

# Commonwealth of Massachusetts

## DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Tina Brooks, Undersecretary

### Request for Proposals

### Neighborhood Stabilization Program (NSP3) Activities and Projects

#### **INTRODUCTION**

On behalf of Governor Deval L. Patrick and Lieutenant Governor Timothy P. Murray, Undersecretary Tina Brooks is pleased to announce that the Department of Housing and Community Development (DHCD) is accepting proposals for Financing Mechanisms, Acquisition and Rehabilitation, and Redevelopment of Vacant Properties activities or projects to address foreclosed and abandoned properties in eligible census tracts through the third round of the federally-funded Neighborhood Stabilization Program (NSP3).

The U.S. Department of Housing and Urban Development (HUD) awarded \$6.191 million to DHCD from the Dodd-Frank Wall Street Reform Act of 2010. Funds were awarded for the purchase, rehabilitation, redevelopment, land banking, or demolition of eligible foreclosed, abandoned, or vacant properties in NSP3 targeted census tracts. This Request for Proposals pertains specifically to Financing Mechanisms, Acquisition and Rehabilitation projects and Redevelopment of Vacant Properties activities.

#### **DEFINITIONS**

Site-specific activities must conform to the definitions and requirements contained in the [NSP3 Federal Notice](#).

*Abandoned:* A home or residential property is abandoned if either a) mortgage, tribal leasehold, or tax payments are at least 90 days delinquent, or b) a code enforcement inspection has determined that the property is not habitable and the owner has taken no corrective actions within 90 days of notification of the deficiencies, or c) the property is subject to a court-ordered receivership or nuisance abatement related to abandonment pursuant to state or local law or otherwise meets a state definition of an abandoned home or residential property.

*Foreclosed:* A home or residential property has been foreclosed upon if any of the following conditions apply: (a) the property's current delinquency status is at least 60 days delinquent under the Mortgage Bankers of America delinquency calculation and the owner has been notified; (b) the property owner is 90 days or more delinquent on tax payments; (c) under state, local, or tribal law, foreclosure proceedings have been initiated or completed; or (d) foreclosure proceedings have been completed and title has been transferred to an intermediary aggregator or servicer that is not an NSP grantee, contractor, subrecipient, developer, or end user.

*Vacant:* Vacant property can either be vacant land or vacant buildings on the land. However, in order for a property to be "redeveloped" it must have been previously developed and is now vacant. Raw land

would not be eligible for redevelopment. Previous development could include vacant buildings or infrastructure improvements such as roads, water, sewer, power lines, etc. Land that has been farmland, open space, wilderness, etc. would not be eligible for redevelopment.

### ***TYPES OF PROJECTS***

Applicants may propose an activity or a specific project, or both, consistent with the NSP3 definitions of Financing Mechanisms, Acquisition and Rehabilitation or Redevelopment. HUD and DHCD's preference is for projects that rehabilitate or construct rental units.

For example, a community may propose to assist with acquisition and rehabilitation of a series of properties within an eligible census tract or propose to redevelop a specific piece of vacant property acquired through tax title.

A nonprofit or for profit developer may propose to acquire a specific piece of foreclosed property or rehabilitate a property. In the case of nonprofit and for profit developers, a municipal agency or another nonprofit must be identified to act as recipient of the grant funds, and the responsible party for grant administration, environmental review clearance and other grant requirements.

The subject properties whether within an overall activity or as an individual project will preferably contain four (4) or more rental units but at minimum must contain three (3) units of housing.

### ***ELIGIBLE APPLICANTS***

Applicants proposing activities within the eligible areas of communities selected for NSP3 are eligible to apply for awards. There are two allocations of NSP3 funds available. The first (\$5M) is targeted to census tracts in the following communities:

Attleboro  
Boston  
Brockton  
Fall River  
Lawrence  
New Bedford

The second allocation (\$1.191M) is targeted to census tracts in the following communities:

Fitchburg  
Southbridge  
Webster  
Worcester

No award distribution restrictions have been established for the two allocation amounts except that any grants awarded will be for less than \$1 million. Applicants proposing to provide financing mechanisms may propose projects in multiple, eligible areas.

### ***USE OF FUNDS***

NSP3 funds are for the sole purpose of the three activities identified – Financing Mechanisms, Acquisition and Rehabilitation and Redevelopment – and associated project delivery and administrative costs. All use

of NSP3 funds must benefit households at or below 120% of area median income. Proposed activities or projects must:

- Result in the acquisition and rehabilitation of eligible building(s) preferably with four (4) or more rental units but with a minimum of three (3) units, at least 25% or more of which will serve households at or below 50% of area median income (ami) and/or
- Result in the redevelopment of an eligible vacant property through rehabilitation or construction of a building preferably with four (4) or more rental units but with a minimum of three (3) units, at least 25% or more of which will serve households at or below 50% of area median income (ami) and/or
- Provide financing mechanisms designed to assist in the stabilization of foreclosed or abandoned properties in NSP3 eligible census tract(s). Financing Mechanisms will be limited to financing programs or loan loss reserve funds designed to stabilize neighborhoods and only in census tracts selected as the location for Acquisition and Rehabilitation or Redevelopment funded activities.

Demolition and clearance of blighted properties will only be eligible if incidental to the primary grant activities.

NSP3 assistance may also be granted to private or nonprofit developers, or municipal governments, for the purchase and rehabilitation or construction (redevelopment) of housing using DHCD's existing housing production programs and/or proposals submitted directly to DHCD's Undersecretary.

### ***GRANTS TO BE AWARDED***

DHCD anticipates awarding most grants in amounts up to \$500,000. However, in some circumstances, at the discretion of the Undersecretary, awards may be higher or lower in response to the severity of need and expected neighborhood impact. All grants will be less than \$1 million.

### ***GRANT PERIOD***

DHCD anticipates that NSP3 grants will commence with awards in June 2011. Grantees will have approximately two (2) years to expend at least half the awarded funds. All funds must be expended within three (3) years.

### ***MINIMUM THRESHOLD REQUIREMENTS***

Submissions will be considered until April 15, 2011. DHCD will evaluate each applicant's response in relationship to the following minimum threshold requirements. Submissions must contain information that meets the following minimum thresholds:

- Identifies activities or site-specific project(s) consistent with NSP3 objectives and demonstrates compliance with the purpose of this program.
- Explains how the proposed project(s) is consistent with an existing neighborhood stabilization strategy.
- Identifies a timeline for implementation and any potential obstacles such as environmental clearance, site control etc.
- Describes how the grant will be managed and monitored. Applicants must identify a municipal or nonprofit organization to receive, manage, administer and monitor NSP3 funds received from DHCD.
- Identifies and justifies the total project cost.
- Provides evidence that the proposed project(s) is located in NSP3 eligible census tract(s).

DHCD reserves the right to use other available information regarding an applicant's history, experience, and past performance as a DHCD grantee when evaluating responses to these minimum threshold criteria, including whether the applicant has:

- Completed prior workplan objectives in a timely and proper manner and demonstrated effective performance
- Utilized prior funding, in accordance with an approved program budget
- Complied with the Terms and Conditions of previous contracts

### ***HOW TO APPLY***

Submissions must be submitted through DHCD's online submission and grant management system, CGMM/GMS, at <http://madhcd.intelligrants.com>. Applicants without current access to the system should contact Carl Monaco at 617-573-1418.

**It is the responsibility of the applicant to ensure that the submission is received by DHCD.** Only one submission per applicant will be accepted. For general program questions, please contact Mark Siegenthaler at 617-573-1426.

**All submissions must be received by DHCD web-based submission system by Friday, April 15, 2011 at 11:59 PM. One hard copy of the required Submission Cover page with original signatures of the appropriate Chief Elected Official, Chief or Executive Officer must be received by 5:00 PM or the close of business, whichever is later, on Friday, April 15, 2011.**

**APPENDICES:**

1. Eligible Census Tracts
2. Submission Format

## Appendix One

### Eligible Census Tracts

| City        | Census Tracts | Block Group(s) | # of units | Est. foreclosure starts |
|-------------|---------------|----------------|------------|-------------------------|
| Attleboro   | 631400        | 1 – 2          | 1,311      | 20                      |
| Boston      | 90100         | 1 – 5          | 1,895      | 43                      |
|             | 90200         | 1 – 3          | 858        | 16                      |
|             | 90300         | 1 – 3          | 1,255      | 20                      |
|             | 91900         | 1 – 4          | 1,367      | 41                      |
|             | 92400         | 1 – 4          | 2,515      | 44                      |
|             | 100200        | 1 – 3          | 1,017      | 32                      |
| Brockton    | 510400        | 1 – 4          | 1,345      | 61                      |
|             | 510800        | 1 – 6          | 2,456      | 81                      |
| Fall River  | 641000        | 1 – 3          | 1,398      | 3                       |
|             | 641300        | 1 – 4, 6, 7    | 2,779      | 22                      |
|             | 641400        | 1 – 3          | 1,385      | 12                      |
| Lawrence    | 250900        | 1 – 2          | 823        | 15                      |
|             | 251100        | 1 – 3          | 1,353      | 29                      |
|             | 251200        | 1              | 598        | 4                       |
|             | 250400        | 2 – 4          | 1,244      | 40                      |
|             | 250500        | 1 – 4          | 1,074      | 33                      |
|             | 250600        | 1 – 4          | 1,758      | 65                      |
|             | 250700        | 1 – 3          | 1,633      | 45                      |
|             | 251000        | 1              | 549        | 10                      |
|             | 251300        | 1 – 3          | 1,250      | 26                      |
|             | 251400        | 1 – 4          | 1,564      | 57                      |
| New Bedford | 651700        | 1 – 3          | 1,042      | 22                      |
|             | 651900        | 1 – 2          | 939        | 12                      |
| Totals      | 24            | 79             | 33,408     | 753                     |

| <b>Community</b> | <b>Census Tracts</b> | <b>Block Group(s)</b> | <b># of units</b> | <b>Est. foreclosure starts</b> |
|------------------|----------------------|-----------------------|-------------------|--------------------------------|
| Fitchburg        | 710800               | 1 – 3, 9              | 2,036             | 48                             |
| Southbridge      | 757200               | 1 – 3                 | 1,169             | 18                             |
| Webster          | 754300               | 1 – 3                 | 1,667             | 16                             |
| Worcester        | 732001               | 1                     | 1,188             | 5                              |
|                  | 732500               | 1 – 2                 | 837               | 18                             |
|                  | 731300               | 1 – 5                 | 1,597             | 25                             |
|                  | 731400               | 1 – 5                 | 1,904             | 24                             |
|                  | 731900               | 1 – 4                 | 2,338             | 64                             |
|                  | 733000               | 1 – 5                 | 1,461             | 45                             |
| Totals           | 9                    | 32                    | 14,197            | 263                            |

DHCD has provided maps of the NSP3-eligible census tracts on the Agency's website. [www.mass.gov/dhcd](http://www.mass.gov/dhcd).

## **Appendix Two**

### **Submission Instructions**

This part of the RFP Package provides guidance and instructions for completing the on-line submission. Each on-line form includes specific instructions. Due to programming limitations, applications submitted through the CDBG Grant Management System (CGMS) include items that are not applicable to NSP3. Please note that these items are marked as **DO NOT RESPOND**.

### **General Writing Guidelines and Page Limits for Submissions**

- There is an **eight (8) page limit for response to the Activity or Project Description question** contained in each packet.

Page limits do not include the submission cover sheets, threshold question responses, budget forms, project description summaries, or pertinent information that can be included in attachments or the appendix.

- Responses must be submitted on-line using the Department's web-based submission system. **The easiest way to do this is to prepare, in advance, electronic versions of all narrative responses and then attach them to the corresponding section of the on-line submission.**
- Submission questions allow for attachments. Applicants should use descriptive names for the attached documents e.g., "Public hearing minutes", "Waiting list summary". Attachments will be accessible through dropdown lists. If the attachments carry only file names, it is more difficult to locate the information. If more than five files are attached, applicants should create a list of attachments so that it is clear what information is available in the attachments. Do not use any symbols in the attachment file names.

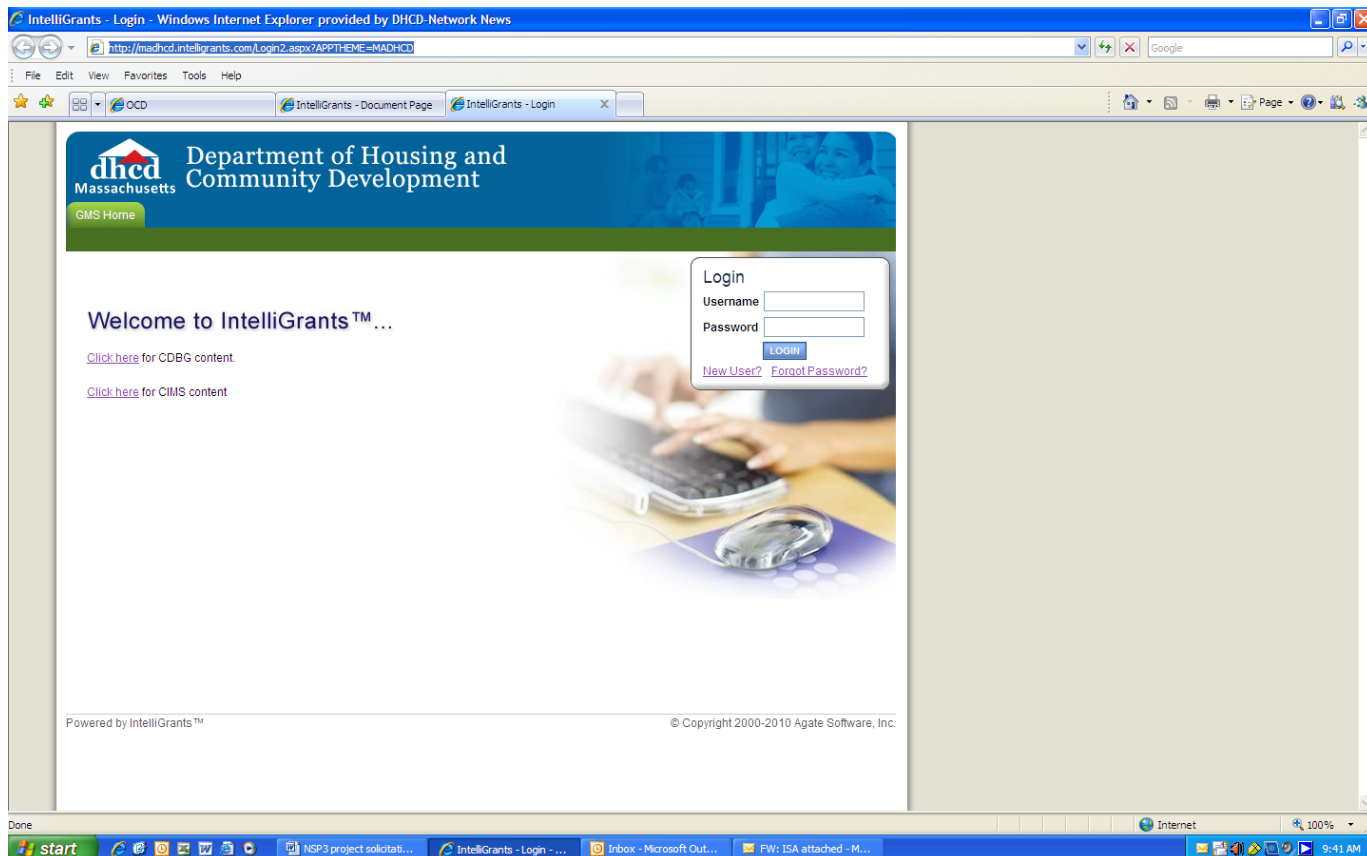
**All applicants must submit one hard copy of the required Submission Cover page with original signatures of the appropriate Chief Elected Official(s) prior to the submission deadline. Send these pages to:**

Massachusetts NSP3 Program  
Department of Housing & Community Development  
Division of Community Services  
100 Cambridge Street, 3<sup>rd</sup> floor  
Boston, MA 02114

MA NSP3's submission forms are available at <http://madhcd.intelligrants.com>.

The opening page should look like this:





If your community or organization is a current grantee or applied for funds last year online, this page should be familiar. If not, follow the instructions for New Users and contact Carl Monaco at (617) 573-1418.

After successfully logging on to the system, applicants should select the Create New link under the NSP 2010 menu item. Agreeing to create a new submission when prompted will open the Submission Menu screen and the submission forms.

## SUBMISSION MENU

The submission menu consists of a series of Forms which are the content of a submission. The appropriate forms must be completed and saved in order to assemble a complete submission.

## COMPONENT SELECTION

At the top of the submission menu screen is a link to the component selection form. The submission packet materials for NSP3 will appear on screen only after the rehabilitation or construction activity is selected on the component selection form. Select Rehabilitation or Construction by checking the “Selected” box next to the activity title.

## SUBMISSION COVER

The two-page Submission Cover Sheet must be **printed and signed by the Chief Elected Official** or by the applicant’s Chief Executive Officer. The individual who signs the cover sheet must be the official who is authorized to obligate the city, town or organization to legal contracts. If this is not the Chief Elected Official

(i.e., Chairman of the Board of Selectmen or Mayor), furnish the appropriate documentation in an appendix, which verifies the contractual authority of the person who signs the submission cover sheet.

The Submission Cover Sheet includes a checklist of certifications. The text of each Certification appears as a separate form within the online submission. Applicants must check the boxes on the cover page to indicate their compliance with the requirements of the certification forms.

## **NEIGHBORHOOD DEVELOPMENT STRATEGY**

Applicants must attach a neighborhood, community, or city development strategy or plan indicating how the proposed NSP3 activities or project(s) will relate to overall planning.

### **ACTIVITY or PROJECT PACKETS:**

Financing Mechanisms, Acquisition and Rehabilitation and Redevelopment Rehabilitation activities or projects should use the Rehabilitation Packet. Redevelopment construction projects should use the Construction Packet.

A complete project packet is comprised of the following information:

- General information
  - Name of Activity or Project
  - Eligible Activity description
- National Objective information including beneficiaries
- Threshold Requirements
  - Targeted Activities and Areas
  - Consistency with Neighborhood Development Strategy
  - Consistency with Sustainable Development Principles (if applicable)
  - Additional Project Thresholds (project specific)
- Project Description
  - Project Location Information
- Project Budget Information including project and administrative costs and an attached, detailed budget.

The following information will provide the applicant with guidance on how to complete the project packet component of the NSP3 submission. Applicants should use the project packets to provide detailed information regarding proposed projects. Project Packets are first reviewed for compliance with the threshold requirements, and then for competitiveness.

### **General Information**

The first section of a Project Packet requests information to identify the project name and the eligibility of the activity requested. Based on this selection and the Project Description, DHCD staff will confirm the eligibility of the requested activity.

### **National Objective Compliance**

*Benefit to Low, Moderate, Middle-Income Persons:* All NSP3 projects will benefit low, moderate, or middle income (LMMI) households through income verification.

## **Threshold Requirements**

In addition to block group requirements and NSP3 thresholds for Eligibility and National Objective, additional threshold questions must be answered for each proposed project. Failure to answer or meet a threshold question will result in the rejection of the project packet. Each project must:

- (1) be consistent with the applicant's or host community's Neighborhood Development Strategy
- (2) be consistent with the Commonwealth's Sustainable Development principles

## **Project Description**

Provide a summary of the proposed project explaining the entire scope and essential elements of the project. If the NSP3 funded project is part of a larger project include a description of the non-NSP3 funded components. The project description is critical in helping reviewers to understand the entire proposed activity or project and its eligibility. This description should be consistent with all packet information and may be used by DHCD to assess and ensure project feasibility. Major questions that should be addressed:

- **Activity or Project Need - What is the need for the proposed activity or project?**
- **Activity or Project Feasibility - Why is the proposed activity or project feasible?**  
Demonstrate that the activity proposed is feasible by providing the following:
  - Describe and document the current status of site control. Acquisition and Rehabilitation activities must be for properties that will be acquired in accordance with NSP3 acquisition requirements.
  - If applicable, describe and document the availability and source of matching or other funds needed to complete the project.
  - Identify and describe the procurement process used or applicable to the project (if multiple processes are applicable, identify each process)
  - Describe and document the current status of environmental review and the timeline for completion of the process. Identify all necessary federal, state, and local permits, including state and local environmental permits, and the timeframe for obtaining them. Include the appropriate checklist(s) and response letters from relevant state agencies and/or local commissions.
  - Describe and identify the project milestones and timeline including unfinished environmental review steps, procurement of grant administration (if applicable), project bidding, and other project steps. State the duration of time needed for each milestone, and identify when each milestone will be completed.
  - Identify the roles and responsibilities of all personnel involved in the project as well as internal controls.
  - Citing past accomplishments, document that:

- the applicant has the necessary past expertise to conduct the activity and has successfully completed past activities in a timely manner, or
- the applicant has experience acquiring the expertise, or
- the applicant has a plan to acquire the necessary expertise.

**Note:** An activity or project that is considered not feasible will be eliminated from review.

○ **Activity or Project Impact - What will be the impact of the proposed activity or project?**

Describe the impact the activity will have on the specifically identified needs. What is the anticipated end use for the property? What measurable improvements will result from the activity? How much of the need will be addressed? Define the direct and indirect outcomes that will result from the project. Identify quantitative and qualitative measures to determine that the outcomes are achieved. Refer to the specific target area(s).

### **Evaluation Criteria**

*Project Need will be evaluated upon the extent to which the response demonstrates the severity of need through summary descriptions of area conditions. As applicable (i.e., for projects involving construction or rehabilitation), photographs should be included as attachments to the packet.*

*Project Feasibility will be evaluated on the extent to which the project is capable of proceeding at the time of award, can be effectively managed, and can be physically and financially accomplished within the grant period. Applicants should provide market data indicating that the proposed project is responsive to market conditions regarding the proposed activity or project.*

*Project Impact will be evaluated on the extent to which the response documents that the activity proposed will have measurable improvements/identifiable outcomes that will benefit the intended beneficiaries and/or the target area.*

### **Budget Forms**

All project packets include separate budget forms. Applicants should ensure that all dollar amounts included in the budget form are consistent with the cover sheet and all other associated information (including Summary Budget Sheet) in the submission. The budget information provided will be used to confirm overall project feasibility.

## **PLANS, BUDGETS AND CERTIFICATIONS**

Applicants are required to submit a series of plans, budgets and certifications regarding their proposed NSP3 activities.

### **IMPLEMENTATION PLAN AND CASH FLOW PLAN**

The Implementation and Cash Flow Plan requires the applicant to project the rate of implementation and cash expenditure for every proposed project. These "milestones" will become part of the grant contract with MA CDBG NSP3 and form the basis for the quarterly activity reports that each recipient must file as part of its contractual requirements. Communities should plan projects and programs to insure timely completion. Consider the feasibility of the proposal, and do not request funding to carry out programs that are unlikely to be finished on time. DHCD will only authorize grant extensions for unforeseen circumstances and

where the information justified and can be documented and justifiable. A community's inability to complete its projects/programs within a reasonable time period can result in penalties and may adversely affect future funding opportunities.

Each submission must include an Implementation and Cash Flow Plan that summarizes all of the proposed projects.

Enter the requested information for each quarter in the grant year, as shown on the form. Enter the monthly amount expended to the nearest thousand dollars (e.g. \$101K).

The quarters are identified only as "Quarter #1," "Quarter #2," and so forth. Overall, each grant "year" is an 24-month cycle broken into eight quarters. If the submitted Implementation Plan seems unrealistic or the actual grant award varies greatly from the total request made by the applicant, DHCD may ask for a revised Implementation and Cash Flow Plan as a special condition of the grant contract.

Communities must plan their submissions around a nine month timeframe to obligate funds and a supplemental two year implementation period.

## **MANAGEMENT PLAN**

The Grantee has overall responsibility for grant administration. All applicants must demonstrate that they currently have, or will obtain, the management capacity to administer a NSP3 grant. Describe the plan for grant administration, including the following:

1. In order to document this capacity, each applicant is required to describe a management plan for the administration of this grant. The plan must provide a system of checks and balances and adequate internal controls for delegation and oversight of all grant management activities. In the case of nonprofit and for profit developers, a municipal agency or another nonprofit must be identified to act as recipient of the grant funds, and the responsible party for grant administration, environmental review clearance and other grant requirements.
2. Provide a grant management organizational chart which (a) identifies the relative position of the public office or official within the local government or applicant who will have primary responsibility for oversight of the NSP3 grant activities; (b) indicates how the NSP3 administrative structure fits into the general municipal administration.
3. If any portion of this grant is to be sub-contracted to another local agency for implementation, that agency should be identified and its relationship to the local government fully explained (see #1 above). If any portion of this grant is to be sub-contracted to a private firm or organization, the applicant should explain exactly what that organization will do and what its relationship will be with the local government.
4. List the staff positions assigned to grant management including project delivery.
5. Describe the responsibilities for each position listed by each project such as monitoring individual projects for timely implementation and compliance with applicable regulations, compiling and submitting grant reports, supervising personnel, initiating and obtaining approval for program and

budget amendments, and processing requests for payment and ensuring that appropriate financial records are maintained.

6. Estimate the amount of time needed for each staff to perform these functions (% FTE). Demonstrate that the time allotted is sufficient given the responsibilities assigned.
7. Demonstrate that existing staff assigned these responsibilities is qualified to perform them or if the position is not filled, provide a list of qualifications needed for the person who will fill the position.
8. All staff positions must be consistent with the Program Delivery and Administrative Cost Breakdown Part A in the following section.

## **PROGRAM DELIVERY AND GENERAL ADMINISTRATIVE COSTS BREAKDOWN**

For NSP3 activities and projects, program delivery and general administration are each limited to 5% of total grant funds. An applicant may apply for both program delivery and general administration funds.

Part A: Personnel and Fringe Benefit costs must be allocated by position and corresponding budget activity. Costs must be consistent with those described in the project packets.

Part B: Non-personnel costs consist of those sundry items needed in support of office overhead and program operation. Some costs have been classified as solely General Administrative costs and cannot be charged otherwise.

- 1) Membership, Publication(s), etc.: Dues for professional associations and subscriptions relating to overall information and guidelines administering a NSP3 program.
- 2) Training and Education: Conferences, seminars, etc., relating to the management of the grantee's NSP3 program.
- 3) Travel: Mileage, parking and tolls charged by an employee when using their own car for overall management functions, or on-site inspections of NSP3 activities. This may also include travel costs for conferences and seminars.
- 4) Accounting, Disbursement Services: Those services provided by an accounting firm to create and/or maintain accounting records for the grantee's program. Check writing, payroll service costs charged by banks.
- 5) Legal Services: Attorney's fees for guidance relating directly to the grant projects.
- 6) Advertising: Publicized announcements relating to public hearings, procurement, hiring, and program outreach for a specific activity.
- 7) Reproduction/Printing: Brochures, forms, photographs, etc., needed in either the promotion or overall management of the grant.
- 8) Communications: Telephone, postal, and messenger services.

- 9) Supplies and Materials: General office supplies used in overall management of the program.
- 10) Maintenance and Repairs: Those costs that are necessary for the upkeep of property but do not add to the permanent value or prolong the intended life of the property. Administrative costs might consist of a Community Development Office, equipment maintenance/repair agreements and other general repair within the Community Development Office.
- 11) Audit: Single audits required to be performed on all federal funds at the recipient level, (excludes agency-level audits of sub-recipients) in accordance with 24 CFR Part 85. The ratio of NSP3 funds expended to other federal funds expended determines the NSP3 contribution to the cost of the Single Audit.
- 12) Computers and related equipment: Lease or purchase of computer services.  
NOTE: Municipalities that do not have computers available to operate the NSP3 grants management/accounting software MUST budget for the purchase or lease of an IBM compatible PC, current hardware, e-mail and/or Internet access.
- 13) Equipment: Lease or purchase of general office equipment, such as typewriters, desks, copiers, chairs, file cabinets, etc.
- 14) Professional Services: Professional services rendered by individuals or organizations not a part of the grantee department administering the grant program.
- 15) Other: Specify miscellaneous costs related to the grant program.

The Indirect Percent Rate charged by an administering entity (if the grantee will engage in the services of such an entity) must be in accordance with a certified Indirect Cost Allocation Plan prepared by a CPA firm. This percentage is an assessment of total indirect costs, which cannot be clearly attributable to a particular program (e.g., space, heat, utilities, maintenance are some examples). If the rate/percentage is calculated based upon agency wide direct salaries, then the percentage derived is first calculated against the total NSP3 general and program administration as a whole. Then that amount is broken down further by the percentages by each administration budget within this form.

## **BUDGET SUMMARY SHEET**

The Budget Summary Sheet is filled in automatically from the packet budget forms and General Administration Parts A and B, as they are entered.

## **CHIEF FINANCIAL OFFICER'S CERTIFICATION**

The Chief Financial Officer of the city/town must review the grant budget and determine whether it includes all costs that must be accounted for, given municipal budget procedures that apply to other, non-NSP3 funded departments and operations. The Chief Financial Officer is usually the city auditor/town accountant, treasurer or director of finance.

|  |
|--|
| <p style="text-align: center;">MASSACHUSETTS NSP3 PROGRAM FY 2010<br/><b>CHIEF FINANCIAL OFFICER CERTIFICATION</b></p> |
|--|

***Budget Summary/Administrative Cost Breakdown:***

This is to certify that the Budget Summary and Administrative Cost Breakdown forms included in the City/Town of \_\_\_\_\_'s submission to the Massachusetts NSP Program have been reviewed and determined to be a fair and accurate accounting of allowable and reasonable costs.

The costs identified compare consistently with those described for each requested program activity identified in this submission.

By: Chief Financial Officer

**DO NOT RESPOND: DISPLACEMENT OF NON-NSP3 FUNDS CERTIFICATION**

The Chief Elected Officer of the city/town must certify that NSP3 funds are not used to displace non-NSP3 funds under the control of the municipality.

**MASSACHUSETTS NSP3 PROGRAM FY 2010  
NSP FUNDING DISPLACEMENT CERTIFICATION**

This is to certify that NSP funds shall not be used to displace non-NSP funds under the control of the Municipality:

By: Chief Elected Official

**ANTI-DISPLACEMENT AND RELOCATION CERTIFICATION**

All applicants must complete and submit the following form to certify that the community (lead) will be in compliance with the requirements of the Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended.

The applicant community, based on its Relocation Plan, must certify that they (and co-applicants, when applicable) will comply with the requirements of Title I.

1. This certification is based on the Relocation Plan established by the applicant or leads community and obligates all participants to comply with the requirements of the Uniform Relocation Act and Section 104(d) of Title I of the Housing and Community Development Act of 1974, as amended.



2. This certification form may be signed by the Community Development or the Planning Director, or by the Administrative Assistant, or Executive Secretary to the Chief Elected Official, or the Chief Elected Official of the lead municipality.

**MASSACHUSETTS FY 2010 NSP3 PROGRAM**

**ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE CERTIFICATION**  
**(Under Section 104(d) of the HUD Act of 1974, as amended)**

The Town/City of \_\_\_\_\_ will replace all occupiable and vacant (for at least 3 months) low-moderate income dwelling units demolished or converted to a use other than as low-moderate income dwelling units as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, described in 24 CFR 570.496(a) and (b)(1).

All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation related to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the town/city of \_\_\_\_\_ will make public and submit to the DHCD, if requested, the following information, in writing:

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

The Town/City of \_\_\_\_\_ will provide relocation assistance, as described in 24 CFR 570.496 (a)(b) to each low-moderate income household displaced by demolition of housing or by the conversion of a low-moderate income dwelling unit to another use as a direct result of NSP-assisted activities. Consistent with the goals and objectives of activities assisted under the Act, the Town/City of \_\_\_\_\_ will take steps to minimize displacement of persons from their homes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

**ANTI-DISPLACEMENT AND RELOCATION PLAN SUMMARY**

Every recipient of NSP funds must maintain and enforce an anti-displacement and relocation assistance plan that (a) describes how the design and implementation of its activities will minimize displacement and (b) identifies benefits to be provided in case of relocation, both permanent and temporary. The plan must

encompass requirements of the Uniform Relocation Act and Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended.

The applicant must develop a relocation plan that includes provisions for relocation protection, payments and other assistance for any NSP-assisted activity that will temporarily or permanently displace low- and moderate-income persons or businesses. The following form requests a *summary* of the information that should be included in the Relocation Plan. The community's actual plan must be maintained on file throughout the life of the grant.

- I. Identify the officer (name or position) who will be responsible for the task of overseeing compliance with relocation assistance. Indicate also the number where he/she can be reached.
- II. Check off the activity that will result in relocation or displacement. If not indicated here, please describe the activity.
- III. Indicate the type(s) of relocation assistance to be provided. Assistance is required under both Title I of the Housing and Community Development Act and the Uniform Relocation Act and is an eligible NSP expense. The plan must identify the activity, which may cause the displacement, the number of individuals or businesses to be affected; the likely cause of these actions; and the timing of such actions.
- IV. Indicate whether permanent displacement is anticipated for any of the proposed activities. It is DHCD policy to discourage projects that will cause the permanent displacement of persons, regardless of income. This is why it is important to explain what steps the community will take to minimize displacement during the implementation of proposed activities.
- V. Describe the grievance procedure to be followed relative to relocation and displacement. Communities should include the procedures they will follow when removing lead paint and asbestos. The Massachusetts law on lead paint removal requires temporary displacement of occupants during the abatement process.
- VI. When undertaking housing and economic development activities, the requirements of Section 104(d) of Title I (i.e., for one-for-one replacement unit and relocation assistance discussed above) apply and replacement unit(s) must be:

The Anti-Displacement and Relocation Plan Summary must be placed immediately after the Anti-Displacement and Relocation Certification.

**Federal FY 2010 Massachusetts NSP3  
ANTI-DISPLACEMENT  
AND RELOCATION ASSISTANCE PLAN**

Each grantee must submit a residential and business relocation assistance plan including provisions for relocation protection, payments, and other assistance. The plan should take into consideration: the types of NSP-funded activities that will/may lead to displacement, the availability and location of vacant replacement/temporary housing or business units, the special needs of displaced occupants (e.g., children,

elderly handicapped, and etc.), and an evaluation of the local resources available to carry out timely and orderly relocation activities.

1. Relocation Officer \_\_\_\_\_ Telephone # \_\_\_\_\_
2. FY 2010 activities that will/may result in temporary displacement:  
  
Property Rehabilitation \_\_\_\_\_  
Lead Paint Removal \_\_\_\_\_  
Asbestos Removal \_\_\_\_\_  
Other (explain) \_\_\_\_\_
3. Types of relocation assistance offered (housing, meals, transportation, etc.), sources (Community Development Block Grant, landlord, in-lieu of rent, allowance, etc.) and methods of payment (reimbursement, advance, direct payment to provider, etc. (attach separate sheet if necessary):  
\_\_\_\_\_
4. Do you anticipate any permanent displacement? If yes, please explain below:  
\_\_\_\_\_
5. What is your grievance procedure?  
\_\_\_\_\_
6. Procedures to be followed when removing lead paint and asbestos:  
\_\_\_\_\_

### **DO NOT RESPOND: PUBLIC HEARING DOCUMENTATION**

Applicants are required to hold at least *two* formal public hearings *during a NSP grant cycle*. At least *one must be held before submitting an submission* for NSP funds. DHCD encourages but does not require applicants to hold more than one public hearing during the submission process.

1. Public hearings should be held at least two (2) weeks prior to the submittal of the submission. The hearings must be held during times that the public can reasonably be expected to attend. The meetings dates must also allow sufficient time for the applicant to make changes in the proposal if public input so warrants.
2. Advance notice must be sufficient to reasonably allow for attendance.  
Notices should include:
  - a. Identify the public body that is to hold the hearing;
  - b. Identify the project area(s) and proposed activities;
  - c. The names of each community participating in the proposed activities;
  - d. Identify the agency that is to undertake the project(s);
    - e. Identify the date, time, and place of the hearing; and,

3. Public notification can include the following: newspaper articles notices; public service spots on radio or cable television; brochures/flyers at various locations within each of the communities participating in a joint activity or program; bulletin boards, and legal advertisements.
4. Public Notice Documentation: Describe and attach a copy of the notices, articles, etc., which informed the public of hearing.
5. Minutes: Attach a copy of the minutes of any hearings. Minutes must include presentations and concerns raised or comments made by those in attendance, and a list of persons who attended the hearing.
6. If this FY 2010 submission proposes to continue a previously funded NSP project/program, please attach a copy of the minutes from the public hearing that includes citizens' views on the outcomes and the effectiveness of the NSP project/program and ways of improving these projects/programs.

**Federal FY 2010 Massachusetts NSP Grant  
PUBLIC HEARING DOCUMENTATION**

**PUBLIC HEARING INFORMATION:**

Date/Time Held: \_\_\_\_\_

Number of Attendees: \_\_\_\_\_

Location: \_\_\_\_\_

Hearing Officer: \_\_\_\_\_

Hearing Outreach:  
(List all sources) \_\_\_\_\_

Dates published: \_\_\_\_\_

Where Published? \_\_\_\_\_

**DO NOT RESPOND: HEARING NOTICE AND MINUTES DOCUMENTATION**

Attach a copy of the public hearing notice as it appeared in the newspaper(s) listed above, or a copy of the notice as was posted in the appropriate public buildings. In addition, you must attach a copy of the minutes from the public hearing.

## **DO NOT RESPOND: CITIZEN PARTICIPATION PLAN (NARRATIVE)**

To comply with Title I, grantees must provide for wide citizen participation in conducting their planning, implementation and completion of NSP-funded programs.

**Instructions** Applicants must submit a local citizen participation plan which encourages and provides for participation by citizens (and in particular by low- and moderate-income persons) during the development of the submission, and if funded, during the implementation and evaluation of the program.

1. The community's plan must incorporate:
  - a. how its citizens, or organized groups like community or neighborhood based organizations, human and social service groups, downtown businesses, merchants and other potential interested parties, participated in the identification of needs and the development of the proposed activities was accomplished, particularly for low- and moderate-income persons;
  - b. how the applicant will provide technical assistance to groups who represent low- and moderate-income persons throughout the grant term;
  - c. how review of program performance will be accomplished during the grant year;
  - d. the procedures and hierarchy for resolving complaints and grievances for each project type that is proposed;
  - e. the mechanism through which the needs of handicapped and non-English speaking residents will be accommodated during the citizen participation process.
2. As part of a community's citizen participation process, the applicant is required to hold at least one formal public hearing before submitting an submission for NSP funds. This hearing must be held during a time (times) that the public can reasonably be expected to attend. The meeting date must also allow sufficient time for the applicant to make changes in the proposal if public input so warrants.
3. If funded, the community must also hold at least one public hearing during the grant cycle to obtain citizen comments on the outcome and effectiveness of NSP programs and ways they could be improved upon in the future.
4. If during the grant cycle the municipality decides to amend its grant contract in order to substantially alter the design of a funded activity, delete an activity or add a new one, it must hold a public hearing before petitioning DHCD for a contract amendment.

## **PROGRAM CONTINGENCY PLAN**

Describe in detail the Community's contingency plans, for all of the activities requested in this Submission, to address cost overruns, change orders, bids in excess of available funding or other situations that threaten the completion of activities on time and within budget.

Re-programming of NSP program funds may not be included as an option. Commitment of Program Income funds may be included in the Plan.

## **CHIEF ELECTED OFFICIAL (CEO) CERTIFICATION FORM**

### **FY 2010 MASSACHUSETTS NSP PROGRAM**

#### **CHIEF ELECTED OFFICIAL (CEO) CERTIFICATION FORM**

On behalf of the applicant, of which I am a duly authorized local official empowered to sign such documents, I certify that the following actions have or will be taken:

1. The applicant possesses the legal authority to make a grant submission.
2. The applicant will minimize displacement resulting from NSP-funded projects whenever possible, and comply with relocation requirements governing the NSP program.
3. The project will be conducted in accordance with Title VI and Title VIII of the Civil Rights Act and, further, the applicant will affirmatively further fair housing consistent with 24 CFR 570.487(b).
4. The applicant has provided opportunities for citizen participation, has conducted a public hearing, and has provided information to citizens regarding the project that is to be submitted for NSP funding consistent with Section 104(a) (2) of Title I of the Housing and Community Development Act of 1974, as amended.
5. The applicant will not attempt to recover any capital costs of public improvements assisted in whole or in part with NSP funds by assessing properties owned and occupied by low- and moderate-income persons unless: (A) NSP funds are used to pay the portion of such assessment that relates to non-NSP funding or; (B) the applicant certifies to the State that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, the applicant does not have sufficient NSP funds to comply with the provisions of "A" above.
6. In applying for this grant, the applicant understands that its Chief Elected Official is ultimately responsible for compliance with all requirements of the Program, including providing sufficient management oversight to carry out the activities requested hereunder.

#### **Certification Regarding the Use of Force**

The Community further certifies that:

1. The applicant will adopt/has adopted and will enforce a policy to prohibit the use of excessive force by law enforcement agencies within their jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.
2. The policy to be adopted or has been adopted is contained in:

- a. a local legislative act (such as an ordinance); or
  - b. a local administrative act (such as a written statement of policy by the local chief elected official); or,
  - c. an executive order; or,
  - d. a regulation within the police department.
3. The community understands that a new policy need not be adopted if they have and are enforcing a written policy that meets the requirements of Section 519 of the Housing and Community Development act of 1974, as amended.

### **Certification Regarding Lobbying**

The Community further certifies that:

1. No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, or renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an employee or officer of congress, or an employee of a member of congress in connection with this shall complete and submit standard form - III, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers, (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

### **Certification Regarding Disclosure Requirements for Activities Receiving \$200,000 or More**

The undersigned shall comply with the requirements of full disclosure for any project or activity proposed for and receiving funding equal to \$200,000 or more. Disclosure will include providing information regarding:

assistance from other government sources in connection with the project;

financial interests of persons involved in the project (from planning to development to implementation of the project or activity), such financial interests exceeding \$50,000 or 10% of the project assistance requested, whichever is lower; and

sources and uses of other funds involved in the project.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this

transaction imposed by section 1352, Title 31, US Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By: \_\_\_\_\_

Signature, Chief Elected Official  
(Lead Applicant Only)

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## ANTI-SPECULATION AND RECAPTURE PLAN (NARRATIVE)

Applicants must provide a plan that describes how they will discourage real estate speculation when using federal funds to rehabilitate private property (**both housing and commercial properties**).

**Instructions** A recapture and anti-speculation plan outlines the community's policy and measures it will take to discourage real estate speculation (such as loan or grant repayment requirements within a specified period after completion of a NSP-assisted project). Communities are free to design a policy and an implementation plan that is appropriate for local conditions. For housing rehabilitation of rental units, the following general rules must be adhered to in the plan submitted with the submission:

1. If the community will administer a housing rehabilitation program that includes any rental units, including those in owner-occupied buildings, the plan must include a proposed plan to maintain the affordability of the units. DHCD requires grantees to have all rental property-owners receiving NSP assistance sign an agreement that limits rents and rent increases (to the lesser of the Section 8 Existing Housing Program Fair Market Rents as established by the U.S. Department of Housing and Urban Development (HUD) for the area pursuant to 24 CFR 888 or the High HOME Rents established by HUD pursuant to CFR 92.252(a)(2), unless the current (base) rent is below the lesser of the two, in which case the Section 8 Annual Adjustment Factor should be applied to the base rent) for a minimum of fifteen (15) years following the completion of rehabilitation.
2. For single unit housing rehab DHCD requires a fifteen (15) year minimum Deferred Payment Lien to insure unit affordability over this time period.
3. The plan must describe provisions for recapture of program funds in case of violations of rental agreements (or other program requirements) by property-owners.



4. The plan must describe how the community will monitor for compliance with rental agreements, loan agreements, etc., including designation of responsible staff persons, and corrective action to be taken in case of non-compliance with the provisions of the plan. For example, rental agreements must be reviewed and records maintained during and after the life of the agreement by the community. Instances in which forgiveness will be exercised (serious illness, etc.) should also be specified.
5. The plan must include the community's policy for subordination and refinancing of loans.

## **ATTACHMENTS**

If appendices are submitted with your submission, please adhere to these requirements:

- Attachments may not be a substitute for information that should be included in the activity or project packet. Attachments may only be used to corroborate information that is included in the narrative.
- Please limit your attachments. Do not include such information as state and federal wage rates, program forms, housing rehabilitation work write-ups, boilerplate contracts. DO NOT include names of homeowners on waiting lists, or of respondents to surveys.
- Label every attached document.