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## CLARK COUNTY, NEVADA

# HOME INVESTMENT PARTNERSHIPS PROGRAM – AMERICAN RESCUE PLAN ACT OF 2021 (HOME-ARP) & WELCOME HOME

## Program Guide & Application Instructions

Funding For

**Supportive Services for Permanent Supportive  
Rental Housing, County-wide**

Issued by: Clark County, Nevada

Application Release Date: September 15, 2023

Application Due Date: November 14, 2023, at 5:00 pm PST

## Summary

Clark County (County) is seeking Applications from qualified service providers, owners, and/or developers of permanent supportive housing to provide services to permanent supportive housing residents in the County. \$3,114,864 in HOME Investment Partnerships Program – American Rescue Plan Act of 2021 (HOME-ARP) and up to \$2,500,000 in County funds will be available. The County is also releasing a companion application to fund the development of permanent supportive rental housing, including \$7,475,673 in HOME-ARP funds and up to \$10,000,000 in County funds. A minimum of 50% of each funding request must be for HOME-ARP dollars. The County may consider funding 100% with County dollars only if a project can show why it absolutely cannot meet the HOME-ARP requirements for their targeted population.

Applicants should read the County's HOME-ARP Plan, which has been added to the Zoom Grant Library, along with the entire notice provided by the Department of Housing and Urban Development (HUD) regarding HOME-ARP funding located at:

[HUD Notice regarding HOME-ARP Funding](#)

These funds should provide supportive services for residents of the housing to be developed through this joint application. All housing developed will be located in Clark County.

Applicants must demonstrate that residents will have sufficient access to supportive services. As a part of those services, the County strongly encourages the provision of case management which will ensure that tenants are aware of, and have access to, a broad range of services to meet their needs. Supportive services should be voluntary and cannot be mandated as a condition of tenancy. Services can be provided in one of two ways.

1. The project owner can provide services directly. This model should only be employed by organizations that have substantial experience and expertise in the provision of the services proposed.
2. The project owner can contract with another organization to provide the required services.

The Qualifying Populations (QPs) for HOME-ARP are summarized as follows:

1. Homeless
2. At Risk of Homelessness
3. Fleeing/Attempting to Flee Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking
4. Other Populations, which includes Other Families Requiring Services or Housing Assistance to Prevent Homelessness OR At Greatest Risk of Housing Instability

Veterans and families that include a veteran family member that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP assistance.

All services funded through HOME-ARP funds must serve one or more QP as defined in HUD Notice CPD-21-10 without preference for one QP.

<https://www.hud.gov/sites/dfiles/OCHCO/documents/2021-10cpdn.pdf>

In addition, all units funded with HOME-ARP must confirm potential tenants' status as a QP and must use a specific prioritized waiting list for HOME-ARP funded units.

The County is required to submit regular reports to HUD on its performance and to assure compliance. The County will set appropriate milestones/reporting requirements for Developers and Project Owners.

The County's official Application will post as of September 15, 2023, on the Clark County web site and be published in the Las Vegas Review Journal on September 16, 2023. The County will hold a Pre-Application meeting regarding this Application on October 3, 2023, at 1:00 pm PDT. The meeting will be held virtually through Zoom and all interested parties must register to attend by emailing: [chf@clarkcountynv.gov](mailto:chf@clarkcountynv.gov) and including "PSH Pre-Application Meeting" in the subject line. Once registered all interested parties will receive connection information. All interested applicants should attend this meeting.

Written questions may be sent to [chf@clarkcountynv.gov](mailto:chf@clarkcountynv.gov). Questions should be submitted by October 26, 2023 and all questions and responses will be emailed to interested parties on November 3, 2023.

Clark County Contact for this Application [chf@clarkcountynv.gov](mailto:chf@clarkcountynv.gov)

The County will create a list of interested parties, to whom they will provide email updates, as they become available. All those who plan to apply should reach out to the Community Housing Administrator listed above and request to be added to this list.

Description of Event	Date/Amount/or Other Details
Program Guidelines/Application release date	September 15, 2023
Deadline for Application Questions	October 26, 2023, at 5:00 pm PDT
Email interested parties with County responses to Applicant questions.	November 3, 2023
Submission due date in ZoomGrants	November 14, 2023, at 5:00 pm PST, <i>no extensions will be granted</i>

Project lease-up, start of supportive services	December 31, 2026
Eligible timeframe for service provision	Project lease-up to June 30, 2030
Minimum award of HOME-ARP funds	\$10,000
Maximum award of HOME-ARP funds	\$3,114,864
Maximum award of County funds	\$2,500,000

## Funding Opportunity

The County will be allocating up to \$3,114,864 in HOME-ARP funds, and up to \$2,500,000 in County funds to provide eligible supportive services to residents of the HOME-ARP and County funded permanent supportive housing rental development. Funds awarded through this application will be in the form of a grant with funds drawn for reimbursement of costs incurred. A Funding Agreement between the service provider and the County will establish terms. HOME-ARP and County funds can only be used for eligible costs incurred after an agreement has been fully executed.

Applicants are required to provide a budget for the provision of services, in the template provided. The supportive services budget submitted in this application packet will serve as the supportive services budget in the Financial Feasibility workbook in the corresponding development application. The number of residents served should be shown in this application and reflected in the number of units in a corresponding development application. Any office space or other site amenities and/or features required for the provision of supportive services and case management should be included as part of the housing development application.

It is the Applicant’s responsibility to establish the projected cost of services annually, through the eligible timeframe for service provision, which is from lease up to June 30, 2030. Costs for services should consider the following:

- A comprehensive review of, and targeted approach to, addressing significant needs of the populations to be served.
- The eligible uses of the HOME-ARP supportive services funds.
- A determination of how long the funding will last.
- Maximizing the utilization of existing service dollars in the community to leverage HOME-ARP and County funds.
- Case management to ensure that tenants get connected with the appropriate services in a timely and effective manner.

## Eligible Applicants

Eligible applicants are non-profit and for-profit service providers including faith-based organizations, consistent with the requirements of 24 CFR 5.109. Applicants must be eligible to do business with the Federal Government, the State of Nevada, and Clark County. Funds will be allocated according to the process and criteria specified in this Program Guide. The County may reject any and all submissions. Awarded applications may or may not be funded for the full amount requested.

### Threshold Requirements:

- Application and all requested narrative and attachments must be complete, and received by the application submission deadline, including a completed budget.
- Minimum two (2) years of experience providing services to the targeted population, including assisting vulnerable, low-income, or homeless populations.
- The proposed activity(ies) must be eligible under the County's HOME-ARP Program.
- Proposed services must be for Qualifying Populations.
- Applicant must not be debarred or otherwise prohibited from conducting business with Clark County, the State of Nevada, or the Federal Government.
- Applicant must possess a valid State of Nevada and Clark County Business License, as well as a NV Secretary of State Verification of Good Standing (if Applicant is from another State, please provide the equivalent from your State). If Applicant does not have business licenses at time of submission, they may provide proof that they have applied or will apply prior to project closing.
- Services must be provided to the residents of HOME-ARP and County funded projects to be developed through the companion Application.
- Applicant's organizational mission must include either the development and management of affordable housing, or service to the populations targeted in this application.

Developers that do not meet the threshold requirements will be ineligible for further consideration.

## Eligible Participants

Any supportive services proposed to be funded with HOME-ARP dollars must be provided to individuals and families who meet the definition of a Qualifying Population and are not already receiving the same services through another program.

## Full Definitions of Qualifying Populations

### 1. Homeless, as defined in 24 CFR 91.5 Homeless (1), (2), or (3):

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

(2) An individual or family who will imminently lose their primary nighttime residence, provided that:

(i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

(ii) No subsequent residence has been identified; and

(iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing;

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment.

**2. At risk of Homelessness**, as defined in 24 CFR 91.5 At risk of homelessness:

(1) An individual or family who:

(i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;

(ii) Does not have enough resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the "Homeless" definition in this section; and

(iii) Meets one of the following conditions:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which

there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as "homeless" under this section but qualifies as "homeless" under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

**3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.**

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

**Domestic violence**, which is defined in 24 CFR 5.2003 includes felony or misdemeanor crimes of violence committed by:



- 1) A current or former spouse or intimate partner of the victim (the term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship);
- 2) A person with whom the victim shares a child in common;
- 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving HOME-ARP funds; or
- 5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating violence** which is defined in 24 CFR 5.2003 means violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. The length of the relationship;
  - b. The type of relationship; and
  - c. The frequency of interaction between the persons involved in the relationship.

**Sexual assault** which is defined in 24 CFR 5.2003 means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

**Stalking** which is defined in 24 CFR 5.2003 means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) Fear for the person's individual safety or the safety of others; or
- 2) Suffer substantial emotional distress.

**Human Trafficking** includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7102). These are defined as:

1) Sex trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

2) Labor trafficking means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

4. **Other Populations** where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. HUD defines these populations as individuals and households who do not qualify under any of the populations above but meet one of the following criteria:

(1) **Other Families Requiring Services or Housing Assistance to Prevent Homelessness** is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in 24 CFR 91.5, are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

(2) **At Greatest Risk of Housing Instability** is defined as household who meets either paragraph (i) or (ii) below:

(i) has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);

(ii) has annual income that is less than or equal to 50% of the area median income, as determined by HUD, AND meets one of the following conditions from paragraph (iii) of the "At risk of homelessness" definition established at 24 CFR 91.5:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan.

**Veterans and Families that include a Veteran Family Member** that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP assistance.

## Eligible Activities/Uses of Funds

All applicants must have a detailed services plan outlining how the population housed will receive services that will help them achieve and maintain stability and remain healthy and successfully housed. The supportive services funded with HOME-ARP dollars must be able to be characterized as Homeless Prevention Services as that term is defined by HUD<sup>1</sup>. Eligible costs associated with approved homelessness prevention supportive services includes, but is not limited to:

**Childcare:** The costs of childcare for program participants, including providing meals and snacks, and comprehensive and coordinated developmental activities, are eligible. The childcare center must be licensed by the jurisdiction in which it operates in order for its

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<sup>1</sup> Eligible supportive services for QPs fall into one category: Homelessness Prevention Services. HOME-ARP Homelessness Prevention Services are adapted from certain eligible homelessness prevention services under the Emergency Services Grant (ESG) regulations at 24 CFR Part 576. 24 CFR Part 576 implements the Emergency Solutions Grants (ESG) program authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act. Eligible costs associated with McKinney-Vento supportive services and homelessness prevention supportive services include those listed above.

costs to be eligible. Children must be under the age of 13 unless the children have a disability. Children with a disability must be under the age of 18.

**Education Services:** The costs of improving knowledge and basic educational skills are eligible costs including: instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED). Screening, assessment, and testing; individual or group instruction; tutoring; provision of books, supplies, and instructional material; counseling; and referral to community resources.

**Employment assistance and job training:** The costs of establishing and/or operating employment assistance and job training programs are eligible, including classroom, online and/or computer instruction, on-the-job instruction, services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. The cost of providing reasonable stipends to program participants in employment assistance and job training programs is also an eligible cost. Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates.

Services that assist individuals in securing employment consist of:

- Employment screening, assessment, or testing;
- Structured job skills and job-seeking skills;
- Special training and tutoring, including literacy training and pre-vocational training;
- Books and instructional material;
- Counseling or job coaching; and
- Referral to community resources.

**Food:** The cost of providing meals or groceries to program participants is eligible.

**Legal Services.** Eligible costs are the fees charged by licensed attorneys and by person(s) under the supervision of licensed attorneys, for advice and representation in matters that interfere with a qualifying individual or family's ability to obtain and retain housing.

Eligible subject matters are child support; guardianship; paternity; emancipation; legal separation; orders of protection and other legal remedies for victims of domestic violence, dating violence, sexual assault, human trafficking, and stalking; appeal of veterans and public benefit claim denials; landlord-tenant disputes; and the resolution of outstanding criminal warrants; landlord/tenant matters, provided that the services must be necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.

Services may include client intake, receiving and preparing cases for trial, providing of legal advice, representation at hearings, and counseling.

Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost is less than the cost of hourly fees.

Filing fees and other necessary court costs are also eligible. If the subrecipient is a legal services provider and performs the services itself, the eligible costs are the subrecipient's employees' salaries and other costs necessary to perform the services.

Ineligible: Legal services for immigration and citizenship matters and for issues related to mortgages and homeownership are ineligible. Retainer fee arrangements and contingency fee arrangements are prohibited.

**Life skills training:** The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, dating violence, sexual assault, stalking, human trafficking, substance abuse, and homelessness are eligible. These services must be necessary to assist the program participant to function independently in the community.

Life skills training includes the budgeting of resources and money management, household management, conflict management, shopping for food and other needed items, nutrition, the use of public transportation, and parent training.

Mental Health Services. Eligible costs are the direct outpatient treatment of mental health conditions that are provided by licensed professionals.

Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances.

Services are crisis interventions; counseling; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.

**Outpatient health services:** Eligible costs are the direct outpatient treatment of medical conditions when provided by licensed medical professionals including:

- Providing an analysis or assessment of a program participant's health problems and the development of a treatment plan;
- Assisting program participants to understand their health needs;
- Providing directly or assisting program participants to obtain and utilize appropriate medical treatment;

- Preventive medical care and health maintenance services, including in-home health services and emergency medical services;
- Provision of appropriate medication;
- Providing follow-up services; and
- Preventive and non-cosmetic dental care.

**Outreach services:** The costs of activities to engage Qualifying Populations for the purpose of providing immediate support and intervention, as well as identifying potential program participants, are eligible.

Eligible costs include the outreach worker's transportation costs and a cell phone to be used by the individual performing the outreach.

Costs associated with the following services are eligible: initial assessment; crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; actively connecting and providing people with information and referrals to homeless and mainstream programs; and publicizing the availability of the housing and/or services provided within the Participating Jurisdiction's geographic area.

**Substance abuse treatment services:** Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals. The costs include:

- Program participant intake and assessment;
- Outpatient treatment;
- Group and individual counseling;
- Drug testing.

Ineligible: Inpatient detoxification and other inpatient drug or alcohol treatment are ineligible.

**Transportation:** Eligible costs are:

- The costs of a program participant's travel on public transportation or in a vehicle provided by the Applicant to and from medical care, employment, childcare, or other eligible services;
- Mileage allowance for service workers to visit program participants and to carry out housing inspections;
- The cost of purchasing or leasing a vehicle in which staff transports program participants and/or staff serving program participants;
- The cost of gas, insurance, taxes, and maintenance for the vehicle;

- The costs of staff to accompany or assist program participants to utilize public transportation;

**Case management:** The costs of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant(s) are eligible costs. Service providers (subrecipients) providing these supportive services must have written standards for providing the assistance. Eligible costs are those associated with the following services and activities:

- Conducting the initial evaluation, including verifying and documenting eligibility, for individuals and families applying for supportive services;
- Counseling;
- Developing, securing, and coordinating services;
- Using a centralized or coordinated assessment system that complies with the requirements of Section IV.C of Notice CPD-21-10;
- Obtaining federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers;
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking;
- Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
- Conducting re-evaluations of the program participant's eligibility and the types and amounts of assistance the program participant needs.

**Credit repair:** HOME-ARP funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.

**Services for special populations:** HOME-ARP funds may be used to provide services for special populations, such as victim services, so long as the costs of providing these services are eligible under this application. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, stalking, or human trafficking.

## Ineligible Activities / Restrictions

Any ineligible costs paid using HOME-ARP funds must be repaid to the County. Only homelessness prevention services as outlined above are eligible for funding with HOME-ARP dollars.

Financial assistance cannot be provided to a program participant who is receiving the same type of assistance through other public sources.

## Leveraging of Funds

The Supportive Services for Permanent Supportive Rental Housing does not require matching funds. However, it is encouraged and expected that the supportive service provider will utilize existing resources throughout the community to maximize the participants' chances of housing stability. Scoring criteria includes the Applicant's ability to leverage other resources and funding opportunities.

## Application Evaluation Criteria

Applications will undergo a review that includes the following:

- Threshold review: Applications will be subject to threshold review to determine eligibility for HOME-ARP funding. Threshold requirements are listed above.
- Scoring: Projects meeting threshold requirements will be scored on a point system.
- Selected Projects: Projects selected for funding must meet the requirements of this Program Guide and provide all documentation required by the County and will execute a funding commitment agreement with the County.

Eligible applications will be evaluated by County staff according to the following selection criteria:

### **Applicant Experience and Capacity (30 points)**

- Organizational capacity and ability to meet qualifications.
- Relevance and extent of prior experience.
- Organizational infrastructure
- Past performance outcomes
- Collaboration with public and/or private entities
- Extent of collaboration and defined relationship with the Applicant submitting the companion development Application
- Experience of Key Personnel



### **Financial Capacity (30 points)**

- Completeness, soundness, and reasonability of budget
- Financial strength of Applicant
- Previous experience in spending federal funds
- Ability to leverage other resources and funding opportunities

### **Program Design and Approach (40 points)**

- An understanding of the application objectives and requirements
- A cost-effective services program with documentable and realistic outcomes
- Logical distribution of funds
- Plans to leverage and access other funding sources
- Case management is not required but is preferred
- The fit between the services offered and the anticipated needs of the targeted qualifying populations.

### **Submission Contents & Instructions**

Applicants must submit the following in response to this request for Applications:

#### **Cover Letter**

Submit a cover letter introducing yourself. Include a statement that the proposal is submitted in response to the application for *Supportive Services for Permanent Supportive Rental Housing*. The letter should be signed by the chief executive officer, chair of the board or the executive director of a nonprofit organization.

#### **Introduction**

Describe the partnership between the developer/owner/property manager and the Applicant as the supportive services provider. Clearly define the relationship between entities and include any memoranda of understanding (MOUs) or contracts in place. Discuss prior experience with the housing developer and outcomes achieved.

#### **Applicant Experience and Capacity**

- A. Applicants should provide a narrative clearly describing what qualifies them to provide the services proposed. Include a description of experience providing services to the targeted population and assisting vulnerable, low-income, or homeless populations. Describe the required minimum 2 years of experience. Provide a brief description of the company/organization including brief history, corporate or organization structure, and number of years in business.

- B. Describe the capacity of Applicant's organizational infrastructure to establish and administer supportive services, including demonstrated experience of the Applicant in establishing and operating HOME-ARP supportive services eligible activities, or similar projects for QPs. Include a description of how the Applicant's organization communicates and works together in both an administrative and functional capacity.
- C. Describe how your organization mission includes either the development and management of affordable housing or service to the populations targeted in this application. Provide 501(c)(3) or (c)(4) status, if non-profit.
- D. Provide information about relative performance (i.e. past performance outcomes), the extent of responsibility on prior projects and a description of the project's scope and similarity to the services proposed to be provided in this Application. Include a list of previous service provision programs that you have managed, and for each entry, include the following:
  - 1. A description of the services provided.
  - 2. The type of funding that was used, and a contact person with the funding provider.
  - 3. The scale of the services provided (i. e. 25 households provided with homebuyer counseling).
  - 4. The population for whom the services were provided.
  - 5. Whether you collaborated with or provided services on behalf of another organization, and if so, the nature of the collaboration and the name of the entity with whom you worked.
- E. Provide relative experience in collaborating with public and/or private entities to obtain appropriate mainstream services on behalf of the population to be served.
- F. Provide a statement of the Applicant's involvement in litigation that could affect this work should be included. If no such litigation exists, Applicant should state as such.

### **Personnel**

- A. Provide narrative detailing the experience of the individual(s) on staff of the Applicant who shall have primary responsibility for the oversight and management of the supportive services.
- B. Provide an organizational chart displaying the Applicant's overall structure, identifying individuals and their job titles and major job duties should be included. The organizational chart should show lines of responsibility and authority.

- C. Make a list of Key personnel for this project, list their role, and provide the percentage of time directly assigned to the project.
- D. Provide résumés of key personnel to be involved in this project. Résumés of proposed personnel or subcontractors should also be included, to the extent they are known.

### **Financial Capacity**

- A. Applicant must submit copies of audited financial statements for the last three (3) years, including at a minimum a balance sheet, profit and loss statement, or other financial records to support applicant's ability to cash-flow an advancement or reimbursement program.
- B. Applicants are required to provide a budget for the provision of services, using the template provided in the Financial Feasibility Spreadsheet. The supportive services budget submitted in this application packet will also serve as the supportive services budget in the corresponding development application.

The application must show the breakdown of funding sources requested, including that at least 50% of the funds requested should be from HOME-ARP.

Applicant must establish the cost of services annually, through the period of provision, up to June 30, 2030. Based on the eligible uses of the HOME-ARP supportive services funds, determine how long the funding will last, maximize the utilization of existing service dollars in the community, and provide for distribution of how service funds are spent.

- C. Applicant's experience at drawing down previous federal program funding addressing permanent supportive housing and homelessness, including the Emergency Solutions Grants and the Emergency Housing Voucher programs, if applicable.
- D. Applicant must have internal standards and processes in place that are compliant with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards at 2 CFR Part 200.

### **Program Design and Scope of Services**

- A. Provide narrative describing the design of the supportive services program that includes:
  - 1. The services to be provided and how they are a fit for the anticipated tenants.
  - 2. The process for connecting tenants with the services and determining tenant's service needs.

3. Who provides case-management, and how it will be done.
  4. Where the services will be provided and if on-site, what space is available.
  5. How transportation will be provided for any off-site services.
  6. How the project owner will ensure that tenants have a choice about what services they use, and about who will provide those services.
  7. How will you measure outcomes.
- B. A description tied to the budget that explains how the Applicant will propose to use the funds, how long the funding will last, how the applicant will maximize the utilization of existing service dollars in the community, and an explanation of the method of distribution of service funds.

### **Administrative Requirements**

- A. Describe how HOME-ARP and County requirements will be met as described in the Application, including:
1. Program administration
  2. Financial management
  3. Record keeping
  4. Reporting

### **Business License**

Applicant must possess a valid State of Nevada and Clark County Business License, as well as a NV Secretary of State Verification of Good Standing (if Applicant is from another State, please provide the equivalent from your State). If Applicant does not have business licenses at time of submission, they may provide proof that they have applied or will apply prior to project closing.

### **Submittal Instructions**

The County is using ZoomGrants to collect Applications. All Applications are to be submitted via ZoomGrants no later than 5:00 p.m. PST on November 14, 2023. You must log in to ZoomGrants, complete all the information requested, and upload each of the items requested above into the Documents section of ZoomGrants.

To access the application, please use this link:

<https://www.zoomgrants.com/gprop.asp?donorid=2092&limited=4785>

All responses submitted must be the original work product of the Applicant. The copying, paraphrasing or otherwise use of a substantial portion of the work product of another Applicant is not permitted.

This document, and these application instructions, are intended to supplement those included in the ZoomGrant application. The ZoomGrants portal for this Application is divided into 4 tabs: Summary, Application Questions and Documents. There is also a Library that includes downloadable documents (including this one) that should be reviewed in conjunction with this application. This Library is viewable when working in any of the tabs.

For questions specifically on the functioning of the ZoomGrant application or the HOME-ARP Program, please email [chf@ClarkCountyNV.Gov](mailto:chf@ClarkCountyNV.Gov).

### **Library Contents**

1. HOME-ARP Supportive Services for Permanent Supportive Rental Housing Program Guide and Application Instructions
2. CPD-21-10: Requirements for the Use of Funds in the HOME-American Rescue Plan Program
3. Clark County HOME-ARP Allocation Plan
4. HOME-ARP Development of Permanent Supportive Rental Housing Program Guide and Application Instructions

### **Summary**

This section asks for the Application Title/Project Name. Use that title/name as a reference if emailing with questions. The amount of funding is also requested.

### **General Application Questions**

Check all boxes and complete the narratives as directed. Documents referenced in the questions can be found in the Library or as downloadable templates in the Documents section. Other requested information can be uploaded in the Documents section under the appropriate title. All information requested must be entered or uploaded into ZoomGrants.

### **Documents**

The DOCUMENTS Section is where applicants upload the documents required or requested. If a downloadable template is available, it will appear as a hyperlink below the document title. Download, complete then upload under the same document title. Document titles without a downloadable template are for uploading documents requested

in the Application. The list of Documents section corresponds to the list of Submission Requirements above.

### **Additional HOME-ARP Requirements**

Projects will be awarded based upon the overall strength of the application and project, as determined through the project review process. The County reserves the right to request additional information or documentation at any stage during the process, to request that changes be made to a proposal, to fund portions of any given proposal, and/or to choose not to fund any or all proposals. The County also reserves the right to change the funding requirements or amount of a given proposal prior to closing, at its sole discretion. Applicants will be expected to respond and comply with any additional requests in a timely manner. Failure to provide requested information on a timely basis will result in a proposal being deemed non-responsive and ineligible for further consideration.

### **Program Compliance**

All supportive service providers must adhere to, or maintain compliance with, the requirements of this Program Guide, including all HOME-ARP requirements, and other programs administered through the County. Failure to maintain compliance with any County program may result, depending on the egregiousness of the noncompliance, in penalties being assessed in the scoring of future applications and/or the inability to participate in future County programs for a period to be determined at County's sole discretion.

### **Other Federal Requirements**

**Non-discrimination and Equal Opportunity.** Applicants must make facilities and services available to all on a nondiscriminatory basis and publicize the facilities and services. The procedures an Applicant uses to convey the availability of such facilities and services should be designed to reach persons with disabilities or persons of any particular race, color, creed, religion, sex, age, familial status, or national origin within their service area who may qualify for them. If not, the Applicant must establish additional procedures that will ensure that these persons are made aware of the facilities and services. Applicants must adopt procedures to disseminate information to anyone who is interested regarding the existence and location of services or facilities that are accessible to individuals with disabilities.

Applicants must also comply with the requirements of 24 CFR Parts 5, 200, 203, et al Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity. The regulation is available at <http://www.gpo.gov/fdsys/pkg/FR-2012-02-03/pdf/2012-2343.pdf>. Applicants must include in their HOME-ARP Program standards a written policy

for Fair Housing to all persons and/or families regardless of sexual orientation, gender identity or family identification.

**Lead-based Paint.** Housing assisted with HOME-ARP funds is subject to the Lead-Based Paint Poisoning Prevention Act and the Act's implementing regulations at 24 CFR part 92, subpart H, 92.355 for any building constructed prior to 1978. Applicants using HOME-ARP funds must comply this notice as far as practical lead- based paint hazards in a residential property that receives federal assistance for acquisition, leasing, support services or operation activities.

**Property Management Standards.** Applicants are required to follow uniform standards for using and disposing of capital improvements and equipment. Equipment is defined as having a useful life of one year and a per unit value of \$5,000 or more.

**Contractual Agreement.** All Applicants must enter into a contractual agreement with the County. This Written Agreement must include all requirements contained in the HOME-ARP Program Interim Rule (24 CFR Part 576) in addition to all other applicable rules and regulations. The Written Agreement will include, but is not limited to, the following:

### **Confidentiality**

All entities assisted by HOME-ARP funds must develop, implement, and maintain written procedures to require that:

All records containing personally identifying information of any individual or family who applies for and/or receives HOME-ARP assistance will be kept secure and confidential;

The address or location of any HOME-ARP rental housing exclusively for individuals fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking will not be made public, except as necessary where making the address or location public does not identify occupancy of the Program Participant; and

The address or location of any Program Participant who is a fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking will not be made public, except as provided under a privacy policy of the Applicant consistent with state and local laws and any other grant conditions from other federal grant programs regarding privacy and obligations of confidentiality.

If an individual or family qualifies because the individual or family is fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking then acceptable evidence includes an oral or written statement by the qualifying individual or head of household seeking assistance that they are fleeing that situation. An oral statement may be documented by either:

- a written certification by the individual or head of household; or

- a written certification by a victim service provider, intake worker, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or an intake worker in any other organization from whom the individual or family sought assistance.

The written documentation need only include the minimum amount of information indicating that the individual or family is fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking and need not include any additional details about the conditions that prompted the individual or family to seek assistance.

**Drug and Alcohol-free Facilities:** Applicants must administer a policy designed to ensure that each assisted homeless facility is free from the illegal use, possession or distribution of drugs or alcohol by its beneficiaries and comply with the Drug-Free requirements.

**Procurement Procedures.** Each Applicant must have an appropriate procurement procedure in place. At a minimum, three telephone bids must be obtained for any equipment or furniture purchases to be charged totally or in part to the HOME-ARP Program.

**Conflicts of Interest.** Applicants, State recipients, and subrecipients engaging in any of the activities defined in this Program Description are subject to the conflicts of interest provisions at 24 CFR 92.356, including but not limited to the conflicts of interest exception process defined in 24 CFR 92.356(d)-(e). Owners and developers of HOME-ARP NCS and HOME-ARP rental housing shall be subject to 24 CFR 92.356(f).

**Organizational Conflicts of Interest:** The provision of any type or amount of HOME-ARP supportive services may not be conditioned on an individual's or family's acceptance or occupancy of a shelter or housing unit owned by the Applicant; State recipients; the subrecipient; or a parent, affiliate, or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent, affiliate, or subsidiary of the subrecipient, administer financial assistance that includes rental payments, utility deposits, security deposits, or first and last month's rent provided pursuant to this Notice. All contractors of the Applicant, State recipients, or subrecipient must comply with the same requirements that apply to subrecipients under this section.

**Fair Housing.** All Applicants must perform and document action in the area of enforcement and/or promotion to affirmatively further fair housing. During the grant year, Applicants must carry out a minimum of one activity to promote fair housing. Non-discrimination and equal opportunity are applicable to HOME-ARP Programs (24 CFR 5.105(a) as amended).



**Terminating Assistance.** All Applicants must have a formal process for terminating assistance to an individual or family. At a minimum, there must be an appeals procedure with one level of administrative review for clients who are evicted or refused service by the Applicant for any reason.

### Reporting Requirements

Each Applicant must complete quarterly reporting forms as required by the County. Any required quarterly reports must be submitted by the 15th of the month following the close of the quarter. If the 15th falls on a weekend or holiday, the report must be submitted by the next business day. Domestic violence agencies must also upload CAPER information from their comparable data system as required by HUD.

These requirements may be modified as required based on further guidance from HUD. Additional reports also may be required by the County at its sole and absolute discretion.

**Violence Against Women Act.** All Applicants are required to apply the requirements of the Violence Against Women Act to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation, consistently across all HUD administered Programs along with all nondiscrimination and fair housing requirements. The Violence Against Women Act (VAWA) requirements set forth in 24 CFR 92.359.

Recordkeeping: Each Applicant must establish and maintain sufficient records to enable the County or HUD to determine whether the Applicant has met the HOME-ARP requirements. At a minimum, the following records are needed:

- Program Records evidencing that all HOME-ARP funds used by a Applicant for supportive service benefit individuals and families in Qualifying Populations.
- Records documenting compliance with the percent limitation on administrative costs.

**Confidentiality.** The Applicant's written policies and procedures for maintaining confidentiality of qualifying households as individuals or families fleeing, or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking.

The Applicant's written policies and procedures for maintaining confidentiality in compliance with the VAWA protections contained in 24 CFR Part 5, Subpart L.

**Project Records.** Applicants are required to retain the following records for HOME-ARP projects, as specified by activity type. For all HOME-ARP Supportive Services projects pursuant to McKinney-Vento or Homelessness Prevention Supportive Services:

- Records, where applicable, demonstrating compliance with the termination of assistance.

- Records of all solicitations of and agreements with subrecipients and contractors, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable including any findings and corrective actions required.
- Records of all procurement contracts and documentation of compliance with the procurement requirements in 2 CFR part 200, subpart D.
- Records evidencing the use of the written procedures required by the HOME-ARP and records evidencing compliance with the program.
- Records of all leases, subleases, and financial assistance agreements for the provision of rental payments, documentation of payments made by the Applicant to owners, HOME-ARP sponsor, or qualifying households for the provision of financial assistance for rental payments, and supporting documentation for these payments, including dates of occupancy by qualifying individuals and families.
- Records that document the monthly allowance for utilities (excluding telephone) used to determine compliance with the rent restriction.
- Records of the types of services provided under the HOME-ARP program and the amounts spent on these services.
- Records demonstrating subrecipient compliance with the recordkeeping requirements in this Program Description.
- For all HOME-ARP Housing Counseling Services projects as defined in 24 CFR part 5, each participating housing counseling agency must maintain a recordkeeping and reporting system in accordance with 24 CFR 214.315 and 24 CFR 214.317. The system must permit HUD to easily access all information needed for a performance review.

**Financial records.**

- Records, in accordance with 2 CFR 200.302, identifying the source and application of HOME-ARP funds. Identification must include, as applicable, the Assistance Listing program title and number (formerly Catalogue of Federal Domestic Assistance), Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.
- Records concerning the HOME-ARP Investment Trust Fund Treasury account and local account required to be established and maintained by this Notice, including deposits, disbursements, balances, supporting documentation and any other information required by IDIS.
- Records identifying the source and application of program income and repayments.

- Records demonstrating adequate budget control and other records required by 2 CFR 200.302, including evidence of periodic account reconciliations.

**Program administration records.**

- Records demonstrating compliance with the written agreements required by the HOME-ARP program.
- Records demonstrating compliance with the applicable uniform administrative requirements of the program.

**Records concerning other Federal requirements.**

- Equal opportunity and fair housing records.
- Data on the extent to which each racial and ethnic group, and single-headed households by gender of household head have applied for, participated in, or benefited from, any program or activity funded in whole or in part with HOME-ARP funds.
- Documentation and data on the steps taken to implement the jurisdiction's outreach programs to minority-owned (MBE) and female-owned (WBE) businesses including data indicating the racial/ethnic or gender character of each business entity receiving a contract or subcontract of \$25,000 or more paid, or to be paid, with HOME-ARP funds; the amount of the contract or subcontract, and documentation of participating jurisdiction's affirmative steps to assure that minority business and women's business enterprises have an equal opportunity to obtain or compete for contracts and subcontracts as sources of supplies, equipment, construction, and services.
- Records demonstrating compliance with the environmental review requirements of 24 CFR 92.352, 24 CFR part 58, and this Notice including flood insurance requirements.
- Affirmative marketing and MBE / WBE records.
- Records demonstrating compliance with the labor requirements of 24 CFR 92.354, including contract provisions and payroll records.
- Documentation and data on the steps taken to implement the jurisdiction's outreach programs to minority-owned (MBE) and female-owned (WBE) businesses including data indicating the racial/ethnic or gender character of each business entity receiving a contract or subcontract of \$25,000 or more paid, or to be paid, with HOME-ARP funds; the amount of the contract or subcontract, and documentation of participating jurisdiction's affirmative steps to assure that minority business and women's business enterprises have an equal opportunity to obtain or compete for contracts and subcontracts as sources of supplies, equipment, construction, and services.

- Records demonstrating compliance with the environmental review requirements of 24 CFR 92.352, 24 CFR part 58, and this Notice including flood insurance requirements.
- Records demonstrating compliance with the labor requirements of 24 CFR 92.354, including contract provisions and payroll records.
- Records demonstrating compliance with the lead-based paint requirements of 24 CFR part 35, subparts A, B, J, K, M and R, as applicable.
- Records supporting compliance with conflict of interest requirements in 24 CFR 92.356, as well as documentation of any exceptions granted by HUD or a state Applicant, as applicable, to the conflict of interest provisions in 24 CFR 92.356.
- Records demonstrating compliance with debarment and suspension requirements in 24 CFR part 2424.
- Records concerning intergovernmental review, as required by 24 CFR 92.357.
- Records of emergency transfers requested under 24 CFR 5.2005(e) and 24 CFR 92.359 pertaining to victims of domestic violence, dating violence, sexual assault, or stalking, including data on the outcomes of those requests.
- State Recipients and Subrecipients. A Applicant that distributes HOME-ARP funds to State Recipients or subrecipients must require the State Recipients or subrecipients to keep the records required by paragraphs 1. program records, 2. project records, 3. financial records, 4. program administration records, and 5. records concerning other federal requirements of Section VIII.F of this Notice, and such other records as the Applicant determines to be necessary to enable the Applicant to carry out its responsibilities under this Notice. The Applicant need not duplicate the records kept by the State recipients or subrecipients. The Applicant must keep records concerning its annual review of the performance and compliance of each State recipient and subrecipient as required under 24 CFR 92.504(a).

Period of record retention. All records pertaining to HOME-ARP funds must be retained for five years, except as provided below.

Written agreements must be retained for five years after the agreement terminates.

Records covering displacements and acquisition must be retained for five years after the date by which all persons displaced from the property and all persons whose property is acquired for the project have received the final payment to which they are entitled in accordance with 24 CFR 92.353.

If any litigation, claim, negotiation, audit, monitoring, inspection, or other action has been started before the expiration of the required record retention period records must be

retained until completion of the action and resolution of all issues which arise from it, or until the end of the required period, whichever is later.

**Access to records.** The Applicant must provide citizens, public agencies, and other interested parties with reasonable access to records, consistent with applicable state and local laws and any other applicable grant conditions from other federal grant programs regarding privacy and obligations of confidentiality.

The Applicant, subrecipient, contractor, or owner may create a Program Participant identifier code or number that can be used on a file and maintained internally, in such a way that the number itself does not inadvertently identify the Program Participant, (i.e., no use of initials, date of birth, or other pieces of information that might suggest the identity of the program participant). The “key” or “cypher” for the program participant identifier code would itself be confidential and would not leave the provider. In the circumstance of HUD programs, the Unique Personal Identification Number which is generated within the comparable database could be used with auditors to identify records of services to distinct individuals, subject to the below requirement.

HUD and the Comptroller General of the United States or any of their representatives, have the right of access to any pertinent books, documents, papers, or other records of the Applicant, State Recipients, and subrecipients, in order to make audits, examinations, excerpts, and transcripts. If a provider of services or operator of an NCS is subject to state or local laws or other federal grant programs that require that HUD not be given access to records detailing PII of victims, then auditors or evaluators may be given access to representative files without any sharing of individual identifying information.

**Other Federal Requirements and Nondiscrimination.** The requirements in 24 CFR 92 and 24 CFR 92.350 apply to the HOME-ARP program. Applicants must comply with the Federal requirements set forth in 24 CFR part 5, subpart A, including: nondiscrimination and equal opportunity; disclosure requirements; debarred, suspended or ineligible contractors; drug-free work; and housing counseling and the nondiscrimination requirements at section 282 of Cranston-Gonzalez National Affordable Housing Act (NAHA).

### **Additional Application Information**

This solicitation is not a commitment or offer by the County to enter into an agreement with an Applicant or to pay any cost incurred in the preparation of a response to this application. The application and the selected Applicant’s response may, by reference, become a part of the final agreement between the selected Applicant and the County resulting from this application. The County has sole discretion and reserves the right to reject any and all responses received with respect to this application and to cancel the solicitation at any time prior to entering into a formal agreement.

The Applicant may take exception to, or suggest deviations from, any portion of this application. Exceptions and deviations shall be noted in the appropriate section(s) of the application and shall adequately and concisely describe its advantages and/or other reasons for which it is proposed. Applicants are advised that any exceptions contained in the application are by itself a sufficient basis for any decision by the County not to select that application.

The County may request additional information or clarification of information provided in the application without changing the terms of the solicitation.

All proposals must meet the requirements as detailed in this program guide and any additional requirements of other funding sources.

### **Unique Entity ID and SAM Requirements**

Applicants must be registered with SAM.gov.

On April 4, 2022, the unique entity identifier (UEI) used across the federal government changed from the DUNS Number to the Unique Entity ID (generated by SAM.gov). The Unique Entity ID is a 12-character alpha ID assigned to an entity by SAM.gov. As part of this transition, the DUNS Number has been removed from SAM.gov. The downloadable SAM.gov Registration form in ZoomGrants has links to a "UEI Fact Sheet" and for assistance in transitioning from the DUNS Number to the new Unique Entity ID.

### **Contact with County during Application Process**

Communication between an Applicant and a member of the Board of County Commissioners or between an Applicant and a non-designated County staff person regarding the selection of an Applicant is prohibited from the time the solicitation is advertised until the item is posted on an agenda identifying the selected Applicant. Questions pertaining to this solicitation shall be addressed to the designated contact specified herein. Failure of an Applicant, or any of its representatives, to comply with this paragraph may result in their application being rejected.

### **Withdrawal of Application**

Applicant may request withdrawal of application at any time, provided the request for withdrawal is submitted to the County in writing.

### **Rejection of Application**

The County reserves the right to reject any or all responses to this application, to advertise for new applicants, and to accept any application responses deemed to be in the best interests of the County. Acceptance of any application should not be construed as a

development agreement, nor shall it indicate any commitment on the part of the County for any future action.

### **Revisions and Interpretations**

If it becomes necessary to revise any part of the solicitation, a written revision will be provided to all Applicants from the County. The County is not bound by any specifications by the County's employees, unless such clarification or change is provided to Applicant in writing from staff serving in a supervisory capacity.

### **Public Records**

The County is a public agency as defined by state law, and as such, it is subject to the Nevada Public Records Law (Chapter 239 of the Nevada Revised Statutes). Under that law, all of the County's records are public records, unless otherwise declared by law to be confidential, and are subject to inspection and copying by any person. Applicant is advised that once an application is received by the County, its contents will become a public record and nothing contained in the application will be deemed to be confidential except proprietary information. Applicant shall not include any information in its application that is proprietary in nature or that it would not want to be released to the public. Applications must contain sufficient information to be evaluated. The funding agreement will be written without reference to any proprietary information. If Applicant feels that it cannot submit its application without including proprietary information, it must adhere to the following procedure, or its application may be deemed unresponsive and will not be recommended to the BCC for selection.

If Applicant needs to submit proprietary information, please send an email labeled "Proprietary Information" referencing the project's name to the County's contact. This email must contain a letter from the Applicant's legal counsel describing the proprietary information documents, representing in good faith that the information in each document meets the narrow definitions of proprietary information set forth in NRS 332.025, 332.061 and NRS Chapter 600A, and briefly stating the reasons why each document meets said definitions.

Upon receipt of an application accompanied by such a separate email, the County will open the email to determine whether the procedure described above has been followed. Any information submitted pursuant to the above procedure will be used by the County only for the purposes of evaluating Applications and conducting negotiations. If a lawsuit or other court action is initiated to obtain proprietary information, an Applicant who submits the proprietary information according to the above procedure must have legal counsel intervene in the court action and defend the secrecy of the information. Failure to do so shall be deemed Applicant's consent to the disclosure of the information by the

County, Applicant's waiver of claims for wrongful disclosure by the County, and Applicant's covenant not to sue the County for such a disclosure.

By submitting proprietary information, in consideration of the terms related hereto, the Applicant also agrees to fully indemnify the County if the County is assessed any fine, judgment, court cost or attorney's fees as a result of a challenge to the designation of information as proprietary. In the event that the County incurs any expenses in this regard, it shall have a right to charge said expenses made in good faith to Applicant. An itemized statement of expenses shall be prima facie evidence of the fact and extent of the liability of Applicant.

If the County determines that a document that the Applicant has designated "confidential" or "trade secret" is not entitled to protection from public disclosure, the County will provide notice of that determination to the contact person designated by the Applicant in any reasonable manner that the County can provide such notice, at least five business days prior to public disclosure of the document. If the Applicant does not designate anyone to receive such notice, the County will not have any obligation to provide any notice of a determination of non-confidentiality. If the Applicant does not designate anyone to receive such notice or, if within five business days after the designated person receives such notice, the Applicant does not initiate a judicial proceeding to protect the confidentiality of the document, the County will not have any obligation to withhold the document from public disclosure.

### **Collusion and Advance Disclosures**

Consistent with NRS 332.820, evidence of collusion among Applicants and prospective Applicants acting to restrain freedom of competition may void applications.

Advance disclosures of any information to any particular Applicant that gives that Applicant any advantage over any other interested Applicant, in advance of submission of the application, whether in response to advertising or an informal request for applications, made or permitted by a member of the BCC or an employee or representative thereof, may operate to void all applications received in response to this solicitation.

Applicant shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the County, the BCC or any official conducting the screening of solicitation responses, or any other organization that may have a clear interest in the outcome of the screening process for the purpose of influencing the outcome of the solicitation response selection process. Applicant shall not collude in any manner or engage in any practices with any other Applicant that may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the Applicant's application to be rejected by the County.



## Exhibit I - Application Elements Included in Submission

- 1. Cover Letter (*I, page 17*)
- 2. Introduction narrative (*II A & B, page 17*)
- 3. Memoranda of Understanding/contract (*II B, page 17*)
- 4. Narrative of Applicant Experience and Capacity (*III A-G, pages 17-18*)
- 5. List of previous service provision programs (*III C, page 18*)
- 6. Organizational Chart (*III E, page 18*)
- 7. References from Past Programs (*III F, page 18*)
- 8. Narrative of Personnel experience (*IV A-C, page 19*)
- 9. List of Key Personnel (*IV B, page 19*)
- 10. Résumés of staff and key personnel (*IV C, page 19*)
- 11. Financial narrative (*VA-C, page 19*)
- 12. Three (3) years of requested audits/financial statements (*VA, page 19*)
- 13. Budget using County provided form (*VB, page 19*)
- 14. Narrative of Program Design and Approach to Services (*VIA, pages 20-21*)
- 15. Lobbying Certification (*Exhibit III, page 36*)
- 16. Conflict of Interest (*Exhibit III, pages 37-38*)

### Supporting Documentation

- 17. State of Nevada Business License (*page 20*)
- 18. NV Secretary of State Verification of Good Standing (*page 20*)
- 19. 501(c)(3) or (c)(4) status, if non-profit (*page 18*)
- 20. Evidence of eligibility for participation in Federal assistance programs (i.e. DUNS / Unique Identifier information) (*page 30*)
- 22. Contracts with any and all other service providers (*page 17*)
- 23. Policies & Procedures demonstrating that you meet federal award standards (*page 19*)

## Exhibit II - Certifications

In addition to the certifications below, which must be completed, and signed, the applicant, by submission of this application certifies the following:

### **Debarment**

By submission of this Application, Applicant certifies that neither it, nor any of its principals, is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any requests for Application, invitations to bid, contracts, or agreements by any federal, state, county, or other government department of agency.

### **Bankruptcies, Pending Litigation, or Unfavorable Judgments**

Applicant certifies that there have been no bankruptcies, pending litigation or unfavorable judgments in the last 10 years of any principal of the Applicant's firm providing financial guarantees to construction lenders and/or investors, whether in the current organization or a prior organization where they served as a principal of Applicant. Applicant must upload to this Application a complete description of any and all bankruptcies, unfavorable judgments and/or pending lawsuits involving themselves or any entity in which they have been or are now involved over the last ten years.

### **Financial Statements**

In the event Applicant does not maintain audited financial statements, Applicant certifies that any unaudited statement of financial condition of their entity submitted with this Application reflects an accurate and complete statement of Applicant's assets and liabilities, net worth, restricted and unrestricted cash, statements of operations, cash flow, income and expense for each year reported.

**Mandatory Acknowledgement “Lobbying Certification”**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies that to the best of his or her knowledge and belief.

(1) No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an office 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, the undersigned shall complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

(3) The undersigned shall require that the language 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 sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Division 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$1,000,000 for each such failure.

WITNESSES:

SUBRECIPIENT, CONTRACTOR OR SUBCONTRACTOR:

1. \_\_\_\_\_ Signature: \_\_\_\_\_

2. \_\_\_\_\_ Title: \_\_\_\_\_

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

### **Mandatory Acknowledgement “Conflict of Interest”**

Clark County is required by HUD to include a Conflict of Interest clause in all contracts. Please be aware that these requirements will apply if you are awarded a contract with Clark County.

The Contractor warrants that its participation in this contract will conform to the requirements of all applicable HOME-ARP regulations including Sections 84.42, 85.36 and 570.611 of Title 24 of the Code of Federal Regulations, and further warrants that such participation will not result in any organizational conflict of interest. Organizational Conflict of Interest is defined as a situation in which the nature of work under this contract and the Contractor’s organizational, financial, contractual or other interests are such that:

- Award of the contract may result in an unfair competitive advantage; or the Contractor’s objectivity in performing the contract work may be impaired.
- In the event the Contractor has an organizational conflict of interest as defined herein, the Contractor shall disclose such conflict of interest fully in the submission of the proposal and/or during the life of the contract.
- The Contractor agrees that if after award he or she discovers an organizational conflict of interest with respect to this contract, he or she shall make an immediate and full disclosure in writing to Clark County, which shall include a description of the action which the Contractor has taken or intends to take to eliminate or neutralize the conflict. may, however, terminate the contract if it is in the best interest of the County.
- In the event the Contractor was aware of an organizational conflict of interest before the award of this contract and intentionally did not disclose the conflict to the County, the County may terminate the contract for default.
- The provisions of this clause shall be included in all subcontracts and consulting agreements.
- No federal, state or local elected official, nor any employee of Clark County, nor any corporation owned or controlled by such person, shall be allowed to participate in any share or part of this contract or to realize any benefit from it. This provision shall be construed to extend to this contract if made with a corporation for its general benefit.
- No member, officer, or employee of Clark County, no member of the governing body of Clark County or any other local government and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the project, shall, during his or her tenure, or for one year thereafter, have any interest, direct or indirect, in this contract or the proceeds thereof.

- The County reserves discretion to determine the proper treatment of any conflict of interest disclosed under this provision.

Witnesses:

Sub-recipient, Contractor, or Subcontractor:

1. \_\_\_\_\_ Signature: \_\_\_\_\_

2. \_\_\_\_\_ Title: \_\_\_\_\_

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