

CDBG-R SUBMISSION TEMPLATE **& CHECKLIST**

The American Recovery and Reinvestment Act of 2009 ("Recovery Act") was signed into law by President Obama on February 17, 2009. The Recovery Act awards \$1 billion in CDBG Recovery (CDBG-R) funds to be distributed to cities, counties, insular areas and states, of which \$10 million has been reserved by HUD for its administrative costs and \$10 million of which will be awarded to Indian tribes. Recipients of the remaining \$980 million of CDBG-R funds will be the approximately 1,200 jurisdictions that received CDBG funding in Fiscal Year 2008. This template sets forth the suggested format for grantees receiving funds from CDBG-R. A complete submission contains the information requested below, including:

- (1) The CDBG-R Substantial Amendment (template attached below)
- (2) Spreadsheet for Reporting Proposed CDBG-R Activities (see <http://www.hud.gov/recovery>)
- (3) Signed and Dated Certifications (see <http://www.hud.gov/recovery>)
- (4) Signed and Dated [SF-424](#).

Grantees should also attach a completed CDBG-R Substantial Amendment Checklist to ensure completeness and efficiency of review (attached below).

THE CDBG-R SUBSTANTIAL AMENDMENT

Jurisdiction(s): District of Columbia Jurisdiction Web Address: <ul style="list-style-type: none"> • <i>dhcd.dc.gov</i> 	CDBG-R Contact Person: Ms. Michelle Y. Christopher Address: 1800 Martin Luther King Jr. Avenue, SE, Washington, DC 20020 Telephone: (202) 442-7241 Fax: (202) 645-5884 Email: michelle.christopher@dc.gov
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ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation’s infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings. While the full range of CDBG activities is available to grantees, the Department strongly suggests that grantees incorporate consideration of the public perception of the intent of the Recovery Act in identifying and selecting projects for CDBG-R funding.

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Grantees must provide information concerning CDBG-R assisted activities in an electronic spreadsheet provided by HUD. The information that must be reported in the spreadsheet includes activity name, activity description, CDBG-R dollar amount budgeted, eligibility category, national objective citation, additional Recovery Act funds for the activity received from other programs, and total activity budget. An electronic copy of the spreadsheet and the format is available on HUD’s recovery website at <http://www.hud.gov/recovery>.

Jurisdiction/Grantee Name: District of Columbia		CDBG-R Formula Grant Amount: \$4,896,122				Date: June 3, 2009	
Activity Name	Activity Description	Eligibility (Regulatory or HCDA Citation)	National Objective Citation	CDBG-R Project Budget (\$)	Additional Recovery Funds (\$)	Other Leveraged Funding (\$)	Total Activity Budget
Commercial Corridor/Small Business Development	Through community-based, nonprofit organizations, funded projects help to support and strengthen existing businesses, broaden the commercial mix of stores, restaurants, and services; provide technical assistance to small businesses, and provide greater access to capital for small, neighborhood-based businesses.	570.204 (a)(2)	LMA	\$400,000	\$0	\$969,922	\$1,369,922
Storefront Façade Improvement	The Department will provide grants, through non-profit partners, to retail and commercial property owners for the enhancement of retail and commercial façades in targeted areas of the District.	570.202 (b)(2) & (b)(9)	LMA	\$700,000	\$0	\$1,841,708	\$2,541,708
Barbara Chambers Children's Center	The Barbara Chambers Children's Center originally requested \$2.5 million from DHCD to assist in the renovation of its building at 1470 Irving Street, NW, in Columbia Heights. The BCCC currently serves over 120 low-income children as a child care facility and now needs \$350,000 for NMTC closing costs after DHCD assisted the center in obtaining credits.	570.201 (C)	LMC	\$350,000	\$0	\$7,650,000	\$8,000,000
Capital Area Food Bank	DHCD's funding will assist the demolition of majority of existing warehouse, construction of the new warehouse (including commercial kitchen and rehab of existing office portion of warehouse), and related design construction related soft costs.	570.201 (C)	LMA	\$2,956,510	\$0	\$31,143,490	\$34,100,000
Administrative Costs	10% of the District's CDBG-R allocation	570.206	N/A	\$489,612	\$0	\$0	\$489,612

B. CDBG-R INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)

ACTIVITY 1

(1) Activity Name: Commercial Corridor/Small Business Development

(2) Activity Narrative:

DHCD targets intensive revitalization efforts in commercial corridors and neighborhoods that have experienced economic decline and physical decay. Through community-based, nonprofit organizations, seven funded projects help to support and strengthen existing businesses, broaden the commercial mix of stores, restaurants, and services; provide technical assistance to small businesses, and provide greater access to capital for small, neighborhood-based businesses. A wide range of assistance is provided. All costs are for the direct delivery of services or projects.

The seven community-based organizations were cleared for National Objective under CFR 570.208(a) (1) (low/moderate income area benefit). The relevant census tracts are primarily residential, but the grants support businesses that serve low and moderate income areas of the District. Census tract designations based on the 2000 Census and the respective percentages of low and moderate income individuals in those census tracts are listed in Part 5.

Per the requirements of Title XII of Division A and Section 1602 of the Recovery Act, this investment of CDBG-R funds on this shovel-ready activity will have an immediate impact on the District's economy. The seven community-based organizations that were competitively awarded grants to provide small business development services this fiscal year by DHCD are currently without funding and operating under no-cost extensions pending the availability of additional funding. Since these grants are still active, this activity can be immediately started upon approval of DHCD's CDBG-R substantial amendment by HUD.

(3) Jobs Created:

DHCD estimates that the seven community-based organizations that will receive additional grant funds under this activity can add at least ten new employees back onto their rolls either permanently or on a contractual basis for the remainder of the fiscal year. However, the ripple effect of employing this number of small business support positions can potentially save and create many more jobs in the District's small business sector, a group hard hit by the recession and lack of access to capital.

Each of the commercial corridors served by these organizations are critical to the stability of the neighborhoods in which they are located and are on the verge of economic recovery having assisted over 2,000 businesses in FY 2008 and over 750 businesses this year through March 31, 2009. While difficult to quantify, the economic benefit of this support for new and existing small businesses extends beyond jobs saved and created. The income security provided by these jobs helps residents avoid foreclosure and stabilizes neighborhoods.

(4) Additional Activity Information:

There is unlimited potential for promoting energy conservation and incorporating green building technologies into the small business development services funded under this activity. All of our community-based non-profit grantees are beginning to market green and energy efficient opportunities as a new and growing form of business. Our grantees are researching the use of solar panels and energy efficient materials as well as other grants from foundations for greening businesses.

(5) Responsible Organizations:

Margaret Singleton
DC Chamber of Commerce Foundation
7059 Blair Road, NW
Washington, DC 20013
Phone: (202) 545-0220
Census Tracts: 18.04, 21.10
Low/Mod: 99.17%

Robert L. Moore
Development Corporation of Columbia Heights
3419 – 14th Street, NW
Washington, DC 20010
Phone: (202) 483-4986
Census Tracts: 18.04, 21.01
Low/Mod: 99.17%

Nkosi Ayize
Emory Beacon of Light, Inc.
6120 Georgia Avenue, NW
Washington, DC 20011
Phone: (202) 829-5724
Census Tracts: 21.01
Low/Mod: 66.11%

Marc Loud
Gateway Georgia Avenue Revitalization Corp.
7826 Eastern Avenue, NW Suite 300
Washington, DC 20012
Phone: (202) 291-2400
Census Tracts: 16.00, 17.01, 17.02
Low/Mod: 99.28%

Manuel Hidalgo
Latino Economic Development Corp.
2316 – 18th Street, NW
Washington, DC 20009

Phone: (202) 588-5102
Census Tracts: 18.04
Low/Mod: 99.69%

Michael Watts
Marshall Heights Community Development Organization, Inc.
3939 Benning Road, NE
Washington, DC 20019
Phone: (202) 396-1200
Census Tracts: 77.09
Low/Mod: 70.79%

Donna Grigsby
Washington Area Community Investment Fund
3624 – 12th Street, NE
Washington, DC 20017
Phone: (202) 529-5505
Census Tracts: 21.01
Low/Mod: 66.11%

ACTIVITY 2

(1) Activity Name: Storefront Façade Improvement

(2) Activity Narrative:

The purpose of this activity is to enhance the image and overall economic viability of neighborhood business districts by improving the function and appearance of individual commercial façades. The Department will provide grants, through community-based non-profit partners, to retail and commercial property owners for the enhancement of retail and commercial façades in targeted commercial corridors of the District. All costs are for the direct delivery of services or completion of projects.

Per the requirements of Title XII of Division A and Section 1602 of the Recovery Act, this investment of CDBG-R funds on this shovel-ready activity will have an immediate impact on the District's economy. The Department has identified four storefront improvement projects which are at or near the construction (final) phase. They include two projects by the Latino Economic Development Corporation (LEDC) in Columbia Heights/Mt. Pleasant and on lower Georgia Avenue, NW, one project by Emory Beacon of Light on upper Georgia Avenue, NW, and one by Barracks Row Main Streets, Inc., on 8th Street, SE.

The three community-based organizations were cleared for National Objective under CFR 570.208(a) (1) (low/moderate income area benefit). The relevant census tracts are primarily residential, but the grants support businesses that serve low and moderate income areas of the District. Census tract designations based on the 2000 Census and the respective

percentages of low and moderate income individuals in those census tracts are listed in Part 5.

Each of these projects previously experienced some form of budget cut in FY 2008-09 which either compromised the intended impact of the project or caused them to slow down. One project will maintain its intended completion date of June 30, 2009, and the three others will now have projected completion dates of September 30, 2009. Each corridor has a waiting list of businesses that want to participate; however, to date funding limitations have limited the number of participating businesses. The additional recovery funds will allow the community-based organizations to extend the project to more businesses on the waiting list to improve additional facades.

(3) Jobs Created:

Together, DHCD estimates that these four projects will create 50 temporary and permanent jobs primarily in the construction industry. However, the economic benefit and ripple effect of this project can potentially create much more economic development. The viability of each of these commercial corridors is critical to the District's economic recovery. In total, these projects will create more than 70 newly refurbished storefronts in previously declining retail corridors of the District. By funding this project, DHCD anticipates that each of these restored properties will become more attractive for new and existing businesses as well as to the customers that shop in them. The potential also exists for the creation of one or more jobs either in each storefronts itself or in the effected surrounding area.

(4) Additional Activity Information:

Although, the façade improvement projects themselves are not currently being designed to conform to LEED standards, in general, the materials used (such as glass, paint, signage and lighting) are superior to the materials and systems replaced through the projects and will provide greater energy efficiency and as a result. In addition, the community-based non-profit grantees are encouraged and do seek energy-saving opportunities for these projects. For example, one subrecipient was able to help business owners pay part of their equity contribution after they agreed to use energy efficient light bulbs in signage. Lastly, green building standards are currently being drafted to apply to the activity.

(5) Responsible Organizations:

Manuel Hidalgo
Latino Economic Development Corporation
2318 – 18th Street, NW
Washington, DC 20009
Phone:(202) 588-5102
Census Tract: 18.04
Low/Mod: 99.69%

Nkosi Ayize
Emory Beacon of Light, Inc.
6120 Georgia Avenue, NW
Washington, DC 20011
Phone: (202) 829-5724

Census Tract: 18.04
Low/Mod: 99.69

Tom Litke
Barracks Row Main Streets
7331/2 – 8th Street, SE
Washington, DC 20003
Phone: (202) 544-3188
Census Tract: 72.00
Low/Mod: 88.33%

ACTIVITY 3

(1) Activity Name: Barbara Chambers Children’s Center (BCCC)

(2) Activity Narrative:

Per the requirements of Title XII of Division A and Section 1602 of the Recovery Act, this investment of CDBG-R funds on this shovel-ready project will have an immediate impact on the District’s economy. The Barbara Chambers Children’s Center originally requested \$2.5 million from DHCD to assist in the renovation of its building at 1470 Irving Street, NW, in Columbia Heights. Subsequently, DHCD assisted BCCC to apply for New Market Tax Credits (NMTC) and to find an investment bank and a Community Development Entity (CDE) with NMTC credits available. As a result, BCCC will close soon on NMTC financing with United Bank and Sun Trust Bank. DHCD funds will pay for the project’s NMTC closing costs. The BCCC currently serves over 120 low-income children as a child care facility.

BCCC is located in census tract 28.02 which covers an area of approximately six square blocks. The tract had the following demographic characteristics in 2000:

- Total population: 4,700
- Median age: 30.5
- Median household income: \$22,736, or a quarter of the area median income of \$92,000

BCCC provides a vital community-focused anchor in the Columbia Heights neighborhood that is rapidly becoming more commercial. In addition, the Center serves the needs of a low-income population, balancing the recently arrived housing and services targeted at higher-income residents. The renovation of the facility also contributes to the revitalization of the area; as a prominent landmark along the heavily-trafficked Irving Street, the current dilapidated building makes for an unfortunate eyesore. The repaired and enhanced façade will provide a positive feature for the neighborhood, contributing to a safer and more welcoming feel. As a community facility that serves low-income families, it is essential that BCCC and other facilities like it are not left behind as the surrounding area benefits from intense development and economic activity.

(3) Jobs Created:

By facilitating the rehabilitation of BCCC, DHCD will ensure the retention and expansion of this much needed affordable child care facility for the low- and moderate-income families of the Columbia Heights neighborhood. The rehabilitation will retain and create permanent child care center and construction jobs. The retention of this affordable child care facility will also help assure continuance of this vital child care service function that allows low- and moderate- income households of Columbia Heights to hold the jobs necessary to support their households and remain residents of the nation's capital.

The rehabilitation will retain an estimated 20 jobs, create an estimated 10 new permanent jobs in the day care center, and create an estimated 40 construction jobs during the rehabilitation. BCCC will comply with applicable federal and District laws and regulations that require first consideration of District residents for the permanent new and construction jobs created by this project.

(4) Additional Activity Information:

The rehabilitated Barbara Chamber Children's Center (BCCC) facility will meet the requirements of the DC Green Building Act. Along with other mandates, the DC Green Building Act requires all new or substantially renovated public buildings and publicly-financed projects to achieve LEED Silver or higher. By 2012, all privately-funded construction projects over 50,000 square feet are also to be LEED certified.

Planned improvements to the building include:

- Upgrading heating and cooling systems;
- Relocating and upgrading utilities;
- Repairing and upgrading finishes;
- Improving building accessibility with an ADA-compliant ramp and elevator;
- Replacing bathrooms with modern, ADA-compliant spaces and fixtures;
- Remediating lead and hazardous materials;
- Installing green fixtures and materials;
- Modifying building layout with flexible and efficient spaces to accommodate growing client population and programmatic requirements;
- Replacing existing single-glazed window with energy efficient, double-glazed windows; and
- Renovating and upgrading the kitchen.

(5) Responsible Organization:

Dahn Warner
KeyUrban Real Estate
908 Quincy St NW
Washington, DC 20011
Phone: (202) 744-5309
Email: warner@keyurban.com

ACTIVITY 4

(1) Activity Name: Capital Area Food Bank (CAFB)

(2) Activity Narrative:

DHCD's funding will support the demolition of the CAFB's warehouse at 4900 6th Street, NE, construction of the new warehouse (including a commercial kitchen and rehab of the existing office portion of warehouse), and related design and construction costs. The warehouse is located in Census Tract 95.09, which had the following demographic characteristics in 2000:

- Total population: 2,898
- Median household income: \$53,883, or one half of the area median income of \$92,000

Per the requirements of Title XII of Division A and Section 1602 of the Recovery Act, this investment of CDBG-R funds on this shovel-ready project will have an immediate impact on the District's economy. CAFB is ready to start demolition of existing warehouse and start ordering "long lead" special order building systems in order to facilitate new warehouse construction on site.

Once completed, the 61 current CAFB employees will enjoy a newly expanded warehouse and office facility. The new warehouse will increase the CAFB efficiency and capacity by permitting an immediate 25% increase in the volume of food collected and distributed with very little immediate increase in the number of permanent jobs at the facility. The increase in capacity will help in meeting the increased demand of food by DC area low-income families caused by the current recession. At current capacity, CAFB serves an estimated 9,000 low and moderate income persons through its many programs.

(3) Jobs Created:

DHCD estimates that 176 construction jobs will be created by this project. Additionally, DHCD estimates that 15 new permanent jobs will be created to join CAFB's current staff of 61 when the new facility is fully operational. CAFB will comply with applicable federal and District laws and regulations that require first consideration of District residents for the permanent new and construction jobs created by this project.

(4) Additional Activity Information:

The new CAFB warehouse and office facility will meet the LEED Silver requirements of the DC Green Building Act. Along with other mandates, the DC Green Building Act requires all new or substantially renovated public buildings and publicly-financed projects to achieve LEED Silver or higher. By 2012, all privately-funded construction projects over 50,000 square feet are also to be LEED certified.

(5) Responsible Organization:

Brian Smith, Chief Operating Officer
Capital Area Food Bank

645 Taylor Street, NE
Washington, DC 20017
Phone: 202-526-5344, Ext. 251
Email: smithb@cfoodbank.org

ACTIVITY 5

- (1) Activity Name: Administrative Costs
- (2) Activity Narrative:
DHCD will allocate 10% of the District's share of CDBG-R funds to eligible administration activities.
- (3) Jobs Created: N/A
- (4) Additional Activity Information: N/A
- (5) Responsible Organization:
Michelle Y. Christopher
Housing Compliance Officer
Department of Housing and Community Development
1800 Martin Luther King Jr. Avenue, SE
Washington, DC 20020
Phone: (202) 442-7241
Email: michelle.christopher@dc.gov

C. PUBLIC COMMENT

On May 22, 2009, DHCD published a “Solicitation of Public Comment” in District of Columbia Register, Volume 56, Number 21 (See DC Register Attachment). This notice informed the public that DHCD’s draft CDBG-R Substantial Amendment would be available on May 22, 2009, on DHCD’s website and gave contact information to request a printed copy by calling (202) 442-7200, by emailing housing.recovery@dc.gov or by visiting the Department’s headquarters at 1800 Martin Luther King Jr. Avenue, SE, Washington, DC 20020.

On May 22, 2009, DHCD posted the draft CDBG-R Substantial Amendment on its official website, dhcd.dc.gov, for public comment.

Summary of Comments:

DHCD received one comment from Manna, Inc., encouraging the Department to invest CDBG-R resources into the Home Purchase Assistance Program (HPAP). DHCD is not electing to use any of these CDBG-R proceeds for its HPAP program because that program is currently adequately funded based on the existing first-time homeownership market.

CERTIFICATIONS

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under CDBG-R.

(3) **Drug Free Workplace.** The jurisdiction will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

(4) **Anti-lobbying.** To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member 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, 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 officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(5) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(6) **Consistency with Plan.** The housing activities to be undertaken with CDBG-R funds are consistent with its consolidated plan.

(7) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Community development plan.** The jurisdiction certifies that the consolidated housing and community development plan identifies housing and community development needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG program.

(9) **Following a plan.** The jurisdiction is following a current consolidated plan that has been approved by HUD.

(10) **Use of funds.** The jurisdiction has developed activities so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention of slums or blight. Additional activities may be included that are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG-R funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. **Special Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG-R funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG-R funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds, unless CDBG-R funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds if the jurisdiction certifies that it lacks CDBG-R or CDBG funds to cover the assessment.

(11) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws.** The CDBG-R grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(13) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(14) **Compliance with laws.** The jurisdiction will comply with applicable laws.

(15) **Compliance with ARRA.** The jurisdiction will comply with Title XII of Division A of the American Recovery and Reinvestment Act of 2009.

(16) **Project selection.** The jurisdiction will select projects to be funded, by giving priority to projects that can award contracts based on bids within 120 days from the date the funds are made available to the recipient, and that will ensure maximum job creation and economic benefit.

(17) **Timeliness of infrastructure investments.** When the jurisdiction uses CDBG-R funds for infrastructure investments, the grantee will give preference to quick-start and finish activities, including a goal to use at least 50 percent of the funds for activities within 120 days of enactment of the Recovery Act.

(18) **Buy American provision.** The jurisdiction will ensure that all iron, steel and manufactured goods used in construction, alteration, repair, or maintenance of a public building or public work project assisted with CDBG-R funds under the Recovery Act must be produced in the United States unless the Secretary finds that: (1) the requirement is inconsistent with public interest; (2) those goods are not reasonably available or produced in sufficient quantity in the U.S.; (3) or the use of the goods will increase the project cost by more than 25 percent.

(19) **Appropriate use of funds for infrastructure investments.** The Governor, mayor, or other chief executive, as appropriate certifies, that any infrastructure investments have received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Alternatively, a grantee's chief elected official certifies that infrastructure investments will receive the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars.

(20) **70% of CDBG-R for LMI.** The aggregate use of CDBG-R funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the grant is expended for activities that benefit such persons over the life of the CDBG-R grant.

Signature/Authorized Official

Date

CDBG-R Substantial Amendment Grantee Checklist

For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the CDBG-R Substantial Amendment, Spreadsheet for Reporting Proposed CDBG-R Activities, and SF-424.

Contents of a CDBG-R Action Plan Substantial Amendment

Jurisdiction(s): District of Columbia Jurisdiction Web Address: <ul style="list-style-type: none"> • dhcd.dc.gov 	CDBG-R Contact Person: Ms. Michelle Y. Christopher Address: 1800 Martin Luther King Jr. Avenue, SE, Washington, DC 20020 Telephone: (202) 442-7241 Fax: (202) 645-5884 Email: michelle.christopher@dc.gov
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The elements in the substantial amendment required for the CDBG recovery funds are:

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Does the submission contain a paper copy of the Spreadsheet for Reporting Proposed CDBG-R Activities?

Yes No Verification found on page **2**

Does the submission include an electronic version of the Spreadsheet for Reporting Proposed CDBG-R Activities sent to the email box CDBG-R@hud.gov?

Yes No Date Spreadsheet was emailed: **06/02/09**

Does the Spreadsheet for Reporting Proposed CDBG-R Activities include, for each activity:

- amount of funds budgeted for each activity, including CDBG-R funds, any additional Recovery Funds used and total activity budget,
 Yes No Verification found on page(s) **2**
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
 Yes No Verification found on page(s) **2**
- the CDBG national objective citation,
 Yes No Verification found on page(s) **2**

B. CDBG-R INFORMATION BY ACTIVITY

Does the submission contain information by activity describing how the grantee will use the funds, including:

- a narrative for each activity describing how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit,
Yes No Verification found on page(s) 3-9
- projected number of jobs created for each activity,
Yes No Verification found on page(s) 3-9
- whether an activity will promote energy efficiency and conservation,
Yes No Verification found on page(s) 3-9
- the name, location, and contact information for the entity that will carry out the activity,
Yes No Verification found on page(s) 4-10
- evidence that no more than 10% of the grant amount will be spent on administration and planning,
Yes No Verification found on page (s) 10
- evidence that no more than 15% of the grant amount will be spent on public services,
Yes No Verification found on page (s) N/A¹
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
Yes No Verification found on page (s) 3-9

C. PUBLIC COMMENT PERIOD

Was the proposed action plan amendment published via the jurisdiction’s usual methods and on the Internet for no less than 7 calendar days of public comment?

Yes No Verification found on page(s) 11

Is there a summary of citizen comments included in the final amendment?

Yes No Verification found on page(s) 11

D. CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|---|---|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

¹ None of the grant amount will be spent on public services.

- | | | |
|--|---|--|
| (4) Anti-lobbying | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of jurisdiction | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (7) Section 3 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (8) Community development plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (9) Following a plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (10) Use of Funds | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (11) Excessive Force | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (12) Compliance with anti-discrimination laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (13) Lead-based paint procedures | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (14) Compliance with laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (15) Compliance with ARRA | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (16) Project selection | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (17) Timeliness of infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (18) Buy American provision | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (19) Appropriate use of funds for infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (20) 70% of CDBG-R for LMI | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
|
Optional Certification | | |
| (21) Urgent Need | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |