



CDBG Application Submission Requirements

Utilize the following pages for your reference throughout your application process

- Schedule and Timeline
- CDBG Program Eligibility
- Project Eligibility Requirements
- Project Evaluation
- Award Criteria

The County of Ocean is an eligible participating jurisdiction under the Urban County provision of the Community Development Block Grant (CDBG) program. The U.S. Department of Housing and Urban Development (HUD) will notify the County that it can allocate federal grants to our local community annually. The allocation will be distributed through the County's Community Development Block Grant (CBDG) program and will be available to local agencies with urgent needs and prioritize the unique needs of low- and moderate-income persons.



Language Assistance



Accessibility



Equal Housing Opportunity

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APPLICATION SCHEDULE, PROCESS, AND OTHER INFORMATION

REQUEST FOR APPLICATIONS (RFA)

The County of Ocean (“County”) is requesting applications for activities funded from the federal Community Development Block Grant (CDBG) program. The Housing and Community Development Act of 1974, as amended, authorizes funding that the U.S. Department of Housing and Urban Development (HUD) distributes to Entitlement Communities.

This application is available in Spanish or another language upon request. Contact the Ocean County Planning Department at 732-929-2054 or ocplanning@co.ocean.nj.us.

Este aplicación está disponible en español u otro idioma a pedido. Comuníquese con el Departamento de Planificación del Condado de Ocean al 732-929-2054 ocplanning@co.ocean.nj.us.

The County’s Planning Department will post addenda on its website. Checking the website is solely the responsibility of the prospective applicant for an addendum issued. View the [website](#)¹ for all addenda, clarification, and interpretations to documents.

Access an electronic application through the link <http://www.planning.co.ocean.nj.us/frmCECommDev>.

For a hard copy application, contact us Monday through Friday, between the hours of 8:00 AM and 5:00 PM.

Ocean County Department of Planning
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First Floor
PO Box 2191
Toms River, NJ 08753
(t) 732-929-2054
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(w) <https://www.planning.co.ocean.nj.us/>

¹ <http://www.planning.co.ocean.nj.us/frmCECommDev>

RFA SCHEDULE

The annual Meeting Schedule and Timeline structure includes public meetings, application due dates, public comment periods, and submittal dates. **All dates listed herein are approximate and are subject to change.** Persons relying on this Schedule shall confirm the actual date of each event as the timeframe nears by viewing the official Meeting Schedule and Timeline on the [website](#)².

Application Period Opens	December - February
Applications Due	February (third Friday of the month)
Staff Evaluates Proposals	December - February
Presentations to Steering Committee	March (first or second Tuesday of the month)
Staff Evaluates Applications	December - February
Public Hearing	April (first Tuesday of the month)
Board of Commissioners Meeting and Public Hearing	May (first Wednesday of the month)
Submit Plan to HUD	May (second Friday of the month)
Program Year Start Date	July 1, ____*
Contract Execution	July - October

*Subject to appropriation of funds by Congress and County contract agreement received by HUD.

APPLICATION PROCESS

The application process is for reviewing and selecting application proposals for CDBG awards and for inclusion in the Annual Action Plan as follows:

Staff Review

County staff reviews each proposal to determine whether the:

- Application is complete, based on the requirements of this RFA and the application,
- Project is eligible for CDBG funding under HUD's CDBG Program requirements, and
- Project is consistent with the goals and funding priorities outlined in the County of Ocean's Five-Year Consolidated Plan and Three-Year Priorities and Objectives.

Public Service Applicant Presentations to Steering Committee

Public Service Applicants will give an oral presentation on their project proposal as follows:

- Applicants present their proposals during an allocation period of approximately 5 minutes, followed by a 5-minute question and answer session with the CDBG Steering Committee.
- The Steering Committee will receive the review, evaluation, and scoring results by the County of Ocean CDBG staff using program policies and priorities specified in the evaluation criteria in the [Application Evaluation Criteria](#).

² <http://www.planning.co.ocean.nj.us/frmCECommDev>

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- The Annual Action Plan will incorporate the Steering Committee award recommendations for each public service project, as well as, the recommendations for each municipal public infrastructure project and housing rehabilitation project.

Draft Annual Action Plan Process

- The draft Annual Action Plan will be available for public review for a 30-day period. During the public review period, the County will receive input from the community on the draft Annual Action Plan, projects/activities, and funding recommendations.
- The draft Annual Action Plan public hearing is to receive public comment on the draft Annual Action Plan, projects/activities, and funding recommendations.
- The Annual Action Plan revisions may transpire because of comments received at the public hearing.
- The County of Ocean Board of Commissioners will adopt the Annual Action Plan.
- Following the Commissioner's approval and incorporations of all documentation and comments into the Plan, HUD will receive submittal of the Annual Action Plan and amendments, if applicable, for their final review and approval.

Changes to the Application by County Addenda

The County of Ocean shall make interpretations, corrections, or changes to documents, including the application, in writing by published addenda. Applicants shall promptly notify the County of Ocean of any ambiguity, inconsistency or error, which they may discover upon examination of the application documents.

View the [website](#)³ for all addenda, clarification, and interpretations to documents.

All prospective applicants, known to the County of Ocean, to have received the application will receive the posted addenda. Interpretations, corrections, or changes of the application documents made in any other manner will not be binding.

Public Records Law

All information submitted by each applicant shall be public record and subject to disclosure pursuant to the New Jersey Public Records law, except such portions of the applications for which applicant requests exception from disclosure consistent with New Jersey law. All requests shall be in writing, noting specifically which portion of the application, the applicant requests exception from disclosure. The applicant shall not copyright, or cause copyright, any portion of any said document submitted to the County of Ocean because of this RFA. The applicant should not mark the whole application document "confidential".

County to Request Clarification, Additional Research, and Revisions

The County reserves the right to obtain clarification of any point in an application or to obtain additional information necessary to evaluate an application properly. **Failure of an applicant to respond to such a request for additional information or clarification could result in a finding that the applicant is nonresponsive and consequent rejection of the application.**

The County may perform, at its sole option, investigations of the responsible applicant including evaluation of its successful performance of similar projects, conformance to owner's budget, compliance with

³ <http://www.planning.co.ocean.nj.us/frmCECommDev>

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specifications and contractual obligations, its completion or delivery of a project on schedule, and its lawful payment to employees and workers or other criteria as determined by the County.

The County reserves the right to request a revision of an application after the submission of the application to address scope of services, performance measures, and budget and before award. To the maximum extent allowed by law, the County may waive minor irregularities or strict compliance with any requirement herein if it concludes such action to be in its best interest.

Rejection of Applications

The County may reject any application not in compliance with all prescribed procedures and requirements and other applicable law and may reject any or all applications in whole or in part when the cancellation or rejection is in the best interest of the County, and at no cost to the County.

Section 3 Business, Individuals, and Disadvantaged, Minority, Women and Emerging Small Businesses (DMWESB) and Veteran Owned Businesses (VOB)

The County of Ocean encourages the participation of Section 3 Businesses, Individuals, and Small Business Enterprises as defined below.

Section 3 business are:

- 51% or more owned by residents of public housing or persons whose income does not exceed HUD's local area low-income limits (i.e. Section 3 residents); or
- Comprised of 30% or more full-time employees who are Section 3 residents; or
- Can provide evidence of a firm commitment to award 25% or more of subcontracts to businesses the meet the two options abovementioned.

Section 3 Individuals are residents whose income does not exceed the HUD area median low-income limits.

Small Business Enterprises are Disadvantaged, Minority, Women-Owned and Emerging Small Businesses (DMWESB) and Veteran Owned Business (VOB) certified by the State of New Jersey and businesses certified as Small Disadvantaged Businesses by the Small Business Administration (SBA).

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ELIGIBILITY

CDBG OVERVIEW

Community development activities build stronger and more resilient communities. To support community development, activities are identified through an ongoing process. Activities may address needs such as infrastructure, economic development projects, public facilities installation, community centers, housing rehabilitation, public services, clearance/acquisition, microenterprise assistance, code enforcement, homeowner assistance, etc. Federal support encourages systematic and sustained action by state and local governments.⁴

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT PROGRAM

The County's Entitlement Program provides annual grants on a formula basis to entitled local consortium members. The grants develop viable communities by providing decent housing, a suitable living environment, and expand economic opportunities for low- and moderate-income persons.

Consolidated Plan Goals

A project consistent with the goals and funding priorities outlined in the County of Ocean's Five-Year Consolidated Plan and Three-Year Priorities and Objectives must be consistent with these goals and objectives, as follows:

HOME Program Goal: Affordable Housing Development - Increase the supply of affordable single-family and multi-family housing for extremely low-, very low-, and low- and moderate-income residents through new construction or rehabilitation of housing.

HOME Program Goal: Housing Preservation - Rehabilitation of single-unit residential housing.

HOME Program Goal: Homeownership Assistance - Homeowner Assistance provides a service to individuals and families of a low- and moderate-income. These people must own their home, but need assistance to make it safe, functional, and/or ADA accessible. Additionally, the homebuyer assistance provides counseling to both a renter transitioning to a homebuyer and a homeowner to stay in his/her home. This category includes the Down Payment Assistance Program, which offers a loan to a qualified low- and moderate-income homebuyer to help purchased his/her first home.

HOME Program Goal: Rental Assistance - Rental Assistance provides a rental subsidy to help individuals and family households afford their housing costs, such as rent, utilities, and security deposits. Additionally, Rental Assistance provides tenants' rights services to equip a renter with information that may allow him/her more stability. Rental Assistance also provides financial assistance for housing accessibility rehabilitation, if applicable.

⁴ https://www.hud.gov/program_offices/comm_planning/communitydevelopment

CDBG Program Goal: Public Services for At-Risk Populations - A low- and moderate-income person in need may access a public supportive services that include, but not limited to case management (including referrals for additional services), counseling (marital, family, individual, and substance abuse disorders). Additional services include crime prevention, delivery of a necessity item (food, meals, and clothing), education, employment and job training, home services (elderly, frail elderly, and homebound), medical assistance, parenting skills, and youth services.

Public services seek to ameliorate emotional distress because of a loss suffered by individuals and families regardless of age, race, sex, nationality, handicapping condition, religious affiliation, and socioeconomic status.

CDBG Program Goal: Public Facility and Improvements - Local municipal government administration provides a public facility and improvements to its community.

Planning and Administration Goal - Provide overall coordination, administration, and monitoring of entitlement grant funding programs.

ELIGIBLE APPLICANTS

For most Public Service eligible activities, applicants must demonstrate they are:

- Organized as a 501(c)(3) or (c)(4) not-for-profit corporation;
- A tax-exempt organization with letter of determination from the Internal Revenue Service; or
- A public/governmental agency independent of the County, such as a municipality.

The following two (2) exceptions apply:

- For-profit organizations may apply for CDBG funds to undertake certain economic development activities related to microenterprise assistance; and
- Under certain limited circumstance, for-profit organizations qualifying under HUD criteria as Community-Based Development Organizations (CBDOS) may apply for funds to carry out neighborhood revitalization, economic development, or energy conservation projects.

Regulations pertaining to these exceptions are available at [24 CFR 570.201\(o\)](#) and [24 CFR 570.204](#).

ELIGIBLE ACTIVITIES

In order to meet local needs within the national objectives, the CDBG Program provides flexibility in the eligible uses of CDBG funds. The following is a summary of the range and types of activities that may be funded through the CDBG Program. **The summary is not a complete list of eligible activities.** Most of the basic eligible activities outlined in [24 CFR 570.201](#) and [24 CFR 570.202](#) list below.

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For more information, review the [U.S. Code of Federal Regulations \(24 CFRs\)](#)⁵ and this [CDBG Guide to National Objectives and Eligible Activities Chapter 2](#)⁶.

1. Acquisition of real property by purchase, long-term lease, or donation for any public purpose subject to the limitations of 24 CFR 570.207.
2. Disposition of property acquired with CDBG funds or retention for public purposes.
3. Public facilities and improvements including acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes.
4. Clearance, demolition, and removal of buildings and improvements for eligible activities.
5. Public Services, including but not limited to employment services, crime prevention and public safety, child care, health services, substance abuse services, fair housing counseling, homelessness services, child abuse prevention, senior services, education, emergency housing assistance (up to 3 months), energy conservation and recreational needs. (Cap is 15% of the County's annual award).
6. Interim assistance, such as relocation payments and other assistance for permanently and temporarily relocated individuals, families, businesses, non-profit organizations, and farm operations.
7. Housing services, including housing counseling, loan processing, and inspections.
8. Relocation assistance payments for relocating people permanently and temporarily, businesses, agencies displaced by eligible program activities, and loss of rental income associated with relocation.
9. Direct homeownership assistance to low- or moderate-income households.
10. Rehabilitation and Preservation activities (See [24 CFR 570.202](#) for more information):
Rehabilitation of:
 - Public or privately owned buildings for residential uses.
 - Privately owned commercial or industrial building rehabilitation is limited to exterior building and abatement of hazardous materials or correction of code violations.
 - Low-income public housing.
 - Non-profit owned non-residential buildings.
 - Manufactured housing.
11. Code Enforcement, including costs incurred for inspection for code violations and enforcement of codes in deteriorating or deteriorated areas.

⁵ https://www.govregs.com/regulations/expand/title24_chapterV_part570_subpartC_section570.201

⁶ <https://www.hudexchange.info/onecpd/assets/File/CDBG-National-Objectives-Eligible-Activities-Chapter-2.pdf>

12. Historic preservation, including rehabilitation, preservation or restoration of publicly and privately owned historic properties.
13. Economic Development Activities:
 - The acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings or real property.
 - The provision of assistance (such as loans, grants, and technical assistance) to private non-profit business.
 - Microenterprise assistance to facilitate economic development, including financial support (such as grants and loans), technical assistance, and counseling.
14. Community-Based Development Organizations (CBDOs) - CDBG funds may be provided as grants or loans to any CBDO qualified to carry out neighborhood revitalization, community economic development, or energy conservation projects. CBDOs are organizations organized under state or local laws to engage in community development activities in specific geographic areas within communities. The complete list of HUD criteria for qualifying as a CBDO is available at [24 CFR 570.204](#).

INELIGIBLE ACTIVITIES

In general, HUD specifically identifies the following activities as not eligible for CDBG funding. See [24 CFR 570.207](#) for a full list of ineligible activities.

- Political or religious activities.
- Acquisition, construction, reconstruction, or use of buildings or portions thereof used for the general conduct of government.
- General government expenses.
- Purchases are generally ineligible except under specific conditions.
- Purchase of equipment, furnishings, or fixtures, motor vehicles, and other personal property.
- Subsistence or income payments more than three consecutive months to individuals for items such as food, clothing, and rent.
- Operating and maintenance expenses unless associated with providing a public service.
- Construction of new housing, unless as a special activity by a qualified Community Based Development Organization per [24 CFR 570.504\(a\)](#).

CDBG NATIONAL OBJECTIVES

All activities must satisfy at least one (1) of the following CDBG National Objectives:

- Benefit to low- and moderate-income individuals or households;
- Aids in the prevention or elimination of slums or blight; or
- Meets a particularly urgent community development need (only used for major disasters).

Note: HUD presumes certain groups to be principally low- or moderate-income, so activities that exclusively serve these groups will meet the benefit to low- and moderate-income individuals or households national

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objective without having to demonstrate income eligibility. These groups include abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with HIV/AIDS, and migrant farm workers.

For more information, review the [U.S. Code of Federal Regulations \(24 CFRs\)](#)⁷ and this [CDBG Guide to National Objectives and Eligible Activities Chapter 3](#)⁸.

Review these resources and/or contact the Ocean County Planning Department for further details at 732-929-2054.

All activities must provide at least one (1) National Objective benefit in the table as follows:

NOC	National Objective Benefit Description	24 CFR
LMA	Low/mod area benefit - Activities providing benefits that are available to all the residents of a particular area, at least 51% of whom are low/mod income. The service area of an LMA activity is identified by the grantee and need not coincide with Census tracts or other officially recognized boundaries.	570.208(a)(1)
LMAFI	Low/mod area benefit, community development financial institution (CDFI) - Job creation and retention activities that are carried out by a CDFI and that the grantee elects to consider as meeting the low/mod area benefit criteria.	570.208(d)(6)(i)
LMASA	Low/mod area benefit, neighborhood revitalization strategy area (NRSA) - Job creation and retention activities that are carried out pursuant to a HUD-approved Neighborhood Revitalization Strategy (NRS) and that the grantee elects to consider as meeting the low/mod area benefit criteria.	570.208(d)(5)(i)
LMC	Low/mod limited clientele benefit - Activities that benefit a limited clientele, at least 51% of whom are low/mod income. LMC activities provide benefits to a specific group of persons rather than to all the residents of a particular area.	570.208(a)(2)
LMCMC	Low/mod limited clientele, micro-enterprises - Activities carried out under 24 CFR 570.201(o) that benefit micro-enterprise owners/developers who are low/mod income.	570.208(a)(2)(iii)
LMCSV	Low/mod limited clientele, job service benefit - Activities that provide job-training, placement and/or employment support services in which the percentage of low/mod persons assisted is less than 51%, but the proportion of the total cost paid by CDBG does not exceed the proportion of the total number of persons assisted who are low/mod.	570.208(a)(2)(iv)
LMH	Low/mod housing benefit - Activities undertaken to provide or improve permanent residential structures that will be occupied by low/mod income households.	570.208(a)(3)
LMHSP	Low/mod housing benefit, CDFI or NRSA - Activities carried out by a CDFI or pursuant to a HUD-approved Neighborhood Revitalization Strategy (NRS) to provide or improve permanent residential structures that the grantee elects to consider as a single structure for purposes of determining national objective compliance. For example, two single-unit homes rehabilitated in an NRS may be considered a single structure; at least a low/mod household must occupy one of the units. If ten single-unit homes were assisted, at least six (51%) must be occupied by low/mod households.	570.208(d)(5)(ii) and (d)(6)(ii)

⁷ https://www.govregs.com/regulations/expand/title24_chapterV_part570_subpartC_section570.201

⁸ <https://www.hudexchange.info/sites/onecpd/assets/File/CDBG-National-Objectives-Eligible-Activities-Chapter-3.pdf>

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LMJ	Low/mod job creation and retention - Activities undertaken to create or retain permanent jobs, at least 51% of which will be made available to or held by low/mod persons.	570.208(a)(4)
LMJFI	Low/mod job creation and retention, public facility/improvement benefit - Public facility/improvement activities that are undertaken principally for the benefit of one or more businesses and that result in the creation/retention of jobs.	570.208(a)(4)(vi)(F)
LMJP	Low/mod job creation, location-based - Activities where a job is held by or made available to a low/mod person based on the location of the person's residence or the location of the assisted business.	570.208(a)(4)(iv)
SBA	Slum/blight area benefit - Activities undertaken to prevent or eliminate slums or blight in a designated area.	570.208(b)(1)
SBR	Slum/blight, urban renewal areas - Activities authorized under an Urban Renewal Loan and Grant Agreement that are undertaken to prevent or eliminate slums or blight in an urban renewal area and that are necessary to complete an Urban Renewal Plan.	570.208(b)(3)
SBS	Slum/blight, spot basis - Activities undertaken on a spot basis to address conditions of blight or physical decay not located in designated slum/blight areas.	570.208(b)(2)
URG	Urgent need - Activities that alleviate emergency conditions of recent origin, which pose a serious and immediate threat to the health, or welfare of the community; eligible only if the grantee cannot finance the activity on its own and no other sources of funding are available.	570.208(c)

HUD INCOME LIMITS

HUD requires that at least 51% of those benefited by any activity funded with CDBG dollars must meet low- or moderate-income guidelines for the CDBG Program, as determined by HUD. HUD defines very low-income households as those earning equal to or less than 50% of Area Median Income (AMI) and low-income households as those earning equal to or less than 80% AMI. The table below provides the current adjust HOME income thresholds for Ocean County. **However, the recipient of CDBG funding must meet the income guidelines at the time when utilizing the funding.**

ADJUSTED HOME INCOME LIMITS TABLE

The HOME Income Limits are calculated using the same methodology that HUD uses for calculating the income limits for the Section 8 program, in accordance with Section 3(b)(2) of the U.S. Housing Act of 1937, as amended. These limits are based on HUD estimates of median family income, with adjustments based on family size.

Access the HOME Income Limits and more through the HUD Exchange, [click here](#)⁹.

⁹ <https://www.hudexchange.info/programs/home/home-income-limits/>

APPLICATION AWARD POLICIES AND EVALUATION CRITERIA

COUNTY APPLICATION AWARD POLICIES & PRIORITIES

CDBG funds may be competitive as there are often more applications than funds available. To ensure fair and equitable access to eligible applicants, the County has developed the following priorities and policies to guide award of funds.

CDBG FUNDING PRIORITIES

- The project addresses an identified gap in community needs and is a proven effective strategy to improve conditions or solves an identified problem.
- The project provides benefit to a demographic group that has a need documented in the County of Ocean's Five-Year Consolidated Plan. Projects are higher ranking when it serves the County of Ocean's vulnerable and underserved residents, extremely low-income (30% of area median income, AMI) or low-income residents (50% of AMI).
- The agency submitting the application embraces and demonstrates diversity within its organization and the project promotes inclusiveness and diversity.
- Public Services: Provide a new service, or a quantifiable increase in the level of an existing service, that benefit low - and moderate-income residents, or presumed low-income residents.

CDBG FUNDING POLICIES

- The proposed activity supports one or more of the County of Ocean's Five-Year Consolidated Plan goals.
- The project utilizes already existing resources in effective and innovative ways and does not duplicate services provided by another organization.
- The agency has the capacity to carry out the project and meet performance objectives within an 18-month period.
- The budget and timeline are reasonable and realistic, and the application demonstrates CDBG funds are the most appropriate funding source for the project.
- Leveraging: The project maximizes the use of outside funds and services.
- Affordable housing only: The project creates affordable housing or retains and improves the sustainability and livability of existing units of affordable housing. The longer the period of time the units remain affordable, the higher the project ranking.
- Relocation only: If relocation of residents is necessary, then the applicant must include accurate relocation assistance costs as part of the project pro-forma.

APPLICATION EVALUATION CRITERIA

The County of Ocean CDBG staff will use the following rating system to evaluate applications:

Activity need, Five-Year Consolidated Plan and CDBG award policies and priorities.	30 Points
Benefit to low-income County of Ocean residents, performance objective (# served).	20 Points
Agency capacity, experience with activity and/or Federal funding, agency inclusivity.	20 Points
Readiness to proceed; ability to complete in an 18-month period.	10 Points
Financial: project expenses are reasonable.	10 Points
Amount and source of other/matching funds	10 Points

CDBG AND COUNTY REQUIREMENTS

CDBG PROGRAM REQUIREMENTS

Successful applicants, referred to as “subrecipients”, must be willing to comply with all applicable Federal, State and local government statutes, rules, regulations and record keeping requirements governing the use of CDBG funds and any other conditions imposed by the County, including CDBG grant terms that will be specified in a contract. **A Subrecipient Agreement contract must have a signature and execution prior to disbursement of any funds.** Expenses incurred prior to the signing of a contract are not reimbursable with CDBG funds.

County staff will be available to provide technical assistance in determining which regulations apply to each project and interpreting the relevant regulations. However, subrecipients will be responsible for satisfying these federal requirements, documenting how the requirements are being satisfied and reporting to the County on how these requirements are being satisfied through **quarterly** reports and County monitoring of projects.

Organizations receiving CDBG funding (subrecipients) must obtain a Unique Entity Identifier (UEI) number and be an active registration with System of Award Management (SAM)¹⁰. Subrecipients must provide proof of SAM registration prior to the execution of a Subrecipient Agreement.

HUD will not issue a grant agreement for awarded funds to a project applicant until the SAM account registration is active. **Any contractors/service providers hired for the CDBG programs must also have an active registration with SAM prior to start or expenditure of funds.**

The following electronic systems and portals used in the Award phase of the grants life cycle, apply to **all** subrecipients:

System for Award Management (SAM)

System for Award Management (SAM) consolidates nine government-wide acquisition and award support systems into one system, including the Central Contractor Registry (CCR), Excluded Parties List System (EPLS), Online Representations and Certifications Application (ORCA), Federal Awardee Performance and Integrity Information System (FAPIS), FFATA Sub-Award Reporting System (FSRS), and Assistance Listings (formerly Catalog of Federal Domestic Assistance, CFDA)¹¹.

- i. Each applicant for a HUD award **must** register in SAM prior to submission of an application. To continue to be eligible for an award, recipients must maintain an active registration throughout the life of the award, including an annual renewal. (Appendix I to 2 CFR part 200).
- ii. Program Offices **must**:
 - 1) Review the information in SAM before HUD obligates Federal funds under a grant or other form of financial assistance. The review must determine

¹⁰ <https://sam.gov/content/home> - Register within SAM

¹¹ <https://www.hud.gov/sites/dfiles/OCHCO/documents/221017c1ADMH.pdf>

- whether an organization or any of its principals is debarred, suspended, or voluntarily excluded from eligibility for Federal funding.
- 2) Include SAM registration requirements for applicants in both discretionary (NOFOs) and non-discretionary award processes, including renewal procedures; and
 - 3) Include in an award's terms and conditions the requirement that each recipient must maintain an active SAM registration and the currency of its information (2 CFR 25.200 and 2 CFR part 25, Appendix A).
 - a) This includes information on the recipient's immediate and highest-level owner and subsidiaries, as well as on all of the recipient's predecessors that have been awarded a Federal contract or Federal financial assistance within the last three years, if applicable.
 - b) The subrecipients must obtain a Unique Entity Identifier (UEI), but do not need to obtain an active SAM registration.
 - c) Both the registration and information must be kept up to date throughout the period of performance and until the recipient submits either the final financial report or receives the final payment, whichever is later.

Unique Entity Identifier (UEI)

A Unique Entity Identifier (UEI) means the identifier assigned by SAM to uniquely identify business entities. It is a unique number assigned to all entities (public and private companies, individuals, institutions, or organizations) who register to do business with the federal government¹².

The Unique Entity Identifier (UEI) is the alphanumeric ID (generated by [SAM.gov](https://sam.gov)¹³) used across the federal government.

- The Unique Entity ID is a 12-character alphanumeric ID assigned to an entity by SAM.gov.
- Entity registration, searching, and data entry in SAM.gov now require use of the new Unique Entity ID.
- Existing registered entities can find their Unique Entity ID by following the steps [here](#)¹⁴.
- New entities can get their Unique Entity ID at SAM.gov and, if required, complete an entity registration.
- Funded applicants must also have an active registration with System of Award Management (SAM).
- Subrecipients must provide proof of SAM registration prior to the execution of a Subrecipient Agreement.

It is free to register in SAM for any entity. It is also free to get help with your registration. Just contact the Federal Service Desk, [FSD](#)¹⁵, or call 866-606-8220, Monday–Friday 8 a.m. to 8 p.m. ET.

Additional requirements apply to **all** subrecipients:

¹² <https://www.hud.gov/sites/dfiles/OCHCO/documents/221017c1ADMH.pdf>

¹³ <https://sam.gov/content/home> - Register within SAM

¹⁴ https://www.fsd.gov/gsafsd_sp?id=kb_article_view&sysparm_article=KB0041254

¹⁵ https://www.fsd.gov/gsafsd_sp

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- **Fiscal Management:** Grant recipients are required to comply with federal uniform administrative requirements regarding fiscal management including financial reporting, record keeping, accounting systems, payment procedures, procurement of goods and services, conflict of interest, and audit requirements. Non-profit organizations must administer programs in compliance with [24 CFR Part 84](#)¹⁶. Public agencies must administer programs in compliance with [24 CFR Part 85](#)¹⁷.
- **Records Management:** Records to be maintained are found in [24 CFR 570.506](#)¹⁸ and reporting requirements [24 CFR 570.507](#)¹⁹. Records and documentation related to the grant award must be kept for a minimum of ten (10) years and be made available for inspection by the County and the Department of Housing and Urban Development (HUD) staff upon request.
- **Non-Discrimination and Equal Opportunity:** Grant recipients must comply with various federal, state, and local laws that provide equal opportunity and ensures that no person or groups of persons shall, on the grounds of race; color; national or ethnic origin; ancestry; age; religion or religion creed; disability or handicap; sex; sexual orientation; gender; gender identity and expression, including a transgender identity; genetics; military and veteran status; retaliation and any other characteristic protected under applicable federal, state, or local law, herein called “protected categories” be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the County of Ocean, its recipients, subrecipients, contractors and subcontractors, staff, applicant, and third parties, includes any person who is an employee, agent, consultant, officer, or elected or appointed official of the agency.

Discrimination is prohibited in the provision of services, in access to the services and to the facilities where the services are provided, and in all other aspects of administering a CDBG project such as employment and procurement.

- **Fair Housing:** The Fair Housing Act prohibits discrimination in the sale, rental or financing of dwellings, and in other housing-related transactions, because of race, color, religion, sex, disability, familial status or national origin²⁰. The Fair Housing Act applies to a housing provider’s consideration of a person’s limited ability to read, write, speak or understand English. Specifically, the Fair Housing Act addresses how the disparate treatment and discriminatory effects methods of proof apply in Fair Housing Act cases in which a housing provider bases an adverse housing action - such as a refusal to rent or renew a lease - on an individual’s limited ability to read, write, speak or understand English²¹.
- **Environmental Review:** In accordance with 24 CFR Part 58 must be completed in cooperation with County staff for all projects prior to contract award and expenditure of funds. Some projects may require mitigation measures to comply with the [National Environmental Policy Act \(NEPA\)](#)²².

¹⁶ <http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=24%3A1.1.1.1.37>

¹⁷ <https://www.ecfr.gov/cgi-bin/text-idx?SID=6b67df93abf9e9206dc5f7c472bc98b3&mc=true&node=pt24.1.85&rgn=div5>

¹⁸ https://www.govregs.com/regulations/expand/title24_chapterV_part570_subpartC_section570.201

¹⁹ https://www.govregs.com/regulations/expand/title24_chapterV_part570_subpartC_section570.201

²⁰ <https://www.gpo.gov/fdsys/pkg/CFR-2013-title24-vol3/pdf/CFR-2013-title24-vol3-sec570-902.pdf>

²¹ <https://www.gpo.gov/fdsys/pkg/CFR-2010-title24-vol1/pdf/CFR-2010-title24-vol1-sec91-15.pdf>

²² <http://www.epa.gov/compliance/nepa/index.html>

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- National Objective Compliance: Grant recipients must document the activity meets the CDBG National Objective to serve low- and moderate-income residents or areas per [24 CFR 570.201](#) and [24 CFR 570.207](#). Subrecipients must verify client income and collect demographic data on clients using a form provided by the County. HUD receives this data in a **quarterly** report that reports progress on meeting performance goals and outcomes.
- Lead-Based Paint and Labor Standards: CDBG rehabilitation and construction activities must comply with 24 CFR Part 35 and Section 401(b) of the Lead-Based Paint Poisoning Prevention Act. In addition, construction activities over \$2,000.00 may be required to comply with the [Davis-Bacon Act](#)²³ and the [Contract Work Hours and Safety Standards Act \(CWHSSA\)](#)²⁴.

CONTRACT AWARD

Each subrecipient will be required to enter into a written agreement with the County that requires compliance with all federal requirements, State and local laws, and all grant or loan terms, and any conditions imposed by the County. **A Subrecipient Agreement contract must have a signature and execution prior to disbursement of any funds.** Expenses incurred prior to the signing of a contract are not reimbursable with CDBG funds.

AVAILABILITY OF FUNDS

The awards will be contingent upon the County of Ocean's receipt of a U.S. Department of Housing and Urban Development (HUD) grant award and execution of a Subrecipient Agreement with your agency. The awarded subrecipient (s) cannot seek reimbursement for any activities or items prior to the execution of the Agreement. Upon receipt of a payment voucher, supporting documentation and proof of compliance, is how the CDBG subrecipient receives reimbursement.

Availability of Funds for Future Fiscal Years

Successive funding opportunities will remain competitive and thus there is no implicit or explicit guarantee funding is a part of a renewal. The County of Ocean shall not be obligated or liable for any future payments or for any damages because of not awarding funding.

INSURANCE REQUIREMENTS

The successful applicant must be covered by Workers' Compensation Insurance, which will extend to and

²³ <https://www.hud.gov/sites/documents/4812-LRGUIDE.PDF>

²⁴ <https://www.dol.gov/agencies/whd/government-contracts/cwhssa>

include work in New Jersey. If applicant is exempt from Workers' Compensation, the applicant should indicate they are exempt from workers' compensation in writing to the County of Ocean.

In addition, the applicant must also submit documents addressing Commercial General Liability Insurance and Automobile and Collision Insurance. The applicant must submit to acknowledge and accept the insurance requirements noted herein.

The applicant shall demonstrate willingness to contract and the ability to provide a Certificate of Insurance and Additional Insured Endorsement reflecting the Insurance Requirements by **July 1st annually**.

CONFLICTS OF INTEREST AND DISCLOSURE

Two sets of conflict of interest provisions apply to activities carried out with CDBG funding. The first set, applicable to the procurement of goods and services by subrecipients (funded applicants), is the procurement regulation found in the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations. The second set of provisions is located at 24 CFR 570.611(a)(2).

With respect to procurement activities, the subrecipient must maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. At a minimum, these standards must:

1. Require that no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for an award:
 - a. An employee, officer, or agent of the subrecipient,
 - b. Any member of an employee's, officer's, or agent's immediate family,
 - c. An employee's, agent's, or officer's partner, or
 - d. An organization, which employs or is about to employ any of the persons listed in the preceding sections.
2. Require that employees, agents, and officers of the subrecipient neither solicit nor accept gratuities, favors, or anything of value from contractors or parties to sub-agreements. However, subrecipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
3. Provide for disciplinary actions to be applied for any violation of such standards by employees, agents or officers of the subrecipient.

With respect to all other CDBG-assisted activities, the general standard is that no employee, agent, or officer of the subrecipient who exercises decision-making responsibility with respect to CDBG funds and activities is allowed to obtain a financial interest in or benefit from CDBG activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds for the activities. Specific provisions include that:

- a. The requirement applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of the City, a designated public agency, or a subrecipient, and to their immediate family members and business partners.
- b. The requirement applies to such persons during their tenure and for a period of one year after leaving the grantee or subrecipient organization.
- c. Upon written request, HUD may grant exceptions on a case-by-case basis.

DUPLICATION OF BENEFITS

A duplication of benefits occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance. A duplication of benefits occurs when an applicant (1) receives assistance from multiple sources intended for the same purpose or (2) the amount of assistance provided exceeds the total identified need.

When applicable HUD will require prevention of duplication of benefits for the appropriate additional financial assistance. Each grantee must have adequate procedures in place that subject the grant to oversight, reporting, and monitoring requirements to prevent the duplication of benefits, which means grant funds may not pay costs if another source of financial assistance is available to pay that cost. Awarded subrecipients will be required to certify during the contract term that there is no supplanting of federal funds for requested programs or projects.

TIMELINESS

HUD will review the performance of each entitlement, HUD-administered small cities, and Insular Areas recipient to determine whether each recipient is carrying out its CDBG-assisted activities in a timely manner.

"Timely performance" means compliance with the requirement that a CDBG Entitlement grantee must carry out its program in a timely manner, as measured by the rate of expenditure of funds from the grantee's Line of Credit (LOC).

A CDBG Entitlement grantee, in accordance with the CDBG regulations at [24 CFR 570.902](#)²⁵, must have a balance no greater than one and one-half (1.5) times its annual grant remaining in the LOC, 60 days prior to the end of the program year. HUD has a longstanding policy of reducing the next year's grant allocation of a grantee that continues to be untimely²⁶.

²⁵ <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-V/subchapter-C/part-570/subpart-O/section-570.902>

²⁶ <https://www.hudexchange.info/faqs/programs/cdbg-entitlement-program/timeliness/what-is-timeliness-in-the-cdbg-program/>

[Why does timely performance matters?](#)

Pursuant to Federal timeliness regulations, [24 CFR 570.902](#)²⁷ and [24 CFR 91.15\(a\)\(1\)](#)²⁸, our jurisdiction must submit its Consolidated Plan and/or annual Action Plan to HUD at least 45 days before the start of our **annual program year start date July 1st**. By this date, if your activity is non-compliant with the HUD's timeliness standard then HUD **does not grant a waiver** in this instance. As a result, the County of Ocean's CDBG program and the CDBG grant may fall under the [sanction policy](#)²⁹.

READINESS TO PROCEED UPON RECEIPT OF FUNDING

The HUD CDBG guidelines determine the ability of the applicant to obligate and spend funds within the timeline requirements. Activities will be given priority that are ready to move forward quickly and are not dependent upon future approvals, obtaining additional funding, or discretionary actions by outside parties. In the application, documentation shall show that the resources (including funding, staffing, site control, etc.) needed to implement the proposed project or activity are both available and sustainable.

The Applicant must assure that it has attained sufficient readiness in order to complete the subject project within eighteen (18) months after the CDBG award. The Applicant will warrant that the project will be completed within eighteen (18) months following the CDBG grant award and will indicate the level of readiness-to-proceed respective to the following areas:

- Project financing.
- Project engineering and/or architectural services.
- Obtaining necessary local, state, and federal permits to complete the project.

²⁷ <https://www.gpo.gov/fdsys/pkg/CFR-2013-title24-vol3/pdf/CFR-2013-title24-vol3-sec570-902.pdf>

²⁸ <https://www.gpo.gov/fdsys/pkg/CFR-2010-title24-vol1/pdf/CFR-2010-title24-vol1-sec91-15.pdf>

²⁹ <https://archives.hud.gov/offices/cpd/library/timeltr.cfm>

DEFINITIONS

HUD STATUTORY PROGRAM GOALS

1. **Decent Housing** - including, but not limited to:

- Assisting homeless persons to obtain affordable housing;
- Assisting persons at risk of becoming homeless;
- Retaining the affordable housing stock;
- Increasing the availability of affordable permanent housing in standard condition to low-income and the basis of race, color, religion, sex, national origin, familial status, or disability;
- Increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS) to live in dignity and independence; and
- Providing affordable housing that is accessible to job opportunities.

2. **Suitable Living Environment** - Including, but not limited to:

- Improving the safety and livability of neighborhoods;
- Eliminating blighting influences and the deterioration of property and facilities;
- Increasing access to quality public and private facilities and services;
- Reducing the isolation of income groups within the areas through special deconcentrating of housing opportunities for lower income persons and revitalization of deteriorating neighborhoods;
- Restoring and preserving properties of special historical, architectural, or aesthetic value; and
- Conserving energy resources and use of renewable energy sources.

3. **Expanded Economic Opportunities** - including, but not limited to:

- Job Creation and retention;
- Establishment, stabilization and expansion of small businesses(including micro-businesses);
- The provision of public services concerned with employment;
- The provision of jobs to low- income persons living in areas affected by these programs and activities, or jobs resulting from carrying out activities under programs covered by the plan;
- Availability of mortgage financing for low-income persons at reasonable rates using non-discriminatory lending practices;
- Access to capital and credit for development activities that promote the long-term economic and social viability of the community; and
- Empowerment and self-sufficiency for low-income persons to reduce generational poverty in federally assisted housing, public housing.

PROJECT PERFORMANCE GOAL – OBJECTIVE AND OUTCOME

Long-term outcomes linked to these goals are:

- **Availability/Accessibility** - This outcome relates to programs that make services, housing, infrastructure, public services, or shelter accessible or available to low- and moderate-income persons, including those with special needs and/or disabilities.
- **Affordability** - This outcome relates to programs that provide affordability to low- and moderate- income persons and can include affordable housing.
- **Sustainability** - This outcome relates to programs that improve communities and promote viability, such as removing slums and blight, or other services that sustain communities.

ADDITIONAL DEFINITIONS

- **Income** - Grantees may select any of the three definitions of income: (1) Annual income as defined under section 8 (24CFR Part 5); (2) Annual income as reported under the Census long form; or (3) Adjusted gross income as defined by the IRS form 1040.
- **Low- and Moderate-Income** - Family or household with an annual income less than the Section Low Income Limit, generally 80% of the area median income, as established by HUD.
 - **Extremely low Income** - Family or household with an annual income equal to or less than 30% of the area median income, as established by HUD.
 - **Very Low Income** - Family or household with an annual income equal to or less than 50% of the area median income, as established by HUD.
 - **Family** - As defined in 24CFR 5.403, includes, but not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status; (1) a single person, (2) a group of persons residing together.
 - **Household** - All persons occupying a housing unit.
 - **Micro-Business** - A Business that has five or fewer employees, one or more of whom owns the business.