

REPORT OF THE PRESIDENT AND CEO

JANUARY 23, 2020

RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO SUBMIT AN APPLICATION FOR A GRANT AMOUNT UP TO \$7,500,000 IN RESPONSE TO THE CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT'S NOTICE OF FUNDING AVAILABILITY FOR THE FISCAL YEAR 2019/2020 INFILL INFRASTRUCTURE GRANT PROGRAM AS A CO-APPLICANT WITH THE MICHAELS DEVELOPMENT COMPANY I, L.P. FOR THE JORDAN DOWNS REDEVELOPMENT PROJECT KNOWN AS PHASE S-2



Douglas Guthrie
President and CEO



Jenny Scanlin
Chief Strategic Development Officer

PURPOSE: To authorize the President and CEO to, with Michaels as a co-applicant, complete and file an IIG Program application with HCD in order to compete for funding available through the NOFA.

Regarding: To authorize the President and CEO to submit an application for a grant amount up to \$7,500,000 in response to a Notice of Funding Availability ("NOFA") (Attachment 2) for the Fiscal Year 2019-2020 Infill Infrastructure Grant ("IIG") Program to the California Department of Housing and Community Development ("HCD") as a co-applicant along with The Michaels Development Company I, L.P. ("Michaels or "Developer") for the Jordan Downs Phase S-2 Redevelopment Project ("Project").

ISSUES: Jordan Downs is a 1950s-era public housing community located in the Watts community of south Los Angeles. The residents of Jordan Downs as well as the larger community have lived in substandard conditions compared to the rest of the city for several decades.

The Housing Authority desires to transform Jordan Downs into an environmentally friendly, vibrant, urban village, conducive to healthy living and economically progressive conditions and one in which will ignite a renewal in the greater community.

On June 28, 2012, the Housing Authority's Board of Commissioners unanimously authorized the President and CEO to execute a Master Development Agreement with the joint venture entity comprised of BRIDGE Housing Corporation and the Michaels Development Company I, L.P. (together, "Master Developer") for the redevelopment of Jordan Downs.

The Housing Authority and the Master Developer seek funding for the redevelopment of Jordan Downs through a variety of private and public sources, including Federal, State and Local agencies.

Jordan Downs Phase S2 will be a newly constructed 81-unit development with ground floor community/ Management space located at the intersection of 101st and Grape Street.

The State of California, through HCD, issued a NOFA dated October 30, 2019 making available approximately \$194 million in grant funding for projects located in large jurisdictions for the IIG Program for Fiscal Year 2019-2020.

The IIG Program furthers the purposes of Assembly Bill 101 signed by Governor Newsom on July 31, 2019 which established the Infill Infrastructure Grant Program of 2019 as set forth in California Health and Safety Code sections 53559, 53559.1 and 53599.2 by investing in projects that provide funds for infrastructure improvements in support of higher-density affordable and mixed-income housing, and mixed-use infill development projects. Specific eligible improvements include development or reconstruction of parks or open space, water, sewer or other utility service improvements, streets, roads, parking structures, transit linkages, transit shelters, traffic mitigation features, sidewalks and streetscape improvements. The IIG Program is administered by HCD.

The Housing Authority and Michaels desire to submit to HCD an IIG Program application for a total grant amount up to \$7,500,000.

Vision Plan: Place Strategy #1: Stabilize the physical and financial viability of the conventional public housing portfolio.

Redevelopment of Phase S-2 is part of the on-going Jordan downs public housing phased renovation. Phase S-2 will contribute to the increase of the housing stock consistent with Place Strategy 1 and the asset analysis completed in the Build HOPE Vision Plan. Conversion to a more financially stable Mixed finance platform with will allow for leveraging the necessary resources for the development and on-going maintenance and upkeep of the properties. The IIG Program funding will support construction of the Project which includes 18 one-bedroom units, 33 two-bedroom units, 29 three-bedroom units and 1 four-bedroom units, a 9,314 square feet of Community Space/ Management space.

FUNDING: The IIG Program requested funds are comprised of an up to \$7,500,000 grant. Michaels agrees to indemnify, defend and hold harmless the Housing Authority from and against any claims, judgments, losses liabilities, costs and/or expenses, including any claims that may arise with respect to the

portion of the IIG grant application and certificates executed by the Housing Authority.

Attachments:

1. Resolution
2. IIG FY 2019-20 Funding Round Notice of Funding Availability

ATTACHMENT 1.

RESOLUTION

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO SUBMIT AN APPLICATION FOR A GRANT AMOUNT UP TO \$7,500,000 IN RESPONSE TO THE CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT'S NOTICE OF FUNDING AVAILABILITY FOR THE FISCAL YEAR 2019/2020 INFILL INFRASTRUCTURE GRANT PROGRAM AS A CO-APPLICANT WITH THE MICHAELS DEVELOPMENT COMPANY I, L.P. FOR THE JORDAN DOWNS TREDEVELOPMENT PROJECT KNOWN AS PHASE S-2

WHEREAS, the Housing Authority of the City of Los Angeles (the "Housing Authority") is authorized pursuant to the Housing Authorities Law (Sections 34200 *et seq.* of the California Health and Safety Code) (the "Act") to conduct business for any of its corporate purposes; and

WHEREAS, the Housing Authority and The Michaels Development Company I, L.P. ("Developer") desire to redevelop the existing Jordan Downs Phase S-2 site ("Project") within the current public housing project located within the larger Jordan Downs community at the intersection of 101st street and Grape in the Watts neighborhood of Los Angeles, consisting of a newly constructed 81- unit development with 67 parking spaces and 9,314 square feet of community/management space with close proximity to the "Central Park; and

WHEREAS, the Housing Authority and the Developer seek funding for the Project through a variety of private and public sources, including Federal, State and Local agencies; and

WHEREAS, the State of California, through its Housing and Community Development Department ("HCD") has issued a Notice of Funding Availability dated October 30,, 20196 ("NOFA"), under the Infill Infrastructure (IIG) Program established under Assembly Bill 101 (Chapter 159, Statutes of 2019) and Part 12.5 (commencing with section 53559) of Division 31 of the Health and Safety Code, which authorizes HCD to approve funding allocations utilizing monies made available by the State Legislature, subject to the terms and conditions of the statute and the IIG Guidelines implemented on October 30, 2019; and

WHEREAS, the Housing Authority as Co-Applicant and the Developer as Applicant desire to apply for and receive the IIG Program grant funds and submit an application to HCD for a IIG Program grant; and

WHEREAS, the HCD is authorized to approve funding allocations for the IIG Program, subject to the terms and conditions of the NOFA, Program Guidelines, Application Package, and the HCD Standard Agreement and HCD is authorized to administer the approved funding allocations of the IIG Program; and

WHEREAS, the total grant amount requested through the IIG Program is the HCD maximum for large jurisdiction projects of up to \$7,500,000; and

WHEREAS, the Housing Authority and the Developer as co-applicants, shall be subject to the terms and conditions as specified in the HCD Standard Agreement and funds are to be used for eligible project expenditures; and

WHEREAS, IIG Grant Funds are to be used for eligible project expenditures to be identified in the HCD Standard Agreement; and

WHEREAS, the Housing Authority and the Developer, as co-applicants, hereby agree to use the funds for eligible capital asset(s) in the manner presented in the application as approved by HCD and in accordance with the NOFA and Program Guidelines and Grant Application Package.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Commissioners authorizes the President and CEO to:

1. Apply for and submit to HCD, as co-applicant with the The Michaels Development Company I, L.P., the IIG Program application in response to the NOFA dated October 30, 2019, for the 2019-2020 Fiscal Year in a total grant amount up to \$7,500,000 for eligible Project improvements ("IIG Grant") in furtherance of the redevelopment of Phase S-2 of the Jordan Downs Public Housing community, to submit and execute any other documents, certifications or information requested by HCD and to execute any and all documents and approvals that may be required to complete the application and effectuate the intent of this resolution, as approved by legal counsel, all on behalf of the Housing Authority.
2. Enter into, execute, and deliver a State of California Standard Agreement ("Standard Agreement") with HCD if the application is approved and awarded in a grant amount up to \$7,500,000, and any and all other documents required or deemed necessary or appropriate to secure the IIG Program funds from HCD, and all amendments thereto and in order to evidence the IIG Grant, the Housing Authority's obligations related thereto, HCD's security, and execute a disbursement agreement and certain other documents required by HCD as security for evidence of, or pertaining to, the IIG Grant (collectively, the "IIG Documents").
3. Agree to use the funds for eligible improvements in the manner presented in the application as approved by the HCD and in accordance with the NOFA and Program Guidelines and Application Package and hold the Housing Authority to the terms and conditions as specified in the Standard Agreement.
4. Execute in the name of the Housing Authority the IIG Program Application Package and the IIG Program Documents as required by HCD for participation in the IIG Program.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED AS TO FORM:

HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES

BY: _____
GENERAL COUNSEL

BY: _____
CHAIRPERSON

DATE: _____

*OK/Blank
1/16/20*

ADOPTED:

ATTACHMENT 2.

**INFILL INFRASTRUCTURE GRANT
PROGRAM**

FY 2019-20 FUNDING ROUND

NOTICE OF FUNDING AVAILABILITY

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF FINANCIAL ASSISTANCE**

2020 W. El Camino Avenue, Suite 670
Sacramento, CA 95833
(916) 263-2771 / FAX (916) 263-2763
www.hcd.ca.gov



October 30, 2019

MEMORANDUM FOR: All Potential Applicants

FROM: Jennifer Seeger, Acting Deputy Director
Division of Financial Assistance

A handwritten signature in blue ink that reads "Jennifer Seeger".

SUBJECT: Infill Infrastructure Grant Program of 2019
Notice of Funding Availability for Large Jurisdictions

The California Department of Housing and Community Development (Department) is pleased to announce the availability of approximately \$194 million in funding for the Infill Infrastructure Grant Program of 2019 (program). The purpose of the program is to provide grants for Capital Improvement Projects in support of Qualifying Infill Projects or Qualifying Infill Areas. Funding for this NOFA and program requirements are provided under Assembly Bill 101 (Stats. 2019, ch. 159, § 20) and Part 12.5 (commencing with section 53559) of Division 31 of the Health and Safety Code.

A complete original printed application with signatures and one electronic copy on compact disc or flash drive, with all applicable information and documentation, must be submitted to the Department **by 5:00 PM Pacific Standard Time on January 29, 2020**. Applications must be submitted through a carrier service such as U.S. Postal Service, UPS, FedEx or other carrier services that provide date stamp verification confirming delivery. Personal deliveries will not be accepted.

The Department will hold workshops to review the Notice of Funding Availability (NOFA) and application. The application, a list of workshop dates, and registration instructions will be available in November 2019 on the Department's program webpage at <http://www.hcd.ca.gov/grants-funding/active-funding/iigp.shtml>. To receive program NOFA FAQs and other program information and updates, please subscribe to the program listserv at http://www.hcd.ca.gov/HCD_SSI/subscribe-form.html.

Please submit questions to infill@hcd.ca.gov.

Attachment

Infill Infrastructure Grant Program of 2019

Notice of Funding Availability For Large Jurisdictions



**Gavin Newsom, Governor
State of California**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Douglas R. McCauley, Acting Director
California Department of Housing and Community Development**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
Telephone: (916) 263-2771

Website: <http://www.hcd.ca.gov/grants-funding/active-funding/iigp.shtml>
Infill Infrastructure Grant Program email: infill@hcd.ca.gov

October 30, 2019

Table of Contents

I. Overview	1
A. Notice of Funding Availability	1
B. Timeline	1
C. Authorizing Legislation, Regulations and Guidelines	1
II. Program Requirements	2
A. Eligible Applicants	2
B. Eligible Projects/Costs	2
C. Funding Limits	3
D. Program Administrative and Activity Delivery Costs	4
E. Threshold	4
F. Rating and Ranking	4
G. State and Federal Requirements	6
III. Application Submission and Review Procedures	6
A. Application	6
B. Application Submission Process	7
C. Application Workshops	7
IV. Appeals, Award Announcements and Contracts	7
A. Appeals	7
B. Internal Loan Committee	8
C. Award Announcements	8
D. Contracts	8
V. Program Overlays	9
A. Federal	9
B. State	9
VI. Other Terms and Conditions	9
A. Right to Modify or Suspend	9
B. Disclosure of Application	9
C. Conflicts	9

I. Overview

A. Notice of Funding Availability

This NOFA announces approximately \$194 million in funding for projects located in Large Jurisdictions. Large Jurisdictions are defined as any county with a population of more than 250,000 as of January 1, 2019, or any city within that county, pursuant to Health and Safety Code section 53559.1 (added by Stats. 2019, ch. 159 (A.B. 101), § 20).

These funds will be used to provide grants for infrastructure improvements in support of higher-density affordable and mixed-income housing, and mixed-use infill development projects. Specific eligible improvements include construction, rehabilitation, or other physical improvement of parks or open space, transit facilities, streets, and sidewalks.

B. Timeline

NOFA Release	October 30, 2019
Application Due Date	January 29, 2020
Award Announcements	April 30, 2020

C. Authorizing Legislation, Regulations and Guidelines

Assembly Bill 101, which was signed by Governor Newsom on July 31, 2019, established the Infill Infrastructure Grant Program of 2019 (program) as set forth in Health and Safety Code sections 53559, 53559.1, and 53599.2 (added by Stats. 2019, ch. 159, § 20).

Applications submitted under this NOFA are subject to the program Guidelines (Guidelines), all applicable statutory requirements, and this NOFA. All section references in this NOFA refer to the Guidelines unless otherwise noted. All capitalized terms in this NOFA are either defined herein or in the Guidelines. The Guidelines and NOFA are available at the Department's [IIIG webpage](#).

The Guidelines implement, interpret, or make specific the requirements set forth in Health and Safety Code sections 53559, 53559.1, and 53599.2. The Guidelines include the following significant provisions:

1. The establishment of a competitive application process to award grant funding to capital improvement projects located in Large Jurisdictions.
2. The establishment of an Over-the-Counter application process to award grant funding to Capital Improvement Projects located in Small Jurisdictions.
3. Increase in per-unit grant calculation amounts.

4. Increase in the maximum grant amount for a Qualifying Infill Project from \$5 million to \$7.5 million.
5. Nonprofit or for-profit Developers must apply jointly with Localities.
6. Identifies that Prohousing Policies are one of the selection criteria for Qualifying Infill Projects. Qualifying Applicants will be awarded points as specified.

II. Program Requirements

A. Eligible Applicants

Eligible Applicants shall be one of the following:

1. A city, county, city and county, or public housing authority that has jurisdiction over a Qualifying Infill Area.
2. A nonprofit or for-profit Developer of a Qualifying Infill Project applying jointly with a city, county, city and county, or public housing authority that has jurisdiction over a Qualifying Infill Area.

B. Eligible Projects/Costs

To be eligible for funding, a Capital Improvement Project must be an integral part of or be necessary to facilitate the development of a Qualifying Infill Project or the housing designated in the application for a Qualifying Infill Area. Eligible projects must meet the requirements set forth in Section 303 of the Guidelines. For details on Eligible Costs, please refer to Section 304 in the Guidelines.

Only applications for projects located in Large Jurisdictions will be accepted in response to this NOFA. The Department of Finance provided provisional population and housing estimates for the state, counties, and cities for January 1, 2019. (State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State – January 1, 2011-2019*. Sacramento, California, May 2019 – available online at <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/>.) The report identified the following counties as having 250,000 or more residents. As such, these counties meet the eligibility criteria of a Large Jurisdiction:

Alameda	Monterey	San Francisco	Solano
Contra Costa	Orange	San Joaquin	Sonoma
Fresno	Placer	San Luis Obispo	Stanislaus
Kern	Riverside	San Mateo	Tulare
Los Angeles	Sacramento	Santa Barbara	Ventura
Marin	San Bernardino	Santa Clara	
Merced	San Diego	Santa Cruz	

Counties that are not included in this list may apply under the program Small Jurisdiction NOFA, which is found on the Department's [IIG webpage](#).

C. Funding Limits

For a Qualifying Infill Project, the minimum program grant award is \$1 million in urban areas and \$500,000 in rural areas. The total program grant award to any Qualifying Infill Project is limited to \$7.5 million under this NOFA.

For Qualifying Infill Areas, the minimum program grant award is \$2 million in urban areas and \$1 million in rural areas. The total program grant award to any eligible Qualifying Infill Area is limited to \$30 million under this NOFA.

Over the life of the program (to include the Infill Incentive Grant Program of 2007, the Infill Infrastructure Grant Program of 2019, and any future iterations of the program), the total of all program awards for any single Qualifying Infill Project or Qualifying Infill Area shall not exceed \$60 million.

Pursuant to Section 305 of the Guidelines, the total grant amount shall be determined by the number of units in the Qualifying Infill Project or Qualifying Infill Area, the bedroom count of these units, and the density and affordability of the housing to be developed. (See the Grant Amount Calculation Table below.) Additional requirements are set forth in Section 305 of the Guidelines.

Grant Amount Calculation Table

Income Level & Tenure	0-Bdrm	1-Bdrm	2-Bdrm	3-Bdrm	4-Bdrm
200%+ FMR ¹ or Exceeds CALHFA Sales Prices ^{2 3}	\$3,700	\$7,400	\$11,100	\$14,800	\$18,500
Program Unrestricted ⁴	\$24,700	\$28,400	\$33,000	\$40,800	\$44,500
Moderate-Income Owner	\$28,400	\$32,100	\$38,300	\$45,700	\$49,400
Low-Income Owner	\$32,100	\$35,800	\$43,200	\$50,600	\$55,600
60% AMI Rental	\$32,100	\$35,800	\$43,200	\$50,600	\$55,600
50% AMI Rental	\$37,100	\$42,000	\$48,200	\$58,000	\$61,800
30% AMI Rental	\$43,200	\$45,700	\$51,900	\$66,700	\$70,400

¹ 200% Fair Market Rent (FMR) Unit: A 200 percent FMR Unit is a rental unit with a proposed monthly rent, which is equal to or greater than 200 percent of its county's FMR as defined by HUD.

² Exceeds CalHFA Maximum Sales Price Unit: A For-Sale Unit with a proposed sales price which exceeds its county's maximum allowable sales price for a new construction unit as published by CalHFA.

³ The current CalHFA sales price chart can be viewed at <http://www.calhfa.ca.gov/homeownership/limits/salese/salesprice.pdf>.

⁴ IIG Unrestricted: An Unrestricted Unit for the purposes of calculating grant amounts in the IIG program is any unit not restricted at the other levels identified in Section 302(a), but also not meeting any of the above definitions. *Increase based on December CPI per US Bureau of Labor Statistics https://data.bls.gov/pdq/SurveyOutputServlet?data_tool=dropmap&series_id=CUUR0400SA0,CUUS0400SA0

Net Density Adjustment Factor Chart

Grant amounts established by the Grant Amount Calculation Table may be increased based on proposed housing units per acre, as represented in the following Net Density Adjustment Factor Chart.

Net Density (housing units per acre)	Adjustment Factor
Less than 30	1
30 – 34.9	1.04
35 – 39.9	1.08
40 – 44.9	1.12
45 – 49.9	1.16
50 – 54.9	1.2
55 – 59.9	1.24
60 – 64.9	1.28
65 – 69.9	1.32
70 – 74.9	1.36
75 – 79.9	1.40
80 – 89.9	1.44
90 – 99.9	1.48
100 and above	1.52

D. Program Administrative and Activity Delivery Costs

Not Applicable

E. Threshold

To be considered for program funding, applications for Large Jurisdictions must include a Qualifying Infill Project, including those Qualifying Infill Projects used to establish the eligibility of a Qualifying Infill Area. In addition, all applications must meet all the threshold requirements set forth in Section 308.

F. Rating and Ranking

Qualifying Infill Project applications shall be rated based on the criteria set forth in Section 309 of the Guidelines.

In order to be considered for funding, project applications must receive a minimum score of 210, excluding bonus points. Applications must contain a completed IIG Self-Scoring Worksheet along with documentation acceptable to the Department that adequately supports the Self-Score provided. **Applications that do not include a Self-Scoring Worksheet will not be considered for funding.** Self-Scoring Worksheets must be included within the application at the time of submittal to the Department. No additional information may be added to an application after it has been submitted.

The highest scoring applications that meet all threshold requirements will be selected for funding in this NOFA. Applications will be funded in descending order. The Department may make adjustments to this procedure to meet the following geographic distribution objectives:

1. Target 45 percent of total funds to projects located in Southern California (Kern, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, San Luis Obispo, or Ventura counties);
2. Target 10 percent of total funds to projects located in the Central Valley (Fresno, Merced, San Joaquin, Stanislaus and Tulare counties); and
3. Target 45 percent of total funds to projects located in Northern California [those not located in the Large Jurisdiction counties specified in previous paragraphs (1) and (2)].

In the event two or more applications have the same rating and ranking score, the following tiebreaking points will be awarded, in the following order of priority, until there is no longer a tie:

1. Ten bonus points will be awarded to the Qualifying Infill Project or Qualifying Infill Area having the lowest ratio between the requested grant amount to the total allowable maximum grant amount in accordance with the maximum calculated through the respective program Guidelines. All such ratios will be rounded to the nearest second decimal point.
2. An additional three bonus points will be awarded to the Qualifying Infill Project or Qualifying Infill Area for each prior awarded Qualifying Infill Project developed by the Eligible Applicant that has received a certificate of occupancy by the deadline for submittal of applications set forth in this NOFA.

Pursuant to Section 305(e) of the Guidelines, the Eligible Applicant must provide documentary evidence that the Qualifying Infill Project or the housing to be developed in the Qualifying Infill Area, as proposed in the application, is financially feasible.

Pursuant to Section 305(d) of the Guidelines, the Eligible Applicant must demonstrate that program funds are reasonably necessary for project feasibility and that no other source of funding is reasonably available.

The Department administers the competitive application process pursuant to this NOFA and will make the program award determinations.

G. State and Federal Requirements

1. Compliance with California's Housing Element Law

The Qualifying Infill Project or Qualifying Infill Area must be located in a Locality which has an adopted Housing Element that has been found by the Department to be in substantial compliance with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code. Housing Element compliance must be established as of the NOFA application deadline date.

2. Climate Adaptation

Executive Order B-30-15 addressed the need for climate adaptation and ordered that:

- a. All state agencies with jurisdiction over sources of greenhouse gas emissions shall implement measures, pursuant to statutory authority, to achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.
- b. State agencies shall take climate change into account in their planning and investment decisions and employ full life-cycle cost accounting to evaluate and compare infrastructure investments and alternatives.
- c. State agencies' planning and investment shall be guided by the following principles:
 - (1) Priority should be given to actions that both build climate preparedness and reduce greenhouse gas emissions;
 - (2) Where possible, flexible and adaptive approaches should be taken to prepare for uncertain climate impacts;
 - (3) Actions should protect the state's most vulnerable populations; and
 - (4) Natural infrastructure solutions should be prioritized.

In response to the Governor's Executive Order, the Department strongly encourages Recipients to use the program funds in a manner that responsibly takes climate change into account.

III. Application Submission and Review Procedures

A. Application

Application materials consist of a Microsoft Excel IIG Application workbook and the Universal Application workbook provided by the Department. The Eligible Applicant must also submit supporting documentation, as specified.

Application forms will be available in November 2019 on the Department's website at: <http://www.hcd.ca.gov/grants-funding/active-funding/iigp.shtml>.

B. Application Submission Process

A complete printed application with original signatures in a three-ring binder, and electronic copies on a flash drive with all applicable information and documentation, must be received by the Department **by 5:00 PM Pacific Standard Time on January 29, 2020**, in order to be considered for funding. The Department will only accept applications delivered through a postal carrier service such as U.S. Postal Service, UPS, FedEx, or other carrier services that provide date stamp verification confirming delivery to the Department. Please contact the Department if delivery is not completed by fault of the private courier/U.S. Mail. Personal deliveries are not accepted.

INFILL INFRASTRUCTURE GRANT PROGRAM

Division of Financial Assistance, NOFA Section
California Department of Housing and Community Development
2020 W. El Camino Avenue, Suite 650
Sacramento, CA 95833

Applications must be on Department forms and may not be altered or modified by the Applicant. Applications must meet all eligibility requirements upon submission. Applications with material internal inconsistencies will not be rated and ranked. It is the Applicant's responsibility to ensure that the application is clear, complete and accurate. Program staff may request clarifying information. No Applicant may appeal the Department's evaluation of another Applicant's application.

C. Application Workshops

The Department will conduct four application workshops. Please go to the program website for the dates, locations, and to register.

IV. Appeals, Award Announcements and Contracts

A. Appeals

1. Basis of Appeals

- a. Upon receipt of the Department's notice that an application has been determined to be incomplete, ineligible, fail threshold review, or have a reduction to the initial point score, Applicants under this NOFA may appeal such decision(s) to the Department pursuant to this section.
- b. No Applicant shall have the right to appeal a decision of the Department relating to another Applicant's eligibility, point score, award, denial of award, or any other matter related thereto.
- c. The appeal process provided herein applies solely to decisions of the Department made in this program NOFA and does not apply to any decisions made with respect to any previously issued NOFAs or decisions to be made pursuant to future program NOFAs.

2. Appeal Process and Deadlines

- a. **Process:** To file an appeal, Applicants must submit to the Department, by the deadline set forth in subsection b. below, a written appeal which states all relevant facts, arguments, and evidence upon which the appeal is based. Furthermore, the Applicant must provide a detailed reference to the area or areas of the application that provide clarification and substantiation for the basis of the appeal. No new or additional information will be considered if this information would result in a competitive advantage to an Applicant. Once the written appeal is submitted to the Department, no further information or materials will be accepted or considered thereafter.
- b. **Filing Deadline:** Appeals must be received by the Department no later than five (5) business days from the date of the Department's threshold review or initial score letters representing the Department's decision made in response to the application.

Appeals are to be submitted to the Department either via email at Craig.Morrow@hcd.ca.gov or at the following address:

Craig Morrow, Section Chief
IIG Program Appeals
Division of Financial Assistance
California Department of Housing and Community Development
2020 W. El Camino Avenue, Suite 500
Sacramento, California 95833

3. Decision

Any request to appeal the Department's decision regarding an application shall be reviewed for compliance with the Guidelines and this NOFA. All decisions rendered shall be final, binding, and conclusive, and shall constitute the final action of the Department.

B. Internal Loan Committee

Upon ranking and rating of applications, recommended projects will be presented to the Internal Loan Committee for review and approval.

C. Award Announcements

The Department anticipates announcing program awards in April 2020.

D. Contracts

Successful Applicants (Recipient(s)) will enter into a Standard Agreement with the Department. The Standard Agreement incorporates all relevant state and federal requirements, as well as specific information about the award and the work to be performed.

V. Program Overlays

A. Federal

Not applicable

B. State

State Prevailing Wages - Program funds awarded under this NOFA are subject to California prevailing wage law (Lab. Code, § 1720 et seq.). **Applicants are urged to seek professional legal advice about the law's requirements.**

VI. Other Terms and Conditions

A. Right to Modify or Suspend

The Department reserves the right, at its sole discretion, to suspend, amend, or modify the provisions of this NOFA at any time, including without limitation, the amount of funds available hereunder. If such an action occurs, the Department will notify all interested parties via listserv and will post the revisions to the Department's website. Please be sure to subscribe at the listserv link.

B. Disclosure of Application

Every application is a public record that is subject to disclosure pursuant to a request under the California Public Records Act (Gov. Code, § 6250 et seq.). The Department cautions against providing personal information that is not specifically requested (e.g., bank account numbers, personal phone numbers, and home addresses). By providing this information to the Department, the Applicant is waiving any claim of confidentiality and consents to the disclosure of submitted material upon request.

C. Conflicts

In the event of any conflict between the terms of this NOFA and either applicable state or federal law, the terms of the applicable state or federal law shall control.