

City of Overland Park

Community Development Block Grant Program

FY2022 APPLICATION CHECKLIST

SUBMISSION CHECKLIST

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Each question answered with no boxes left unanswered. |
| <input type="checkbox"/> | The authorizing official signature on page #1 and page #6 on the original application. |
| <input type="checkbox"/> | Complete electronic application submitted to julie.smith@opkansas.org by Friday, August 6th at 5:00 p.m. |
| <input type="checkbox"/> | Complete original hard copy application submitted to City of Overland Park by Friday, August 6th 5:00 p.m. |

APPLICATION DOCUMENTS

- | | |
|--------------------------|------------------------|
| <input type="checkbox"/> | APPLICANT INFORMATION |
| <input type="checkbox"/> | PROJECT NARRATIVE |
| <input type="checkbox"/> | BUDGET |
| <input type="checkbox"/> | CDBG FINANCIAL HISTORY |
| <input type="checkbox"/> | CERTIFICATIONS |

EXTERNAL ATTACHMENTS

ALL APPLICANTS:

- | | |
|--------------------------|---|
| <input type="checkbox"/> | 501(c)3 VERIFICATION <i>as applicable</i> |
| <input type="checkbox"/> | BOARD OF DIRECTORS LIST |
| <input type="checkbox"/> | CONFLICT OF INTEREST BULLETIN <i>signed and dated by authorizing official</i> |
| <input type="checkbox"/> | PROJECT LOCATION MAP(S) <i>one for each project address</i> |

HOUSING PROJECT APPLICANTS

-
- | | |
|--------------------------|---------------------------------|
| <input type="checkbox"/> | PROJECT POLICIES AND PROCEDURES |
| <input type="checkbox"/> | PROCUREMENT PROCEDURES |

PUBLIC FACILITY PROJECT APPLICANTS

-
- | | |
|--------------------------|------------------------|
| <input type="checkbox"/> | PROCUREMENT PROCEDURES |
|--------------------------|------------------------|

PUBLIC SERVICE PROJECT APPLICANTS

-
- | | |
|--------------------------|---------------------------------|
| <input type="checkbox"/> | PROJECT POLICIES AND PROCEDURES |
|--------------------------|---------------------------------|

City of Overland Park
Community Development Block Grant Program
FY2022 APPLICATION

Applicant Legal Name: _____

Applicant Address: _____

Applicant Fiscal Year (Month/Day): _____ to: _____

DUNS Number: _____ Federal Tax ID Number: _____

Contact Name: _____ Contact Title: _____

Email Address: _____ Phone Number: _____

Title of Proposed Project: _____

Address of Proposed Project: _____

Specific description of how CDBG funding will be used for proposed project:

CDBG Funding Request: *Housing* _____

Public Facility _____

Public Service _____

What % of the total project budget is the above request? _____

What % of the total organizational budget is the above request? _____

AUTHORIZING OFFICIAL SIGNATURE

I certify that I have reviewed this application and that, to the best of my knowledge and belief, all of the information provided is true and correct. I also certify that I am officially authorized to represent the submitting organization by its governing board in the filing of this application.

Signature: _____ Date: _____

First and Last Name: _____ Title: _____

PROJECT NARRATIVE

- 1 What is the situation, problem, or opportunity this project will address?

- 2 Please describe the major local factors that demonstrate the importance of addressing this need. Provide current data specific to the City of Overland Park that substantiates this need.

- 3 Identify the target population your project will serve, including characteristic or subgroup information.

- 4 What is the estimated total number of unduplicated individuals to be served? _____
What is the estimated total number of unduplicated households to be served? _____
How is the number of project beneficiaries calculated?

- 5 If Public Facility Project: What is the Census tract and Block Groups that your project will serve? What are the income characteristics for this area?

- 6 How does your organization plan to inform the target population about the project or services provided by this project?

- 7 Briefly highlight your agency's experience and major accomplishments in providing services to low and moderate income individuals and/or communities.

8 Please describe how CDBG funding will provide an increase in services or a new service to the community through the proposed project.

9 What are your organization's objectives for this project? What is the timeline for achieving the objectives? How will you measure success?

10 Will your agency still implement this project should CDBG funds not be awarded? If yes, how will the implementation be achieved?

11 If additional funding was available, please describe the specific ways in which those funds would be utilized.

12 Briefly describe how your organization was impacted by the COVID-19 pandemic and any changes that you have made as a result.

PROJECT BUDGET

Please complete the below budget for the proposed CDBG project only.

Total Project Budget: \$ _____

PROJECT REVENUE

<i>Source</i>	<i>Program Name</i>	<i>Amount</i>
Overland Park	CDBG	\$
Johnson County	CDBG	\$
Olathe	CDBG	\$
Shawnee	CDBG	\$
Other Federal Funds		\$
State Funds		\$
Local Funds		\$
Private Funds		\$
Other		\$
Other		\$
Other		\$
Total Project Revenue		\$

PROJECT EXPENSES

Source		Amount
Personnel/Labor		\$
Equipment		\$
Supplies		\$
Direct Assistance		\$
Other:		\$
Other:		\$
Other:		\$
Total Project Expenses		\$

Total project revenue must equal total project expenses

COST/BENEFIT ANALYSIS

Total Project Expenses:	\$
Divided by Number of Households Projects to Benefit:	\$
Equals Cost Per Household of Service:	\$

CDBG FINANCIAL HISTORY

Please complete the below history specific for CDBG funding received from the City of Overland Park.

Program Year	2018	2019	2020
<i>Awarded Amount</i>	\$	\$	\$
<i>Total Expended during Grant Term</i>	\$	\$	\$
<i>Balance Remaining</i>	\$	\$	\$

Please provide comments regarding any unexpended funds.

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CERTIFICATIONS

The Applicant certifies that:

- (a) It possesses legal authority to make a grant submission and to execute a community development and housing program.
- (b) Its governing body has in an official meeting open to the public duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the subrecipient to submit the final statement and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the subrecipient to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (c) The grant will be conducted and administered in compliance with:
 - (1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. Subsection 2000 et seq.);
 - (2) The Fair Housing Act (42 U.S.C. 3601-20).
- (d) It will affirmatively further fair housing.
- (e) It has developed its proposed activity so as to give maximum feasible priority to activities that benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The proposed use of funds may also include activities which the subrecipient certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, where other financial resources are not available to meet such needs.
- (f) It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Act or with amounts resulting from a guarantee under section 108 of the Act 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) funds received under section 106 of the Act 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 Title 1 the Act; or (2) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient funds received under section 106 of the Act to comply with the requirements of subparagraph (1).
- (g) It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1990 as required under Section 570.606(a) and Federal implementing regulations; the requirements in Section 570.606(b) governing the residential anti-displacement and relocation assistance plan under section 104(d) of the Act (including a certification that the subrecipient is following such a plan); the relocation requirements of Section 570.606(c) governing displacement subject to section 104(k) of the Act; and the relocation requirements of Section 570.606(d) governing optional relocation assistance under section 105(a)(11) of the Act.
- (h) To the best of my knowledge and belief that:
 - 1. No Federal appropriated funds have paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant loan, or cooperative agreement, it will complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions; and
 - 3. It will require that the language of paragraph (h) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (i) It will comply with the other provisions of the Act and with other applicable laws.

Name: _____

Title: _____

Signature: _____

Date: _____



7 Keys to Handling Conflicts of Interest

Conflicts of interest arise when officials or staff stand to benefit--either directly themselves or indirectly through business partners or relatives--from the awarding or contracting of grant funds. Grantees are encouraged to avoid conflicts of interest to the extent possible. When conflicts of interest arise, grantees must identify, disclose, and manage them in compliance with applicable rules and regulations. When conflict-of-interest issues are overlooked or hidden, this creates problems for the individuals involved, as well as grantees, subrecipients, or contractors. This bulletin discusses common types of conflicts of interest, offers best practices for avoiding and managing them, and the potential consequences of not handling them appropriately.

Identify, disclose, and manage all real and apparent conflicts of interest through elimination, mitigation, or waivers.



1. Know the Requirements

In general, conflicts of interest occur when one's private interest and public duties overlap, resulting in a real or perceived lack of independence or impartiality. Common situations include:

- Elected officials voting on awarding of funds to organizations where a family member is on the staff or where the elected official is on the subrecipient's board;
- Executive directors of subrecipients entering into contracts with companies they are affiliated with through employment of, or ownership by, themselves or their relatives;
- Grantee officials or staff who have relatives who may benefit from a subrecipient's programmatic activities; and
- Failure to notify the U.S. Department of Housing and Urban Development (HUD) about conflicts of interest, or late and or incomplete requests for exceptions.

The existence of a conflict of interest does not necessarily mean that any individual acted improperly or illegally, but it does mean that, unless properly handled and addressed, he or she could end up being in violation of Federal rules. Therefore, all such cases must be identified and resolved by eliminating the conflict or obtaining a written exception.

Two sets of conflict-of-interest rules exist – one for procurement activities and others for non-procurement, sub-granting/program delivery activities.

- A. Procurement Standards:** Regulations at 2 CFR (Code of Federal Regulations) 200.318(c) require non-Federal entities to maintain written standards of conduct

Regulations are in transition between grants issued before December 26, 2014 (when 2 CFR Part 200 went into effect), and those issued later. See the footnote below for more detail.¹

Example of a Procurement Conflict of Interest

- A Neighborhood Stabilization Program (NSP) grantee funded a subrecipient to rehabilitate 28 homes. The subrecipient failed to report a conflict-of-interest situation when it entered into two contracts with a construction company that was 50 percent owned by the NSP subrecipient's executive director. Although the subrecipient stated that it had disclosed all relationships to the grantee in the proposal process, the grantee overlooked HUD's conflict-of-interest requirements and the requirements found in the agreement. Because the grantee approved the proposal and awarded the agreement, the subrecipient believed that there were no conflict-of-interest issues. The grantee should have flagged the conflict of interest situation during its risk assessment of the subrecipient and prohibited the use of the executive director's construction firm.

- B. Non-procurement Standards:** Regulations at 2 CFR 200.112 require HUD to establish conflict-of-interest policies for Federal awards and require non-Federal entities to disclose in writing any potential conflict of interest to HUD or a pass-through entity in accordance with HUD's policy. HUD is finalizing its conflict-of-interest policy, but entities are still expected to use the policies developed under the various Community Planning and Development (CPD) program-specific regulations. In general, all CPD program regulations prohibit grant-assisted activity benefitting relatives of people who work for the grantee or the pass-through entity.

Example of Non-Procurement Conflict of Interest

- A city awarded a Community Housing Development Organization (CHDO) \$215,975 in HOME funds to sell and construct one single-family home. At the time of the award, a city official's daughter was the president of the CHDO. The city official abstained from voting on the basis that there was a relationship with the executive director. However, the city was required to disclose these relationships to HUD and had not done so. The city should have developed and implemented written procedures to ensure compliance with HUD's conflict-of-interest regulations, including disclosure of potential conflict-of-interest situations.



2. Train Employees

Grantees and subrecipients ought to build an organizational culture that is conscious of potential conflicts of interest so that action can be taken to avoid or mitigate conflicts as they arise. Provide conflict-of-interest training for all employees, including those of the organization and

¹ For more detail see Special Directive SD-2015-01, dated February 26, 2015, "Transition to 2 CFR Part 200," Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance. (<http://portal.hud.gov/hudportal/documents/huddoc?id=15-01sdn.pdf>)

the governing authority, the organization's leadership and, as appropriate, the organization's agents. To have the most impact, the organization should have a written policy requiring annual conflict-of-interest training, and legal counsel or other qualified individuals should review the policy with employees (and board members), subrecipient officers, and pass-through entity staff at least annually. Documenting training is a best practice. The organization should:

- Provide training;
- Require that staff annually submit certifications regarding outside businesses, outside employment, and volunteer positions;
- Record a certification of attendance at trainings; and
- Follow up with annual refresher sessions.



3. Create Procedures to Document Compliance

Conflict-of-interest policies and procedures should describe how conflicts will be handled. When a conflict or potential conflict of interest exists, the person with the conflict should advise the board or management committee in writing and seek guidance on how to resolve the conflict. Conflict-of-interest notifications usually include:

- The person's name, position, phone number and address;
- Details of the nature of the conflict of interest, (perceived, apparent, or actual);
- Date of notification; and
- Requested action to address the conflict of interest (recusal, exemption request, etc.).

The notification and subsequent actions should be recorded in minutes of board or management meetings. Record-keeping best practices includes documenting:

- Conflict-of-interest notifications;
- Cases of failure to disclose;
- Disclosure by others (for example colleague or member of the public);
- Reviews or investigations of alleged conflicts;
- Assessment of the matter and how it was considered;
- Action taken or resolution; and
- Annoying or trivial claims.



4. Implement the Regulations

Often people are unaware that their activities are in conflict with the best interests of the organization. A goal should be to raise awareness, encourage disclosure and discussion of issues that may constitute a conflict, and constantly encourage a "culture of candor."

Leadership and culture are important aspects of compliance. Boards or leaders should establish a culture of compliance and honesty and encourage disclosure by establishing a protocol for staff to self-report possible conflicts, raise suspected conflict-of-interest issues, or ask for guidance, without fear of retaliation. Leadership should appoint an individual or office to ensure conflict-of-interest rules are implemented and followed. However, the protocol should not rely solely on

voluntary compliance, but also on procedures to allow grantees and subrecipients to report and have independent checks made to ensure that conflicts do not exist.

Monitoring is a best practice that entails having someone review the names of the principals of businesses that may become subrecipients, contractors or suppliers to determine whether there are apparent or real conflicts of interest with staff or agents of the awarding entity or pass-through entity. Many organizations circulate a questionnaire each year (usually in conjunction with training) to find out whether any board member, officer, or employee has a conflict of interest. Typically, the questionnaire asks them to disclose existing conflicts and reminds them to disclose any that may crop up in the future.

Monitors should also determine whether subrecipients have conflicts of interest in sub-awards and contracts by asking them to disclose the names of their immediate family and business partners and those of the principals of the organizations and contractors with which they transact grant project business.

The primary goal in managing conflicts of interest is to ensure that as decisions are made, they are seen to be made on proper grounds, for legitimate reasons, and without bias or unfairness.



5. Know the Consequences

Violating conflict-of-interest rules can have serious consequences for a grant program. Bad publicity surrounding undisclosed conflicts may seriously undermine the public trust in the program as well as damage personal reputations. Audits and investigations can result in the grantee's having to repay Federal funds, or individuals being fired or prosecuted.

A Conflict of Interest Can Lead to Criminal Actions

In some cases, conflicts of interest can lead to criminal prosecutions. It's not that the conflict of interest itself is a criminal act, but it can lead to other acts, such as deliberately hiding relationships, financial gains or other advantages through false statements, misrepresentations, or filing false documents, which are crimes. With such personal risk at stake, it is easy to see why disclosures of conflicts of interest are so important.

Example of a Prosecution Resulting from a Conflict of Interest

- A former planning commissioner and her ex-boyfriend were convicted on Federal corruption charges. The pair took part in a scheme in which she steered more than \$2 million in contracts and loans to him. She got the agency to award a computer contract to the ex-boyfriend's company. The contract, which started at \$8,900, escalated to about \$1 million over 5 years. The former planning commissioner did not reveal details of her personal relationship with the ex-boyfriend and helped keep his name off the contracts his company received. She knowingly hid the conflict of interest and personally benefited from her actions. As a result, she and her ex-boyfriend were convicted. Sentencing is pending.

If you have knowledge of possible fraud, promptly report it to your local HUD Office of Inspector General (OIG) or online to the OIG hotline on OIG's Web site at <https://www.hudoig.gov/report-fraud>.



6. Request an Exception

HUD may grant an exception to non-procurement conflicts of interest on a case-by-case basis. It is the recipient's responsibility to submit a written request for an exception to its local HUD CPD office. When submitting a request, the recipient must provide the following documentation as threshold requirements for consideration:

- A public disclosure of the conflict (include how the disclosure was made); and
- An opinion of the recipient's attorney that the exception does not violate State or local law.

HUD determines whether threshold requirements are met and whether the circumstances fall within exception criteria permitted by the regulations. Remember that submitting a request does not authorize a recipient to engage in any activity or enter into any contract that constitutes a conflict. The recipient may proceed only after receiving the approval in writing from HUD.



7. Get Help

Conflict-of-interest requirements are often nuanced and must be reviewed case by case. HUD provides assistance when conflict-of-interest situations arise or are in question. You can get help from your local CPD office when such issues arise.

*Bottom line:
Conflicts of interest are situations not allegations...
BUT they must be disclosed and managed properly.*
