

2016 NYSCFA Community Development: Microenterprise Program

The NYS CDBG Economic Development program through the CFA includes Microenterprise activities. Eligible applicants must apply on behalf of the business seeking CDBG funds. Awards are made to the applicant community and not directly to businesses. Eligible uses of NYS CDBG funds include, but are not limited to: acquisition of real property; financing of machinery, furniture, fixtures and equipment; working capital; inventory; and employee training expenses. Funds awarded under the Microenterprise activity may be used for all other uses, with the exception of construction or other improvements where Davis Bacon and Related Acts apply. Eligible non-entitlement units of local government must apply for **microenterprise assistance which is defined as a commercial enterprise that has 5 or fewer employees, 1 or more of which is the principal and owns the enterprise at the time of application.** The size of the microenterprise includes all part-time and full-time employees (head count, not full-time equivalents).

- A minimum of 50% of the CDBG award must be awarded to start-up businesses. A start up business is defined as an enterprise that has been in operation for fewer than six (6) months at the time of application for assistance.
- Individual grant amount to business: \$5,000 (minimum) to \$35,000 (maximum).
- Each microenterprise must either be owned by a low to moderate-income person or the project must result in the creation of at least one full-time equivalent position to benefit a low- to moderate-income person
- At least 51% of all jobs created must be held by or made available to low- and moderate-income persons.
- NYS CDBG can fund up to 90% of a total project cost.
- Minimum of 10% owner equity contribution (cash equity only) to the project is required.
- Certified completion of a locally approved entrepreneurial assistance or small business training program is required. Cost of training may be a CDBG eligible expense; attendee may be reimbursed after completing the training.
- A Business owner cannot be included or reported as a created job unless fulfilling the LMCMC (low-to-moderate income owner) National Objective.

All Economic Development and Small Business Applications will be available through an Open Round process and completed through the CFA portal. The Open Round applications require the completion of a Pre-Submission Form. The Pre-Submission Form will be reviewed by The Office of Community Renewal and if accepted, the applicant will receive an invitation to apply and will have 60 days to complete a full application within the CFA portal. The CDBG Economic Development and Small Business applications are not subject to the 2016 CFA deadline. These open round applications may be submitted at any time. Please note, an applicant must submit a standalone CDBG Economic Development or Small Business application. The application cannot request other CFA resources in the same project application. More information is available online, here:

<http://www.nyshcr.org/AboutUs/Offices/CommunityRenewal/FundingOpportunities.htm>.

For Economic Development projects, funds cannot be used to re-finance or pay off existing personal or business debt or fund speculative investment. Funds awarded under the NYS CDBG Small Business program may not be used for new construction activity. **Construction, building or other improvements are not an eligible use of CDBG Microenterprise funds when Davis Bacon and Related Acts must be applied.** Recurring expenses associated with repairing, operating or maintaining public facilities, improvements and services are also ineligible.

Activity Funding Limits:

- *County, Town, City or Village: Maximum* – Public Infrastructure* \$750,000; Public Facilities \$300,000
- *Joint Applicants* – Public Infrastructure* (drinking water and/or clean water only) \$900,000
- *County, Town, City or Village – Microenterprise Program* \$200,000
- *County, Town, City or Village – Planning* \$ 50,000

Exceptions to these limits may be made in cases where it is found that a project or projects may have a significant impact that may realize a potential for regional or statewide economic impact. For Public Infrastructure, Public Facility and Microenterprise projects, Applicants may only apply for the amount of funding that can be fully expended and propose the type of activities that can be completed within the specified project completion period of twenty-four (24) months. All proposed accomplishments must be completed and accomplishments reported within the project completion period.

For planning projects, Applicants should only apply for the amount of funding that can be fully expended and the type of activities that can be completed within the specified project completion period of fourteen (14) months. *For certain “co-funded” Public Infrastructure projects, applicants may apply for an amount of funding not to exceed \$1,000,000. “Co-funded” projects are those projects that include other State and/or Federal sources including, but not limited to, USDA Rural Development and the NYS Environmental Facilities Corporation (EFC). In order to qualify for this higher funding threshold, the applicant must clearly demonstrate that other co-funded sources are firmly committed and in place at the time of application. Qualifying documentation includes:

- USDA - Preliminary Funding Estimate (PFE)
- NYS EFC - Letter of Eligibility and/or Hardship Determination or project is listed on the Intended Use Plan (IUP)
- Other Sources – Contact NYS OCR

All qualifying documentation must be submitted as an attachment to the funding application.

Program Delivery and Administration Costs

Applicants are not required to request NYS CDBG program delivery and administrations funds. However, if desired, program delivery and administration funds may be requested at the time of application and must be included within the maximum request amount. Program delivery and administration funds are available on a reimbursement basis, and will therefore be reviewed for eligibility prior to disbursement of funds. Disbursement requests for program delivery and administration costs are not eligible for reimbursement until the approval of a Request for Release of Funds by HCR. Additionally, applicants are encouraged to identify alternate sources of funds for administrative and program delivery expenses. Additional funding commitments for administrative expenses and project delivery strengthen an application. Public Facilities and

Microenterprise

Applicants may request up to 25% of the CDBG award in program delivery, administration, and training combined. Of the 25%, administration must not exceed more than 5% of the total project cost.

Eligible Types of Applicants:

Eligible applicants are non-entitlement units of general local government (villages, cities, towns or counties), excluding metropolitan cities, urban counties and Indian Tribes that are designated entitlement communities. Non-entitlement areas are defined as cities, towns and villages with populations of less than 50,000, except those designated principal cities of Metropolitan Statistical Areas, and counties with populations of less than 200,000. The NYS CDBG program does not provide direct financial assistance to businesses. For a list of eligible communities, please visit: <http://www.nyshcr.org/Programs/NYS-CDBG/EligibleCommunities.htm>.

Applicants may submit multiple applications. The total amount requested by the applicant for Public Infrastructure cannot exceed \$750,000 with the exception of single projects that qualify under the higher threshold as described above. The total amount requested by the applicant for Public Facilities cannot exceed \$300,000. The total amount requested by the applicant for Microenterprise cannot exceed \$200,000. The total amount requested by the applicant for Community Planning cannot exceed \$50,000. Please note that the NYS OCR may exceed these caps if a project or projects have significant and transformational impacts beyond the immediate public benefit.

Pre-Application Requirements:

Prior to submitting an application for funding, applicants must comply with citizen participation requirements pursuant to 24 CFR 570.486 and NYS Homes and Community Renewal's Citizen Participation Plan. These require applicants to follow a citizen participation plan providing for a minimum of one public hearing (one in each jurisdiction of a joint application) held prior to the submittal of an application and making the application available to the public for inspection at the municipal office(s). The public hearing is held to provide an opportunity for citizen feedback on the community and economic development needs of the applicant community and any proposed project(s). When issuing the notice and holding the public hearing, please note the following:

- The notice for the hearing must specifically mention the municipality's intent to apply for NYS CDBG funds and the current program year;
- The notice must identify all activities that the Applicant may be applying for during the current program year;
- Public hearings must be held by the legislative body of the eligible applicant, not by a sub-recipient or other related organization;
- Public hearings must be held in a location accessible to persons with disabilities and/or provide reasonable accommodations to allow all interested parties to participate;
- The public hearing must be conducted prior to finalizing and submitting an application;
- The public notice as published must be included as an attachment to this CFA; and
- A copy of the application must be available for public inspection at the municipal office(s).

Upon award, continued compliance with Citizen Participation is required, which means that a recipient of NYS CDBG funds must issue a public hearing notice and hold a minimum of one additional public hearing during the implementation of the project to report project accomplishments. For planning related activities, the applicant should plan on providing public input opportunities throughout the planning process.

Successful Applicant Requirements:

The HCR application review process includes, but is not limited to, a determination of the project's compliance with a National Objective, feasibility, readiness, and project underwriting, where applicable. Therefore, applications must include the documents listed below as attachments to the CFA. This list is not an exhaustive list of all items required as part of the CFA; HCR also has several required forms that will need to be completed by successful applicants and depending on the specifics of the project, additional information and documentation may be required. For the full list of required documents, refer to: <http://www.nyshcr.org/Funding/>.

For Microenterprise Program Applications

Program Information:

- Program Design Plan.
- Draft program Application and other applicable forms that are to be completed by each program beneficiary.
- List of Grant Committee members and experience. (Grant committee is a panel chosen by the applicant to review grant applications and to make recommendations and/or approval of grant award.)
- Letters of Support.
- Entrepreneurial training program syllabus

Project Budget-Related Documents:

- Commitment Letter(s) from all other funding sources, including proposed terms.
- Documentation for all third party costs (Applicants proposing Microenterprise projects that include soft costs such as classroom instruction, technical assistance to businesses, marketing, etc. must provide supporting cost documentation.)

Compliance with Citizen Participation requirements:

- Copy of public hearing notice(s) with the Affidavit of publication

Upon award, all CDBG recipients will be required to comply with all federal, state, and local regulations and statutes as outlined in the certifications required by Title I of the Housing and Community Development Act (HCDA) of 1974, as amended, including, but not limited to compliance with Title VI of the Civil Rights Act, the Fair Housing Act, and compliance with Section 3 of the HCDA. Recipients must ensure compliance with other statutory, regulatory and program requirements including, but not limited to Labor Standards, as applicable, annual reporting, conflict of interest, procurement, A-133 Audit, Civil Rights, and other requirements as outlined in the Office of Community Renewal Grant Administration Manual available at: <http://www.nyshcr.org/Programs/NYS-CDBG/GrantAdministration.htm>.

Applicants should only apply for the amount of funding that can be fully expended and the type of activities that can be completed within the specified project completion period. All proposed accomplishments must be completed and reported within the project completion period. Applicants should not proceed with a project that cannot be completed within the specified timeframe or with the assumption that an extension of the project deadline will be considered.

Grant recipients who are unable to satisfy the term of their grant agreement may be unable to secure further OCR funding until such time as the prior grants have been completed or the funds recaptured. Inability to meet the required timeframe may be viewed as an issue of project readiness and/or inadequate local capacity to carry out grant activities in a timely manner and may require significant additional actions on the part of the municipality to insure that any potential future grants will be completed within the term of the grant agreement. In addition, all recipients must meet the Environmental Review and Request for Release of Funds requirements prior to submitting any requests for funds. **Costs incurred prior to the completion of the Environmental Review and approval of a Request for Release of Funds are only eligible to be reimbursed by CDBG if the activities are determined to be exempt.** Recipients incur costs prior to the Release of Funds at their own risk. **Please be advised that there may be a gap between submission of the application and the award of projects.** If projects contain activities that are imminent, the CFA may not be the appropriate avenue to pursue funding. Contact HCR for guidance on whether submission of a CFA is advised or if other funding is available to support the project.

Funding Priorities:

Priority will be provided to projects that demonstrate a clearly defined need, address specific community and economic development priorities, meet the objectives of the New York State Community Development Block Grant Program, demonstrate that they have satisfied all administrative and regulatory requirements to proceed immediately upon award, present a project budget that effectively leverages a variety of funding sources, projects identified in NY Rising Community Reconstruction Program plans and projects that are recognized as a priority project for the respective Regional Economic Development Council, including Opportunity Agenda initiatives.