

2024

FUNDING GUIDE



City of Waco

Housing & Community Development

www.waco-texas.com/subrecipients

19 February 2024

Dear Citizen Organizations:

The City of Waco Housing & Community Development Department is accepting applications for funding of eligible projects to revitalize, stabilize, and improve our city's neighborhoods. Applications for housing and community development activities will be accepted. Funding awards will be governed by priorities set forth in the Consolidated Plan. The City Council has worked with city staff to develop a process to ensure that increasingly scarce resources are allocated to meet the needs identified as having the highest priority.

The City of Waco will fund projects that help accomplish the goals of the Waco City Council, which include the objectives of the U. S. Housing and Urban Development (HUD) Department programs: Community Development Block Grant (CDBG) program and HOME Investment Partnerships Program (HOME). The City Council may fund projects that are eligible through CDBG funds, HOME funds, or other City funds.

The Funding Guide document provides essential information on regulations, requirements, eligibility, and instructions to complete the Subrecipient Grant Management Application. The application is available online at www.waco-texas.com/subrecipients.

Applications must be received by 4:00 p.m., Friday April 4, 2024.

Contact Priscilla E. Ard at 254-750-5670 or priscillaa@wacotx.gov with any questions or for assistance.

Sincerely,

Galen B. Price

Galen B. Price (Feb 16, 2024 09:58 CST)

Galen B. Price
Director

The Funding Guide document provides essential information on regulations, requirements, qualifications, and instructions to complete the Subrecipient Grant Management Application.

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Planning Process

U.S. Department of Housing and Urban Development (HUD) administers the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Program (HOME) funds.

In addition to funds available from CDBG and HOME, the City of Waco may provide other funds for projects that help in accomplishing the CDBG National Objectives and/or the Waco City Council Goals. Projects that are not CDBG or HOME eligible but will help accomplish City Council Goals may be funded from other City funds.

The City Council reserves the right to change funding priorities. The City Council is the final authority on decisions regarding funding. **Applicants will be responsible for proper use of funding in full compliance with HUD, federal, state, and local regulations.** If HUD determines that funds have been improperly used, the applicant will be responsible for repayment of such funds to HUD and/or to repay the City of Waco for any funds that must be repaid to HUD by the City of Waco.

Consolidated Plan

The Consolidated Plan (CP) is a five-year plan that helps the City of Waco assess affordable housing and community development needs, analyzes the market, sets priorities for programs, and establishes a strategic plan.

The City of Waco is drafting the 2024-2028 Consolidated Plan, which describes the City's five-year housing and community development priority needs and goals. The needs and goals guide the annual funding allocation for CDBG and HOME.

Priority Needs & Goals

Considering the limited amount of CDBG and HOME funds available to the City of Waco, the entire City's housing and community development needs cannot be addressed during the five-year Consolidated Plan period. Therefore, priorities must be established to ensure that scarce resources are directed to the most pressing housing and community development needs in the City.

A multi-step process was used to establish the priorities for the City. First, data relative to each need was collected and grouped into one of four major categories: housing needs, homeless needs, non-homeless special needs, and non-housing community development needs.

Second, the City of Waco consulted with a diverse group of public agencies, nonprofit organizations, and community development entities to determine the needs as perceived by the consumers of these groups.

Finally, the data were analyzed, and priorities were established using the following definitions:

- **High** priorities are those activities that **will** be funded with CDBG funds
- **Medium** priorities are those activities that **may** be funded with CDBG funds, but only after high priorities have been funded.

- **Low** priorities are those activities that will **not** be funded with CDBG funds by the City; however, the City will consider providing certifications of consistency and supporting applications submitted for non-City funds by other entities.

Medium and low priority activities are still important and are not meant to be understood as being unnecessary in the City of Waco. Rather, it is perceived that those needs may have other, more appropriate funding sources. The City of Waco has identified a limited number of priorities to provide a focus for activities that will be funded in the next five years. If a high priority proposal is not received during the local CDBG application process, a medium priority project may be funded.

Annual Action Plan

The Annual Action Plan (AAP) provides a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified in the Consolidated Plan.

Citizen Participation Plan

The Citizen Participation Plan fosters an equitable engagement process. The plan ensures the allocation of funds matches the unique community needs. It includes at least two public hearings, a public comment period, and a survey completed by the community. The plan must:

- Provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of funds.
- Provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance.
- Provide for timely written answers to written complaints and grievances.
- Identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Comprehensive Performance & Evaluation Report (CAPER)

The CAPER is an annual report to HUD regarding the performance of City of Waco programs and subrecipients.

Community Development Block Grant (CDBG)

CDBG Eligible Applicants

Eligible activities can be undertaken by contractors, subrecipients, or Community Based Development Organizations (CBDOs).

Entities that may qualify as **subrecipients** are:

- Governmental Agencies
- Private or Public Non-Profit Organizations
- Faith-Based Organizations
- Private For-Profit Entities

Contractors

A contractor is competitively selected by the City of Waco or a subrecipient to provide specified goods or services. CDBG funds are paid to the contractor as compensation for the satisfactory provision of the goods and services specified in the contract.

Community Based Development Organizations (CBDOs)

CBDOs may be designated as a subrecipient to carry out special activities such as economic development or a new construction on behalf of the City.

National Objectives – 24 CFR 570.208

Each activity must meet one of the national objectives. The following criteria shall be used to determine whether a CDBG-assisted activity complies with one or more of the national objectives as required under [570.200\(a\)\(2\)](#). The regulations should be consulted for a complete description.

- a) Low- and Moderate-Income Persons (LMI)
- b) Elimination of Slum or Blight (SB)
- c) Meet an Urgent Community Need (UR)

At least 70% of the grantee's overall expenditures during a specific reporting period must be used for activities that benefit low- and moderate-income (LMI) persons; individual activities designed to benefit low- and moderate-income persons must assist at least 51% low- and moderate-income persons.

Low- and moderate-income persons (LMI) – 24 CFR 570.208(a)

Area Benefit Activities (LMA)

Non-Housing activity in a service area that is primarily residential and at least 51% of residents are LMI. The service area, not the location, must benefit **all** residents.

Limited Clientele Activities (LMC)

Non-housing activities benefit at least 51% of whom are low- or moderate-income persons. Benefit a specific group of people rather than all the residents of a particular area.

Housing Activities (LMH)

An eligible activity carried out to provide or improve permanent residential structures which, upon completion, will be occupied by LMI households

Job Creation or Retention Activities (LMJ)

An activity designed to create or retain permanent jobs where at least 51% of the jobs, computed on a full-time equivalent basis, involve the employment of LMI persons.

Elimination of Slum or Blight (SB) – 24 CFR 570.208(b)

Area Basis (SBA)

This category covers activities that aid in the prevention or elimination of slums or blight in a designated area.

Spot Basis (SBS)

Activities that eliminate specific conditions of blight, physical decay, or environmental contamination that are not located in a slum or blighted area.

Urban Renewal (SBR)

Activities located within an Urban Renewal project area or Neighborhood Development Program (NDP) action area that is necessary to complete an Urban Renewal Plan.

Meet an Urgent Community Need (UR) – 27 CFR 570.208 (C)

This National Objective is met if an activity is designed to alleviate existing conditions, certified by the City of Waco, that:

1. Pose a serious and immediate threat to the health or welfare of the community.
2. Are of recent origin or recently became urgent, (“recent” is general considered to be within the last 18 months.)
3. Are unable to be corrected with other sources of funds, including the City’s own financing.

Records that should be maintained include:

- ✓ Documentation of the serious nature of the condition with an urgent need;
- ✓ Evidence that the CDBG activities addressed the urgent need;
- ✓ Information on the timing (how recent) of the condition; AND
- ✓ Evidence that no other funds were available to correct the problem.

CDBG Eligible Activities – 24 CFR Part 570 Subpart C

CDBG funds may be used for activities which include, but are not limited to:

- Acquisition of real property

- Relocation and demolition
- Rehabilitation of residential and non-residential structures
- Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes
- Public services, with certain limits
- Activities relating to energy conservation and renewal energy resources
- Provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities

Basic Eligible Activities – 24 CFR 570.201

Acquisition

Acquisition in whole or part by purchase, long-term lease, donation, or otherwise, of real property for any public purpose, subject to the limitations of paragraph 570.207.

Disposition

Disposition of real property acquired with CDBG funds through sale, lease or donation, or otherwise, or its retention for public purposes.

Public Facilities & Improvements

Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, except buildings for the general conduct of government. Activities may include:

- Design features and improvements which promote energy efficiency; and
- Architectural design features and treatments intended to enhance the aesthetic quality of facilities and improvements.

Eligible facilities include those serving persons having special needs such as homeless shelters; convalescent homes; hospitals; nursing homes; battered spouse shelters; halfway houses for run-away children, drug offenders or parolees; group homes for mentally retarded persons; and temporary housing for disaster victims.

In certain areas, non-profit entities and subrecipients (including those specified under 24 CFR 570.204) may acquire title to public facilities; when owned by non-profit entities or subrecipients such facilities must be operated so as to be open for use by the general public during all normal hours of operation.

Clearance & Remediation

Clearance, demolition, removal of buildings and improvements, and movements of structures to other sites. Demolition of HUD-assisted housing units may be undertaken only with prior approval of HUD.

Public Services

Provision of **public services** (including labor, supplies and materials) such as those concerned with childcare, health care, education, job training, public safety, fair housing counseling, recreation, senior citizens, homeless persons, drug abuse counseling and treatment, and energy conservation counseling and testing. The services must meet each of the following criteria:

- A service must either be new or be a quantifiable increase in the level of a service above that which has been provided with state or local funds in the previous twelve calendar months; and

- The amount obligated for public services shall not exceed 15% of the annual grant, plus 15% of the program income received from the previous year.

Exception: A grantee which obligated for public service more than 15% of its CDBG grant from FY 82 or FY 83 appropriations (excluding assistance received per Public Law 98-8) may continue to obligate more than 15% of its CDBG grant for public services so long as the amount in any program year does not exceed the percentage or amount obligated in FY 82 or FY 83, using whichever method of calculation yields the higher amount.

Interim Assistance

Interim assistance to correct objectively determinable signs of physical deterioration in areas where immediate action is necessary and where permanent improvements will be carried out as soon as practicable; or to alleviate emergency conditions threatening the public health and safety and requiring immediate resolution.

Payment of non-Federal Share

Payment of the non-Federal share required in connection with a federal grant-in-aid program undertaken as part of CDBG activities.

Urban Renewal Completion

Completion of urban renewal projects funded under Title I of the Housing Act of 1949, as amended.

Relocation

Relocation payments and assistance to displaced individuals, families, businesses, non-profit organizations, and farm operations.

Loss of Rental Income

Payment to housing owners for losses of rental income incurred in holding units for persons displaced by relocation activities.

Housing Services

Removal of material and architectural barriers which restrict the mobility and accessibility of elderly and handicapped persons to publicly- and privately-owned buildings, facilities and improvements.

Privately Owned Utilities

Acquisition, construction, reconstruction, rehabilitation or installation of the distribution lines and facilities of privately-owned utilities.

Construction of Housing

Construction of housing assisted under Section 17 of the United States Housing Act of 1937.

Homeownership Assistance

Direct assistance to facilitate and expand low- and moderate-income home ownership by subsidizing mortgage rates and principal amounts, financing the acquisition of housing occupied by low- and moderate-income persons, acquiring guarantees of financing obtained from private lenders, providing up to 50% of down payment, or paying reasonable closing costs. (See National Affordable Housing Act of 1990, Title IX, Subtitle A.)

Ineligible Activities – 24 CFR 570.207

Generally, the following types of activities are ineligible:

- Acquisition, construction, or reconstruction of buildings for the general conduct of government
- Political activities
- Certain income payments
- Construction of new housing (with some exceptions)

Eligible LMC Beneficiaries

Limited Clientele Activities: At least 51% or more beneficiaries must be low- or moderate-income persons or households. To qualify under this subcategory the activity must meet one of the following tests:

1. Benefit a clientele who are generally presumed to be principally low- and moderate-income persons. This includes abused children, battered spouses, elderly persons, adults meeting the Bureau of the Census' Current Population Reports definition of "severely disabled," homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers.
2. Family Size & Income: at least 51% of the beneficiaries are persons whose household income is at or below 80% Area Median Income (AMI).
3. Income Eligibility requirements – the activity is limited to low- and moderate-income persons (income at or below 80% AMI)
4. Nature & Location: Be of such nature and be in such location that it may be concluded that the activity's clientele will primarily be low- and moderate-income persons.

Income Eligibility

Subrecipients must review documentation to make sure the income the household reports on its application accurately reflects all its income.

Next, the subrecipient must compare the household's income to the CDBG income limits to determine the household's income level.

1. **Family Size & Income:** at least 51% of the beneficiaries are persons whose household income is at or below 80% AMI.
2. **Income Eligibility requirements:** the activity is limited to low- and moderate-income persons (income at or below 80% AMI)

Income Guideline

Income eligibility is based on the household's annual income. Subrecipients must have a process in place to determine the eligibility of beneficiaries.

2023 Income Limits; Effective 6/15/2023

Family Size	1	2	3	4	5	6	7	8
Extremely Low <30%	\$ 15,550	\$ 17,800	\$ 20,000	\$ 22,200	\$ 24,000	\$ 25,800	\$ 27,550	\$ 29,350
Low 30%-50%	\$ 25,900	\$ 29,600	\$ 33,300	\$ 37,000	\$ 40,000	\$ 42,950	\$ 45,900	\$ 48,850
Moderate 50%-80%	\$ 41,450	\$ 47,400	\$ 53,300	\$ 59,200	\$ 63,950	\$ 68,700	\$ 73,450	\$ 78,150

HUD Income limits are typically updated on or around the 1st of April.

HOME Investments Partnerships Program (HOME)

HOME Eligible Applicants

Eligible activities can be undertaken by:

- Housing Development Organizations producing affordable housing
- Non-Profit Organizations or public agencies administering housing programs
- For-Profit Organizations completing a project consistent with HUD requirements
- Faith-Based Organizations
- Community Housing Development Organizations (CHDO)

HOME Objective

HOME Activities must provide affordable housing to low- and moderate-income households.

- Provide decent affordable housing to lower-income households
- Expand the capacity of nonprofit housing providers
- Leverage private sector participation

HOME Eligible Activities – 24 CFR 92.205

- Tenant-Based Rental Assistance*
- Homeowner Rehabilitation Activities*
 - Home Rehabilitation
 - Home Reconstruction
- Homebuyer Activities
 - Downpayment Assistance*
 - Acquisition & Rehab
 - New Housing Construction
- Rental Activities
 - Acquisition and/or rehabilitation
 - New construction

Non-development activities are **not eligible CHDO set-aside activities as they do not result in additional units of affordable housing.*

Tenant-Based Rental Assistance (TBRA)

TBRA is direct financial assistance to pay for a tenant's rent, security deposit, and/or utility deposit. Assistance for utility deposits may only be provided in conjunction with a TBRA security deposit or monthly rental assistance program.

There are several types of TBRA programs. The most common type provides payments to make up the difference between the amount that a household can afford to pay for housing and local rent standards. The Housing Choice Voucher Program is an example of a typical TBRA program.

- TBRA programs help *program beneficiaries* (rather than subsidizing particular rental projects).

- The level of TBRA subsidy varies -- the level of subsidy is based upon the income of the household, the particular unit the household selects, and the Subrecipient's rent standard (rather than being tied to the Subrecipient's high and low HOME rents).

Homeowner Rehabilitation Activities

Homeowner rehabilitation activities assist existing low-income owner-occupants with the:

- Rehabilitation, or
- Reconstruction of their homes.

Homeowner rehabilitation activities address health and safety issues in owner-occupied housing and bring the housing into compliance with local and state (or other applicable) housing codes.

Homebuyer Activities

Homebuyer activities assist in the development of housing or households that want to purchase homes. HOME funds can be used in a few ways for homebuyer activities. HOME can finance:

- Acquisition of a standard property (home that is ready for move-in) by a homebuyer,
- Acquisition and rehabilitation of a property in substandard condition to be sold to a homebuyer,
- Rehabilitation only, of a property that is owned by a PJ or developer to be sold to a homebuyer, and
- New construction of a home to be sold to a homebuyer

Rental Activities

Rental activities increase the supply of affordable rental housing in the community through:

- Acquisition and/or rehabilitation of an existing property for rental.
- New construction of affordable rental housing.

Ineligible Activities

Activities that are ineligible under HOME include but are not limited to:

- Acquisition of vacant land or demolition only,
- Project reserve accounts,
- Match for other programs,
- Development, operations, or modernization of public housing (may be eligible under the Rental Assistance Demonstration (RAD) program) ,
- Reinvesting HOME dollars during the affordability period,
- Acquisition of PJ-owned property,
- Project-based rental assistance, and
- Any activity or cost not permitted by the HOME regulations.

HOME Eligible Project Costs

Eligible project costs depend on the nature of the HOME activity. There are 12 categories of eligible costs. Refer to [24 CFR 92.206](#) for details.

- New construction,

- Rehabilitation,
- Reconstruction,
- Conversion,
- Site improvements,
- Acquisition of property,
- Acquisition of vacant land,
- Demolition,
- Relocation costs,
- Refinancing,
- Initial operating reserve, and
- Project-related soft costs.

HOME CHDO

With Participating Jurisdiction (PJ) approval, CHDOs may use HOME funds for all eligible HOME activities. However, to count towards the 15 percent set-aside, a CHDO must act as the owner, developer, or sponsor of a project that is an eligible set-aside activity. These eligible set-aside activities include: the acquisition and/or rehabilitation of rental housing; new construction of rental housing; acquisition and/or rehabilitation of homebuyer properties; new construction of homebuyer properties; and direct financial assistance to purchasers of HOME-assisted housing that has been developed with HOME funds by the CHDO.

Eligible HOME Beneficiaries

Beneficiaries of HOME funds include homebuyers, homeowners, or tenants. These individuals must be low-income or very low-income. Their income eligibility is based on their annual income.

Income Eligibility

A low-income household has an annual gross income of no more than 80% of the area median income (AMI).

A very low-income household has an annual gross income of no more than 50% of the area median income (AMI).

HOME assistance can be used to serve **only** those with incomes at or below 80% of AMI (at or below the low-income limit). This means that low-income, very low-income, and extremely low-income households are all income eligible.

Income Verification

To verify an applicant's income, the responsible entity must examine at least two months of income documentation using source documents. Source documentation may include:

- Wage statements,
- Interest statements for any applicant-held assets,
- Unemployment compensation statements, and
- Other documentation for payments in lieu of earning

HUD permits household income to be determined in one of two ways:

- 24 CFR Part 5 Annual Income; or
- IRS Form 1040 Adjusted Gross Income

The City of Waco has elected to use the 24 CFR Part 5 Annual Income methodology

Income Guideline

Subrecipients must have a process in place to determine the eligibility of beneficiaries.

2023 Income Limits; Effective 6/15/2023

Family Size	1	2	3	4	5	6	7	8
30% LIMIT	\$ 15,550	\$ 17,800	\$ 20,000	\$ 22,200	\$ 24,000	\$ 25,800	\$ 27,550	\$ 29,350
VERY LOW INCOME	\$ 25,900	\$ 29,600	\$ 33,300	\$ 37,000	\$ 40,000	\$ 42,950	\$ 45,900	\$ 48,850
60% LIMIT	\$ 31,080	\$ 35,520	\$ 39,960	\$ 44, 400	\$ 48,000	\$ 51,540	\$ 55,080	\$ 58,620
LOW INCOME 80%	\$ 41,450	\$ 47,400	\$ 53,300	\$ 59,200	\$ 63,950	\$ 68,700	\$ 73,450	\$ 78,150

HUD Income limits are typically updated on or around the 1st of April.

Federal Requirements

Subrecipients are responsible for adherence to applicable Federal program requirements specified in the federal award and its agreement. The federal regulations listed below apply to **all** federal funds.

- 2 CFR Part 200 – Uniform Administrative Requirements
- 24 CFR 58 – Environmental Review
- 2 CFR 184 – Build America, Buy America Act

Uniform Administrative Requirements - 2 CFR Part 200

The Uniform Administrative Requirements apply to all federal funds. A subrecipient must be familiar with 2 CFR Part 200, which is divided into the following subparts:

Subpart A: Acronyms and Definitions

This subpart provides base information about acronyms and definitions to assist the user in understanding the regulation.

Subpart B: General Provisions

This subpart includes purpose, applicability, and exceptions to this regulation.

Subpart C: Pre-Federal Award Requirements and Contents of Federal Awards

This subpart outlines requirements that must be met prior to making Federal awards.

Subpart D: Post Federal Award Requirements

This subpart covers standards for financial and program management, internal controls, property standards, procurement standards, performance and financial monitoring and reporting, subrecipient monitoring and management, record retention and access, remedies for noncompliance, and closeout.

Subpart E: Cost Principles

This subpart establishes principles and standards to provide a uniform approach for determining allowable, allocable, and reasonable costs under Federal grants and other agreements.

Subpart F: Audit Requirements

This subpart describes Federal audit requirements, including audit thresholds. PJs, HOME-funded state recipients, and subrecipients, including CHDOs acting as subrecipients, are required to conduct audits that comply with this subpart.

Environmental Reviews – 24 CF Part 58

An environmental review is a process of reviewing a project and its potential environmental impacts to determine whether it complies with federal, state, and local standards. An Environmental Review Record (ERR) and clearance must be prepared **before** federal dollars are expended or costs incurred for **any** federally approved program or activity. In addition, no contracts may be executed, loans settled, or work started on a project awarded federal funds before the environmental review process is completed.

A violation of this requirement may jeopardize federal funding to the project and disallow all costs that were incurred before the completion of the Environmental Review.

All HUD-assisted projects are required to undergo an environmental review to evaluate how the proposed project can affect the environment and how the environment can affect the project, site, and end users.

The City determines the level of environmental review required based on the project description. The amount of work and documentation required for the Environmental Review Record will depend upon the level of environmental review.

When an environmental review is being conducted, subrecipients must refrain from undertaking any physical activities or choice-limiting actions until the City has provided clearance.

Level of Review	Federal Regulation	Compliance Required	Timeframe
Exempt – Activities with minimal impact or no physical changes	58.34(a)	58.6	Less than one hour
Categorical Exclusions Not Subject to 58.5 (CENST) – Generally activities that will not have physical impacts	58.35(b)	58.6	Less than one hour
Categorical Exclusion Subject to 58.5 (CEST) – Activities that usually have physical impacts on the environment must document compliance with 58.5	58.35(a)	58.6 58.5	30 – 75 days <i>Depending on consultation required</i>
Environmental Assessment (EA) – Projects that cannot be categorized as exempt or CEST	58.36	58.6 58.5 EA Checklist	45 – 100 days <i>Depending on consultation required</i>
Environmental Impact Statement (EIS) – A project that has a significant impact on the human environment	58.37	58.6 58.5 EA Checklist	1 -2 years

Build America, Buy America (BABA) – 2 CFR Part 184

The Build America, Buy America Act (BABA) requires that all iron, steel, manufactured products, and construction materials used for federally funded **infrastructure projects** are produced in the United States, unless otherwise exempt or subject to an approved waiver. This requirement is known as the “Buy America Preference (BAP)” and the specific requirements are codified in 2 CFR Part 184.

Products covered under the BAP include:

1. Iron and steel
2. Construction materials
3. Manufactured products

Products should be classified into just one of these categories. The classification must be made based on the product’s status when brought to the work site.

Activities that May Be Subject to BAP

- Rehabilitation of buildings and real property
- Construction of public facilities and improvements, such as streets, sidewalks, neighborhood centers, and the conversion of buildings or eligible purposes
- Utility installation or improvements
- Water systems (drinking water and wastewater)
- Electrical transmission facilities and systems
- Broadband infrastructure
- Transportation infrastructure

Activities that May NOT be Subject to BAP

- Acquisition of real property
- Relocation and demolition
- Public services
- Shelter or public facility operating expenses
- Supportive services
- Short-term payments to prevent homelessness
- Special economic development activities
- Administrative activities
- Disaster and emergency response

Subrecipients Should Retain Documentation That Demonstrates

1. All the iron, steel, manufactured products, and construction materials used in infrastructure projects are produced in the United States in accordance with HUD’s Phased Implementation Waiver, or
2. The project is covered by a HUD general waiver and is therefore exempt from the BAP, or
3. A project/product-specific waiver was reviewed by HUD and approved by the Office of Management and Budget’s Made In America Office (MIAO).

CDBG Regulations – 24 CFR Part 570

The following rules and regulations govern the CDBG Program and apply to all CDBG-funded activities.

Subpart A: General Provisions

This subpart includes the purpose of the CDBG program, definitions used in CDBG, how funds are allocated, and what regulations may be waived by the Secretary of HUD.

Subpart C: Eligible Activities

This subpart lists the activities that are eligible and not eligible for CDBG assistance and the criteria for meeting a National Objective.

570.200 – General Policy

570.201 – Basic Eligible Activities

570.202 – Eligible Rehabilitation and Preservation Activities

570.203 – Special Economic Development Activities

Subpart J: Grant Administration

This subpart addresses general responsibilities for grant administration, including the applicability of uniform administrative requirements such as provisions of subrecipient agreements, program income, use of real property, recordkeeping and reporting, and closeout procedures.

Subpart K: Other Program Requirements

This subpart deals with other federal requirements that may apply to subrecipients' CDBG-funded activities. All CDBG-funded activities must comply with regulations addressing civil rights, uniform administrative requirements, cost principles, and conflicts of interest. Additional requirements, depending on the activity, may apply: labor standards; environmental standards, flood insurance; relocation; displacement; acquisition; employment and contracting opportunities; lead-based paint; and/or use of debarred, suspended, or ineligible contractors.

HOME Regulations – 24 CFR Part 92

The following rules and regulations govern the HOME Program and apply to all HOME-funded activities.

Subpart A: General

This subpart deals with HOME federal requirements that apply to HOME-funded activities.

Subpart E: Program Requirements

This subpart lists the activities and costs that are eligible and not eligible for HOME assistance.

92.203 – Income Determinations

92.205 – Eligible Activities: General

92.206 – Eligible Project Costs

92.207 – Eligible Administrative and Planning Costs

92.208 – Eligible CHDO operating expense and capacity building costs

92.209 – Tenant-Based Rental Assistance: Eligible costs and requirements

92.214 – Prohibited activities and fees

Subpart F: Project Requirements

Eligible activities must comply with regulations addressing the following: maximum per-unit subsidy amount, underwriting, and layering; property standards; qualifications as affordable housing: rental housing; tenant protections and selection; qualification as affordable housing: homeownership; converting rental units to homeownership units for existing tenants; and equal participation of faith-based organizations.

Subpart G: CHDOs

This subpart provides details on Community Housing Development Organizations (CHDOs).

Subpart H: Other Federal Requirements

This subpart deals with other federal requirements that apply to HOME-funded activities.

Subpart K: Program Administration

This subpart addresses general responsibilities related to program administration, including the applicability of uniform administrative requirements such as provisions of subrecipient agreements, program income, recordkeeping and reporting, and closeout procedures.

Subpart L: Performance Reviews & Sanctions

This subpart provides details related to performance reviews, corrective and remedial actions, and notice and opportunity for hearing; sanctions.

CHDO Regulatory Exceptions

Community Housing Development Organizations (CHDOs) are **not generally required** to comply with uniform administrative requirements, but they must have compliant financial management systems:

- 200.302 – Financial Management
- 200.303 – Internal Controls

When there is a **conflict between** definitions in **2 CFR part 200** and **24 CFR part 92**, the definitions in **24 CFR part 92 govern**.

Some very specific provisions of 2 CFR part 200 do **NOT** apply to HOME because the HOME regulations impose separate requirements in those areas. For instance, HOME rules (rather than OMB rules) apply to program income, match, record retention, access to records, and written agreements. The specific provisions of Part 200 that do not apply to HOME are listed at 24 CFR 92.505.

Application

Application Requirements

1. Application must be completed in its entirety to be accepted by the City of Waco.
2. Application must be submitted online.
 - a. All fields must be completed.
 - b. Provide concise information.
 - c. Attachments are only acceptable to provide **additional** information to the response but not as the sole response.
 - d. To be considered a completed application, all applicable sections must be completed, required documents must be uploaded, and electronic signatures executed.
3. Applicant must be a legal entity meeting the eligibility criteria identified in the guidelines.
4. Applicants must meet Federal Guidelines for CDBG or HOME funds and City of Waco guidelines for City of Waco funds.
5. Application must be submitted in its entirety by the specified deadline. **Late or incomplete applications are not accepted.**
6. The proposed project must be an eligible activity, meet one of three CDBG national objectives, the City of Waco's funding priorities, and the Waco City Council Strategic Goal as determined by the Housing & Community Development Department.

Application Breakdown

Application Workshop & Funding Guide

Applicants are required to review the funding guide to assist you in achieving a strong application for funding.

All applicants must certify they have attended the Application Workshop or watched the Application Workshop Video.

Section A. Agency Contact Information

Provide the contact information for the Executive Director, the person responsible for program delivery, and financial delivery. The mailing address will be tied to the

Unique Entity Identification (UEI)

The UEI is a 12-character alphanumeric identifier assigned to entities by sam.gov. All applicants who do not have a UEI must register at sam.gov to obtain one. Click [here](#) for details on how to get started.

Section B. Agency Information

Organizational Capacity

Complete all fields related to the agency's mission statement, date of incorporation, and years in operation.

HUD Performance Goals Measurement System

All applications must demonstrate a tie to one of three HUD designated Objectives. In addition, the proposed activity must demonstrate at least one HUD designated Outcome.

Objectives

- **Suitable Living Environment** - In general this objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their environment.
- **Decent Affordable Housing** - This objective focuses on housing programs where the purpose of the program is to meet individual family or community needs and not programs where housing is an element of a larger effort.
- **Creating Economic Development** - This objective applies to the activities related to economic development, commercial revitalization, or job creation.

Outcomes

- **Availability/Accessibility** - This outcome applies to activities that make services, infrastructure, or shelter available or accessible to low-and- moderate income people, including persons with disabilities. Accessibility does not refer to physical barriers, but also making the affordable basics of daily living available and accessible to low-and-moderate income people.
- **Affordability** - This outcome applies to activities that provide affordability in a variety of ways in the lives of low-and-moderate income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.
- **Sustainability-Promoting Livable or Viable Communities** - This outcome applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low-and-moderate income or by removing or eliminating slums and blighted areas through multiple activities or services that sustain communities or neighborhoods.

Past Performance

- Add a row to complete the fields related to current/past CDBG and/or HOME funded projects, the funding year, and amount of funding per year.
- Provide complete and concise responses in each textbox that follows.

Agency Operations

- Add a row for each license the agency and/or staff is required to have.
- Add a row to enter details about the services provided in Waco.

Section C. Project Information

Project Details

- **Project Name** – This name will identify the project for the City Council and HUD.
- **Project Location** – provide the physical location where the program takes place.
- **Project Description** – The narrative must clearly address the purpose of the project, how it meets HUD objectives, and describe the type of services or products that will be delivered.

- Provide details of the program’s success If the organization has not previously received funding.
- **Community Needs** – Consider the needs identified in the Consolidated Plan and Annual Action Plan.
- **Project Timeline** – The milestones identified in this field will be used to monitor performance.
- **Approach** – The organization’s approach must demonstrate a clear understanding of the federal regulations and capability to provide service in a timely manner.
- **Target Population** – Consider the population identified in the CDBG National Objectives and HOME objectives. Provide other details including demographics and/or service area.
- **Participant Eligibility** – Consider the income requirement and federal regulations for CDBG & HOME.
- **Admin & Program Delivery Staff** – Identify all staff in the management, reporting, and service delivery for the proposed project regardless of if there is an allocation in the budget. Do not use names of people.
 - Identify the percentage of full-time equivalence (FTE) the staff are allocated to the project.
 - Select Yes if the position is currently staffed. For new positions created for the program, indicate the expected hire date.
 - If there are multiple staff with the same title and duties, use one line and increase FTEs.
- **Staff Training** – Describe the standard operating procedures to keep staff current on relevant federal grant regulations and program requirements.
- **Program Monitoring** – Enter details on how the organization will oversee staff and third parties are following program requirements.

Units/Accomplishments

- **Accomplishments Units** – The selection will define the unit(s) of service to be provided and quantify a measurable outcome.
- **Current Beneficiaries** – Enter the total number of beneficiaries the organization presently serves.
- **Proposed number of Beneficiaries** – The total number provided will be used to track the organization’s performance.
- **Project Outcome** – Identify the outcome the project will provide.
 - New or continuing access to a service or benefit
 - Improved access to a service or benefit
 - Service or benefit is no longer substandard

Need & Value to Community

- **City of Waco Strategic Goals** - The Mayor, City Council and City Manager have selected a Strategic Goal by which city staff, the departments and their contractors, can measure their activities. All applications must demonstrate a tie between the proposed project and the strategic goal highlighted below.

- **Enhance Quality of Life** - Quality of life is the extent to which one is healthy, comfortable, and able to enjoy life. Improving, intensifying, or enhancing the quality of life creates more enjoyment and satisfaction. It makes living in Waco better for everyone!
- Select the checkbox to certify the program meets the City of Waco Strategic Goal
- Provide narrative response focused on how the project will meet the Strategic Goal

Partnering / Complimenting / Duplication of Services

- Briefly explain the extent to which other organizations were brought in the development and/or implementation of this project. Describe any partnerships that may have developed as a result of this collaborative effort.
 - **CHDO applicants** identify the partnerships with volunteers or organizations or other in-kind trades and services.
- **Avoids Duplication** - Describe how this project uniquely addresses the needs of the community in a way that is different from other similar projects or programs.

Section D. Development

- **Housing Development**
 - Select “yes” if funds will be used for eligible housing development activities identified under the CDBG & HOME programs (i.e. CHDO, site development, acquisition, etc.)
 - Selecting yes will branch out additional fields that must be completed.
 - **Site Control:** indicate if the property is secured via title, option to buy, long-term lease, or other and specify that other method of control.
 - **Contractor or Builder:** identify the name of the firm that has committed to building and provide a quotation.
 - **Financing:** Applicant must have a letter of commitment from the institution for the mentioned project as an overall standing commitment to the extent allowable by the financial institution.
 - **Plan specifications:** complete each field. Count all rooms except closets. Other information should include and describe energy efficient HVAC, appliances, window coverings, porches/patios, landscaping.
 - Select “No” if this does not apply to the project you are seeking funds for.
- **Public Infrastructure** includes but is not limited to installment or replacement of sewer/water system and/or other related services/systems.
- **Public Facility** involves construction, expansion, or renovation of libraries, community centers, etc.

Section E. Budget & Performance

The budget must be in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ([24 CFR Part 200](#)). Federal regulations require that organizations that expend \$750,000 or more in federal funds in a fiscal year must secure an audit and provide to the City of Waco for review.

Complete the budget form provided using line-item categories as follows (this list is provided for budget preparation purposes and is not intended to be authoritative as to the allowableness of costs as found in [2 CFR Part 200](#)).

NOTE: CHDO budget lines by trade; be specific to demonstrate project costs effectively. Salaries and Wages: compensation paid to all classifications of employees involved in the service delivery of the proposed project.

Budget Expense Description

Enter a brief description of the line item. For example: 1 FTE Teacher Salary,

Budget Category

- **Advertising** – advertisements on any TV, radio, print or social media.
- **Architectural Fees** – costs related to the preparation of site plans, elevations and other plans related to development including construction oversight.
- **Capital Purchases** – any purchase of items for more than \$5,000 including equipment, land, buildings, etc.
- **Communications** – communication services for telephones, cell phones, and internet
- **Construction** – costs such as trade labor and materials for physical structures including foundation work to vertical construction.
- **Permits and Fees** – costs related to securing state, local or federal regulatory permits, waivers or other similar documents necessary for undertaking the project
- **Engineering** – Construction, management, civil, geotechnical or other related costs
- **Equipment Services** – repairs, purchases of equipment or furnishings (single item cost of less than \$5,000)
- **HMIS Admin** – specific admin costs associated with direct HMIS service delivery
- **Indirect Costs** – Costs eligible under an approved Indirect Cost Allocation Plan
- **Insurance** – property, auto, liability insurances
- **Off-Site Infrastructure** – Improvements required to complete the project, but which lie outside the boundaries of the property lines such as access roads, water, wastewater or storm water improvements
- **On-Site Infrastructure** – Infrastructure requirements within the legal property boundaries.
- **Leased Equipment** – leased or rented equipment related to project service delivery e.g.. printers, copiers, direct project related items.

- **Match** – Cash or in-kind match that may be required for the grant program
- **Other** – budget categories not otherwise listed. Further explanation will be required detailing the nature of the expense.
- **Property Services** – rent, facility maintenance, utilities
- **Other Purchased Professional and Technical Services** – Services that by their nature can be performed only by persons or firms with specialized skills and knowledge e.g. auditors, temp or contract staff, physicians, lawyers and consultants.
- **Rehabilitation** – costs associated with the physical alteration of an existing structure to include: commercial, industrial or residential.
- **Salaries and Benefits** – compensation paid to all classifications of employees of the applicant involved in the service delivery of the proposed project. This includes Agency paid health/life insurance(s), payroll taxes, retirement contributions, unemployment, and worker’s compensation insurance.
- **Supplies** – office, janitorial, other program materials necessary to facilitate proposed project operations.
- **Travel/Training** – conference or training fees, transportation, meals, hotel and other expenses associated with staff training related to the project.
- **Vehicle Expenses** – fuel, general maintenance, repairs

Amount of Funds Requested

Consider the limited funds and ensure the budget is balanced and reasonable.

Conditions of non-City of Waco Financing

Describe the condition of each award and when the organization expects to secure the funds.

Reason for Amount of Funds Requested

Consider the funds available for the type of activity.

Reimbursement Timeframe

Describe the organization’s sustainability when considering the timeframe for processing reimbursements.

Agency Performance if Awarded Less than Amount Requested

Describe the organization’s ability to deliver services if funded less than 100% of request.

Sustainability

Describe if City support will allow your project to secure additional funding in the future

Fiscal Management

Consider 2 CFR Part 200

Section F. Infrastructure – Build America, Buy America

The questions in this section will help determine if BABA is applicable to the project.

- Answer “Yes” if your project involves any of the following:
 - Rehabilitation of buildings and real property
 - Construction of public facilities and improvements, such as streets, sidewalks, neighborhood centers, and the conversion of buildings or eligible purposes
 - Utility installation or improvements
 - Water systems (drinking water and wastewater)
 - Electrical transmission facilities and systems
 - Broadband infrastructure
 - Transportation infrastructure
- Select which product(s) will be used and answer the questions that follow.

Section G. Environmental Review

This section will help determine the level of review of the Environmental Review City staff needs complete.

- Answer “Yes” if the project involves an activity that has the potential to impact the environment (i.e. new construction, demolition, home rehabilitation, etc.)
 - Complete all fields with as much detail as possible.
 - Upload Site plans, architectural/engineering reports, elevations, and property photos.
 - Phase I & II ESA must be uploaded if one was completed.
- Answer “No” if the project does not involve an activity that will break ground.
 - Select the type of activity you are seeking funds for from the dropdown.

Section H. Required Documents

All files uploaded must be current.

- **List of the Board of Directors**
 - A list of the current board of directors or other governing body of the agency must be submitted.
 - Required information: name, telephone number, address, occupation or affiliation of each member and must identify the principal officers of the governing body.
 - CHDO applicants must identify which Board members represent low-income community.
- **Articles of Incorporation / Bylaws**
 - **Current funded agencies:** Submit only the changes within 18 months.
 - **New Applicants:** Submit full Articles / By Laws
- **Authorized Official**
 - Signed letter from the Chairperson of the governing body providing the name, title, address, and telephone number of each authorized individual to negotiate for and contractually bind the agency.
- **Authorization to Request Funds**
 - Copy of the minutes of the meeting in which the governing body’s resolution, motion **or** other official action is recorded authorizing the application.
- **IRS Tax Determination Letter**

- Nonprofit Determination **new applicants only*
- Nonprofit organizations must submit tax-exemption determination letters from the Federal Internal Revenue Service and the Secretary of State and/or State Comptroller’s Office.
- **Most Recent Independent Audit or Financial Statement Audit**
 - This must be provided if available.
- **Most Recent Two Years’ Financial Statements**
 - This must be provided if there is no audit.
- **Organizational Chart**
 - Agency’s administrative framework and staff positions, which shows where the proposed project will fit into the organizational structure and identifies any staff positions of shared responsibility.
- **Resume Chief Program Administrator and Chief Fiscal Officer**
- **Job Description(s) of position(s) responsible for administration & program delivery**
- **Certificate of Insurance (General Liability and Worker’s Compensation)**
- **Negotiated Indirect Cost Rate Documentation**
 - Must provide if applicable.
- **CHDO, Site Development, or Acquisition Project Documents**
 - Upload the site plan, architectural plan, elevation plan, other related plans if applicable.
 - **CHDO Certification** documentation must be uploaded here.

CHDO Category of Compliance	Documentation
Legal Status	<ul style="list-style-type: none"> ● Articles of incorporation or charter (organized, geographic area) ● Mission or bylaws (purpose) ● Map (geographic area) ● IRS letter designation (if conditional, be sure the final designation letter is submitted)
Organizational Board Structure	<ul style="list-style-type: none"> ● Board names, addresses, employers, category (low-income or public sector) ● Low-income self-certification (if low-income) ● Census tract info (if low-income area) ● Minutes from meeting (if elected to be on board as low-income organization representative) ● Bylaws or board resolution – in writing (low-income input) ● Agendas/minutes (low-income input)
Capacity and Experience	<ul style="list-style-type: none"> ● Annual report ● Resumes of staff showing development experience ● Contract with consultant – including staff training component. ● Letter from financial person (CF)

Agency Certifications

- The authorized person will acknowledge certifications and execute a signature.
- Insurance
 - Agency certifies they have or can obtain, if awarded a contract, the liability insurance coverage minimums. Commercial/General Liability is required; other items marked with an asterisk (*) depend on the nature of the proposed program.

Insurance Type	Minimum Amounts
1. Worker's Compensation *	Statutory
2. Employer's Liability *	\$500,000 / \$500,000 / \$500,000
3. Commercial General Liability: 'a. Premises / Operations b. Independent Contractors * c. Products/completed operations d. Personal Injury e. Contractual Liability f. Explosion, collapse, underground	\$500,00 per occurrence \$1,000 General Aggregate or its equivalent in umbrella or excess liability coverage
4. Business Automotive Liability 'a. Owned/leased vehicles b. Non-owned vehicles c. Hired Vehicles	Combined Single Limit for Bodily Injury and Property Damage of \$1,000,000 per occurrence
5. Director's & Officer's Liability	\$100,000 per occurrence; \$500,000 General Aggregate
* If Applicable to proposed program	

Submit

The authorized person will execute a signature to certify all information on the application is true and current.

Evaluation

Capacity / Experience

- Number of years the agency has been doing this type of project/service and/or capacity to successfully complete this project.
- Agency demonstrates longevity in providing this and/or other community services in Waco.
- Have previous contracts utilizing the City's HUD funds or General Funds performed satisfactorily or in a timely manner?
- Agency have a formal/active board.
- Project identifies and can meet a HUD Outcome Performance Measure.
- Project identifies and can meet one or more of the City's Strategic Intents.

Program Design

- The project has a defined and well considered plan with accomplishments & objectives for coordination of services.
- Agency demonstrates the ability/capacity to provide the proposed services?
- Does the project avoid duplication, fulfill an unmet need?
- Does the project build on the financial, health, and educational capacity of the beneficiary?
- Does the method of approach and implementation timeline demonstrate potential for project success within program year?
- Does the impact of the project complement and enhance other programs in the existing neighborhood(s)?
- Does the agency demonstrate successful collaborations and/or project plan includes community collaboration?
- Unit of service is defined with quantifiable outcome(s).

Financial Management

- Are the proposed staffing and qualifications sufficient for the project's successful implementation?
- Does the budget demonstrate appropriate costs relative to the project intent and successful implementation?
- Does the budget demonstrate match or leveraged funds relative to the amount requested and identifies funding sources?
- What are total units of service or # of beneficiaries and cost per unit of service or per beneficiary?
- What capital purchases are planned and are they proposed to be funded by CDBG or match?
- Agency demonstrates ability to deliver services if funded less than 100% of request.

CHDO Requirements

CHDO Category of Compliance	Requirements	Documentation to Review— Items for the File
Legal Status	<ul style="list-style-type: none"> Organized under State or local law Purpose of organization to provide affordable housing No individual may benefit from the organization's efforts (financial or other) Clearly defined geographic area Nonprofit status (IRS designation) —conditional okay, not pending 	<ul style="list-style-type: none"> Articles of incorporation or charter (organized, geographic area) Mission or bylaws (purpose) Map (geographic area) IRS letter designation (if conditional, be sure the final designation letter is secured)
Organizational Board Structure	<ul style="list-style-type: none"> 1/3 low-income (low-income, live in a low-income area, or elected representative of a low-income organization) No more than 1/3 PJ employees Formal process established for low-income input (not community input) 	<ul style="list-style-type: none"> Board names, addresses, employers, category (low-income or public sector) Low-income self certification (if low-income) Census tract info (if low-income area) Minutes from meeting (if elected to be on board as low-income organization representative) Bylaws or board resolution—in writing (low-income input) Agendas/minutes (low-income input)
Capacity and Experience	<ul style="list-style-type: none"> 1+ years experience in serving the community Staff capacity to undertake development Financial management standards that meet requirements of 24 CFR 84.21 	<ul style="list-style-type: none"> Annual report Resumes of staff showing development experience Contract with consultant—including staff training component Letter from financial person (CFO)

Resources

[Application Portal – Neighborly](#)

BABA: [Notice CPD-23-12: BABA Implementation Guidance](#)

[BABA Quick Guide: CPD Overview](#)

[Build America, Buy America \(BABA\)](#)

[CDBG Regulations](#)

[CPD Income Eligibility Calculator and Income Limits](#)

[Environmental Reviews](#)

[HOME Regulations](#)

[HUD Exchange](#)

[Sam.Gov](#)

[Subrecipients](#)

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2024 Funding Guide

Final Audit Report

2024-02-16

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