



**RURAL SERVICES**

# **APPLICATION PACKET**

**Fiscal Year 2019**

## **RURAL SERVICES BLOCK GRANT PROGRAM**

**DEADLINE:**

**August 9, 2018**

**ARKANSAS ECONOMIC DEVELOPMENT COMMISSION, DIVISION OF RURAL SERVICES  
ARKANSAS RURAL DEVELOPMENT COMMISSION**

**For Questions Contact:**

**Tonya Hass**

**Rural Services Block Grants Manager**

**900 West Capitol, Suite 400**

**Little Rock, AR 72201**

**(501) 682.3998 | 1-888-RURAL-AR Email:**

**[THass@ArkansasEDC.com](mailto:THass@ArkansasEDC.com)**

**[www.ArkansasEDC.com/Rural-Services](http://www.ArkansasEDC.com/Rural-Services)**

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## Arkansas Economic Development Commission, Division of Rural Services and the Arkansas Rural Development Commission

The Arkansas Economic Development Commission (AEDC), Division of Rural Services (DRS), is charged with assisting rural communities with a population of 20,000 and under. Established under Act 302 of 1991, and merged with the Arkansas Economic Development Commission under Act 8 of the 2015 First Extraordinary Session, DRS assists local agencies in rural areas with information and technical assistance. Currently, more than 80% of Arkansans live in rural areas.

The Arkansas Rural Development Commission (ARDC) is a group of citizens from rural Arkansas responsible for overseeing the programs of DRS. Seven of its members are appointed by the Governor, two are appointed by the Senate President Pro-Tem, and two are appointed by the Speaker of the House. Commissioners serve multiple-year terms and meet throughout the year to discuss rural issues that affect Arkansans.

The mission of these two groups is to *"Enhance the quality of life in rural Arkansas."*

One focus of the Division of Rural Services is to be a source of information for rural citizens and provide support services to rural communities. DRS publishes a quarterly newsletter that covers rural policies and topics. The Division also hosts an annual conference and local forums around the state throughout the course of the year. DRS provides funding for worthwhile projects in rural communities through a variety of grant programs.

### Who is Eligible to Apply for Funds from the Rural Services Block Grant Program?

In accordance with the State of Arkansas Five Year Plan for Arkansas Housing, Community and Economic Development Programs the following entities are eligible for funding under the Rural Services Block Grant Program:

- Incorporated and unincorporated cities and towns in Rural Arkansas with less than 3,000 people (verifiable by current US census information)
- Population must be at least 51% low to moderate income (LMI). A complete list of Arkansas community LMI percentages is available on the DRS website at [ruralservices.arkansas.gov](http://ruralservices.arkansas.gov)
- In keeping with our enabling legislation, a rural area is defined for the purpose of this program as "all the territory of the State of Arkansas that is not within the outer boundary of any city or town having a population of 20,000 or more according to the latest federal census or within such a city or town's neighboring urbanized areas."

For forms and instructions about determining LMI Eligibility for your area, see the Income Limits Section at [arkansasedc.com/grants](http://arkansasedc.com/grants).

### Are There Other Eligibility Restrictions?

The Rural Services Block Grant Program is funded through the U.S. Department of Housing and Urban Development (HUD) Small Cities Community Development Block Grant Program and administered for the State and our agency by the Arkansas Economic Development Commission Grants Division. Cities not currently a party to one categorical grant and counties that are not currently a party to two categorical grants are eligible to apply under the program. Categorical grants include the Arkansas

Community and Economic Development Program (ACEDP) and the Rural Services Block Grant Program administered by the Arkansas Economic Development Commission. Active grants in other Division of Rural Services and Arkansas Economic Development Commission programs, including economic development grants funded through ACEDP, are not considered in determining eligibility.

Full ACEDP application guidelines are available at [ArkansasEDC.com](http://ArkansasEDC.com). All projects funded are subject to ACEDP administrative procedures, also available online.

## What Types of Projects Are Eligible?

In keeping with the Arkansas Economic Development Commission's 5-Year Consolidated Plan, applications for Rural Services Block Grant Program grant funds will be accepted for the following type projects (please contact the Rural Services Block Grant Manager to ensure that your project is eligible):

- New construction or renovation of community centers or multi-purpose use buildings for the betterment of the community
- New construction or renovation of fire stations
- Purchase of fire trucks, specialized life-saving equipment such as "jaws of life" and protective clothing worn by fire fighters

**Note - If the proposed project involves the renovation or rehabilitation of an existing building, you will be required to do the following three things:**

- Have an accredited asbestos inspector/management planner conduct a thorough inspection of the building according to the Asbestos Hazard Emergency Response Act (AHERA) guidelines, including sampling and laboratory analysis. Testing costs will depend on the size and design of the building and are the applicant's responsibility. For inspection information please contact: The Arkansas Department of Environmental Quality.
- Sign a waiver releasing and holding harmless the Division of Rural Services, the Arkansas Economic Development Commission and all employees of the two agencies of any liability, claims, judgments or action whatsoever as a result of allowing grant funds to be used in the renovation of a building containing asbestos.
- Establish adequate justification that the cost and time associated with renovating a building containing asbestos is more cost effective than renovating a building that does not contain asbestos or new construction. This justification must be provided as part of the application.

## Ineligible Projects

- Municipal buildings (courthouses, city halls, police stations, sheriff's offices, and city or county jails), any general operation of city government
- Chatting or paving of driveways and parking lots
- Costs associated with normal day-to-day operations, maintenance, or salaries
- Debt financing of any kind (new or existing)
- County health units, schools, water projects, emergency shelters, libraries
- Private, non-profit associations

## Funding Availability

Rural Services is expecting around \$1,000,000.00 in FY19 for distribution under the Rural Services Block Grant Program. Applicants with an eligible project may apply for up to \$75,000 in state

matching funds toward a project for community development or fire protection projects. As the grant pool is limited, it may sometimes be necessary to make awards of less than the amount actually requested and some projects unfortunately cannot be funded at all.

The Rural Services Block Grant Program is a 90/10 matching program. This requires that the applicant must be able to provide ten percent (10%) of its grant award with cash and/or property in-kind (fair market value, based on verifiable documentation provided by the applicant).

For purposes of this program, a match is defined as a combination of donated labor, donated land, donated materials, or cash to comprise at least 10% of the cost estimate provided by the community. Materials or labor not listed on the cost estimate of the application cannot be used as match. Local donations are defined as gifts given by local residents or locally based businesses for the purposes of the projects outlined in the applicant's grant proposal.

The match must be derived locally and can be:

- Appropriated in full by the local governing body (city council or quorum court);
- Donated by local businesses and citizens;
- Money raised through fund-raisers;
- A combination of local appropriation, citizen or business donations, or fundraisers.

All matching funds must be secured at the time of application submission and be immediately available if an award is received. Donated labor cannot count as match if it is executed before the grant is awarded. Debt financing of any nature cannot be used for matching purposes. Act 833 money for fire departments is eligible as match.

It is important to note that the local match does not have to be entirely in cash. In-kind donations of project equipment, labor, land, and materials will be accepted based on fair market value estimates provided by the applicant and verified by DRS staff. For land, buildings, and donated labor to be eligible as match, they must be part of the project and must be included in the cost estimate of the project.

## Current Allowable Expenses for Donated Labor

If a community chooses to use donated labor or services for all or a portion of the grant match, it must be submitted in one of two ways. First, if the labor donated is unskilled, volunteer labor; DRS will bill at \$24.69 for each individual hour donated. Simply put, if four people donate one hour each to the project, \$98.76 ( $\$24.69 \times 4 = \$98.76$ ) can be claimed toward the community's portion of the match. Secondly, if the labor donated is skilled, professional labor, DRS will accept the estimate given by the company or individual. For this to be accepted, a donor must be licensed or considered a professional in the field where the donation is being made. This professional labor donation can include, but is not limited to, dozer/dirt work, electrical, plumbing, carpentry, welding, and etc.

## Administrative Costs

Each community that receives the Rural Services Block Grant is responsible for the administration of the grant. The recipient should work with their local Planning or Economic Development District or hire an outside consultant to complete the application and administer the grant. The fee that the consultant charges can be included in the community's request (this may be done as long as the total request does not exceed the amount for which a community is allowed to apply). The community may use other available funds to pay the fee charged by the consultant. The fee will be a minimum of

\$2,000 with a maximum of 15% of the grant, which must include any funds necessary for audits and general expenses. The administrative consultant must be trained and approved by the Arkansas Economic Development Commission.

## **Application Process**

The Rural Services Block Grant application process requires that communities hold a public hearing and submit an application to be considered for grant funds. The process is as follows:

### **Public Hearing Requirement**

Prior to application submission, applicants will need to hold a public hearing to document the need for the project. All public hearings should be publicized in the appropriate local media at least 7 calendar days before they are to be held, and the hearing should be conducted no later than 2 weeks prior to the application deadline. If the community does not have a local newspaper, the community should post the "RSGBP-1: Notice of Public Hearing" flyer in at least 5 locations around town, 7 days prior to the public hearing.

### **Application Submission**

Applicants must submit an original application and 1 complete copy of the application to the Division of Rural Services by the application deadline. Applications will be reviewed by the Division of Rural Services for completeness and eligibility. Complete applications will be submitted to the ARDC grant review committee for funding recommendations, which will later be reviewed and approved by the full ARDC and the grants division of the Arkansas Economic Development Commission.

### **Selected Applications**

Applications recommended for funding by the Division of Rural Services will be notified in writing and will work with the AEDC Grants Division throughout the remainder of the project. It is imperative that selected communities wait for instructions from AEDC before beginning any part of their project.

This funding source is subject to many state and federal rules and regulations, which, if not complied with, could jeopardize your funding. These include, but are not limited to, the National Environmental Policy Act (environmental review requirements) and Davis-Bacon and Related Acts (federal prevailing wage requirements).

Successful applicants must first sign a grant agreement before any work is started or any purchases are made. Selected communities run the risk of forfeiting their grant award for work done or purchases made toward their project before a grant agreement is executed. Please call 1-888-RURALAR if you have any questions.

### **Unsuccessful Applications**

Applications not recommended for funding by the Division of Rural Services will be notified in writing and will be encouraged to schedule a conference with the Rural Services Block Grant Manager to discuss deficiencies and areas requiring or needing improvement if it is the applicants desire to apply the following year.

## Division of Rural Services

### Block Grant Application Proposal Guidelines

#### **General**

Formal proposals must be developed and organized in compliance with the outline and guidelines set forth in this document to be considered complete and eligible for consideration. Proposals not following all guidelines and in the outline order requested will be considered non-compliant and therefore ineligible for funding consideration. All questions regarding the Proposal Application Outline content and process should be made in writing to the Rural Services Block Grant Manager at the address below.

#### **Submission Information**

One original and one copy of the proposal must be submitted to the address below by the proposal deadline. Failure to submit the appropriate number of copies will result in the proposal being non-compliant and therefore ineligible for funding consideration.

#### **Mail proposals to:**

Arkansas Economic Development Commission, Division of Rural Services  
Attn: Tonya Hass, Grants Manager  
900 West Capitol, Suite 400 | Little Rock, Arkansas 72201  
THass@ArkansasEDC.com  
Phone: 1-888-787-2527 (RURAL-AR) | Fax: 501-682-7499

# Division of Rural Services

## Block Grant Application Proposal Guidelines

### Application Proposal Outline

#### **I. Application Coversheet**

All applicants must fill out the form, completing all blanks to be considered eligible for funding. Fire departments applying for funding must also complete the lower portion of the form to be considered eligible for funding.

#### **II. Rural Services Block Grant Applicant Contact Information**

#### **III. Project Summary-Brief Description of Project-1 page max.**

The Project Summary should briefly describe the project (detail information should be included in the Project Narrative Section).

#### **IV. Documentation of Public Support-1-10 pages**

Documentation of public support may be a combination of any of the following not to exceed ten (10) pages:

- Letter of support from the community's state senator and representative.
- Letter of support from one of the community's congressional representative.
- Letters from members of the public to be served by the project.
- Petitions of support from citizens to be served by the project.

#### **V. Project Narrative-1-5 pages**

The project narrative should cover in detail the following items:

- Describe the project in detail.
- Describe in detail the demographics of the population to be served.
- Provide detailed information regarding the organizations and individuals involved in the project, their qualifications and past experience.
- Specify the community's long and short term goals for the project.

#### **VI. Needs Assessment-1-5 pages**

The needs assessment is the most important section of the proposal and should contain the following:

- Provide a detailed history and description of the steps the community has taken to document the need for the project
- Identify and describe any problems related to community health and safety, which the project would address
- Describe any unmet needs currently being experienced by the community that would be alleviated through the fruition of this project
- Describe any emergency situation, which you believe is relevant
- (Fire Departments only) Describe and document impact of project on ISO rating
- Identify existing community centers, multi-purpose facilities or fire stations for this area

#### **VII. Floor Plan of Proposed Project**

- Provide a preliminary floor plan and site map of the proposed project including front and side elevations.

#### **VIII. Maps of County/Service Area**

- Provide an 8 1/2" X11" map of the county indicating location and service area



## **IX. Required Forms and Documentation**

### **Public Hearing Documentation**

- Public hearings must be publicized at least 7 calendar days before they are held and conducted no later than 2 weeks prior to the application deadline.

### **Form RSBGP-1 Notice of Public Hearing and Proof/Certification of Posting**

- There is an example posting in the application that you are welcome to fill out and use as your Notice of Public Hearing.
- The Notice of Public Hearing must indicate that the purpose of the hearing is to allow public participation to determine the needs of the community, to consider applying to the Arkansas Division of Rural Services for funds which are targeted to benefit LMI families or to aid in the prevention of slum and blight or to eliminate and imminent health threat.
- Examples of publicity include publishing notices in newspapers, posting flyers in at least five visible locations or airing announcements on local radio or television stations.
- Regardless of the method, hearings must be advertised throughout the jurisdiction and must indicate that technical assistance for developing proposals will be provided to groups representing LMI persons.
- Proof of Posting must include a copy of the notice with either a written confirmation by the mayor or judge about where and when the notices were posted or a signed receipt/proof of publication.

### **Form RSBGP-2 Public Hearing Attendance Roster**

### **Minutes from Public Meeting**

- Discuss the community's needs.
- Identify and prioritize needs which are most crucial to the community.
- Discuss goals and objectives for meeting the community's needs, including time frames and potential financing resources.
- Inform the attendees about the Rural Services Block Grant including requirements and funding objections, types of projects eligible for funding, amount of funds available to the community, and realistic opportunities for the community's participation in the program.

### **It must be noted that the purposes of the Rural Services Block Grant are as follows:**

- To benefit low and moderate income families; or
- To aid in the prevention or elimination of slums and blight; or
- To meet other community development needs having a particular urgency because existing conditions pose a serious threat to the health or welfare of the community and where other financial resources are not available to meet such needs.
- Persons addressing the meeting should be identified and comments recorded in the minutes.

### **Documentation of Eligibility and Application Approval Documents**

- Form RSBGP-3 Statement of Assurances and Certifications
- Form RSBGP-4 Resolution

### **Proposed Project Budget**

- Form RSBGP-5 Proposed RSBGP Project Budget

### **Additional Miscellaneous Forms**

- Form RSBGP-6 Citizen Participation Plan

- Form RSBGP-7 Project Milestone Schedule
- Form RSBGP-8 Excessive Force Resolution
- Form RSBGP-9 Anti-Displacement Plan Resolution
- Form RSBGP-10 Proposed Beneficiaries Form
- Form RSBGP-11 FFATA Reporting Form/Certification
- Form RSBGP-12 Four Factor Analysis and Language Assistance Plan
- (Fire Departments Only) ISO rating documentation
- Deed or Proof of Public Ownership
- Asbestos Study Documentation and Hold Harmless Waiver (**if renovation project**)

## **X. Required Appendices**

### **Appendix A**

Appendix A must contain in order all cost estimate documentation as it appears in the budget. Estimates must be confirmed by a professional. Page one of the documentation should contain the reference A-1 and so forth.

### **Appendix B**

Appendix B must contain in order the official documentation of the cash match availability, other funding sources and/or appraisal of the match property. Page one of the documentation should contain the reference B-1 and so forth.

Appendix A and B funding documentation should prove exactly how much your project will cost and that your community has the required matching funds to complete the project with Rural Services Block Grant funds.

## **XI. SAM.gov Registration**

All Applicants must register with the System for Award Management (SAM) website at [www.sam.gov](http://www.sam.gov). This registration is free and is required for all grant awardees. (See attachment for instructions)

## **XII. Income Survey Documentation (if an income survey was conducted to document eligibility)**

# Rural Services Block Grant Application

## Cover Sheet/Contact Information

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**Project Name**

**Community Name**

**Physical Address**

**County**

**Population**

**LMI %**

**Applicant Tax ID #**

**DUNS #**

**Incorporated Area?**

**Yes**

**No**

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**Grant Requested Amount**

**Amount Provided by Community**

**Total Project Cost**

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## Contact Information

**County Judge or Mayor**

**Mailing Address**

**City**

**Zip**

**Phone Number**

**E-mail**

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**Contact Person**

(application prepared by)

**Title**

**Mailing Address**

**City**

**Zip**

**Phone Number**

**E-mail**

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<b>State Senator</b>	<b>District #</b>
<b>State Representative</b>	<b>District #</b>
<b>U.S. Senator</b>	
<b>U.S. Representative</b>	<b>District #</b>

**Fire and/or Emergency Related Services Only:**

**Current ISO Rating**

**What was the date (month/year)  
of your last ISO inspection?**

**What is the closest fire  
department located to this one?**

**How far away is the closest fire  
department in miles?**

**How many households does the  
department currently cover?**

**How much does the department  
charge for membership?**

**What percentage of the  
households covered pay the  
membership fee?**

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**Additional Information needed should this application be chosen for funding:**

<b>Local Newspaper</b>	<b>Paper 2</b>
<b>E-mail Address</b>	<b>E-mail 2</b>
<b>City</b>	<b>City 2</b>

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Form RSBGP-1  
Notice of Public Hearing

**NOTICE OF PUBLIC HEARING ON APPLICATION FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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**The following sample public notice is suggested for use in publicizing the first of two required public hearings. Each public hearing must be advertised separately in a manner the applicant determines to be responsible and customary in the community, and include all of this information.**

A public hearing will be held on \_\_\_\_\_, 20\_\_\_\_ (date) at \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ (location) for the purpose of identifying and prioritizing the community needs of (Name of the Local Government Unit), determining whether an application for Arkansas Community and Economic Development Program (ACEDP) funds should be developed and if so, for what community need. Also, comments on proposed project activities will be discussed, especially those with possible impacts on the community, should the project receive funding.

ACEDP funds are federal assistance received by the State of Arkansas and administered by the Arkansas Economic Development Commission. These funds will be made available to cities and counties according to need and can be used for community facilities, public infrastructure, or economic development, but must address one of the following objectives:

1. Provide benefit to low and moderate income families,
2. Aid in the prevention of slum and blight, or
3. Meet other community needs, which pose a serious, immediate threat to the health or welfare of the community where no other funding is available to meet such needs.

All residents of (Name of the Local Government Unit) are encouraged to attend the hearing and participate in the community development process. The (Name of the Local Government Unit) will provide technical assistance in developing proposals by groups representing low- and moderate-income persons.

Individuals requiring physical or sensory accommodations including interpreter service, Braille, large print, or recorded materials, please contact (contact person) at (address, phone number) no later than (date). Accommodations will be made for persons with disabilities and non-English speaking individuals provided that (number) day notice is received by the (Name of the Local Government Unit).

Either Proof of Publication or Certificate of Posting must be submitted together with a summary of citizens' comments and attendance roster

Please Note: At this hearing, specific CDBG program requirements and related project issues should be reviewed. For example, if taxes or user charges will need to be increased as part of financing the project, it is especially important that residents understand the necessity of raising funds. This discussion should specifically be reflected in meeting minutes.



Form RSBGP-3  
Statement of Assurances and Certifications

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**APPLICANT'S STATEMENT OF ASSURANCES AND CERTIFICATIONS**

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The           (Name of the Local Government Unit)           (Applicant) hereby assures and certifies to the Arkansas Economic Development Commission regarding an application for Community Development Block Grant (CDBG) funds, the following:

**THRESHOLD CERTIFICATIONS**

1. There are no significant unresolved audit findings relating to any prior grant award from the federal and/or state government that would adversely affect the administration of this grant.
2. No legal actions are underway or being contemplated that would significantly impact the Applicant's capacity to effectively administer the program, and to fulfill the CDBG program; and
3. No project costs have been incurred that have not been approved in writing by the Department.

**FEDERAL COMPLIANCE CERTIFICATIONS**

4. It will adopt and follow a residential anti-displacement and relocation assistance plan that will minimize displacement as a result of activities assisted with CDBG funds.
5. It will conduct and administer its programs in conformance with:
  - a. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1).
  - b. Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.
  - c. The Fair Housing Act of 1988 (42 USC 3601-20) and will affirmatively further fair housing.
6. It will not attempt to recover any capital costs of public improvements assisted in whole or part 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, unless (1) grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than grant funds, or (2) for purposes of assessing any amount against properties owned and occupied by persons of LMI who are not persons of very-low income, the recipient certifies to the state that it lacks sufficient grant funds to comply with the requirements of clause (1).
7. It will comply with all provisions of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

**CITIZEN PARTICIPATION PLAN CERTIFICATION**

8. It certifies that a detailed citizen participation plan is on file which includes:
  - a. Providing and encouraging citizen participation with particular emphasis on participation by lower income persons who are residents of slum and blight areas in which funds are proposed to be used to include target areas as identified in the application.

- b. Providing citizens with reasonable and timely access to local meetings, information, and records relating to the Applicant's proposed and actual use of CDBG funds.
- c. Furnishing citizens with information, including but not limited to, the amount of CDBG funds expected to be made available for the current fiscal year, including CDBG funds and anticipated program income; the range of activities that may be undertaken with CDBG funds; the estimated amount of CDBG funds to be used for activities that will meet national objective of benefit to low- and moderate-income people, and the proposed CDBG activities likely to result in displacement and the grantee's anti-displacement and relocation plans.
- d. Providing technical assistance to group's representative of persons of low and moderate income that request such assistance in developing proposals. The level and type of assistance is to be identified within the plan.
- e. Providing for public hearings at different stages of the program, for the purpose of obtaining citizen's views and responding to proposals and questions. The hearings must cover community development and housing needs, development of proposed activities and review of program performance. The hearing to cover community development needs must be held before submission of an application to the state. The hearing on program performance must be held during the implementation of the CDBG awarded grant. There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings are to be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be expected to participate.
- f. Providing citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in the application to the state and for grants already made, activities that are added to, deleted or substantially changed from the application to the state. Substantially changed is defined in terms of purpose, scope, location or beneficiaries defined by the state established criteria.
- g. Providing citizens the address, phone number and acceptable hours for submitting complaints and grievances and providing timely written responses to written complaints and grievances within 15 working days where practicable.

#### **SPECIAL REQUIREMENTS AND ASSURANCES.**

9. The Applicant will comply with the administrative requirements of the program, those applicable items in the current Consolidated Plan, Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, and 24 CFR Part 570 (including parts not specifically cited below), and the following laws, regulations and requirements, both federal and state, as the pertain to the design, implementation and administration of the local project, if approved:

#### **CIVIL RIGHTS AND EQUAL OPPORTUNITY PROVISIONS**

- Public Law 88-352, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d), et. seq.) (24 CFR Part 1)
- Section 109 of the Housing and Community Development Act of 1974, As Amended
- Age-Discrimination Act of 1975, As Amended (42 U.S.C. 6101, et. seq.)
- Section 504 of the Rehabilitation Act of 1973, As Amended (29 U.S.C. 794) and the Americans with Disability Act
- Executive Order 11246, As Amended
- Executive Order 11063, As Amended by Executive Order 12259 (24 CFR Part 107)



## **ENVIRONMENTAL STANDARDS AND PROVISIONS**

- Section 104(f) of the Housing and Community Development Act of 1974, As Amended
- Title IV of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4831) and the Implementing Regulations found at 24 CFR Part 35
- The National Environmental Policy Act of 1969 (42 U.S.C. Section 4321, et. seq., and 24 CFR Part 58)
- The Clean Air Act, As Amended (42 U.S.C. 7401, et. seq.)
- Farmland Protection Policy Act of 1981, (U.S.C. 4201, et. seq.)
- The Endangered Species Act of 1973, As Amended (16 U.S.C. 1531, et. seq.)
- The Reservoir Salvage Act of 1960 (16 U.S.C. 469, et. seq.), Section 3 (16 U.S.C. 469 a-1), As Amended by the Archaeological and Historic Preservation Act of 1974
- The Safe Drinking Water Act of 1974 [42 U.S.C. Section 201, 300(f), et. seq., and U.S.C. Section 349 as Amended, particularly Section 1424(e) (42 U.S.C. Section 300H-303(e)]
- The Federal Water Pollution Control Act of 1972, As Amended, including the Clean Water Act of 1977, Public Law 92-212 (33 U.S.C. Section 1251, et. seq.)
- The Solid Waste Disposal Act, As Amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et. seq.)
- The Fish and Wildlife Coordination Act of 1958, As Amended, (16 U.S.C. Section 661, et. seq.)
- EPA List of Violating Facilities
- HUD Environmental Standards (24 CFR, Part 51, Environmental Criteria and Standards and 44 F.R. 40860-40866, July 12, 1979)
- The Wild and Scenic Rivers Act of 1968, As Amended (16 U.S.C. 1271, et. seq.)
- Flood Insurance
- Executive Order 11988, May 24, 1978: Floodplain Management (42 F.R. 26951, et. seq.)
- Executive Order 11990, May 24, 1977: Protection of Wetlands (42 F.R. 26961, et. seq.)
- Environmental Protection Act, NEB. REV. STAT. 81-1501 to 81-1532 (R.R.S. 1943)
- Historic Preservation

## **LABOR STANDARDS AND PROVISIONS**

- Section 110 of the Housing and Community Development Act of 1974, As Amended
- Fair Labor Standards Act of 1938, As Amended, (29 U.S.C. 102, et. seq.)
- Davis-Bacon Act, As Amended (40 U.S.C. 276-a - 276a-5); and Section 2; of the June 13, 1934 Act., As Amended (48 Stat. 948.40 U.S.C. 276(c), popularly known as The Copeland Act
- Contract Work Hours and Safety Standards Act (40 U.S.C. 327, et. seq.)
- Section 3 of the Housing and Urban Development Act of 1968 [12 U.S.C. 1701(u)]

## **FAIR HOUSING STANDARDS AND PROVISIONS**

- Section 104(a)(2) of the Housing and Community Development Act of 1974, As Amended Public Law 90-284, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601, et. seq.). As Amended by the Fair Housing Amendments Act of 1988
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, As Amended (42 U.S.C. 4630) and the Implementing Regulations Found at 49 CFR Part 24

## **ADMINISTRATIVE AND FINANCIAL PROVISIONS**

- 78 FR 78589 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards “Cost Principles”
- \* 78 FR 78589 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards “Administrative Requirements”
- 24 CFR 570.503 - Grant Administration Requirements for Use of Escrow Accounts for Property Rehabilitation Loans and Grants

- 24 CFR 570.488 to 570.499a - States Program: State Administration of CDBG Non-entitlement Funds
- 24 CFR Subtitle A (4-1-98 Edition) – 85 Administrative requirements for grants and cooperative agreements to State, local and federally recognized Indian tribal governments

**MISCELLANEOUS.**

- Hatch Act of 1938, As Amended (5 U.S.C. 1501, et. seq.)

The Applicant hereby certifies that it will comply with the above stated assurances.

Signed \_\_\_\_\_

Subscribed in my presence and sworn to before me.

\_\_\_\_\_  
Title

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date  
December 2015 Revised

\_\_\_\_\_  
Notary Public (Not required if on letterhead)

Form RSBGP-4  
Resolution

**Resolution #** \_\_\_\_\_

Be it resolved by the \_\_\_\_\_ (governing body) of \_\_\_\_\_ State of Arkansas a project entitled: \_\_\_\_\_.

A Resolution authorizing \_\_\_\_\_ (governing official) to apply for a grant on behalf of \_\_\_\_\_.

Whereas, the \_\_\_\_\_ (governing body) has determined that \_\_\_\_\_ meets eligibility requirements necessary to apply for a grant under the Rural Services Block Grant; and

Whereas, the \_\_\_\_\_ (unit of government) is a local unit of general purpose government that will provide opportunity for input by residents in determining and prioritizing community development needs; and

Whereas, the \_\_\_\_\_ (governing body) of \_\_\_\_\_ recognizes the need for the project, concurs in its importance, and supports \_\_\_\_\_ in its efforts to proceed with the same; and

Whereas, the \_\_\_\_\_ (governing body) has provided proof of ownership of the property to be enhanced by the project; and

Whereas, the \_\_\_\_\_ (governing body) has provided proof of the property value in the amount of \$\_\_\_\_\_ to be used as match (if applicable); and

Therefore, be it resolved that the \_\_\_\_\_ (governing body) of \_\_\_\_\_ hereby appropriates a sum of \$\_\_\_\_\_ to complete the local match money requirement for the project entitled: \_\_\_\_\_ (if applicable); and

Now therefore, be it resolved by the \_\_\_\_\_ (governing body) that the \_\_\_\_\_ (governing body) affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds if \_\_\_\_\_ is awarded a Rural Services Block Grant, and upon receipt to administer said grant by rules and regulations established by the United State of America, the State of Arkansas, and all empowered agencies thereof.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, at a (regularly or specially) scheduled meeting of the governing body.

Approved: \_\_\_\_\_  
Signature of Mayor or County Judge

Attest:

Subscribed and sworn to before me \_\_\_\_\_. My commission expires: \_\_\_\_\_

## Form RSBGP-5

### Instructions for Project Budget

#### Instructions for Completion of Proposed RSBGP Project Budget

Although some costs may not be definite at the time of budget preparation, it is important that the Proposed Rural Services Block Grant Application Budget contains comprehensive, up-to-date cost estimates. These estimates can then be used to negotiate final budget amounts.

#### Project Information

Enter the name of the City or County as Applicant. If known, enter the Control Number assigned to the project by DRS. Enter a unique name for the Project Name. Enter the Project Type e.g. Community Development or Fire Protection.

#### Cost Classifications

##### -Engineering/Architectural

If Rural Services Block Grant funds are requested for professional design services, the following fee scales must be utilized. If needed, these fee schedules may be requested from the AEDC at 501-682-1211.

- *Engineering costs* must be in accordance with the USDA-Rural Development engineering service fee schedule.
- *Architectural costs* must be in accordance with the State Building Services fee schedule.

Detailed explanation and justification, including calculation of cost, must be provided for any additional architectural services requested. Usually, no additional services will be approved.

##### -Construction

Local cash contributions to the project must be the first construction dollars spent and will be incorporated as a requirement in any grant agreement executed by the applicant and AEDC.

##### -Contingency

A construction contingency not to exceed 5% of the estimated construction cost is allowed. However, design service fees are determined by estimated construction costs without contingencies.

##### -Other

Any funds requested for "Other" must include a discussion of the requested service, including justification and cost calculations. This line item is intended to be used for other costs, such as: fees, permits, testing, etc.

##### -Acquisition

All acquisition costs must be accompanied by a brief discussion of each service to be provided and justification of the necessity of the services, including cost estimates. Each acquisition cost must indicate the unit rate and estimated number of units.

##### -Legal

No Rural Services Block Grant funds shall be used for Legal Services except for condemnation.

##### -Equipment

List the total for equipment purchases proposed for the project. Attach an itemized list of the equipment to be purchased along with cost estimates for each piece of equipment.

##### -Administrative Fee

The cost to pay a professional consultant to administrator if the grant is funded. The fee is optional. If a community chooses to administer the grant themselves, there will be no administrative fee paid. If a community chooses to hire a consultant, then estimate the fee close to \$7,500.00. If the grant is selected for funding, the Arkansas Economic Development Commission will calculate the exact fee and changes will be made to the grant budget to reflect this. Whether the community administers the grant themselves or hires a consultant, the administrator must be approved by AEDC.

##### -Cross Reference

The final column in the Proposed Rural Services Block Grant Budget is the Cross Reference column. Each line item of the budget should be cross referenced to the cost estimate documentation contained in Appendix A. (See Rural Services Block Grant Application Proposal Outline Appendix A instructions for reference numbers.)

# Form RSBGP-5

## Proposed RSBGP Project Budget

Proposed Rural Services Block Grant Project Budget for Building Projects and Equipment Purchases

Applicant: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Type: \_\_\_\_\_

Cost Classifications	RSBGP	Land	Other	Totals	Cross Reference
Engineering/Architectural					
Basic Fee					
Additional Services (Specify on line below)					
Administrative Fee*					
Construction					
Contingency (RSBGP Maximum 5%)					
Other:					
Fees					
Permits					
Testing					
Other (Specify on line below)					
Acquisition (Attach Itemized List)					
Building					
Land					
Abstractor					
Appraiser					
Equipment (Attach Itemized List)					
TOTALS					

\*For DRS/AEDC Use Only - Please Do Not Write in the Space Below

Administrative Fees				
Contractual				
General				
Audit				
TOTALS				

## EXAMPLE ONLY

### Proposed Rural Services Block Grant Project Budget for Building Projects and Equipment Purchases

Applicant:     Name of City or County    

Project Name:     Name of City or County Fire Station Construction    

Project Type:     Fire Protection    

Cost Classifications	RSBG	Land	Other	Totals	Cross Reference
Engineering/Architectural					
Basic Fee					
Additional Services (Specify on line below)					
Administrative Fee*	\$2,500			\$2,500	A-1
Construction	\$47,500		\$2,000	\$49,500	A-2, B-1
Contingency (RSBG Maximum 5%)					
Other:					
Fees					
Permits					
Testing					
Other (Specify on line below)					
Acquisition (Attach Itemized List)					
Building					
Land			\$3,000	\$3,000	B-2
Abstractor					
Appraiser					
Equipment (Attach Itemized List)					
<b>TOTALS</b>	<b>\$50,000</b>		<b>\$5,000</b>	<b>\$55,000</b>	

\*For DRS/AEDC Use Only - Please Do Not Write in the Space Below

Administrative Fees				
Contractual				
General				
Audit				
<b>TOTALS</b>				

# Form RSBGP-6

## Citizen Participation Plan

### Citizen Participation Plan (Sample)

(Name of Local Government), Arkansas

#### A. Participation by Citizens

All citizens, including low- and moderate-income citizens, shall be requested and encouraged to participate in the assessment of community issues, problems and needs; the identification of potential solutions; and priority to such issues, problems and needs, as follows:

1. All citizens shall be periodically requested to complete a community needs survey to identify community and neighborhood issues, problems and needs.
2. All citizens shall be notified by publication and posting of all meetings to discuss the identified needs, potential solutions and solution priorities.
3. All citizens, particularly low and moderate-income citizens, shall be afforded the opportunity to serve on various community improvement task forces established by (Name of Local Government)

#### B. Access to Meetings, Information and Records

Notice of public meetings conducted by (Name of Local Government) shall be published or posted within a reasonable number of days prior to such meetings.

Agendas of all such meetings shall be available at (location) for public inspection.

All meetings where CDBG projects or applications are to be discussed shall be published or posted (within a reasonable number of) days prior to such meetings and all information and records concerning such CDBG projects or applications shall be available for public inspection at (location)

All meetings will be held at a time and location convenient to potential or actual beneficiaries which will be accessible to all citizens. The building and site will also be accessible to persons with disabilities.

#### C. Specific CDBG Project Information

All citizens shall be provided with information regarding specific CDBG projects through public meetings and publication of notices which provide all pertinent information regarding any CDBG project including, but not limited to:

1. The amount of CDBG funds expected to be made available to (Name of Local Government) for the current fiscal year, including CDBG funds and anticipated program income;
2. The specific range of activities that may be undertaken with CDBG funds;
3. The estimated amount of CDBG funds to be used for activities that will meet the national objective of benefit to low-and moderate-income persons, and;
4. A description of any proposed CDBG funded activities that are likely to result in displacement of persons along with (Name of Local Government) anti-displacement and relocation plans.

#### D. Provisions for Technical Assistance to Citizens

The (local representative) shall maintain current information of available resources for community improvement efforts and CDBG programs available and provide such information upon request by any citizen or group representing any citizen or group of citizens and the (local representative) shall provide assistance in developing proposals to address issues, problems and needs identified by such citizen or citizens.

#### **E. Public Hearing on CDBG Activities**

The (Name of Local Government) shall enact a minimum of two (2) public meetings or hearings to be conducted with regard to any CDBG application. At least one meeting or hearing shall be conducted prior to the submission of any such application and a second public hearing shall be held near the completion of any CDBG funded activity to obtain citizen input, comments or opinions with regard to such application(s) and to program or project performance.

The (local representative) shall act as the contact person for all questions, comments or concerns expressed by any citizen with regard to any CDBG program or project and shall forward any such questions, comments or concerns to (Name of Local Government) at the next regular meeting of (Name of Local Government) immediately following expression of such questions, comments or concerns. The (local representative) shall also be responsible for transmitting the (Name of Local Government) response to any such question, comment or concerns to the citizen or citizens expressing the same.

#### **F. Needs of Non-English Speaking Citizens**

The (Name of Local Government) shall conduct the public hearings in a manner to meet the needs of non-English speaking residents where significant number of non-English speaking residents can reasonably be expected to participate, the (local representative) shall arrange for oral or written translation of information regarding any CDBG program, application or project upon request by such non-English speaking persons or representatives of such persons.

The (local representative) shall present such complaint or grievance to the (location) at the next regular meeting of the (Name of Local Government) where it be reviewed by the Board members. The individual submitting such complaint or grievance shall be notified of such meeting and shall be given the opportunity to make further comments at such meeting. The (Name of Local Government) issue a written response to any complaint or grievance within fifteen (15) days following the meeting at which a response is formulated. Such response shall be mailed to the individual citizen(s) submitting the complaint or grievance by the (local representative) to the last known address of said citizen(s).

In the event that the nature of the complaint or grievance is determined to be a matter requiring immediate action, a special meeting of the (Name of Local Government) shall be called to review the matter within ten (10) days of receipt of such complaint or grievance.

#### **H. Adoption**

This Citizen Participation Plan is hereby adopted by action of the (elected body of the Local Government), Arkansas.

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(Name of Chief Elected Official), (Title)

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Attest: (Name of local representative), (Title)



# Form RSBGP-7

## Project Milestone Schedule

List below the expected date of the completion of the identified grant activities. This information will be used to develop the milestone schedule for the project.

<b>Project Activity</b>	<b>Completion Date</b>
Initial Visit (Application Invited)	
Submission of a Completed Application	
Grant Signed	
Environmental Review Clearance	
Acquisition Completed	
Plan/Specifications Submitted	
Advertisement for Bids	
Bid Opening	
Contract Awarded	
Pre-Construction Conference	
Start of Construction	
Construction Complete	
Final Inspection	
Closeout Documents Submitted	

Form RSBGP-8  
Excessive Force Resolution

**Resolution Establishing a Policy Prohibiting the Use of Excessive Force  
by Law Enforcement Agencies within the Applicant's Jurisdiction  
Against Individuals Engaged in Non-Violent Civil Rights Demonstrations**

**Resolution No.** \_\_\_\_\_

Note: The following resolution must be enacted by each City or County as a condition of Arkansas Community and Economic Development Program funding.

Whereas, the \_\_\_\_\_ (City/County) is applying for Arkansas Community and Economic Development Program funding.

Whereas, as required by the Housing and Community Development Act of 1974, as amended, it shall be the policy of \_\_\_\_\_ (City/County) to ensure that the following are true:

1. The City/County has adopted and is enforcing this policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.
2. The City/County will ensure that all law enforcement agencies within its jurisdiction will enforce all applicable State and local laws against physically barring entrance to or exit from a facility or location, which is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. In response to non-violent civil rights demonstrations, the City/County will be mindful and protective of the rights of all participants in such demonstrations, as well as any onlookers, bystanders, or any other persons located in the vicinity or owning property in the vicinity.
4. In connection with such demonstrations, the use of force shall be permitted only when necessary to protect the rights of individuals or to uphold the law. In no event shall the use of force in excess of that necessary to achieve the lawful goals of the City or County be permitted.

Now, therefore be it resolved that consistent with the goals and objectives of activities assisted under the Act, as amended, the \_\_\_\_\_ (City/County) will adopt and enforce the policy contained herein.

Dated: \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
(Name/Title)

Attest: \_\_\_\_\_

Form RSBGP-9  
Anti-Displacement Plan

**RESIDENTIAL ANTI-DISPLACEMENT AND  
RELOCATION ASSISTANCE PLAN**

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The (Name of Local Government) will replace all occupied and vacant occupiable low- to moderate-income dwelling units demolished or converted to a use other than as low- to moderate-income housing as a direct result of activities assisted with Community Development Block Grant (CDBG) funds provided under the Housing and Community Development Act of 1974, as amended.

All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the (Name of Local Government) will make public and submit to the Grants Division of AEDC the following information in writing:

1. A description of the proposed 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 assisted activity;
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; and
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 initial occupancy.

The (Name of Local Government) will provide relocation assistance, according to either the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 CFR Part 24) or 24 CFR 570.496a(c) to each low- to moderate-income family displaced by the demolition of housing, or the conversion of a low- to moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the CDBG program, the (Name of Local Government) will take the following steps to minimize the displacement of persons from their homes:

1. Maintain current data on the occupancy of houses in areas targeted for CDBG assistance.
2. Review all activities prior to implementation to determine the effect, if any, on occupied residential properties.
3. Include consideration of alternate solutions when it appears an assisted project will cause displacement, if implemented.
4. Require private individuals and businesses to consider other alternatives to displacement causing activities, if they are requesting CDBG assistance.

Signed \_\_\_\_\_

Title \_\_\_\_\_

Subscribed in my presence and sworn to before me.

Date \_\_\_\_\_

\_\_\_\_\_  
Notary Public (Not required if on letterhead)

Form RSBGP-10  
Proposed Beneficiaries

**PROPOSED BENEFICIARIES**

**Date:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_

Complete the information below regarding the beneficiaries of the activity/project. Do not leave any item blank; enter a "0" if there are no beneficiaries.

1. Project type: \_\_\_\_\_
2. Total **families** served/jobs created: \_\_\_\_\_
3. Total **persons** served: \_\_\_\_\_
4. Total LMI **families**: \_\_\_\_\_
5. Total LMI **persons**/jobs: \_\_\_\_\_

The following information is a breakdown of the beneficiaries identified above.

6. Racial/Ethnicity Breakdown of persons served:

	Race	Hispanic
White/Caucasian:	_____	_____
Black/African American:	_____	_____
Asian:	_____	_____
Pacific Islander/Native Hawaiian:	_____	_____
American Indian/Alaska Native:	_____	_____
American Indian/Alaska Native & White:	_____	_____
Asian & White:	_____	_____
Black/African American & White:	_____	_____
American Indian/Alaska Native & Black/African American:	_____	_____
Other:	_____	_____
Total	_____	_____

NOTE: Every person should be represented in the race column (number 6 column 1). The total should equal the Total Persons Served (number 3) above.

7. Total female heads of household: \_\_\_\_\_
8. Total elderly **persons**: \_\_\_\_\_
9. Total handicapped **persons**: \_\_\_\_\_

# Form RSBGP-11

## FFATA Reporting Form & Certification

### FFATA REPORTING FORM/CERTIFICATION – CDBG

The Federal Funding Accountability and Transparency Act (FFATA) seeks to provide the public with greater access to Federal spending information. Due to FFATA requirements, units of general local government are required to provide the following information, which may be used by the Arkansas Economic Development Commission (“Commission”) to comply with federal reporting requirements. Please fill out the following form accurately and completely, have it signed by an authorized official, and submit to the AEDC along with your application for funding.

Name of Applicant:			
Applicant Address:			
City:	State:	Zip:	Congressional District:
Applicant DUNS number:			
Principal Place of Performance of Proposed Project:			
City:	State:	Zip:	Congressional District:
Brief Project Description:			
If certain conditions are met, Applicant must provide names and total compensation of Applicant’s top five highly compensated Executives to the Department. Please answer question number 1, and follow the instructions. If directed to answer question 2, please answer question 2 and follow instructions.			
1. In Applicant’s previous fiscal year, did Applicant receive (a) 80 percent or more of Applicant’s annual gross revenues in U.S. federal contracts and subcontracts and other federal financial assistance subject to the Transparency Act, as defined in 2 C.F.R. 170.320; <u>AND</u> (b) \$25,000,000 or more in annual gross revenues from contracts and subcontracts and other federal financial assistance subject to the Transparency Act, as defined in 2 C.F.R. 170.320? Yes <input type="checkbox"/> If yes, answer question 2 below. No <input type="checkbox"/> If no, stop, you are not required to report names and compensation. Please sign and submit form to AEDC.			
2. Does the public have access to information about the compensation of Applicant’s senior executives through periodic reports filed under section 13(a) or 15(d) of the Security Exchange Act of 1934 (15 U.S.C. 78(m)(a), 78o(d)), or section 6104 of the Internal Revenue Code of 1986? Yes <input type="checkbox"/> If yes, stop, you are not required to report names and compensation. Please sign and submit form to the Department. No <input type="checkbox"/> If no, you are required to report names and compensation. Please fill out the remainder of this form.			
Please provide the names and Total Compensation of the top five most highly compensated Executives in the space below. (NOTE: Executive means officers, managing partners, or any other employees in management positions. Total Compensation means the cash and noncash dollar value earned by the Executive during the Applicant’s preceding fiscal year and includes salary and bonus, awards of stock, stock options, and stock appreciation rights; earnings for services under non-equity incentive plans, change in pension value, above market earnings on deferred compensation which is not tax-qualified; and other compensation exceeding \$10,000 as defined in Appendix A to 2 C.F.R. Part 170.)			
Name:		Total Compensation:	
Name:		Total Compensation:	
Name:		Total Compensation:	
Name:		Total Compensation:	
Name:		Total Compensation:	
Name:		Total Compensation:	
The Applicant certifies that the information contained on this form is true and accurate.		<i>AEDC USE</i>	
Signed: _____			
Title: _____			
Date: _____			

Form RSBGP-12  
Four Factor Analysis & Language Assistance Plan

**FOUR FACTOR ANALYSIS  
ASSESSING  
LIMITED ENGLISH PROFICIENCY  
AND  
LANGUAGE ASSISTANCE PLAN**

**PREPARED BY**

**[LOCAL GOVERNMENT]**

**FOR**

**THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**A. POLICY STATEMENT**

It is the policy of the **[LOCAL GOVERNMENT]** to take reasonable steps to provide meaningful access to its programs and activities for persons with Limited English Proficiency (LEP). The **[LOCAL GOVERNMENT]**'s policy is to ensure that staff will communicate effectively with LEP individuals, and LEP individuals will have access to important programs and information. **[LOCAL GOVERNMENT]** is committed to complying with federal requirements in providing free meaningful access to its programs and activities for LEP persons.

**B. HISTORY**

Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have Limited English Proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

On August 11, 2000, Executive Order 13166, titled, "Improving Access to Services by Persons with Limited English Proficiency," was issued. Executive Order 13166 requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP cannot fully and equally participate in or benefit from those programs and

activities. Section 2 of the Executive Order 13166 directs each federal department or agency "to prepare a plan to improve access to...federally conducted programs and activities by eligible LEP persons...."

### C. DEFINITIONS

Beneficiary: The ultimate consumer of HUD programs and receives benefits from a HUD Recipient or Sub-recipient.

Limited English Proficient Person (LEP): Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English because of national origin.

Language Assistance Plan (LAP): A written implementation plan that addresses identified needs of the LEP persons served.

Recipient: Any political subdivision of the State of Arkansas, or an eligible nonprofit organization, to whom Federal financial assistance is extended for any program or activity, or who otherwise participates in carrying out such program or activity, including any successor, assign or transferee thereof, but such term does not include any Beneficiary under any such program.

Sub-recipient: Any public or private agency, institution, organization, or other entity to whom Federal financial assistance is extended, through another Recipient, for any program or activity, or who otherwise participates in carrying out such program or activity but such term does not include any Beneficiary under any such program.

Vital Document: Any document that is critical for ensuring meaningful access to the Recipient's major activities and programs by Beneficiaries generally and LEP persons specifically.

### FRAMEWORK & METHODOLOGY

This Four Factor Analysis is the first step in providing meaningful access to federally funded programs for LEP persons. The Four Factor Analysis completed by [LOCAL GOVERNMENT] addresses the following:

1. The number or proportion of LEP persons eligible to be serviced or likely to be encountered by [LOCAL GOVERNMENT];

The nature and importance of the [LOCAL GOVERNMENT] program or activity provided to the individual's life; and

2. The frequency with which LEP persons using a particular language come in contact with [LOCAL GOVERNMENT];
3. The nature and importance of the [LOCAL GOVERNMENT] program or activity provided to the individual's life; and
4. The resources available to [LOCAL GOVERNMENT], and costs associated with providing LEP services.

### D. FOUR FACTOR ANALYSIS

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by [LOCAL GOVERNMENT].  
[Response to Item #1]

2. The frequency with which LEP persons using a particular language come in contact with [LOCAL GOVERNMENT].  
[Response to Item #2]
3. The nature and importance of the [LOCAL GOVERNMENT] program or activity provided to the individual's life.  
[Response to Item #3]
4. The resources available to [LOCAL GOVERNMENT], and costs associated providing LEP services.  
[Response to Item #4]

As a result of the Four Factor Analysis, [LOCAL GOVERNMENT] has determined a Language Assistance Plan is needed: ☐ YES ☐ NO

#### LANGUAGE ASSISTANCE PLAN [OPTIONAL]

As a result of the preceding Four Factor Analysis, [LOCAL GOVERNMENT] has developed a Language Assistance Plan. The Language Assistance Plan addresses the identified needs of the LEP persons [LOCAL GOVERNMENT] serves, the process by which [LOCAL GOVERNMENT] will monitor and update the LAP.

[LOCAL GOVERNMENT] understands that the actions [LOCAL GOVERNMENT] is expected to take to meet its LEP obligations depend upon the results of the Four Factor Analysis including the services [LOCAL GOVERNMENT] offers, [LOCAL GOVERNMENT]'s service area, the resources [LOCAL GOVERNMENT] possesses, and the costs of various language service options. However, [LOCAL GOVERNMENT] is to take reasonable steps to ensure meaningful access to LEP persons. The meaningful access is based upon a reasonableness standard that is both flexible and fact-dependent.

1. The procedures [LOCAL GOVERNMENT] will use to identify LEP persons with whom [LOCAL GOVERNMENT] has contact, the size of LEP populations, and the languages of LEP populations.  
[Response to Item #1]
2. Points and types of contact [LOCAL GOVERNMENT] may have with LEP persons.  
[Response to Item #2]
3. Ways in which language assistance will be provided by [LOCAL GOVERNMENT], and the plan for outreach to LEP populations.  
[Response to Item #3]
4. [LOCAL GOVERNMENT]'s plan for training staff members on LEP guidance and the LAP, including specific provisions for training staff that are responsible for monitoring Recipients of HUD funding.  
[Response to Item #4]
5. A list of Vital Documents to be translated, the languages into which they will be translated and the timetable for translations.  
[Response to Item #5]



6. [LOCAL GOVERNMENT]'s plan for translating informational materials that detail services and activities provided to Beneficiaries and [LOCAL GOVERNMENT]'s plan for providing appropriately translated notices to LEP persons.

[Response to Item #6]

7. [LOCAL GOVERNMENT]'s plan for providing interpreters for large, medium, small and one-on-one meetings.

[Response to Item #7]

8. [LOCAL GOVERNMENT]'s plan for developing community resources, partnerships, and other relationships to help with the provision of language services.

[Response to Item #8]

9. [LOCAL GOVERNMENT]'s plan for monitoring and updating the LAP.

[Response to Item #9]

## AVAILABLE LEP RESOURCES

HUD Frequently Asked Questions on the Final LEP Guidance:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/promotingfh/lep-faq](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq)

HUD's LEP Website: <http://www.hud.gov/offices/fheo/lep.xml>

Federal LEP Website: <http://www.lep.gov/>

LEP and Title VI Videos: <http://www.lep.gov/video/video.html>

"I Speak" Card: <http://www.lep.gov/ISpeakCards2004.pdf>

## COMPLAINTS

If you believe that you have been denied the benefits of this Language Assistance Plan, you may file a written complaint by mail to:

[LOCAL GOVERNMENT]

Any person that feels that the Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 regulations were not complied with may file a complaint directly to the Assistant Secretary for Fair Housing and Equal Opportunity at the following links (or as otherwise directed):

FORT WORTH REGIONAL OFFICE U.S. Department of Housing and Urban Development, 801 Cherry St., Unit 45, Suite 2500 Fort Worth, TX 76102	Garry Sweeney, Regional Director	(817) 978-5868 Fax: (817) 978-5876
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\*Or Contact (888)560-8913 and for the hearing impaired, please call TTY (800)927-9275

## Sample Asbestos Waiver

### Asbestos Waiver Form

I, \_\_\_\_\_, do hereby state on behalf of the Community of \_\_\_\_\_, that we commit this letter as a waiver of hold harmless the Division of Rural Services, the Arkansas Economic Development Commission and all employees of the two agencies of any liability, claims, judgments or action whatsoever as a result of allowing grant funds to be used in the renovation of a building containing asbestos.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

## SAM.Gov Registration

### SAM Database Record and Clearance

Each applicant must obtain a Duns and Bradstreet (DUNS) number and also register within the SAM system.

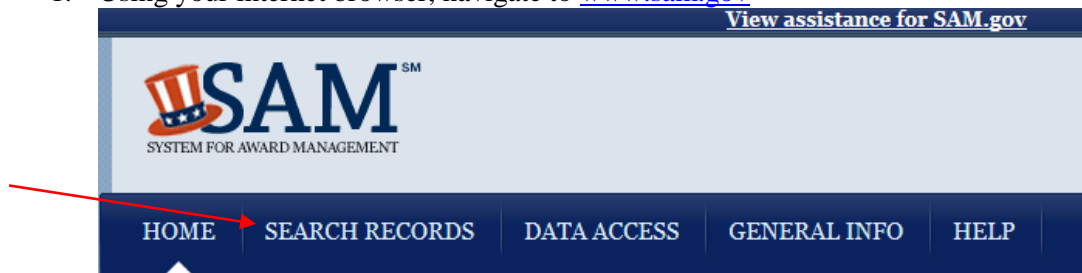
The Federal Funding Accountability and Transparency Act (FFATA) of 2006 mandated specific reporting requirements for recipients of federal funds. In order to report in this system, each State award recipient must have a DUNS and a CAGE code, assigned as a result of registration in the federal SAM.

For more information on obtaining a DUNS number go to: <http://www.dnb.com/get-a-duns-number.html>  
For registering in the System for Award Management (SAM), please review the following information at: <https://www.sam.gov/portal/SAM/>

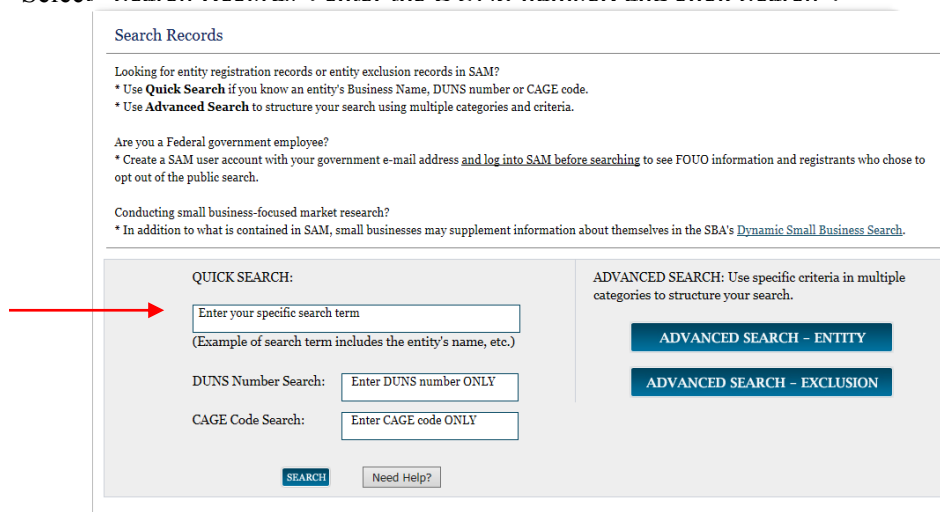
Once registered, each applicant must access SAM, determine that the applicant is eligible within SAM, and provide a print out of the information from SAM. Each applicant must also provide documentation that they are registered in the SAM using the DUNS number entry (refer to the check your registration status in SAM) the last illustration.

Applicant must run a query at the System for Award Management website ([www.sam.gov](http://www.sam.gov)) at the time of application and include a copy of the search record showing the DUNS Number and/or search terms and date. This information must be provided within the application and labeled as “Exhibit L”.

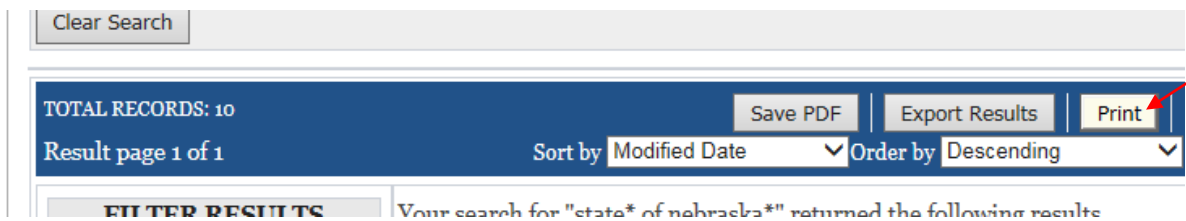
1. Using your internet browser, navigate to [www.sam.gov](http://www.sam.gov)



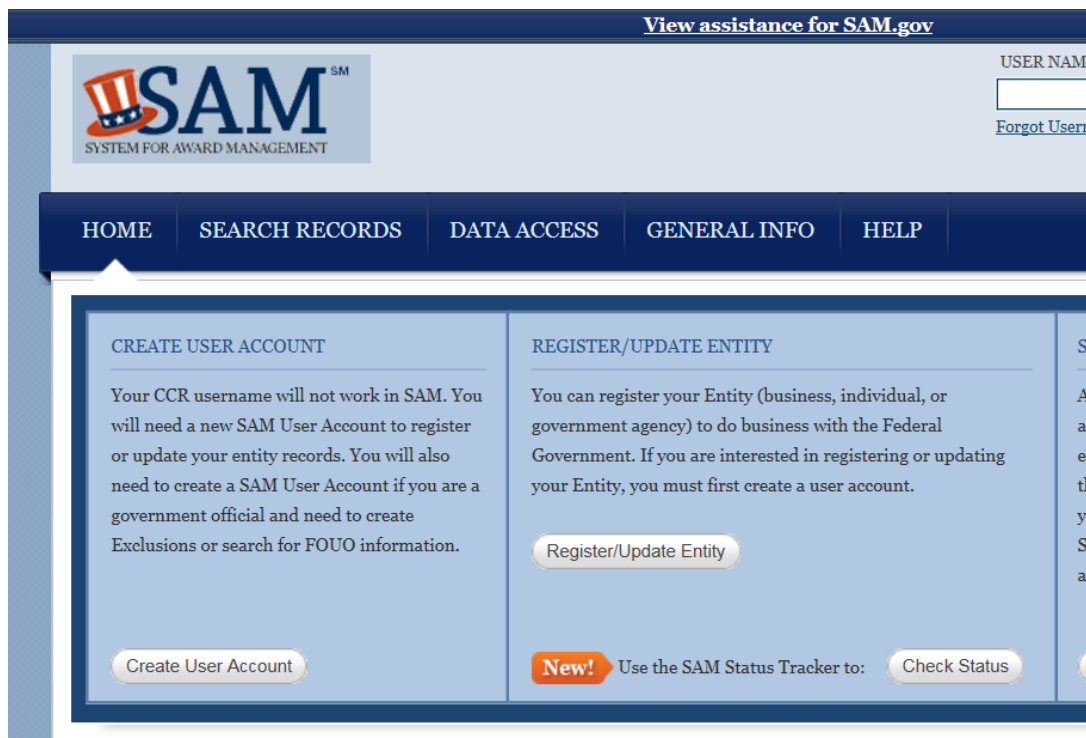
2. Select “Search Records”. enter the DUNS number. and click Search”.



Review the search results and click “Print” to print the results. *Your printed copy should include a date stamp at the bottom of the page.*



3. If you need to register in the SAM, click Create User Account. The applicant must Check Status and submit a printout of Status, which must be an active status.



4. Check your registration status in the SAM by entering applicant nine digit DUNS number. If result is not active, create a user account. If result is inactive, reactive user account.



5. You can track your status at the SAM status tracker which indicates exactly where your applicant is in the process. The applicant must be in an active status as determined by DUNS number entry. [https://www.sam.gov/sam/helpPage/SAM\\_Reg\\_Status\\_Help\\_Page.html](https://www.sam.gov/sam/helpPage/SAM_Reg_Status_Help_Page.html)

The screenshot displays the SAM Status Tracker interface. At the top, it says "Check registration status by typing in a DUNS number." Below this, there are input fields for "DUNS Number" (containing "040919607") and "Plus 4 (Optional)". Buttons for "Check Status" and "Reset" are present. The entity name "GRAND ISLAND, CITY OF" is displayed. The status is "Active", with a message: "Your registration was activated on Aug 21, 2014. It expires on Aug 21, 2015 which is one year after you submitted it for processing." Below this is a progress bar with seven circles representing the registration steps: Core Data (Completed), Assertions (Not Required), Reps & Certs (Not Required), POCs (Completed), Submit (Completed), Processing (Completed), and Active (Completed). The left sidebar contains sections: "Log into SAM", "Status During Registration" (with links like Getting Started, Draft, Work in Progress, Submitted, Active, Inactive / Expired), "Additional Resources" (with links like What If My Entity Fails Registration?, Federal Service Desk), and "How to Check Your Registration Status" (with link Find Your Registration in SAM). A bottom section titled "Check Your Registration Status in SAM" provides instructions on how to use the tracker and notes that federal government users must log into SAM to search for non-public records.

**SAM Status Tracker**

Check registration status by typing in a DUNS number.

DUNS Number 040919607 Plus 4 (Optional) Check Status Reset

GRAND ISLAND, CITY OF

**Status: Active**

Your registration was activated on Aug 21, 2014. It expires on Aug 21, 2015 which is one year after you submitted it for processing.

Core Data Assertions Reps & Certs POCs Submit Processing Active

Completed Not Required Not Required Completed Completed Completed Completed

**Check Your Registration Status in SAM**

You can quickly check your registration status in SAM by entering your DUNS number above. The SAM Status Tracker will show you the current status of that DUNS number, as well as tell you what steps you have left to complete based on why you are registering.

The SAM Status Tracker uses seven circles to represent the registration process: Core Data, Assertions, Reps & Certs, POCs, Submit, Processing, and Active. Visual indicators in the circles, text underneath the circles, a status message in bold above the circles and user messaging combine to give the registration status.

You will only see results for publicly searchable registration records. Federal government users must log into SAM to search for non-public records.

The final version that the applicant must submit with their application must contain proof that the applicant is currently registered in SAM.gov.

## Rural Services Block Grant Application Check List

\*Please make sure that you have included all of the Rural Services Block Grant application information. If you have not included required information, include a note explaining the situation. This check list is for your benefit only and is not required information for our offices.

1.   \_\_\_ RSBGP Applicant Coversheet
2.   \_\_\_ RSBGP Applicant Contact Information
3.   \_\_\_ Project Summary-Brief Description of Project
4.   \_\_\_ Documentation of Public Support (State Representative/Senator and Congressional Rep)
5.   \_\_\_ Project Narrative-1-5 pages
6.   \_\_\_ Needs Assessment-1-5 pages
7.   \_\_\_ Preliminary floor plan and site map of the proposed project
8.   \_\_\_ 8 ½” X11” map of the county indicating location **and** service area
9.   \_\_\_ Form RSBGP-1 Notice of Public Hearing and Proof/Certification of Posting
10.  \_\_\_ Form RSBGP-2 Public Hearing Attendance Roster
11.  \_\_\_ Minutes from Public Meeting
12.  \_\_\_ Form RSBGP-3 Statement of Assurances and Certifications
13.  \_\_\_ Form RSBGP-4 Resolution
14.  \_\_\_ Form RSBGP-5 Proposed RSBGP Project Budget
15.  \_\_\_ Form RSBGP-6 RSBGP Citizen Participation Plan
16.  \_\_\_ Form RSBGP-7 Project Milestone Schedule
17.  \_\_\_ Form RSBGP -8 Excessive Force Resolution
18.  \_\_\_ Form RSBGP-9 Anti-Displacement Plan
19.  \_\_\_ Form RSBGP-10 Proposed Beneficiaries Form
20.  \_\_\_ Form RSBGP-11 FFATA Reporting Form
21.  \_\_\_ Form RSBGP-12 Four Factor Analysis & Language Assistance Plan
22.  \_\_\_ (Fire Departments Only) ISO rating documentation
23.  \_\_\_ Deed or Proof of Public Ownership
24.  \_\_\_ Asbestos Study Documentation and Hold Harmless Waiver (if renovation project)
25.  \_\_\_ Appendix A cost estimate documentation
26.  \_\_\_ Appendix B cost match documentation
27.  \_\_\_ Proof of SAM.gov Registration
28.  \_\_\_ LMI Survey Documentation or other LMI Verification Method

(Only if LMI is not based on the ACS 5-Year 2006-2010 LMI Summary Data)