



Office of

OCORA

COMMUNITY &
RURAL AFFAIRS

Grant Administrator Update

DECEMBER 6, 2023



Housekeeping

This GA update is provided with Teams Live. While using Teams Live, you will not be able to use your audio or video. To ask a question, please use the chat function.

If you are having any issues connecting, please contact


Jana Heritier

Email: jheritier@ocra.in.gov



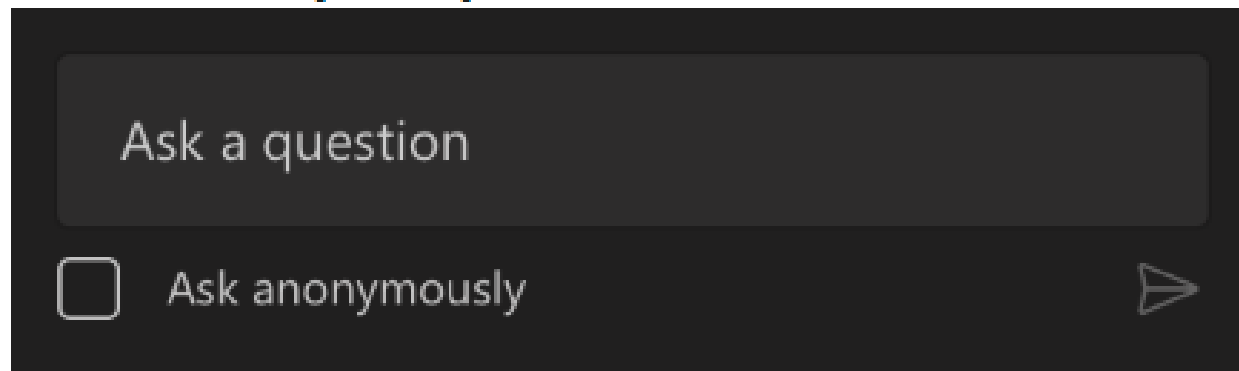
Ask a question

If you're an attendee and want to ask a question, just:

Select **Q&A**  on the right side of the screen.

Note: The Q&A panel only appears if the [organizer](#) has set it up.

Type your question in the compose box, and then select **Send**. If you want to ask your question anonymously, select **Ask anonymously**.



A screenshot of the Q&A interface. It features a dark grey background. At the top is a large, rounded rectangular text input field with the placeholder text "Ask a question" in a light grey font. Below the input field, on the left, is a white square checkbox followed by the text "Ask anonymously" in a light grey font. On the right side of the input field, there is a white right-pointing triangle icon, which serves as the "Send" button.

Grant Administrator Update Credit



To receive credit for attending this GA Update, please fill out the form linked below.

This link has been placed in the chat and will be shared with all certified grant administrators on our listserv via email at the conclusion of this meeting.

[Virtual Exit Ticket](#)

During this meeting, you will receive updates from the following teams:

CDBG Team

Strategic Initiatives

Grant Services



STAFFING UPDATES

Marissa Byers,
CDBG Program Manager

Jarrad Holbrook,
Southeast Community Liaison

Benjamin Petro,
NLC-Broadband Data Analyst

Doug Hess,
Community Affairs Director

Denny Spinner,
OCRA Executive Director



OPEN POSITIONS

CDBG Program Manager




CDBG Project Spotlight



The 2024 Grant Administrator Training is now complete!

16 New Grant Administrators will join OCRA's directory. Congratulations!

- Olivia Nix, MACOG
- Kiley Sparks, SIRPC
- Jessica Condra, Indiana 15 Regional Planning Commission
- Emilee Bonifay, LaGrange County EDC
- Jordan Cunningham, Thrive West Central
- Colten Pipenger, E-REP
- Patrick Hickey, E-REP
- Glenn Vann, Vann Consulting, LLC
- Emma Hudelson, Cash
- Waggner & Associates
- Shawn P. Kleinpeter, Kleinpeter Consulting Group LLC
- Monte Poling, Kleinpeter Consulting Group LLC
- Lesa Ternet, Town of Danville
- Renee Duszynski, Clerk Town of Waterloo
- Lisa Abbott, Regional Opportunity Initiatives, Inc.
- Renata Robinson
- JT Doane, City of Delphi

-  OCRA Home
- OCRA
- About 
- Newsroom 
- Broadband Funding Opportunities
- Community Development Block Grants
- Disaster Recovery
- Historic Renovation Grant Program
- Hometown Collaboration Initiative
- Indiana Main Street
- Indiana Site Certified
- Next Level Connections
- Peer
- PreservINg Main Street

- Press Releases
- Newsletters
- Community Liaisons
- Calendar**



OCRA 2024 Calendar is now available!

Including 2024 GA Training Dates & Tentative GA Update Dates

<https://www.in.gov/ocra/newsroom/calendar/>

Application Due Date is Friday, December 22, 2023

Applications must be submitted in eGMS by 11:59pm ET.

Pre-approval items (bonus points, in-kind, etc.) must be submitted to OCRA by December 8.

Please email all requests to cdbg@ocra.in.gov.

Recently completed income survey documents should be uploaded in eGMS by December 8 (at the latest).

[OCRA Income Survey Policy \(Effective 06/05/22\)](#)

OCRA Community Liaisons are available to provide ongoing technical assistance on application narratives.

<https://www.in.gov/ocra/newsroom/community-liaisons/>

2023 Round 2: Important Due Dates and Reminders

2024 Quarter 1 Planning: Updates

Opening January 16, 2024

Eligible Plan Types include:

- Water Utility Infrastructure
- Comprehensive
- Economic Recovery
- Broadband
- Public Facilities
- Economic Development
- Environmental Assessment
- Historic Preservation
- Downtown Revitalization Plans

House Enrolled Act 1623

Administrative rulemaking is the process by which agencies are authorized to establish required standards of conduct for regulated entities.

The **Administrative Rules and Procedures Act (ARPA)** governs agency rulemaking, IC 4-22.

The ARPA is a procedural law that applies “to the addition, amendment, or repeal of a rule in every rulemaking action.” carried out by a state agency.

House Enrolled Act 1623 was adopted in the 2023 state legislative session.

The new law changes the way state agencies, like OCRA, adopt regulations that implement state or federal law (aka CDBG).

The law includes revisions to the administrative rulemaking process for adopting emergency rules, shortening the time period when rules must be readopted from 7 years to 5 years and requires an additional public hearing (web public hearing).

Internal Agency Policy vs. Regulation

An agency regulation carries the effect of law when it prescribes mandatory standards of conduct for persons subject to agency authority.

Policies explain and clarify specific requirements for persons subject to agency authority.



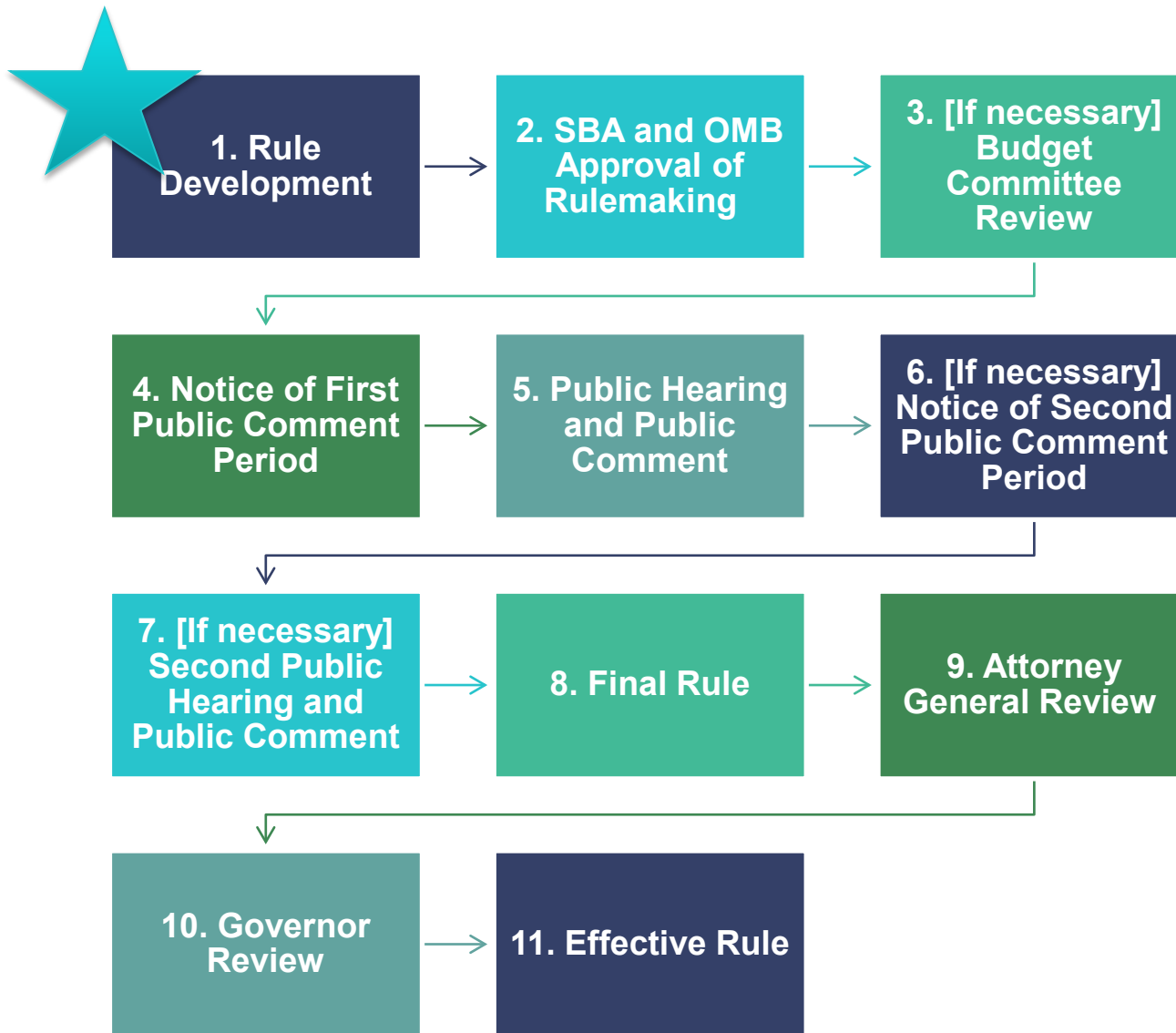
House Enrolled Act 1623

▪What does this mean for OCRA?

- OCRA will have to go through the administrative rulemaking process to
 - 1)Readopt and update the Grant Administrator Debarment Process and
 - 2) Create a new administrative rule outlining the Grant Administrator Certification Program.

▪What does this mean for Grant administrators?

- The rule development process will be a collaborative effort. OCRA will seek proactive input from grant administrators to identify factors that OCRA may have missed.
- There will be public hearing(s) comment period, OCRA will issue a notice of public hearing to publicize this opportunity.

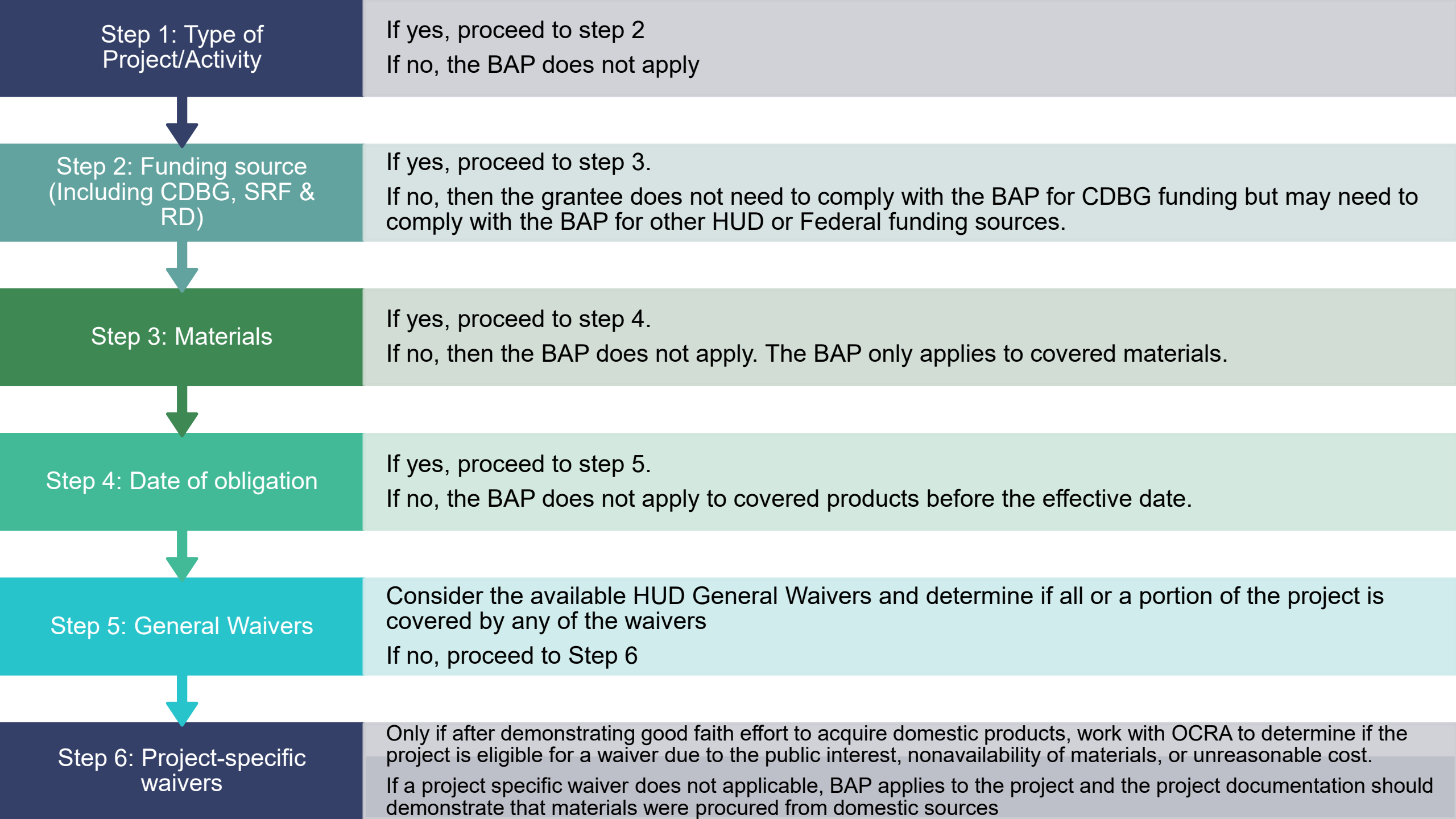


Rulemaking Process Overview

Build America Buy
America (BABA)

The Build America, Buy America Act (BABA) enacted as part of the Infrastructure Investment and Jobs Act on November 15, 2021, established a domestic procurement preference for all federal financial assistance obligated for infrastructure projects after May 14, 2022. It includes all CDBG funded projects.

The Buy America Preference (BAP) requires that all iron, steel, manufactured products and construction materials used in infrastructure projects must have been produced in the United States unless the federal agency (HUD) waives the application of the preference.



HUD has issued several general applicability waivers that postpones BABA requirements.
 General waivers include:

HUD General Waivers		
Small Grants and De Minimis	Exigent Circumstances	Phased Implementation
<p>This public interest general waiver is effective through November 23, 2027, for projects whose total cost (from all sources) does not exceed the simplified acquisition threshold value (\$250,000).</p> <p>De Minimis, Small Grants and Minor Components Notice</p> <p style="text-align: center;">OR</p> <p>BABA requirements do not apply for a De Minimis portion of an infrastructure project, meaning a cumulative total of no more than 5 percent of the total cost of the iron, steel, manufactured products, and construction materials, up to a maximum of \$1 million. BAP can be waived for that portion of the project.</p>	<p>This public interest general waiver is effective through November 23, 2027, This waiver applies when there is an urgent need by a recipient to immediately complete an infrastructure project to protect life, ensure safety, or prevent the destruction of property</p> <p>Exigent Circumstances Notice</p>	<p>This waiver established a phased implementation schedule for the application of the BAP to HUD programs through FY2025. HUD's.</p> <p>Phase Implementation Notice</p>

Project Examples

Small Grants Waiver:

Single-Family Owner-Occupied Rehab Program

A participating jurisdiction operates a single-family owner-occupied rehabilitation program using HOME funds obligated after August 23, 2024. The PJ determines that since the total project costs from all sources for each activity do not exceed \$250,000, individual rehabilitation activities are covered by the Small Grant Waiver and do not need to comply with the BAP.

De Minimis Waiver:

A city is using CDBG funds for construction of a playground. The total cost of materials used in the project is \$1 million. The city can source domestic materials for nearly all the items needed for the playground but cannot find a domestically produced equivalent of a particular slide. The slide costs \$20,000. Because this is less than 5% of the total cost of materials used in the project, the city can use the De Minimis Waiver to waive the BAP for the slide. The other materials used in the project still must comply with the BAP.

The BAP will apply on or after the date HUD obligates new funds for the following:



HUD Phased Implementation Waiver indicates when BAP will apply to iron and steel, specifically listed construction materials, not listed construction materials and manufacture products that are used as part of a CDBG infrastructure project.

Per HUD- Phased implementation Scheduled, all CDBG projects funded as part of OCRA's 2023 Round 2 must comply with the Iron and Steel domestic preference. Meaning all iron and steel used as part of a CDBG infrastructure project must be made in the US.

HUD Phased Implementation

2023 CDBG
ROUND 2

Covered Product	HUD Obligation Date
Iron and Steel	The BAP applies to the purchase of iron and steel for infrastructure projects using CDBG funds obligated on or after November 15, 2022.
Specifically Listed Construction Materials (non-ferrous metals; lumber; and plastic- and polymer-based composite building materials, pipe, and tube)	The BAP will apply to the purchase of specifically listed construction materials beginning with funding obligations from FY2024 CDBG funds, as well as iron and steel.
Not Listed Construction Materials & Manufactured Products (all other plastic- and polymer-based products, glass, fiber optic cable, optical fiber, engineered wood, and drywall)	The BAP will apply to the purchase of not listed construction materials and manufactured products beginning with funding obligations from FY2025 CDBG funds, as well as specifically listed construction materials, iron, and steel.

What If I Can't Find U.S. Products?

If after making a good faith effort to procure domestic products and US products are unable to be identified in sufficient quantity or quality and a general waiver does not apply. Grantees must work with OCRA to prepare a project specific waiver to be submitted to HUD.

HUD can issue project-specific waivers to the Buy American Preference if there is a finding that a waiver falls into one of the following three categories:

- | | | |
|--|--------------------------------------|--|
| 1 | 2 | 3 |
| Non-
Availability
Waivers | Unreasonable
Cost Waivers | Public
Interest
Waivers |

If a project specific waiver is granted, please note that waivers are time-limited, targeted, and conditional.

OCRA's Role

BABA IMPLEMENTATION AND RECORDKEEPING

If OCRA is the cognizant agency, meaning there are more CDBG funds in a project than any other federal source (such as SRF or RD), coordination of BAP compliance remains OCRA's responsibility.

OCRA will work with GAs to notified them of HUD's phase implementation schedule as HUD obligates funds to the state.

If applicable, OCRA will work closely with grantees to identify if a project specific waiver is required and submit relevant documentation to HUD.

OCRA is required to include BAP requirements in the terms and conditions for subrecipient agreements, contracts, subawards, and purchase orders for all infrastructure projects.

Please note that Grant Award Agreements, Pre-Bidding Packages, Bidding Documents, Construction Guides have been revised accordingly.

Please make sure that you are using November 2023 revised documentation.

Grantees' s Role

1. Determine if you or your project is subject to BABA.

- Following the six steps previously mentioned, identify whether BABA applies to the CDBG project.

2. Review implementation materials from all federal agencies contributing federal financial assistance to the project, including any relevant waivers issued by each agency.

3. Obtain documentation of compliance consistent with implementation requirements from all relevant agencies

- Grantees must keep proper documentation to demonstrate compliance with BABA for purchased products covered by the Act, which may include either documentation that the products are BABA compliant or manufactured in the U.S. For projects that are co-funded, there may be other requirements from other funding providers.
- If the purchase of the products was covered under a General Waiver, keeping documentation is not required.

4. Early Planning and Coordination with Architects, Engineers should diminish the need to seek project specific waivers.

5. Notify OCRA if the need for a project specific waiver is required and work closely with the agency.

Income Survey Reminders

The Purpose of an Income Survey

To determine if the project area can meet the low-to-moderate area CDBG National Objective

To ensure at least 51% of the residents benefiting from the CDBG program live in households earning 80% or less than the area's median family income as determine by HUD

Three Most Common Reasons You May Need an Income Survey

1. The service area comprises only a small portion of the unit of general local government, or of a census tract.
2. The service area includes all or part of several units of general local government and may contain both incorporated and unincorporated areas.
3. The service area may be a sparsely populated rural area.



Reasons to Reconsider Requesting an Income Survey

- You are planning to apply for a specific CDBG grant in the next round and information about the next round has not yet been released.
 - Explanation: OCRA continuously assesses the funding distributions for each round. Although it's allowable to request an income survey prior to a round opening, there is no guarantee funds will be available for the specific grant when the round officially opens.
- The Margin of Error is so low that it is unlikely that the HUD Census Data is inaccurate.
 - Ex. If the HUD LMI is 15% and the MOE is +/-3%, the likelihood of the census data being 51% is low.

Income Survey Tips



Make sure you have filled out all required fields and that all necessary boxes have been checked ahead of submission.



For custom service areas, please reach out to Marissa Byers and/or your CL to discuss details ahead of submission in eGMS. This will help to reduce back and forth within the approval process.

Income Survey Request Requirements



Map of the service area,
providing context between service
area and survey boundary

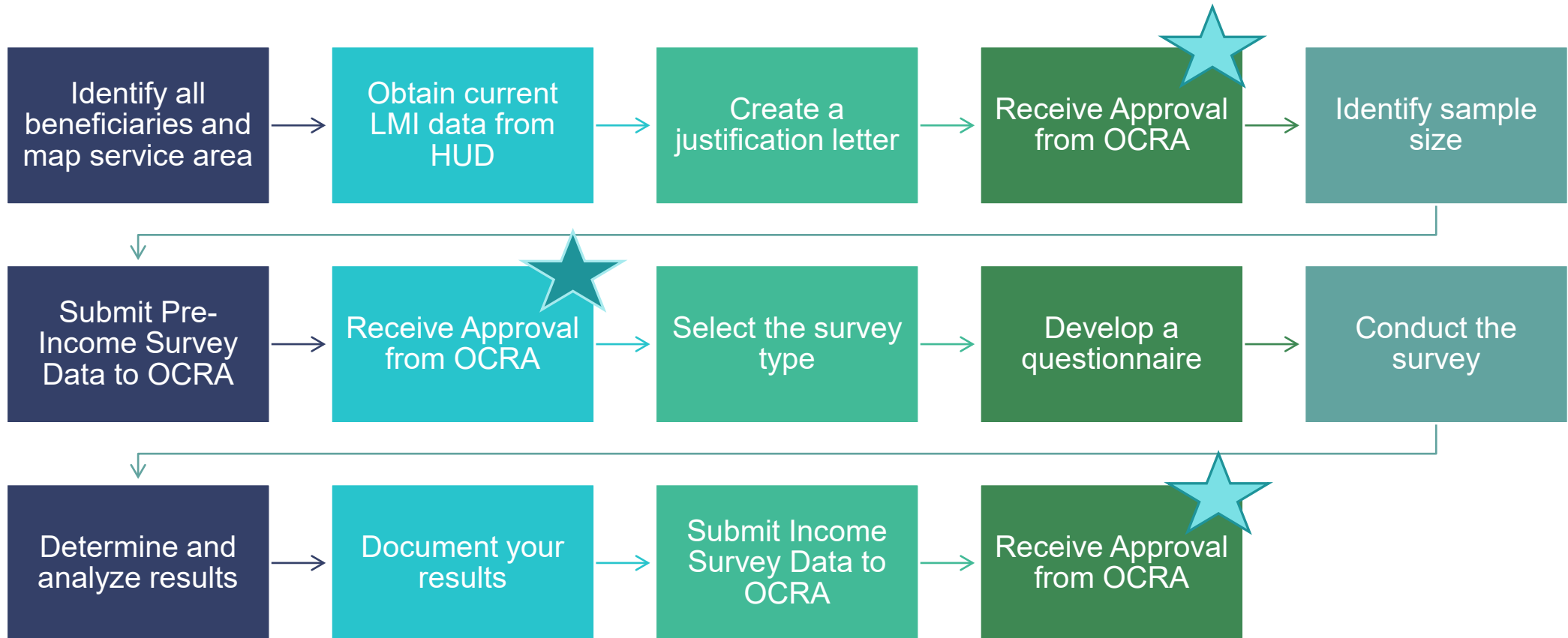


Letter of justification



Community's calculation of the
service area's LMI based on the
HUD Mapping Tool

Income Survey Process



Green Infrastructure Walk Through

Green Infrastructure: Walk Through

There are two ways in which OCRA will determine the allocation of up to 15 maximum program specific points for: Wastewater Drinking Water (WDW) & Stormwater Improvement Programs (SIP) projects

For the first one, OCRA will leverage the Indiana Finance Authority's (IFA) State Revolving Fund (SRF) Incentive Programs for any proposed project that utilizes the funding from one of these programs as a match to CDBG proposed project

IFA programs include:

- 1) Green Project Reserve Sustainability Incentive Program
- 2) Nonpoint Source Incentive Program

Required documentation to assess the allocation of program-specific points:

- IFA Preliminary Engineering Report Approval certifying that the project qualifies for the program



Green Infrastructure: Walk Through

➤ For projects that do not use IFA's SRF incentive programs, OCRA will evaluate the project based on the number of GI elements within the project, description provided, measurable goals and budget.

Evaluation will be based on the following categories:

1. Water efficiency
2. Energy efficiency
3. Environmental innovation
4. Nature-based solutions

- This assessment mirrors SRF Clean Water Program
- Required documentation to assess the allocation of program specific points:
- Green Infrastructure Justification Form
 - Green Infrastructure Certification

Step 1:

Read over the Green Infrastructure Examples by Category in collaboration with the engineer to assess whether the project would qualify for green infrastructure program specific points.

Green Infrastructure Examples by Category
Water Efficiency
Eligible Project Examples
Installing or retrofitting water efficient devices, such as plumbing fixtures and appliances
Installing automatic meter reading systems in previously unmetered areas (Can include backflow prevention devices if installed in conjunction with water meter)
Replacing existing broken/malfunctioning water meters or upgrading existing meters with automatic meter reading systems (AMRs) such as advanced metering infrastructure (AMI) and smart meters, meters with built-in leak detection (Can include backflow prevention devices if installed in conjunction with water meter replacement)
Retrofitting/adding AMR capabilities or leak detection equipment to existing meters (not replacing the meter itself)
Water audit and water conservation plans, which are reasonably expected to result in a capital project
Water line replacement projects to correct significant water loss problems
Recycling and water reuse projects that replace potable sources with non-potable sources (Gray water, condensate and wastewater effluent reuse systems where local codes allow the practice)
Retrofit or replacement of existing landscape irrigation systems to more efficient landscape irrigation systems, including moisture and rain sensing controllers
Retrofit or replacement of existing agricultural irrigation systems to more efficient agricultural

Step 2: Green Infrastructure Certification

Filled out and signed by the applicant's consulting engineer and the applicant's CEO.

This form certifies that the project qualifies as green infrastructure under the selected category.

Form can be located on OCRA's CDBG resource website

INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS GREEN INFRASTRUCTURE CERTIFICATION

I _____ (Applicant's engineer full name), affirm that I am _____ (title) and possess the adequate professional certifications to review _____ (project name) and have determined that certain portions or components in the proposed project submitted for funding consideration to the Office of Community and Rural Affairs by _____ (grant applicant) qualify as green infrastructure or nature based solutions.

DEFINITIONS: As used in this document:

- A. "Green Infrastructure" means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspiration of stormwater and reduce flows to sewer systems or to surface waters as defined by Section 502 of the Clean Water Act.

- B. "Nature-based solutions" means infrastructure that uses, restores, or emulates natural ecological processes and— (A) is created through the action of natural physical, geological, biological, and chemical processes over time; (B) is created by human design, engineering, and construction to emulate or act in concert with natural processes; or (C) involves the use of plants, soils, and other natural features, including through the creation, restoration, or preservation of vegetated areas using materials appropriate to the region to manage stormwater and runoff, to attenuate flooding and storm surges, and for other related purposes as defined in the Infrastructure Investment and Jobs Act of 2021.

I _____ (Applicant's engineer full name) attest that _____ (project name) qualifies as green infrastructure under the subsequent categories and a detailed description of the identified green infrastructure components is hereby attached.

- Water Efficiency
- Energy Efficiency
- Environmental Innovation
- Nature-based Solutions

I _____ (Applicant's engineer full name) acknowledge and agree that this determination is true and correct to the best of my knowledge and professional experience.

Grant Applicant Acknowledgement

If awarded funding _____ (grant applicant) agrees to provide written notice to the Office of Community and Rural Affairs of any changes or modifications made to the project scope including changes to the green infrastructure components of this project. I _____ (grant applicant) understand that any misrepresentation in this application may result in disqualification to receive funding and may result in the de-obligation of funds.

This information is required by the Office of Community and Rural Affairs to ensure compliance with program requirements.

Signature of Applicant's Engineer Name: _____ Date Signed: _____
Grant Applicant: _____ Date Signed: _____





Office of Community and Rural Affairs
Wastewater, Drinking Water & Stormwater Program
Green Infrastructure Justification Form

Instructions

The CDBG Grant applicant should complete this form with the assistance of the applicant's consulting engineer/architect for the proposed wastewater, drinking water, and stormwater project. The information provided in this form should be limited to the "green" components needed to validate the project. The following documents must be submitted:

- Green Infrastructure Justification Form
- Green Infrastructure Certification

For additional information on categories and examples on green infrastructure referred to the [link](#)

The pre-approval items must be submitted to OCRA 10 business days before the application deadline. Email this pre-approval request for green infrastructure bonus points to cdbg@ocra.in.gov.

Grant Applicant Information

Name: _____
Project Name: _____
Date: _____

Select all applicable categories.

- Water efficiency:** Water efficiency encompasses conservation and reuse efforts incorporating improved technologies and practices to deliver equal or better services with less water that improved quality while protecting water resources by reducing and preventing water loss.
- Energy efficiency:** Energy efficiency is the use of improved technologies and practices to reduce the energy consumption of water quality projects, using energy more efficiently, or utilizing renewable energy technologies.
- Environmental innovation:** Environmentally innovative projects include those that demonstrate new or innovative approaches to delivering services or managing water resources more sustainably.
- Natural based solutions:** Co-benefits of green infrastructure include beautification, public health improvement, improvement of natural environment, preparedness, and prevention to natural hazards vulnerability to natural hazards.

Utilizing the next page provide a description of the following:

- Description of the components that qualify as green infrastructure elements.
- Description of which category will be used to access eligibility.
- Description of how the proposed project will achieve quantifiable changes based on the category selected.
- Description of how the green infrastructure elements will impact the community in terms of cost and financial benefits.
- Provide a budget breakdown list the total cost of the project and the cost for green infrastructure element.

Step 3: Green Infrastructure Justification Form

This form should be fill out in consultation with the engineer.

Information requested in the form:

- Grant Applicant Information
- Selection of GI category for the project
- Description of GI elements must be provided for those elements
- Cost of GI element in comparison to the overall cost of the project

How to Fill out a Green Infrastructure Justification Form?

- Limit the information to only the pertinent “green” information needed to justify the project.
- Base on the complexity of the project some projects will require additional detailed, while others may not require more than one page.

Summary:

- Provide a summary statement about the green component or project portion considered as green.
- CDBG grant amount requested.
- Percentage of grant that is green (concerning green project type)
- Expected annual energy, water savings, or environmental benefit (Environmental Innovation or Natural solution) as applicable.

Background:

- Describe the current situation and how that relates to energy used/lost, water used/lost, etc. Provide the baseline of the issue.
 - If applicable, include a summary of results from engineering reports, water or energy audits, results of water system tests, and other relevant documentation, and then cite existing documentation that shows the deficiency.
- Clearly outline the GI component(s) that will be used.
- Describe how the GI component would address the current situation and achieve quantifiable changes.
 - Demonstrate the GI component is designed to enable equipment to operate most efficiently.
 - Demonstrate that the GI component will meet or exceed standards set by professional associations.
- Provide clear and measurable outcomes.
 - This must include baselines and outcomes relevant to the GI component as part of the project.
 - How will the GI component impact the community in terms of cost and financial benefits?

Results:

- What is the expected green component accomplished as part of the project?
- Outline the quantifiable water, energy savings or water loss reduction, energy efficiency projects reduction, or environmental benefits to the community.
- The cost and financial benefit of the project to the community should be included.

Conclusion:

- Enumerate savings and benefits to the community.
- Benefit(s) from the GI component
- Quick summary of results from, and then cite, existing documentation – such as engineering reports, water or energy audits, results of water system tests, etc.

Budget:

- GI component cost
- Total construction cost of the project

Grant Administrator Update

Strategic Initiatives



Abigail Huff

Indiana Main Street
Senior Program
Manager

ahuff1@ocra.in.gov

Grant Administrator Update

Strategic Initiatives



HELP (Hoosiers Enduring Legacy Program)

All the cohorts have completed the program. Each community is currently preparing their applications for the Community Development Block Grant Cares Act set-aside.

- Projects include:

- Park improvement projects
- Sidewalk Improvement Projects
- Water Meter Replacement Projects
- Master Utility Studies
- Covid-19 Recovery Plan
- Owner-Occupied Rehabilitation Projects
- Program Transit Public Service Programs
- Childcare Public Service Programs
- Community Center Expansion
- Business Retention Grant Program

The Hoosier Enduring Legacy Program has 18 ongoing construction, planning, economic development, and public service projects or programs.

Grant Administrator Update

Strategic Initiatives



INDIANA MAIN STREET

New ODAN Communities

- 16 communities across the state submitted a letter of interest, met the foundational requirements and are currently working on applications.

Main Street 101s

- Now required for all communities coming into the Main Street program and recommended for current IMS programs needing a refresh
- Meetings will be held across the six regions in May and June with two makeup days in Indianapolis in August
 - **Northeast** – Thursday, May 2, 2024 (time and location to be announced)
 - **Northwest** – Tuesday, May 14, 2024 (time and location to be announced)
 - **East Central** – Tuesday, June 11, 2024 (time and location to be announced)
 - **West Central** – Tuesday, June 4, 2024 (time and location to be announced)
 - **Southeast** – Wednesday, June 18, 2024 (time and location to be announced)
 - **Southwest** – Thursday, June 27, 2024 (time and location to be announced)
 - **Indianapolis** – Monday, August 5, 2024 (11 a.m. - 12:30 p.m.)

Grant Administrator Update

Strategic Initiatives



MAIN STREET READY

This technical assistance program seeks to assist communities set strategic priorities for downtown revitalization based on the community's vision for downtown.

- The program is available to any Indiana community wishing to begin their Main Street journey or to OCRA Downtown Affiliated Network (ODAN) communities that indicated their desire to level-up within the Indiana Main Street program in their most recent year's annual reporting.
- The program consists of:

Online Community Survey
Gathering input from stakeholders for 1 month prior to on-site visit

Document Review
Market data, planning documents, organizational documents, etc.

On-site Community Visit
Full day interviews with various community partners

Final Report
Includes survey results, community data and recommendations

Grant Administrator Update

Strategic Initiatives



INDIANA MAIN STREET

ODAN – Aspiring-IAMS Communities

- Application currently open to existing ODAN communities.
- Due December 28 at Noon ET.

Aspiring-IAMS - IAMS Communities

- Current Aspiring-IAMS communities can apply.
- Accreditation visits will take place the first two weeks of February.

IAMS-NAMS Communities

- Interested IAMS will submit their NAMS self-assessment on January 15 with the accreditation reporting.

Reminder:

- Indiana Main Street levels can apply for the downtown revitalization planning grant through CDBG. Moving forward both Preserving and MSRP will require an updated downtown revitalization plan within the last five years.

Grant Administrator Update

Strategic Initiatives



PreservINg Main Street

Brookville & Kendallville

- Both communities have completed their programs.
 - Both communities will submit a final report on what was achieved throughout the two-year program, which is due March 1, 2024
- CDBG Construction is underway in both communities with a closeout anticipation of June 2024.

New Castle

- Kicked off their program last month.
 - We will have a meeting with them in December to go over their local property owner application.
- Indiana Humanities and Indiana Landmarks projects are getting started.



**GRANT
TOUCH
THIS!**



Grant Services Updates

BY ADAM MOSCHELL, KATHERINE JOHANTGES & BRYCE GORMAN



Grant Services Update

Income Survey

- If using an Income Survey, the number of beneficiaries will not be the HUD Census population number, but the Income Survey results population number.

GMS Reports

- Pre-ROF Reports and ROF Reports should not be submitted together. Pre-ROF should be submitted in timely manner after the bidding has been completed.
- When using GMS, we are not alerted whenever documents are uploaded. For this reason, please do not upload documents to previously approved reports ASIDE from contracts on a Contractor Card.
 - If multiple Release of Funds on a project, each ROF should have its own report.



Grant Services Update

Construction

- Construction work on a project should not be started prior to receiving Labor Release

CDBG Handbook

- The OCRA CDBG Handbook is currently undergoing updates. Updated CDBG policies can be found on the CDBG Policy page located at <https://www.in.gov/ocra/cdbg/cdbg-policies/>
- Note that all handbook updates are not posted here at this time.

Semi-Annual Reports (Project Activities 07/01/2023 - 12/31/2023)

- Due 01/31/2024. Please do not submit prior to 12/31/2023)



Checklists

- Grant Services intends to update all current checklists soon.
- Feedback is always welcome. If you have edits or suggestions for a Checklist currently unavailable, please send feedback to Adam Moschell, Director of Grant Services. Your comments will be taken into consideration.
- Checklists are subject to change and are NOT the final rule.
 - Checklists can change as new requirements are issued by HUD/OCRA
 - Some projects may have project-specific elements to them that are not covered by a general checklist.
- Current Checklists available on <https://www.in.gov/ocra/cdbg/cdbg-resources/>

Current Checklists

- Environmental Review
 - EA Checklist for ER Release
 - CEST Checklist for ER Release
 - CEST Checklist for OOR ER Release
- Construction Pre-Release of Funds
- Construction Release of Funds
- Construction/Labor Release
- Construction Grant Monitoring
- Planning Grant Monitoring



Modifications

- Necessary when a CDBG-funded project changes project activities, beneficiaries, budget, grant amount or grant ending date.
- 3 Categories; all require letter from the LUG and project engineer/architect explaining circumstances and proposed modifications.
 - Higher categories will require more documentation.
 - Sample forms available at in.gov/ocra/cdbg/cdbg-handbook-and-forms/
- Modifications should be submitted in a timely fashion
- Currently, the Modifications button in GMS is under construction. Please do not submit any modification requests through GMS.
- Contact Bryce Gorman and/or Katherine Johantges for Modification questions or issues.

Modification Type	Qualifications	Needed Documentation
Category 1	<ul style="list-style-type: none"> • Requests for extension of project date(s) • Requests to modify the grant goals to be accomplished by less than 10% • Requests to revise the budget by moving project costs between line items 	<ul style="list-style-type: none"> • Letter from the LUG • Letter project engineer/architect • Revised budget, if adjusted
Category 2	<ul style="list-style-type: none"> • Requests to revise the budget by moving more than 10% of the project costs between line items • Requests to modify the grant goals to be accomplished by more than 10% 	<ul style="list-style-type: none"> • Letters from the LUG and engineer/architect • Revised budget, if adjusted • Public hearing held to inform citizens of proposed changes <ul style="list-style-type: none"> • Ad proof of publication published at least ten (10) days in advance • Public hearing minutes • Sign in sheets • Statement by LUG regarding resolution of any citizen complaints received.
Category 3	<ul style="list-style-type: none"> • Requests to change the project location or participants • Requests for additional grant funding (if awarded less than maximum grant amount) 	<ul style="list-style-type: none"> • Letters from the LUG and engineer/architect • Revised budget, if adjusted • Public hearing documentation • Adopted resolution of governing board to submit the modification request for approval



Civil Rights Forms For non-Planning Grants - Reminders

FAIR HOUSING IS THE LAW

The Indiana Fair Housing Act (22-9.5 et. seq.) and Indiana Civil Rights Law (IC 22-9) makes it illegal to discriminate in housing related transactions based on:

Race | Color | Sex | Disability | Religion | Ancestry | National Origin
Familial Status (having children under 18) | Veteran Status

Unlawful discrimination includes any act, policy, practice, or other procedure that unfairly affects someone because of their protected class.

Examples of housing discrimination include (but are not limited to):

- Denial or delay of changes to policy or practice or changes to the physical premises for persons with a disability
- Harassment, including sexual harassment
- Denial, delay, or unreasonable conditioning of the rental or purchase of real estate, including but not limited to housing
- Denial, delay, or unreasonable conditioning of loans for purchase or improvement of housing
- Preferential and discriminatory advertisement and marketing of housing
- Retaliation for filing a complaint or asserting your rights

Visit: IN.gov/ICRC
Dial: (800) 628-2909
@INCivilRights

Updated June 2018

WHAT IS FAIR HOUSING?

Indiana residents cannot be discriminated against on the basis of race, religion, color, sex, disability, familial status (having children under 18) or national origin in the purchase or rental of housing.

Protected Characteristics:
Under Fair Housing

- Race
- Religion
- Color
- Sex
- Disability
- Familial Status
- National Origin

Based on any of these protected characteristics, housing providers may NOT:

- Refuse to rent or sell housing
- Falsely deny that housing is available for inspection, rental, or sale
- Refuse to make a mortgage loan
- Impose different conditions or terms on a loan
- Threaten, coerce, or intimidate any individual exercising a fair housing right
- Refuse reasonable changes to a dwelling to accommodate a disability

CONTACT US

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Hearing Impaired: (800) 743-3333
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Website: www.in.gov/icrc

YOUR RIGHTS, OUR MISSION.

Indiana Civil Rights Commission "ICRC"

FAIR HOUSING GENERAL GUIDE

Indiana Civil Rights Commission "ICRC"

ACCESSIBILITY FOR PEOPLE WITH DISABILITIES

The Indiana Fair Housing Act requires housing providers to make reasonable accommodations in rules, policies, practices, or services that are necessary to afford a person with a disability equal opportunity to use and enjoy the property.

REASONABLE MODIFICATIONS:

- Can require approval of plans
- Can require tenant to return property to original condition
- Are usually at tenant's own financial expense

REASONABLE ACCOMMODATIONS:

- Allowing service animals
- Assigned parking
- Allowing transfer to an accessible unit
- Allowing early lease termination

COMPLAINT FILING PROCESS

Call, write, or visit ICRC online or in person within 1 year of the date in which the alleged act of discrimination occurred and describe the situation you feel was discriminatory.

THE CIVIL RIGHTS PORTAL

The online portal is for submitting inquiries to ICRC. If you encounter problems working with the portal, please contact ICRC.

Intake Specialists listen to and assist you accordingly.

SCAN THE QR CODE TO VISIT OUR PORTAL TODAY!

EQUAL HOUSING OPPORTUNITY

ICRC works cooperatively with its federal partner, the U.S. Department of Housing and Urban Development ("HUD"), to investigate complaints and raise awareness about fair housing rights.

This is a reminder to please use the updated Fair Housing poster from 2018 and the most updated Fair Housing brochure.

Additionally, we will only be accepting the poster and brochures supplied by the Indiana Civil Rights Commission (ICRC).

Fair housing posters and brochures that have been submitted from other organizations before have directed people to file their Fair Housing complaints with them or 3rd Party for profit companies and not ICRC/HUD.



Civil Rights Forms For non-Planning Grants - Reminders

A Piece of the American Dream

What is Section 3?

Section 3 of the Housing and Urban Development Act of 1968 requires that economic opportunities generated by certain HUD financially assisted housing and community development programs shall, to the greatest extent feasible, be given to low and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

Who is responsible for Section 3 Compliance?

Every community who receives financial assistance from HUD for Community Development projects and all of their contractors and subcontractors are responsible to offer any new training, employment or contracting opportunities to Section 3 or Section 3 businesses.

Who are Section 3 residents?

Public housing residents including persons with disabilities and Low or very-low income persons who live in the area where a HUD assisted project is located.

What is a Section 3 business?

A business owned by or employs Section 3 residents or subcontracts with businesses which employ Section 3 residents.

What Opportunities are available under Section 3?

- Jobs and Employment opportunities.
- Training and Educational opportunities.
- Contracts and Business opportunities.

Current federally assisted projects in this area subject to Section 3 requirements:

_____	_____
Type of Project	Location
_____	_____
Type of Project	Location

For additional information contact:

Grantee or Grant Administrator

Contact Information

Office of Community and Rural Affairs
One North Capitol, Suite 600
Indianapolis, Indiana 46204
1-800-824-2476

The circled sections must be complete!

Please make sure that when taking a picture for the FEPS report, that the Section 3 poster is filled out.



2023-24 IDDC Grant Programs Summary

All program info can be found at VisitIndiana.com/Grants.

Total Funds Available: \$450,000 to be spent across both programs.

Questions: grants@iddc.in.gov

All Applications Due **2/2/2024**

IN Indiana Placemaking Activation Grant

- **Description:** The IN Indiana Placemaking Activation Grant looks to create community activations of the IN Indiana identifier throughout the state of Indiana.
- **Types of Projects:** Potential projects include but are not limited to park enhancements, street beautification projects, historical or decorative statues, community gateway signage, water towers, overpass transformations and more.
- **Grant Amount:** Up to \$25,000. 1:1 Match
- **Who is Eligible:** Entities eligible to apply are Indiana municipalities, counties, communities, destination marketing organizations, main street organizations and chambers of commerce.



Indiana Destination Development Grant

- **Description:** The Indiana Destination Development Grant seeks to fund high-impact projects that raise Indiana's capacity for attracting visitors and providing new and unique tourism experiences, while enhancing the quality of life for residents.
- **Types of Projects:** Projects should target the development of tourism amenities, attractions and facilities that enhance the visitor experience and foster connectivity within the specific destination or geographic area. Though it is not a requirement, the grant program seeks projects that will lead to an increase in room nights for local lodging facilities.
- **Grant Amount:** Between \$50,000 - \$250,000. 1:1 Match
- **Who is Eligible:** All entities are eligible to apply.



**GRANT
TOUCH
THIS!**



Labor Standards

KATHERINE JOHANTGES



Labor Standards

- The Department of Labor announced updates and revisions to the regulations issued under section 13(a)(1) of the Fair Labor Standards Act implementing the exemption from minimum wage and overtime pay requirements for executive, administrative, and professional employees.
- **Link to the comparison chart (summary of changes) can be found here:**
<https://www.dol.gov/agencies/whd/government-contracts/construction/rulemaking-davis-bacon/dba-comparison-charts>
- **Link to the full outline can be found here:**
<https://www.federalregister.gov/documents/2023/08/23/2023-17221/updating-the-davis-bacon-and-related-acts-regulations#h-31>



Notable Labor Changes

- **Supplemental Wage Rates**

- The Wage and Hourly Division has determined that with the high rate of conformance rates being submitted, an alternate solution was needed to resolve this issue. The final rule states a project can include job classifications (within the chosen wage determination) that meets the basic criteria for the conformed rate.

- **Apprenticeships**

- If a project chooses to use apprentices, they must follow the ratio and wage rate standards of the locality of where the project is taking place. If there is no registered program in the locality of the project, the rates and ratios under the contractor's registered program apply.

- **Updates After Contract Award**

- The final rule adds language explaining wage determinations must be updated after contract award when: new work not within the original scope is added or changed or the contract or changed to require the contractor to perform work for an additional time period. This final rule requires a new wage determination for a project if there are any scope changes to the construction and/or if the project exceeds the completion date stated in the grant agreement.



Notable Labor Changes

- **Site of the Work—Truck Drivers**

- The final rule codifies the Department’s current guidance that truck drivers employed by contractors or subcontractors must be paid applicable prevailing wage rates for all onsite driving time unrelated to offsite delivery, for any time spent transporting “significant portions” of public works from secondary construction sites, for any time spent transporting materials to or from adjacent or virtually adjacent dedicated support sites, as well as for any onsite time related to offsite delivery if such time is not de minimis.

- **Restitution**

- The final rule adds language that requires interest to be calculated on back wages or monetary relief at the rate established in the Internal Revenue Code (26 U.S.C. § 6621). The final rule also clarifies that interest will be compounded daily. This interest starts accruing on all restitution payments after **one month** of payroll date and adds interest to the payment which is calculated based off a quarterly rate + 3%.

Over the course of this update, we have updated you on the following:

CDBG Team

Strategic Initiatives

Grant Services



Questions?
