy Act (NEPA)** which establishes procedures for protecting the environment. In order to use the HOME ARP funds awarded to a local government, the grantee has to comply with environmental procedures, standards and guidelines mandated by NEPA and all other applicable environmental regulations (e.g., prime farmland protection, historic preservation, floodplain hazards, etc.).

4. **The Interagency Wetland Policy Act of 1989** requires applicants to certify that the proposed project is compatible with established State of Illinois policy regarding wetlands (i.e., to minimize the destruction of existing wetlands in Illinois as a result of State and State-supported activity). The Federal Wetlands Protection regulations at 24 CFR 58.5(b)(2) and Executive Order 11990 also apply.
5. **The Illinois Endangered Species Protection Act and the Illinois Natural Area Preservation Act & Federal Endangered Species Act of 1973** Compliance requires consultation with the Endangered Species Consultation Program of the Illinois Department of Natural Resources to assure compliance. The consultation process must be implemented to avoid or minimize adverse impacts to State-listed species and their essential habitats that may result from the actions of State and local units of government. Applicants must certify the completion of the consultation process, as well as Federal Endangered Species Compliance under 24 CFR 58.5(e). This process can be initiated through the U.S. Fish & Wildlife Service Endangered Species website (<https://www.fws.gov/endangered/>).
6. **The Davis-Bacon Prevailing Wage Act** requires the payment of prevailing wages for all construction funded in whole or in part with Federal funds, including funds passed through to private firms. If your project involves construction and/or equipment installation, go to <https://beta.sam.gov/help/wage-determinations> for information concerning the applicability of federal labor standards.
7. **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1987** applies to federally assisted activities that involve the acquisition of real property or the displacement of persons, including displacement caused by rehabilitation and demolition activities. Any person or business displaced as a direct result of federal assistance must be provided with Uniform Relocation benefits.
8. **Equal Opportunity and Fair Housing Accessibility Laws** require that CDBG and HOME grantees administer their project in a manner that affirmatively furthers equal opportunity and fair housing. All CDBG grantees will be required to undertake specific activities to further fair housing. CDBG and HOME grantees must ensure all activities and services are accessible to persons with disabilities.
9. **Section 3 under the Housing and Urban Development Act of 1968** requires recipients to give, to the greatest extent feasible and consistent with the existing federal, state, and local laws and regulations, job training, employment, contracting and other economic opportunities to Section 3 residents and Section 3 business concerns.
10. **The National Emission Standards for Hazardous Air Pollutants (NESHAP) of the U.S. Clean Air Act** assures that, when existing buildings are demolished and/or renovated, people outside of those buildings (i.e., passers-by or neighborhood residents) are protected from airborne asbestos. If asbestos materials are involved in the rehabilitation work, the applicant must contact the Field Operations Section, Bureau of Air of the Illinois Environmental Protection Agency to ensure compliance with Asbestos NESHAP.
11. **Steel Products Procurement Act (30 ILCS 565 et seq.)**. The Grantee, if applicable, hereby certifies that any steel products used or supplied in accordance with this Award for a public works project shall be manufactured or produced in the United States per the requirements of the Steel Products Procurement Act (30 ILCS 565 et seq.).
12. **HOME ARP NCS**
HOME ARP NCS activities are subject to environmental review by the RE under 24 CFR part 58. Acquisition of a structure to be used as HOME-ARP NCS is CEST under 24 CFR 58.35(a)(5) (with the possibility of converting to exempt under 24 CFR 58.34(a)(12)) if the structure acquired will be retained for the same use (e.g., residential). Rehabilitation of a structure for HOME-ARP NCS is CEST if the project meets the thresholds listed at 24 CFR 58.35(a)(3)(i) or (ii). Rehabilitation that does not meet these thresholds requires completion of an Environmental Assessment pursuant to

24 CFR part 58, subpart E. An Environmental Assessment is also required for new construction, demolition, acquisition of vacant land for new construction, and acquisition of non-residential structures for demolition and new construction.

HOME-ARP NCS projects which may convert to emergency shelter or permanent housing pursuant to Sec. 3204(a)(4)(B) or (C) of the ARP may complete a single environmental review that covers all proposed HUD funding sources and project activities. Conversion to a program using project-based rental assistance is CEST and requires completion of an environmental review. If conversion or other additional HUD funding sources are proposed after the 71 environmental review has been completed, a CENST review for supplemental assistance under 24 CFR 58.35(b)(7) can be performed if the review is completed by the same RE that conducted the original review and if re-evaluation is not required by 24 CFR 58.47.

The PJ or subrecipient, or any contractor of the PJ or subrecipient, may not acquire, rehabilitate, convert, repair, dispose of, demolish, or construct property for a HOME-ARP NCS project, or commit or expend HUD or non-HUD funds for NCS under HOME-ARP, until the RE has completed an environmental review under 24 CFR part 58 and received HUD or state approval of the RROF/C, as applicable.

13. Lead Hazard Control Requirements

The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations at 24 CFR Part 35, subparts A, B, J, K, M, and R apply to HOME-ARP-assisted activities.

For HOME-ARP NCS, a project must comply with 24 CFR part 35, Subpart K when the HOME-ARP activity is acquisition only. HOME-ARP NCS projects that involve rehabilitation of pre-1978 facilities, whether the rehabilitation is funded with HOME-ARP or other funds, must comply with the requirements of 24 CFR part 35, Subpart J.

14. Uniform Relocation Assistance and Real Property Acquisition Policies Act, Section 104d, and HOME ARP Displacement, Relocation and Acquisition Requirements

HOME-ARP funding is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and section 104(d) of the Housing and Community Development Act of 1974, in addition to the Displacement, Relocation and Acquisition regulatory requirements of 24 CFR 92.353. This Notice also includes HOME-ARP program specific relocation requirements applicable to HOME-ARP-assisted projects. PJs must comply with all applicable requirements, as described in this section.

1. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970:

Costs incurred to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. § 4601 et seq.) (URA) are eligible HOME-ARP project costs pursuant to this Notice and 24 CFR 92.206(f). The URA establishes minimum requirements for the acquisition of real property and the displacement of persons from their homes, businesses, or farms as a direct result of acquisition, rehabilitation, or demolition for federally-assisted programs and projects. The URA implementing regulations at 49 CFR part 24 establish: 72

- Requirements for the provision of replacement housing assistance, advisory services, and moving costs to persons displaced as a result of a program or project that receives federal financial assistance;

- Requirements for acquisitions, including the payment of just compensation pursuant to 49 CFR part 24, subpart B, and provisions for voluntary acquisitions set forth in 49 CFR 24.101.
- Minimum requirements for temporary relocation of persons, businesses, or farms as a result of a project or program that receives federal financial assistance. These requirements are found in Appendix A, Section 24.2(a)(9)(ii)(D).

Additional HUD URA policy and guidance is available in HUD Handbook 1378.

2. **Section 104(d) of the Housing and Community Development Act of 1974:** HOME-ARP is HOME funding and subject to the requirements in section 104(d) of the Housing and Community Development Act of 1974, as amended, (42 USC § 5304(d)), (“section 104(d)”) unless waived, as described in this section and Appendix. Costs incurred to comply with section 104(d) requirements are eligible HOME-ARP project costs under 24 CFR 92.206(f). section 104(d) applies to the demolition or conversion, as defined in 24 CFR 42.305, of a lower-income dwelling unit in connection with a HOME or Community Development Block Grant Program (CDBG) assisted activity. section 104(d) includes the following requirements:
- A PJ must have a residential anti-displacement and relocation assistance plan (RARAP);
 - A PJ must provide relocation assistance to displaced lower-income persons; and
 - A PJ must perform one-for-one replacement of lower-income dwellings demolished or converted to a use other than a lower-income dwelling unit. A lower-income dwelling unit is defined in 24 CFR 42.305 as a dwelling unit with a market rent (including utility costs) that does not exceed the applicable Fair Market Rent (FMR) for existing housing, as defined by HUD.

Section 104(d) implementing federal regulations can be found at 24 CFR part 42 Subpart C.

HOME-ARP Section 104(d) Waiver / One-for-One Replacement Housing. For purposes of, the one-for-one replacement housing requirements of section 104(d)(2)(A)(i) and (ii) and (d)(3) (42 U.S.C. 5304(d)(2)(A)(i) and (ii) and 42 U.S.C. 5304(d)(3)) and 24 CFR 42.375, lower-income dwelling units shall not include single-room occupancy (SRO) units or residential hotel or motel units in jurisdictions where those units are considered dwelling units under state or local law. All other section 104(d) requirements, including but not limited to the requirement that the PJ have and follow a RARAP, remain in effect. (See 24 CFR 92.353(e) and 24 CFR part 42, subpart C).

3. **HOME Program Displacement, Relocation and Acquisition Regulations:** In addition to the URA and section 104(d) requirement described above, the HOME program’s Displacement, Relocation and Acquisition regulations at 24 CFR 92.353 also apply to projects funded with HOME-ARP funds. Some of these requirements differ from those 73 of the URA and section 104(d), including but not limited to the expanded temporary relocation protections at 24 CFR 92.353(b) and (c); optional relocation

assistance policies in 24 CFR 92.353(d); and the right to return to a building or complex, if feasible, upon completion of a HOME project, in accordance with 24 CFR 92.353(a).

4. **Additional HOME-ARP Program Relocation Related Requirements:** The following additional HOME-ARP program relocation requirements apply:

- a. Acquisition and/or rehabilitation of hotels, motels and other non-residential property: In states where hotels and motels are not considered dwelling units or residential property, the acquisition of non-residential property such as hotels and motels for the production of HOME-ARP NCS units or HOME-ARP rental housing will not make a person occupying those properties eligible for relocation assistance under the URA, section 104(d) or 24 CFR 92.353. HOME PJs may provide HOME-ARP assistance, as defined by this Notice, including the provision of HOME-ARP supportive services, HOME-ARP TBRA, the ability to stay in HOME-ARP NCS units, or the ability to rent a HOME-ARP rental unit, if the individuals or families can demonstrate that—
- i. they have been in continuous residence at the property for 30 or more calendar days, and
 - ii. they are a qualifying household, as defined by this Notice.

Any assistance provided pursuant to this section may be provided without regard to any preferences, project-specific waiting lists, or any other form of prioritization the PJ has developed pursuant to this Notice. For purposes of HOME-ARP, costs associated with activities under this provision of the Notice may be charged as either project delivery costs or relocation costs eligible under 24 CFR 92.206(f).

- b. Conversion of HOME-ARP NCS: If HOME-ARP NCS units are occupied and converted to either permanent housing under CoC or permanent affordable housing as described in Section VI.E.11 of this Notice, persons occupying the shelter would not normally be eligible for relocation assistance under the URA, section 104(d) or 24 CFR 92.353 because they are not displaced from a dwelling unit. However, since the individuals or families occupying such shelter units are already qualifying households under HOME-ARP, HOME PJs may immediately provide such occupants with HOME-ARP assistance, as defined by this Notice, including the provision of HOME-ARP supportive services, HOME-ARP TBRA, the ability to stay in other HOME-ARP 74 NCS units, or the ability to rent a HOME-ARP rental unit. Additionally, the PJ may provide the occupants with assistance for moving costs or advisory services, as appropriate, as HOME-ARP administrative costs or under the HOME-ARP supportive services activity in Section VI.D of this Notice. Any assistance provided pursuant to this section may be provided without regard to any preferences, project-specific waiting lists, or any other form of prioritization the PJ has developed pursuant to this Notice, as the persons occupying the NCS units were already determined to be qualifying households under the HOME-ARP.

15. Conflicts of Interest

HOME-ARP is subject to the following conflicts of interest requirements:

1. **Conflicts of Interest:** PJs, State recipients, and subrecipients engaging in any of the activities defined this Notice shall be subject to the conflicts of interest provisions at 24 CFR 92.356, including but not limited to the conflicts of interest exception process defined in 24 CFR 92.356(d)-(e). Owners and developers of HOME-ARP NCS and HOME-ARP rental housing shall be subject to 24 CFR 92.356(f).

2. **Organizational Conflicts of Interest:** The provision of any type or amount of HOMEARP TBRA or supportive services may not be conditioned on an individual's or family's acceptance or occupancy of a shelter or housing unit owned by the PJ; State recipients; the subrecipient; or a parent, affiliate, or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent, affiliate, or subsidiary of the subrecipient, administer financial assistance that includes rental payments, utility deposits, security deposits, or first and last month's rent provided pursuant to this Notice. All contractors of the PJ, State recipients, or subrecipient must comply with the same requirements that apply to subrecipients under this section.

Applicant Commitment and Citizen Participation

A public hearing must be held prior to submission of an application and prior to passage of a local council resolution of support by the local governing body.

Public Participation

- All applicants must provide for public participation. All citizens must be given reasonable access to the community's application and reasonable time to review the application prior to the public hearing.

Public Notice

- A Notice of Public Hearing must be published at least once in a newspaper of general circulation at least seven calendar days (excluding the date of publication and excluding the date of the hearing) prior to the public hearing.
- The Notice of Public Hearing must include the address of where project information is available for viewing.
- All project information must be available for viewing on the first business day (not Saturday, Sunday, or a holiday) after date of publication at an easily accessible location within the community applying for the grant.
- The Public Comment Period must coincide with the time period between Notice and Hearing; concluding after the Hearing has been completed. The address for submission of written comments must be included in the Public Notice.

Conducting the Public Hearing

- Public Hearings must be facilitated by the applicant's governing body chief elected official or authorized official and certified by the chief elected official, authorized official or clerk.
- Efforts must be made to assure reasonable access to the public hearing by persons with disabilities; as well as be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate.

- Those attending the public hearing must be informed of where and how to access the applicant's CDBG records.
- The Hearing must allow for public comments on the application and project.
- A sign-in sheet must be provided to document attendance. It is suggested that each person attending the public hearing provide his address and identify his role of participation (e.g., citizen, elected or appointed official, municipal employee, contractor, grant writer or administrator, business owner, etc.).
- The public hearing must cover:
 1. The amount of funds available;
 2. The project activities that will be undertaken with CDBG funding, including amount;
 3. The project activities that will be undertaken with additional project funding, including amount;
 4. The estimated amount proposed for activities that will benefit LMI individuals;
 5. Plans for minimizing displacement as a result of the CDBG grant-assisted activities and to assist persons actually displaced, if applicable;
 6. A detailed, prioritized list of community development and housing needs; and
 7. A narrative discussion of the scope of the project including the proposed improvements, costs, benefit area, impact on community finances, etc.
- The minutes of the public hearing must be certified by the chief elected official or other authorized local officials, such as county clerk, city clerk, etc.
- Following the Public Hearing, a Resolution of Support from the local governing body must be passed that authorizes the local government to apply for funds. The date of the Resolution must be on or after the date of the Public Hearing. Documenting Citizen Participation The following documents verifying 7-day notice and citizen participation must be submitted with the application.
- Complete Newspaper Clipping of Notice of Public Hearing that contains all published verbiage.
- Publisher's Certificate of Publication (cannot be an e-mail)
- Certified Minutes
- Attendance Sheet, (original sign-in sheet; not type-written, not roll call from minutes) **If the publication guideline or public hearing requirements are not met, the application will not be reviewed further nor considered for funding.**

Project Application and Funding Availability

1. **NCS Funding Availability:** \$2,500,000.00

2. **Location**

Applicants will be required to choose a location and to work with local governing bodies to work through and conform with all zoning regulations and requirements prior to submitting application.

The HOME ARP NCS funding is a county wide program. Therefore, in order to ensure the proposed non-congregate shelter is equally accessible to all citizens of Madison County, minimizes the displacement of persons throughout Madison County, has general access to the resources and job opportunities throughout the county, any proposal must be located generally geographically central to the County (meaning within a five-mile radius of the County Administration Building).

3. Important Dates:

- a) Letter of Intent to submit an application is due July 15, 2024, no later than 4:00 P.M.
- b) Application deadline December 16, 2024, no later than 4:00 P.M.

4. Application Submittal Requirements

Applicants must complete an application for funding and provide all requirements at the time of submittal. The applicants must provide the following:

- A.** The name of the project, name and address of the project developer organization, and the name, phone number, and email address of the contact person.
- B.** A detailed description of the project. The description shall identify the development type, size of building, total number of beds or units, and the targeted Qualifying Populations. The description should include any related program or services that will be available to project residents. The description shall include the site's proximity to and availability of transportation services, employment services, commercial facilities, medical facilities, and educational services. For new construction projects the descriptions shall include a site plan and architectural renderings. For acquisition and rehabilitation projects, the description shall include photographs of the property exterior and interior, and a description of the current physical condition of the property including structural components and major systems.
- C.** A detailed description of the development/owner experience with the development and operation of projects similar to that proposed for funding.
- D.** An organizational chart that identifies all parties that have an ownership interest in the developer/owner of and proposed project.
- E.** Evidence of site control for the entire project site in the form of a fully executed contract for the purchase of the property, option to purchase, long term lease, lease option, recorded deed, or recorded certificate of title.
- F.** Proof of special use zoning for a homeless facility is required as part of the application submission. Submissions that do not include an ordinance outlining a special use permit from for a homeless facility pertaining to the proposed NCS site will not be considered for funding.
- G.** A detailed development proforma that identifies all development sources and uses of funding, and that identifies all proposed sources of County funding/subsidy. Include documentation supporting all proposed construction costs in the form of an estimate of probable cost prepared by a licensed architect or by written price estimates from at least two

licensed contractors.

- H. Documentation of availability of all sources of funding required for the non-County balance of the project development budget. Acceptable documentation includes documentation from the funding source providing a firm or conditional commitment to fund and identifying all terms and conditions. Submissions that do not include proof of non-county funds, such as confirmation of a loan, loan commitment, financial and/or bank statement showing sufficient cash on hand, obligation ordinance passed by local municipality, or other relevant and sufficient proof of funding sources, will not be considered for funding. Funding documentation shall be deemed sufficient and acceptable at the sole discretion of the County.
- I. A detailed proforma based on the affordability period assigned to new construction, acquisition, or rehabilitation that identifies all project revenues, expenses, debt service, and reserves, and which explicitly states
- J. Documentation of availability of all sources of operating subsidy including project-based voucher subsidies.

5. Submittal Format

Applicants must submit (1) original wet signature copy of the application and all required documentation on single-sided letter sized paper, bond with tabbed/identified sections.

6. Contact Person

The Madison County Community Development Housing Program funding application is:

David Kerr, Program Coordinator
Madison County Community Development
157 N. Main St. Ste. 312
Edwardsville, IL 62025
E-mail: drkerr@madisoncountyl.gov
Phone: 618-296-4442

7. Application Review and Funding Recommendation

All applications in response to this NOFA must be submitted to Madison County Community Development (MCCD). Applications will be reviewed by MCCD staff in the order that they are received. MCCD staff shall review each application for eligibility and responsiveness to the NOFA submittal requirements. **Applications determined by MCCD to be ineligible or unresponsive to the NOFA submittal requirements will not be funded.** Applications determined, in the sole judgement of the County, to be eligible and responsive to all submittal requirements awarded based on project ranking.

8. Funding Awards

All funding awards will be forwarded to the Madison County Grants Committee and presented to the Madison County Board. Upon passage, funding announcements will be made by Madison County Community Development.

Madison County reserves the right to pause, cease, or terminate this NOFO and reject or otherwise not approve any award to any applicant, regardless of qualification, at any time prior to an award being formally approved by the Madison County Board. Implicit in that reservation is the right to adjust or modify the NOFO and/or use the funds for a different purpose consistent with relevant regulations. Madison County has no obligation whatsoever to proceed with awarding any grant or other monies to any applicant, and applicants will not be entitled to receive any costs, expenses, or other remuneration should no award be approved.

9. Cost Incurred by Applicants

All expenses involved with the preparation and submission of this application and any work performed in connection with will be the responsibility of the applicant.

10. Non-Discrimination

It is the express policy of Madison County Community Development that the County shall neither conduct business with nor appropriate funds to any entity that practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, familial status, sexual orientation, gender identity or expression, disability, or genetic information. If awarded funds, the applicant agrees that the use of occupancy of any housing unit constructed on the project site shall follow this policy. Madison County provides equal housing opportunities to all individuals.

11. Rules, Regulations, Licensing Requirements

Applicants shall comply with all laws, ordinances, and regulations applicable to Madison County, including those applicable to conflict of interest and collusion. Applicants are presumed to be familiar with all federal, state, and local laws, ordinances, codes, and regulations.

12. Disclaimer

All documents and information, whether written, oral or otherwise, provided by Madison County Community Development relating to this document are being provided solely as an accommodation and for informational purposes only, and Madison County Community Development is not making any representations or warranties of any kind as to the truth, accuracy or completeness, or the sources thereof. MCCD shall have no liability whatsoever relating to such documents and information and all parties receiving the same shall not be entitled to rely on such documents and information but shall have a duty to independently verify the accuracy of the information contained therein.