



FY 2018-2019
**OUTREACH FOR UNHOUSED POPULATIONS
and HOMELESS PREVENTION PROGRAM
Request for Proposals (RFP)**
AMENDED

Community Development Block Grant (CDBG)
Emergency Solutions Grant (ESG)
Housing Authority Litigation Award (HALA)

Release Date: 4/18/2018
RFP Workshop 4/~~26~~30/2018
Applications Due: 5/25/2018, 12:00 PM (NOON)

Only Applications submitted through the City of San José's WebGrants system will be accepted. WebGrants can be found at: <http://grants.sanjoseca.gov>

All questions must be e-mailed to: Mark.Gerhardt@sanjoseca.gov
To obtain an electronic copy of this application packet, please go to the following website:
<http://www.sanjoseca.gov/index.aspx?nid=1343>

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I. General Information

The City of San Jose is requesting proposals for the delivery of homeless outreach and prevention services. This document contains the requirements that all applicants seeking funding must satisfy and/or complete. All proposers must complete the application in WebGrants, the City's Grants Management System WebGrants.

A. Overview

This section of the document provides general information and instructions for applying for funds from the City of San José for Homeless Services to be implemented in Fiscal Year 2018-2019.

The specific project types for which funds may be solicited through this RFP are summarized in the table below and in the Requested Services section of this document. Detailed descriptions of the scope and application requirements for each of the project types are in Appendices A1 and A2. Projects will be funded through the City's Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Programs. Funds from the Housing Authority Litigation Award (HALA) may also be utilized to support the projects.

Homeless Services Projects

Strategy	Anticipated 18-19 Funding Allocation	Max. # of Awards	Funding Source
City-wide Homeless Outreach and Mobile Case Management Program	CDBG = \$350,000	2	CDBG, ESG & HALA
Homeless Prevention Program	ESG = \$660,000	2	CDBG, ESG & HALA

In addition to CDBG and ESG funding, the City may utilize Housing Authority Litigation Award (HALA) resources to support the programs selected. The amount of funding available each year is subject to local and federal appropriations and may change. To the extent that the requested funding exceeds the amount available, the City has the right to work with applicants chosen for funding to decrease their project's budget. If it is determined that the City will receive additional CDBG, ESG, or HALA funding, the City has the right to increase one or more project type's maximum allocation amount. Agencies may submit applications for one or both types of programs. Separate applications must be submitted for each program. The maximum award per proposal is approximately \$750,000, but may increase depending on whether HUD increases annual allocation awards. The total amount funded through this RFP will not exceed \$1,010,000 depending on whether HUD increases or decreases annual allocation awards.

Funded programs are expected to have an outcome-oriented approach with a strong emphasis on discernable, measurable results. It will not be enough to simply say that activities will be conducted. Rather, funded agencies will be expected to demonstrate the long-term impact these activities have on their clients or targeted area. Funded programs will be required to measure and track results throughout the duration of the contract.

As described in detail below, the City does not intend to make numerous small awards to multiple organizations providing different services. Rather, the City expects to make a limited number of awards to individual agencies that can provide the range of requested services under each project type.

The City reserves the right to accept or reject any item or group(s) of items of a response/proposal. The City also reserves the right to waive any informality or irregularity in any proposal. Additionally, the City may, for any reason, decide not to award an agreement as a result of this RFP or may cancel the RFP. The City shall not be obligated to respond to any proposal submitted, nor be legally bound in any manner by submission of the proposal. The City is not required to accept the lowest price proposal. Responses will be evaluated to determine the most advantageous proposal based on a variety of factors as discussed herein. The City reserves the right to negotiate with any or all respondents on cost proposals, assigned staff and Program deliverables. Statistical information contained in this RFP is for informational purposes only. The City shall not be responsible for the complete accuracy of said data. The City reserves the right to verify any information provided during the RFP process and may contact references listed or any other persons known to have contracted with the proposer. The City reserves the right, without limitation, to execute an agreement with one or more proposers based solely on the proposal and any approved additions and to enter into an agreement with another agency in the event that the originally selected proposer defaults or fails to execute an agreement with the City.

The federal regulations referenced in this packet may be accessed on-line at the following links:

24 CFR Part 570 (CDBG-specific):

<http://www.ecfr.gov/cgi-bin/text-idx?SID=c70a0baff2b7829f2a36ee78dc348fec&node=pt24.3.570&rgn=div5>

24 CFR Part 576 (ESG-specific):

<http://www.ecfr.gov/cgi-bin/text-idx?SID=c70a0baff2b7829f2a36ee78dc348fec&node=pt24.3.576&rgn=div5>

24 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards)

<http://www.ecfr.gov/cgi-bin/text-idx?SID=0ec29e527206139bd08d375ffdee1ac6&node=pt2.1.200&rgn=div5>

B. Requested Services

Background

Homelessness continues to be a pressing issue for both the City of San José and Santa Clara County as a whole. According to the U.S. Department of Housing and Urban Development’s *2017 Annual Homeless Assessment Report*, among the 48 Major City Continuums of Care, Santa Clara County has:

- the sixth largest homeless population;
- the fourth largest unsheltered homeless population;
- the sixth largest chronically homeless population;
- the seventh largest homeless veteran population; and,
- the second largest unaccompanied homeless youth (under 25) population.

To help respond to this crisis, this RFP seeks agencies that will provide the full spectrum of services and activities for either a Citywide Homeless Outreach and Engagement and/or Mobile Case Management Program for Unhoused Populations or a Homeless Prevention Program. These projects are defined below in the Requested Services section. For either type of project, it is expected that the provision of services will occur seamlessly – streamlined access to services administered by the organization. Applicants must demonstrate how their proposed program will adhere to this structure and how services will be coordinated among agencies.

The City anticipates funding no more than two agencies per program that can demonstrate the ability to provide the full spectrum of services as described in this RFP’s scope of services. The City intends to allocate \$350,000 in federal Community Development Block Grant (CDBG) and \$660,000 in Emergency Solutions Grant (ESG) funds. Housing Authority Litigation Award funds (HALA) may also be utilized to support these services. Agreements will be executed for a one-year period, July 1, 2018 – June 30, 2019, with the possibility of renewing the contract for an additional two years, subject to annual City and Federal appropriations. The maximum award per proposal is approximately \$750,000, but may increase or decrease depending on whether HUD increases annual allocation awards. To the extent that the requested funding exceeds the amount available, the City has the right to work with applicants chosen for funding to decrease their project’s budget. If it is determined that the City will receive additional CDBG, ESG, or HALA funding, the City has the right to increase one or more project type’s maximum allocation amount.

Anticipated Allocations by Funding Source:

Funding Source	Expected FY18-19 Allocation
Community Development Block Grant (CDBG)	\$350,000
Emergency Solutions Grant (ESG)	\$660,000
Housing Authority Litigation Award (HALA)	TBD

The selected respondent(s) will be expected to utilize a team-based model to deliver the full array of services/activities to implement a Citywide Homeless Outreach, Engagement and Mobile Case Management Program for Unhoused Populations or a Homeless Prevention Program as described in the Scope of Services section of this RFP. Program services may occur at one or more locations as long as the assistance is provided in a seamless, coordinated fashion.

Selected agencies will be required to participate in the Santa Clara County Continuum of Care (CoC). The CoC is a broad group of stakeholders dedicated to ending and preventing homelessness in Santa Clara County. The key CoC responsibilities are ensuring community-wide implementation of efforts to end homelessness, as well as ensuring programmatic and systemic effectiveness. The County's Continuum of Care is currently developing a Coordinated Assessment tool for all homeless service providers. When the tool is available, funded programs will be required to participate in Coordinated Assessment, unless the project is a victim services agency.

All programs will be required to participate in the County's Homeless Management Information System (HMIS), or in the case of victims of domestic violence and youth under 18 years of age, an equivalent database. HMIS requires the entry of client-level data into a centralized, web-based system as well as compliance with all applicable confidentiality and data security protocols. Funded agencies will be required to create quarterly reports for the City in the WebGrants system. Citywide Outreach and Engagement Programs will also be required to input data into the City's Encampment Database.

Funded programs are expected to have an outcome-oriented approach with a strong emphasis on concrete, measurable results. All programs will be required to track progress on benchmarks currently under development by the Continuum of Care. The benchmarks are expected to be defined prior to contracting with awarded agencies.

Eligible Activities

Applicants may apply under either or both of the following eligible activities:

1. Citywide Homeless Outreach, Engagement, and Mobile Case Management Program

The City is seeking proposals from agencies interested in utilizing an integrated approach to the administration of a Citywide Outreach, Engagement, and Mobile Case Management Program that will serve as a comprehensive response to addressing persons living unsheltered in San José. The Program will focus on engaging with homeless individuals through street outreach and providing street-based case management.

By focusing its Federal funding and local funding on homeless outreach both Citywide and in the Downtown Core, the City would expand the scope of the outreach program to include

proactive outreach and mobile case management. The proactive outreach component would focus on engaging homeless individuals and transition aged youth throughout the San José, especially in areas of increased encampment activity. Proactive outreach teams would also be expected to build relationships with local businesses, neighborhood groups, the Police Department, and other relevant community groups. The reactive outreach component would still be directed by the needs of the Homeless Concerns Hotline, which will continue to be operated by the City, but would additionally respond to Santa Clara County in assisting homeless individuals, transition aged youth, and families from the City of San José that may be in other areas in the County. The Citywide Outreach and Engagement Program will be expected to operate a Homeless Helpline, which will assist homeless individuals, transition aged youth, and families to navigate the system and will connect them with appropriate resources and services. Lastly, outreach teams would include a mobile case management component that would introduce a new “Diversion” strategy that prevents homelessness for people seeking shelter by helping them identify immediate alternate housing arrangements and, if necessary, connecting them with services and financial assistance to help them return to permanent housing.

The Citywide Outreach, Engagement, and Mobile Case Management Program is expected to focus on the Outreach and Case Management components, but may include shelter activities as part of the process of engaging clients and assisting them in beginning the process of exiting homelessness. The City anticipates funding no more than two proposals under this component.

The three main purposes of the Program are as follows:

- 1.) To provide a consistent **proactive and reactive presence** on the streets and other outdoor locations throughout San José and the downtown area to build rapport and trust with unsheltered homeless residents with the goal of moving them into and keeping them in permanent housing;
- 2.) To provide **mobile street-based case management** to the unhoused population and;
- 3.) To provide an avenue to **alleviate resident and local business concerns** about encampments and homeless residents living in their neighborhoods or other areas of San José.

Eligible activities under this type of project include:

- Street Outreach – Activities designed to meet the immediate needs of unsheltered homeless people by connecting them with emergency shelter, housing, and/or critical health services.
 - Engagement
 - Mobile Case Management
 - To assist with the County’s work on community-wide coordinated assessment

- Community-based case management services pre- and post-housing
- Linkages and referrals to services and benefits provided by other nonprofits and government agencies
- Direct transportation to shelter and other services
- Helpline for homeless people to call for individualized services and referrals

As Citywide Outreach Coordinators, the selected agency or agencies will be expected to proactively identify areas to provide outreach, as well as to respond to concerns from City staff, residents, businesses, and other persons as appropriate. Program staff may also be expected to attend meetings with residents, City representatives, businesses, or other persons as appropriate in an effort to address their concerns.

Successful proposals under the Citywide Outreach & Engagement and Mobile Case Management Program will creatively demonstrate how they plan to seamlessly provide, either directly or through partnerships/direct referrals, all of the services their engaged clients need to begin the process of exiting homelessness.

2. Homeless Prevention Program

The City is seeking proposals from agencies interested in utilizing an integrated approach to administering a Homeless Prevention Program through the provision of relocation assistance and stabilization services, and other services as appropriate.

The *2015-2020 Community Plan to End Homelessness* contains a clear call to action, “Prevent homelessness before it happens.” The purpose of the Homeless Prevention Program is to provide the support needed for low-income households to remain permanently housed. The Program will work in conjunction with and/or enhance existing homeless prevention programs, including the Emergency Assistance Network (EAN).

The City anticipates funding no more than two proposals under this component.

Applicants must demonstrate how they will: 1) ensure all clients are aware of their services; and 2) address the specific needs, confidentiality, and other requirements of these populations.

Eligible activities under this type of project include:

- Homeless Prevention – These activities are designed to prevent an individual or family from moving into an emergency shelter or living in a public or private place not meant for humans through housing relocation and stabilization services and short- and/or medium-term rental assistance. Funds may be used for housing relocation and stabilization services (including rental application fees, security deposits, utility deposits or payments, last month’s rent, moving costs, housing search and placement activities, housing stability case management, mediation, legal services, and credit repair). Funds may also be used for short- or medium- term rental assistance for those

who are at-risk of becoming homeless or transitioning to stable housing.

Successful proposals to administer the program will creatively demonstrate how they plan to seamlessly provide, either directly or through partnerships/direct referrals, all of the services their clients need to prevent homelessness and maintain that housing for a least six months.

Specific Project Response Content

Please see the Application Completion Requirements for All Respondents' section of the General Information and Application Instructions. Proposals that do not include all of the required documentation will be disqualified. In the event of any conflict between any of the Proposal documents, resolution thereof shall be in the City's sole discretion.

II. Eligibility and Program Requirements

A. General CDBG Eligibility Requirements

The primary purpose of the CDBG program is the development of viable urban communities. The viable communities are achieved by providing the following, principally for persons of low-income:

- Decent housing;
- A suitable living environment; and,
- Expanded economic opportunities.

CDBG has three basic eligibility requirements. Proposers must meet the following entry criteria:

- 1) Be a public entity or a nonprofit 501(c)(3) organization.
- 2) Carry out a scope of work that meets a CDBG National Objective. While there are several national objectives of the CDBG program, the program funded under this RFP will address the *Low-/Mod-Income Limited Clientele (LMC) Benefit* national objective. These activities provide benefits to a specific group of persons rather than to all the residents of a particular area. Detailed information on meeting the LMC Benefit national objective is provided in Section D below.
- 3) Carry out activities that are eligible under the current federal guidelines for the CDBG program.

B. CDBG Eligible Activities

Projects must meet the eligibility requirements outlined in 24 CFR Part 570 – CDBG: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr570_main_02.tpl. While there are several categories of eligible activities in the CDBG program, the activities within this proposal will fall under the Public Services category.

Public Services

Under this category, CDBG funds may be used to provide public services (including labor, supplies, materials, and other costs), if each of the following criteria is met:

- 0) The public service must be either:
 - A new service; or
 - A quantifiable increase in the level of a service above that which has been provided by or on behalf of the unit of general local government through funds raised by such unit, or received by such unit from the State in which it is located during the 12 months prior to submission of the grantee's applicable Action Plan. (This requirement is intended to prevent the substitution of CDBG funds for recent support of public services by the grantee using local or State government

funds.)*

- 1) The amount of CDBG funds obligated within a program year to support public service activities under this category may not exceed 15% of the total grant awarded to the grantee for that year plus 15% of the total program income it received in the preceding program year or, where applicable, the amount determined as described in the next paragraph. Public services carried out by subrecipients are subject to the Public Services Cap.

* The prohibition on substituting CDBG funds for recent local or State government funding of a public service does not extend to prohibiting the substitution of CDBG funds for private or other Federal funding of a public service. **It also does not prevent continued funding of a CDBG-funded public service at the same or lower level in the subsequent program year. §570.201(e)**

Public services include, but are not limited to:

- Child care
- Health care
- Job training (including training a qualified pool of candidates for unspecified jobs but see Special Economic Development Activities and Special Activities by CBDOs categories)
- Recreation programs
- Education programs
- Public safety services
- Fair housing activities (but see Program Administration category)
- Services for senior citizens
- Services for homeless persons
- Drug abuse counseling and treatment
- Energy conservation counseling and testing
- Homebuyer down payment assistance, and
- Welfare (but excluding provision of income payments described at §570.207(b)(4)).

The following Public services are not eligible under this category:

Political activities; §570.207(a)(3)

Ongoing grants or non-emergency payments (defined as more than three consecutive months) to individuals for their food, clothing, rent, utilities, or other income payments §570.207(b)(4).

C. General ESG-eligible Activities

In general, ESG funds can be used to support costs associated with the following Program components:

- **Street Outreach:** These activities are designed to meet the immediate needs of unsheltered homeless people by connecting them with emergency shelter, housing, and/or critical health services. Funds may cover costs related to essential services for unsheltered persons (including emergency health or mental health care, engagement, case management, transportation, and services for special populations).
- **Emergency Shelter:** These activities are designed to increase the quantity and quality of temporary shelters provided to homeless people, through the renovation of existing shelters or conversion of buildings to shelters, paying for the operating costs of shelters, and providing essential services. Funds may be used for the renovation of emergency shelter facilities and the operation of those facilities, as well as essential services for the residents (including case management, child care, education services, employment assistance and job training, legal, mental health, substance abuse treatment, transportation, and services for special populations).
- **Rapid Re-housing:** These activities are designed to move homeless people quickly to permanent housing through housing relocation and stabilization services and short- and/or medium-term rental assistance. Funds may be used for housing relocation and stabilization services (including rental application fees, security deposits, utility deposits or payments, last month's rent, moving costs, housing search and placement activities, housing stability case management, mediation, legal services, and credit repair). Funds may also be used for short- or medium-term rental assistance for those who are at-risk of becoming homeless or transitioning to stable housing.
- **Homelessness Prevention:** These activities are designed to prevent an individual or family from moving into an emergency shelter or living in a public or private place not meant for humans through housing relocation and stabilization services and short- and/or medium-term rental assistance. Funds may be used for housing relocation and stabilization services (including rental application fees, security deposits, utility deposits or payments, last month's rent, moving costs, housing search and placement activities, housing stability case management, mediation, legal services, and credit repair). Funds may also be used for short- or medium- term rental assistance for those who are at-risk of becoming homeless or transitioning to stable housing.
- **HMIS:** These activities are designed to fund ESG recipients' and subrecipients' participation in the HMIS collection and analyses of data on individuals and families who are homeless and at-risk of homelessness. Funds may be used to pay the costs for contributing data to the HMIS designated by the Continuum of Care for the area, HMIS lead costs for managing the HMIS system, and victim services or legal services provider costs to establish and operate a comparable database.
- **Clients:** Clients eligible for ESG assistance are homeless individuals or families and individuals or families who are at-risk of homelessness and have an annual income

below 30 percent of the area’s median family income. See limits in the table below.

- **Other:** Projects must meet the eligibility requirements outlined in 24 CFR Part 576: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr576_main_02.tpl
- See Attachment B for additional details on the eligibility requirements for ESG.

D. Additional Entry Criteria

At a minimum, all applicants must meet the following requirements:

- Be a public entity or a nonprofit 501(c)(3) organization;
- Projects must address the national objective of benefiting low- and moderate-income persons;
- Proposed activities must qualify under one of the funding priority projects as summarized above in the Requested Services section and in Appendices A1-2;
- All activities must be eligible under the current federal guidelines for the programs (ESG and CDBG);
- Projects must have a minimum leverage of 100% of committed or pending funds from other funding sources; and
- Proposals must have a strong emphasis on concrete measurable outcomes; and,
- For program services offered at a fixed location, the facility must comply with the American Disabilities Act (ADA) requirements regarding accessibility.

In addition to the basic requirements listed above, all nonprofit organizations applying for funding must meet the following Organizational Requirements:

1) Governing Body

Governing of the organization should be vested in a responsible and active voluntary Board that meets at least quarterly that establishes and enforces policies. The Board should be large enough and structured so that it is representative of the community it serves.

2) Personnel

The organization must provide for adequate administration of the program to ensure the delivery of services. One person should be designated as the director of the organization. If the project is awarded funding, the organization must provide a copy of its Personnel Policies and Procedures, which must include policies prohibiting discrimination, conflict of interest, grievance procedures, and affirmative hiring practices.

3) Non-Discrimination

Each organization receiving funds from the City is required to assure the City that it will conduct its business in compliance with the non-discrimination requirements of the City, State, and federal governments, as applicable.

4) Prohibition of Gifts

City of San José officials are subject to several legal and policy limitations regarding receipt of gifts from persons, firms, or corporations either engaged in business with the City, or proposing to do business with the City. The offering of any illegal gift shall be grounds to disqualify a proposer. To avoid even the appearance of impropriety, proposers should not offer any gifts or souvenirs, even of minimal value, to City officers or employees. The proposer shall be subject to the City's prohibition. Said prohibition is found in Chapter 12.08 of the San José Municipal Code. Proposers agree not to offer any City officer or designated employee any gift prohibited by said Chapter. The offer or giving of any gift prohibited by Chapter 12.08 shall constitute a material breach of the Agreement by the successful proposer. In addition to other remedies the City may have by law or equity, City may terminate the Agreement for such breach.

5) Conflict of Interest

Each proposer is expected to have read and understand Section 7 of Council Resolution 77135 ("Consolidated open government and ethics resolution") (formerly, Council Policy 0-35 on Procurement and Contract Process Integrity and Conflict of Interest adopted on February 6, 2007). A complete copy of the policy can be found at: <http://www.sanjoseca.gov/documentcenter/view/35087> See Section 7, pg. 69, Procurement and Contract Process Integrity and Conflict of Interest.

Any proposer who violates the Policy will be subject to disqualification. Generally, the grounds for disqualification include:

- Contact regarding this RFP with any City official or employee or evaluation team other than contact with the identified Contact, Mark Gerhardt, from the time of issuance of this solicitation until the end of the protest period;
- Evidence of collusion, directly or indirectly, among proposers in regard to the amount, terms, or conditions of this proposal;
- Influencing any City staff member or evaluation team member throughout the solicitation process, including the development of specifications;
- Evidence of submitting incorrect information in the response to a solicitation or misrepresent or fail to disclose material facts during the evaluation process; and,
- In addition to violations of the Process Integrity Guidelines, the following conduct may also result in disqualification:

- Offering gifts or souvenirs, even of minimal value, to City officers or employees.
- Existence of any lawsuit, unresolved contractual claim or dispute between proposer and the City.
- Evidence of proposer's inability to successfully complete the responsibilities and obligations of the proposal.
- Proposer's default under any City agreement, resulting in termination of such agreement.

Accordingly, each proposer shall avoid all conflict of interest, or appearance of conflict of interest, in performance under contract with the City. Any proposer that has any conflict or appearance of conflict, including serving as consultant, officer or staff to a borrower or Developer/Operator currently or previously conducting business in San José, shall report such a conflict in the response to this RFP. It is incumbent upon an awardee to immediately report to the City any conflict, or appearance of conflict, that might arise after this contract is awarded.

6) Accounting

Each organization shall maintain accounting records which are in accordance with generally accepted accounting practices, such as those described in 24 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," or in the American Institute of Certified Public Accountants (AICPA) "Accounting and Financial Reporting for Voluntary Health and Welfare Organizations." 24 CFR Part 200 is available online at: <http://www.ecfr.gov/cgi-bin/text-idx?SID=0ec29e527206139bd08d375ffdee1ac6&node=pt2.1.200&rgn=div5>

7) Audited Financial Statements

Funded projects will be required to have an independent audit performed. The agency annual audit will need to be submitted within 150 days of the end of the organization's fiscal year. Audit fees are reimbursable under an approved cost allocation plan. Agencies with federal expenditures in excess of \$750,000 are subject to conformance to 24 CFR Part 200 subpart F (Audit Requirements).

8) Insurance

Proposer must adhere to the insurance requirements as indicated in Attachment B, Insurance Requirements.

9) Public Nature of Proposal Material

All correspondence with the City including responses to this RFP will become the exclusive property of the City and will become public records under the California Public Records Act (Cal. Government Code section 6250 et seq.) All documents that proposers and awardees send to the City will be subject to disclosure if requested by a member of the public. There are a very limited

number of narrow exceptions to this disclosure requirement.

Therefore, any proposal which contains language purporting to render all or significant portions of their proposal “Confidential,” “Trade Secret,” or “Proprietary,” or fails to provide the exemption information required as described below, will be considered a public record in its entirety subject to the procedures in Section 26.5. Do not mark the entire proposal as “Confidential.”

The City will not disclose any part of any proposal before it announces a recommendation for award, on the ground that there is a substantial public interest in not disclosing proposals during the evaluation process. After the announcement of a recommended award, all proposals received in response to this RFP will be subject to public disclosure. If you believe that there are portion(s) of your proposal which are exempt from disclosure under the Public Records Act, you must mark it as such and state the specific provision in the Public Records Act which provides the exemption as well as the factual basis for claiming the exemption. For example, if you submit trade secret information, you must plainly mark the information as “Trade Secret” and refer to the appropriate section of the California Public Records Act which provides the exemption as well as the factual basis for claiming the exemption.

Although the California Public Records Act recognizes that certain confidential trade secret information may be protected from disclosure, the City of San José may not be in a position to establish that the information that a Proposer submits is a trade secret. If a request is made for information marked “Confidential,” “Trade Secret,” or “Proprietary,” the City will provide Proposers who submitted the information with reasonable notice to seek protection from disclosure by a court of competent jurisdiction.

10) City Business Tax

The Proposer(s) may be required to comply with the San José Municipal Code Chapter 4.76 with respect to payment of the City Business Tax prior to any commencement of work. Contact Finance/Revenue Management at (408) 535-7055 to determine the applicable tax costs.

E. Application Supporting Documents Required

Nonprofit organizations must upload the following documents with their application packet:

- Measurement Methodology Supporting Documents (surveys, questionnaires, pre and post-tests, etc.)
- Board Approval to submit application and authorization to Sign (Board Certified & on Agency Letterhead)

- Client Intake Packet and Eligibility Criteria
- Job descriptions (for staff listed in grant budget only)
- Staff resumes for filled positions, chief administrator, and chief fiscal officers
- Two Most Recent Annual Agency Financial Audits and Management Letters and December 31, 2017 Interim Financial Statement
- Program Outreach / Marketing Materials
- Client Fee / Donation Policy
- Most current Proof of Liability Insurance (all subcontractors must be listed on policy)
- Articles of Incorporation
- By-Laws
- Policy & Procedures Manual (include policies prohibiting discrimination, grievance procedures, and conflict of interest)
- Organizational Chart
- List of Board of Directors (include occupation & years of service as a board member)
- Letter from IRS for 501(C)(3) Tax Exempt Status
- Letter from the Franchise Tax Board for Tax Exempt Status.

F. Spending Conditions

CDBG and ESG funds allocated for projects to be implemented in FY 2018-2019 cannot be spent or obligated prior to the following:

- Approval of the San José City Council
- Approval of the City's 2018-2019 Action Plan by the U.S. Department of Housing and Urban Development (HUD)
- Start of the 2018-2019 Program Year which begins on July 1, 2018

In addition to the above requirements, all funded agencies will be required to submit proof of insurance to receive funds. Refer to the Insurance Requirements in Attachment E.

G. Income Limits Table for San José

The following table provides Income Limits as a Percentage of Median Income for 2017:

No. of Persons in Household	Extremely-Low (30% of Median)	Very Low-Income (50% of Median)	Low-Income (80% of Median)
1	\$25,100	\$41,800	\$59,350
2	\$28,650	\$47,800	\$67,800
3	\$32,250	\$53,750	\$76,300
4	\$35,800	\$59,700	\$84,750
5	\$38,700	\$64,500	\$91,550
6	\$41,550	\$69,300	\$98,350
7	\$44,400	\$74,050	\$105,100
8	\$47,300	\$78,850	\$111,900

The annual income limits for CDBG-funded activities can be found on the City's website at:

<http://www.sanjoseca.gov/index.aspx?nid=4680>

III. Application Timeline and Process

A. Timeline for Funding Activities

Activity	Date
Release of RFP for FY 20158- 2019 CDBG & ESG funding	April 18, 2018
<p>Mandatory Workshop</p> <p>The Housing Department will post written answers to questions asked during the workshop by March 29, 2018 at https://www.sanjoseca.gov/index.aspx?nid=1343 and/or in WebGrants under the Funding Opportunity Page.</p>	<p>April 30, 2018 10:30 A.M. – 11:30 A.M. San José City Hall Wing Room 118-119 200 E. Santa Clara St. San José, CA 95113</p>
<p>Written questions about the RFP will be accepted by the Housing Department</p> <p>Questions must be e-mailed to: Mark.Gerhardt@sanjoseca.gov</p> <p>The Housing Department will post answers to written questions by April 18 May 11, 2018 at https://www.sanjoseca.gov/index.aspx?nid=1343 and/or in WebGrants under the Funding Opportunities page.</p>	<p>April 18 – May 9, 2018 12:00 Noon</p>
Complete RFP responses due	May 25, 2018 12:00 P.M.
Grant Award Announcement	June 2018
Appeal Period	10 days from notification of awards
Contracts completed / executed	July/August 2018

The City reserves the right to amend the dates in the timeline above. Any changes to the dates above will be posted to the Housing Department’s Funding Opportunities page and as an addendum to the RFP in WebGrants.

B. Application Workshop and Questions

It is the City's goal to assist proposers in preparing competitive applications. The Grants Team staff will offer technical assistance through an application workshop and timely responses to written proposer questions. Proposers may be invited to meet with the evaluation panel to provide a brief presentation and to answer questions.

Application Workshop

The City's Housing staff will conduct an application workshop at the following time and location to assist all RFP proposers in completing the application and required forms, and enhance their understanding of applicable requirements and project evaluation criteria. While attendance at the workshop is not required, every proposal team is **strongly encouraged to attend:**

**April 30, 2018
10:30AM-11:30AM
San José City Hall, Wing Room 118-119
200 E. Santa Clara St.
San José, CA 95113**

Parking is available in the City Hall garage located on Sixth Street.
Bring parking ticket to the workshop for validation.

To request for a Sign Language Interpreter for this workshop, please contact Shirlee Victorio at least three days before the scheduled event by email at shirlee.victorio@sanjoseca.gov.

To encourage a fair process, individual or telephone consultations will not be accepted. **Proposers should e-mail their questions to: Mark.Gerhardt@sanjoseca.gov no later than May 9, 2018, by 5:00 PM.** Responses to questions submitted through email will be posted in WebGrants under the Funding Opportunity's Application Attachments.

C. Application Submission

Prior to submission, proposers should carefully check their application to ensure that all of the responses to questions are complete and all attachments are included. Refer to the Checklist in Section 1 to ensure that all required documents are included in the application.

No grace period will be allowed for missing components to be submitted. No additional submissions will be accepted after the May 25, 2018, 12:00 p.m. application deadline.

D. Audit Review Process

In conjunction with the application evaluation, Grants Program staff will perform a review and analysis of the responding agencies' third-party audited financial statements. Proposers may be disqualified from funding consideration if major concerns are raised through a review of the agency's financial capacity. Justification for disqualification includes:

- Failure to submit the agency's two most recent third-party audits;
- Incomplete third-party audit reports;
- Federal Disbarment; or
- Evidence of financial irregularities or malfeasance.

The Director of Housing may approve exceptions to this policy under warranted circumstances when it is determined that the service provided meets a critical community need. If an exception is warranted, the agency may be required to:

- 1) Submit a detailed explanation of the identified deficiency or deficiencies and a realistic plan to resolve them;
- 2) Provide complete documentation with each reimbursement request; and
- 3) Agree to additional monitoring visits.

The Housing Department will conduct a more detailed financial review as part of the Organizational and Financial Capacity assessment. A detailed explanation of the financial audit review process is described in Attachment C.

E. Evaluation Process

Seven evaluation criteria will be used to evaluate project applications. A non-conflicted panel will review and rank the applications based on an average of the total scores received. Proposers may be invited to meet with the panel to provide a brief presentation and clarify panelist questions. The following criteria and the weighting of scores will be used by the panelists during the rank and review process:

Criteria	Weight
Project Eligibility*	Pass/Fail
Audit Review**	Pass/Fail
Program Description	25%
Organizational and Financial Capacity and Experience	30%
Goals and Outcomes	35%
Budget and Fee Structure	10%

* An application with a "Fail" rating for Project Eligibility will not be recommended for

funding.

** An applicant with a “Fail” rating for the Audit Review will not be recommended for funding.

F. Appeals Process

RFP respondents will be advised in writing if their application is not eligible for funding, including the reason(s) that render the project ineligible. Respondents will also be notified of the agencies selected and the amount of funding recommended for each project. Applicants may appeal either of these decisions, in writing, to the Director of the Housing Department at:

City of San José, Housing Department
200 East Santa Clara Street, 12th Floor Tower
San José, CA 95113

The deadline for submitting an appeal letter is 10 days after being notified of the agencies selected and the amount of the funding recommended. The appeal letter must state the grounds, factual basis, and provide all information supporting the appeal. The Director will respond to all appeals within five working days of the close of the appeals process. The Director’s decision is final and there is no further appeal process concerning his/her decision is rendered.

IV. Application Completion Requirements for All Respondents

To apply for funds, please submit your application through the City of San José’s WebGrants system by the date defined above. You can access WebGrants at <http://grants.sanjoseca.gov>. Any application that is late, fails to meet eligibility requirements, or fails to follow submission instructions will not be considered for funding. Only one (1) copy of the “Agency Documents” as listed in the Application Checklist needs to be submitted per application. If your agency is applying for both projects, a separate and complete application must be submitted for each project.

Please note that each project type has specific questions and requirements that must be fulfilled for the RFP response to be considered complete and eligible. The scope and specific requirements for each project type are described in Appendices A1 and A2.

Section 1: RFP Application Checklist

Check each box in WebGrants as appropriate to indicate that the items are included in your RFP response.

Section 2: Cover Sheet (Proposer Information)

Enter the organization information, project funding requested, and agency contact information. The Grants Program will use e-mail to correspond with proposers.

A DUNS number is a requirement for any organization that receives Federal assistance. If your organization does not have one, please call the DUNS number request line at 1-866-705-5711 to obtain a number. The process is free and takes about ten minutes. More information can be found at: http://www.whitehouse.gov/omb/grants/duns_num_guide.pdf.

A DUNS number may also be requested online at <http://fedgov.dnb.com/webform>.

Section 3: Project Summary

In this section provide a summary containing highlights of your proposal’s approach. Please describe briefly the need your program will address and the structure of your program, including the roles and responsibilities of each partner, if applicable. Summarize the goals and outcomes of the program.

Section 4: Program Description

Refer to the Program Description section of your specific project’s response content in Appendices A1 or A2 and answer each question.

Section 5: Organizational Capacity and Experience

Refer to the Organizational Capacity and Experience section of your specific project’s response content in Appendices A1 or A2 and answer each question.

Section 6: Numerical Goals and Outcomes

Unduplicated Participants

Provide the total number of unduplicated participants that will be served by the proposed project, regardless of the number of activities in which they participate. Each participant should be counted only once for the year. Provide the unduplicated participant goal for each quarter and a total for FY 18-19. Include the total program goal and the number of participants that will be served with City grant funds, if awarded.

	1	2	3	4	TOTAL
Total Program Goal					
Total City Grant Portion Goal					

Explain how you determined how many prospective program participants may be recruited (the need in the community) and relate the estimated number to the number your agency will be capable of serving during the contract period.

HUD Objectives and HUD Outcomes

Identify which HUD objective and HUD outcome will be addressed by this project:

HUD Objectives*	HUD Outcomes*
Suitable Living Environment	Availability and/or Accessibility
Decent Housing	Affordability
Creating Economic Development	Sustainability

* See the Attachment D of the Instruction packet for additional clarification of the terms used.

Activities/Outputs

This component should address a specific activity or set of activities that affect a specific group of individuals to accomplish project outcomes. Outputs are products of a program’s activities, such as the number of meals provided, classes taught, brochures distributed, or participants served. Each output should relate to the intended outcome of the program activities and community objectives.

	GOAL				
	1	2	3	4	TOTAL
Activity 1: <i>Insert name of activity here</i>					

Unit of Service: <i>Define the unit of service here*</i>					
Activity 2: <i>Insert name of activity here</i>					
Unit of Service: <i>Define the unit of service here*</i>					
Activity 3: <i>Insert name of activity here</i>					
Unit of Service: <i>Define the unit of service here*</i>					
*Be as specific and detailed as possible. For example, if you propose to track the number of clients assisted over the phone, provide the average length of the sessions.					

EXAMPLE

	GOAL				
	1	2	3	4	TOTAL
Activity 1:					
Unit of Service:					

Outcome Measure(s)

Outcome measures are ways to measure the impact and success of your program(s). Please detail at least one outcome measure that will be used to measure the impact of the program. Express your outcome measure as a percentage of clients who participated in the activity that exhibit the desired change in behavior or desired result.

Examples:

- 90% of outreach contacts were referred to supportive services.
- 50% of clients assisted with homeless prevention services were able to remain housed.

	2 nd quarter Goal	4 th quarter Goal
First Outcome Measure	%	%
<i>Description:</i>		
<i>Methodology:</i>		
Second Outcome Measure	%	%

<i>Description:</i>		
<i>Methodology:</i>		
Third Outcome Measure (optional)	%	%
<i>Description:</i>		
<i>Methodology:</i>		
Fourth Outcome Measure (optional)	%	%
<i>Description:</i>		
<i>Methodology:</i>		

Methodology: For each proposed outcome, describe the measurement methodology and calculation that will be used or has been used. Data collection methods include surveys, focus groups, interviews, report cards, and pre- and post-tests. If a survey, questionnaire, pre- or post-test will be used for outcomes, **attach the applicable document to this application in Section 11.**

When describing your measurement methodology, please include the frequency of collection. Funded proposers will be expected to provide quarterly reports on their project’s activities and unduplicated participants and semi-annual reports on their project’s outcomes.

Discussion

- a) How do the project outcomes align with the HUD Objectives and Outcomes as noted above?
- b) How will the outcome measurements demonstrate the desired project’s impact as described in your response to questions in the Program Description section of the application?
- c) Describe how you plan to assess customer or user satisfaction with your services.
- d) Indicate what changes in operations your agency will experience in order to provide the services and how you plan to measure whether the changes occur or not (adding staff, adding service locations, adding data tracking capabilities, etc.).

Section 7: Project Budget

Download the budget form in WebGrants and complete the form to summarize the entire proposed budget including the distribution of uses by line item. Upload the completed budget form in WebGrants.

As stated in Section II. Eligibility and Program Requirements under the Additional Entry In the “other funds” column please show your anticipated matching funds for the proposed project. If your program will include subcontractors, clearly designate the project costs for each of the subcontracted agencies.

Please provide a budget narrative to explain or justify the amount entered for each budget item in the budget worksheet, including:

- Your methodology for determining the budgeted amounts including the reasoning behind the amounts allocated for service or cost; and,
- How each budget item relates to the implementation of the proposed project and the achievement of the proposed performance goals.

For further instruction, see Attachment E: Project Budget Definitions and Instructions.

Section 8: References

Please provide references for any City of San José grant project that you have implemented/are currently implementing. Please also provide three references that can speak to the agency’s ability to successfully implement the proposed project or that have funded other agency programs.

Section 9: Certification and Assurances

The authorized agency representative’s name and contact information must be listed on this section of the application, which certifies that the application submitted and the information contained therein are true, correct, and complete. Additionally, all proposers must complete Section 10 (Proposal Certification Form).

Section 10: Debarment and Suspension Certification

This certification must be signed by the authorized agency representative. This certifies that neither the agency nor any of its principals have been suspended or debarred from receiving any federal assistance due to contract violations. A search on the federal Excluded Parties List System will be performed prior to contract execution.

Section 11: Certification Regarding Drug-Free Workplace Requirements

This certification must be signed by the authorized agency representative. This certifies that the agency will provide a drug-free workplace by notifying employees that possession or use of a controlled substance is prohibited in the workplace, establish a drug-free awareness program, and provide each employee engaged in the performance of the grant a copy of the notice.

Section 12: Supporting Documents

This section includes all supporting documents to be uploaded including:

This section includes all supporting documents to be uploaded:

1. Budget Worksheet
2. Measurement methodology supporting documents (surveys, questionnaires, pre- and post-tests, etc.)
3. Board approval to submit application and authorization to sign (board certified & on agency letterhead)
4. Client intake packet and eligibility criteria (if applicable)
5. Job descriptions (for staff listed in City budget only)
6. Staff resumes for filled positions, chief administrator, and chief fiscal officers
7. 2 most recent annual third-party agency financial audits and management letters
8. Program outreach / marketing materials
9. Client fee / donation policy
10. Most current Proof of Liability Insurance (all subcontractors must be listed on policy)
11. Articles of Incorporation
12. By-Laws
13. Policy & Procedures Manual (include policies prohibiting discrimination, grievance procedures, and conflict of interest)
14. Organizational Chart
15. List of Board of Directors (include occupation & years of service as a board member)
16. Letter from IRS evidencing current 501(c)(3) Tax-Exempt Status
17. Letter from the Franchise Tax Board evidencing current Tax-Exempt Status.

Attachments

Attachment A: Summary of National Objectives for CDBG funded Projects

Each activity must meet the CDBG national objective of benefiting low- and moderate-income persons.

Activities benefiting low- and moderate-income persons

Limited Clientele Activities - An activity that benefits a limited clientele, at least 51 percent of whom are low- and moderate-income persons. The activity must meet one of the following qualifying criteria:

1. The activity must exclusively serve a group of persons in any one or a combination of categories generally presumed to be principally low and moderate income: abused children, battered spouses, elderly persons, adults meeting the definition of “severely disabled” in the Bureau of Census’s Current Population Reports, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers; or
2. Information must be required on family size and income to document that at least 51 percent of the clientele are persons whose family income does not exceed Section 8 low- and moderate-income limits; or
3. The activity must have income eligibility requirements that limit the activity exclusively to low- and moderate-income persons; or
4. The activities must be of such nature and in such location that it may be reasonably concluded that the activity's clientele will primarily be low- and moderate-income persons.

Records to be maintained:

One of the following types of documentation must be kept for each activity:

- Documentation showing that the activity is designed for and used by a segment of the population presumed by HUD to be principally low- and moderate-income; or
- Documentation describing how the nature and, if applicable, the location of the activity establishes that it will primarily benefit low- and moderate-income persons; or
- Data showing the size and annual income of the family of each person receiving the benefit.

Attachment B: Eligible Program Activities for ESG Funded Projects

Department of Housing and Urban Development, 24 CFR Part 576—Emergency Solutions Grant Program, Subpart B—Program Components and Eligible Activities

Sec. 576.100 General provisions and expenditure limits.

- a) ESG funds may be used for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and HMIS; as well as administrative activities. The five program components and the eligible activities that may be funded under each are set forth in § 576.101 through § 576.107. Eligible administrative activities are set forth in § 576.108.
- b) The total amount of the recipient's fiscal year grant that may be used for street outreach and emergency shelter activities cannot exceed the greater of:
 - 60 percent of the recipient's fiscal year grant; or
 - The amount of Fiscal Year 2010 grant funds committed for homeless assistance activities.
- c) The total amount of ESG funds that may be used for administrative activities cannot exceed 7.5 percent of the recipient's fiscal year grant.
- d) Subject to the cost principles in OMB Circulars A-87 (2 CFR 225) and A-122 (2 CFR 230) and other requirements in this part, employee compensation and other overhead costs directly related to carrying out street outreach, emergency shelter, homelessness prevention, rapid re-housing, and HMIS are eligible costs of those program components. These costs are not subject to the expenditure limit in paragraph (c) of this section.

*Note that the expenditure limit applies to the City's ESG funding. This proposal includes several funding sources and the limit does not apply on a project basis. The City will consider the expenditure limit when evaluating proposals to ensure that the total ESG expenditures do not exceed the limit.

Subject to the cost principles in 24 CFR part 200 and other requirements in this part, employee compensation and other overhead costs directly related to carrying out street outreach, emergency shelter, homelessness prevention, rapid re-housing, and HMIS are eligible costs of those program components. **These costs are not subject to the expenditure limit in paragraph (c) of this section.

Sec. 576.101 Street outreach component

Eligible costs. Subject to the expenditure limit in § 576.100(b), ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent,

nonfacility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term “unsheltered homeless people” means individuals and families who qualify as homeless under paragraph (1)(i) of the “homeless” definition under § 576.2. The eligible costs and requirements for essential services consist of:

Engagement. The costs of activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs. These activities consist of making an initial assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; and actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent supportive housing, and rapid re-housing programs. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.

Case management. The cost of assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant. Eligible services and activities are as follows: using the centralized or coordinated assessment system as required under § 576.400(d); conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; counseling; developing, securing and coordinating services; obtaining Federal, State, and local benefits; monitoring and evaluating program participant progress; providing information and referrals to other providers; and developing an individualized housing and service plan, including planning a path to permanent housing stability

Emergency health services.

Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living.

ESG funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area.

Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate emergency medical treatment; and providing medication and follow-up services.

Emergency mental health services.

Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions operating in community-based settings, including streets, parks, and other places where unsheltered people are living.

ESG funds may be used only for these services to the extent that other appropriate

mental health services are inaccessible or unavailable within the community. 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.

Eligible treatment consists of crisis interventions, the prescription of psychotropic medications, explanation about the use and management of medications, and combinations of therapeutic approaches to address multiple problems.

Transportation. The transportation costs of travel by outreach workers, social workers, medical professionals, or other service providers are eligible, provided that this travel takes place during the provision of services eligible under this section. The costs of transporting unsheltered people to emergency shelters or other service facilities are also eligible. These costs include the following:

- The cost of a program participant's travel on public transportation;

- If service workers use their own vehicles, mileage allowance for service workers to visit program participants;

- The cost of purchasing or leasing a vehicle for the recipient or subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes and maintenance for the vehicle; and

- The travel costs of recipient or subrecipient staff to accompany or assist program participants to use public transportation.

Services for special populations. ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1) through (a)(5) of this section. The term *victim services* means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, 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, or stalking.

Minimum period of use. The recipient or subrecipient must provide services to homeless individuals and families for at least the period during which ESG funds are provided.

Maintenance of effort.

If the recipient or subrecipient is a unit of general purpose local government, its ESG funds cannot be used to replace funds the local government provided for street outreach and emergency shelter services during the immediately preceding 12-month period, unless HUD determines that the unit of general purpose local government is in a severe financial deficit.

Upon the recipient's request, HUD will determine whether the unit of general purpose local government is in a severe financial deficit, based on the recipient's demonstration of each of the following:

- The average poverty rate in the unit of general purpose local government's jurisdiction was equal to or greater than 125 percent of the average national poverty rate, during the calendar year for which the most recent data are available, as determined according to information from the U.S. Census Bureau.

The average per-capita income in the unit of general purpose local government's jurisdiction was less than 75 percent of the average national per-capita income, during the calendar year for which the most recent data are available, as determined according to information from the Census Bureau.

The unit of general purpose local government has a current annual budget deficit that requires a reduction in funding for services for homeless people.

The unit of general purpose local government has taken all reasonable steps to prevent a reduction in funding of services for homeless people. Reasonable steps may include steps to increase revenue generation, steps to maximize cost savings, or steps to reduce expenditures in areas other than services for homeless people.

Sec. 576.102 Emergency shelter component

General. Subject to the expenditure limit in § 576.100(b), ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, renovating buildings to be used as emergency shelter for homeless families and individuals, and operating emergency shelters.

Essential services. ESG funds may be used to provide essential services to individuals and families who are in an emergency shelter, as follows:

Case management. The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant is eligible. Component services and activities consist of:

- (A) Using the centralized or coordinated assessment system as required under § 576.400(d);
- (B) Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility;
- (C) Counseling;
- (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
- (E) Monitoring and evaluating program participant progress;
- (F) Providing information and referrals to other providers;
- (G) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and
- (H) Developing an individualized housing and service plan, including planning a path to permanent housing stability.

Child care. The costs of child care for program participants, including providing meals and snacks, and comprehensive and coordinated sets of appropriate developmental activities, are eligible. The children must be under the age of 13, unless they are disabled. Disabled children must be under the age of 18. The child-care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible.

Education services. When necessary for the program participant to obtain and maintain housing, the costs of improving knowledge and basic educational skills are eligible. Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED). Component services or activities are 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 employment assistance and job training programs are eligible, including classroom, online, and/or computer instruction; on-the-job instruction; and 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 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 prevocational training; books and instructional material; counseling or job coaching; and referral to community resources.

Outpatient health services. Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals. Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate health services are unavailable within the community. Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate medical treatment, preventive medical care, and health maintenance services, including emergency medical services; providing medication and follow-up services; and providing preventive and noncosmetic dental care.

Legal services.

(A) Eligible costs are the hourly fees for legal advice and representation by attorneys licensed and in good standing with the bar association of the State in which the services are provided, and by person(s) under the supervision of the licensed attorney, regarding matters that interfere with the program participant's ability to obtain and retain housing.

(B) Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate legal services are unavailable or inaccessible within the community.

(C) Eligible subject matters are child support, guardianship, paternity, emancipation, and legal separation, orders of protection and other civil remedies

for victims of domestic violence, dating violence, sexual assault, and stalking, appeal of veterans and public benefit claim denials, and the resolution of outstanding criminal warrants.

(D) Component services or activities may include client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling.

(E) Fees based on the actual service performed (*i.e.*, fee for service) are also eligible, but only if the cost would be 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.

(F) Legal services for immigration and citizenship matters and issues relating to mortgages are ineligible costs. Retainer fee arrangements and contingency fee arrangements are ineligible costs.

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, substance use, and homelessness are eligible costs. These services must be necessary to assist the program participant to function independently in the community. Component life skills training are budgeting resources, managing money, managing a household, resolving conflict, shopping for food and needed items, improving nutrition, using public transportation, and parenting.

Mental health services.

(A) Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions.

(B) ESG funds may only be used for these services to the extent that other appropriate mental health services are unavailable or inaccessible within the community.

(C) 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. Problem areas may include family and marital relationships, parent-child problems, or symptom management.

(D) Eligible treatment consists of crisis interventions; 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.

Substance abuse treatment services.

(A) 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.

(B) ESG funds may only be used for these services to the extent that other appropriate substance abuse treatment services are unavailable or inaccessible within the community.

(C) Eligible treatment consists of client intake and assessment, and outpatient treatment for up to 30 days. Group and individual counseling and drug testing are eligible costs. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs.

Transportation. Eligible costs consist of the transportation costs of a program participant's travel to and from medical care, employment, child care, or other eligible essential services facilities. These costs include the following:

(A) The cost of a program participant's travel on public transportation;

(B) If service workers use their own vehicles, mileage allowance for service workers to visit program participants;

(C) The cost of purchasing or leasing a vehicle for the recipient or subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes, and maintenance for the vehicle; and

(D) The travel costs of recipient or subrecipient staff to accompany or assist program participants to use public transportation.

Services for special populations. ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1)(i) through (a)(1)(x) of this section. The term *victim services* means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, 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, or stalking.

Renovation. Eligible costs include labor, materials, tools, and other costs for renovation (including major rehabilitation of an emergency shelter or conversion of a building into an emergency shelter). The emergency shelter must be owned by a government entity or private nonprofit organization.

Shelter operations. Eligible costs are the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, food, furnishings, and supplies necessary for the operation of the emergency shelter. Where no appropriate emergency shelter is available for a homeless family or individual, eligible costs may also include a hotel or motel voucher for that family or individual.

Assistance required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). Eligible costs are the costs of providing URA assistance under § 576.408, including relocation payments and other assistance to persons displaced by a project assisted with ESG funds. Persons that receive URA assistance are not considered “program participants” for the purposes of this part, and

relocation payments and other URA assistance are not considered “rental assistance” or “housing relocation and stabilization services” for the purposes of this part.

Prohibition against involuntary family separation. The age, of a child under age 18 must not be used as a basis for denying any family's admission to an emergency shelter that uses Emergency Solutions Grant (ESG) funding or services and provides shelter to families with children under age 18.

Minimum period of use.

Renovated buildings. Each building renovated with ESG funds must be maintained as a shelter for homeless individuals and families for not less than a period of 3 or 10 years, depending on the type of renovation and the value of the building. The “value of the building” is the reasonable monetary value assigned to the building, such as the value assigned by an independent real estate appraiser. The minimum use period must begin on the date the building is first occupied by a homeless individual or family after the completed renovation. A minimum period of use of 10 years, required for major rehabilitation and conversion, must be enforced by a recorded deed or use restriction.

Major rehabilitation. If the rehabilitation cost of an emergency shelter exceeds 75 percent of the value of the building before rehabilitation, the minimum period of use is 10 years.

Conversion. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the minimum period of use is 10 years.

Renovation other than major rehabilitation or conversion. In all other cases where ESG funds are used for renovation, the minimum period of use is 3 years.

Essential services and shelter operations. Where the recipient or subrecipient uses ESG funds solely for essential services or shelter operations, the recipient or subrecipient must provide services or shelter to homeless individuals and families at least for the period during which the ESG funds are provided. The recipient or subrecipient does not need to limit these services or shelter to a particular site or structure, so long as the site or structure serves the same type of persons originally served with the assistance (*e.g.*, families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or serves homeless persons in the same area where the recipient or subrecipient originally provided the services or shelter.

Maintenance of effort. The maintenance of effort requirements under § 576.101(c), which apply to the use of ESG funds for essential services related to street outreach, also apply for the use of such funds for essential services related to emergency shelter.

Sec. 576.103 Homelessness prevention component

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the

“homeless” definition in Sec. 576.2. This assistance, referred to as homelessness prevention, may be provided to individuals and families who meet the criteria under the “at risk of homelessness” definition, or who meet the criteria in paragraph (2), (3), or (4) of the “homeless” definition in Sec. 576.2 and have an annual income below 30 percent of median family income for the area, as determined by HUD. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant's current permanent housing or move into other permanent housing and achieve stability in that housing. Homelessness prevention must be provided in accordance with the housing relocation and stabilization services requirements in Sec. 576.105, the short-term and medium-term rental assistance requirements in Sec. 576.106, and the written standards and procedures established under Sec. 576.400.

Sec. 576.104 Rapid re-housing assistance component.

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. This assistance, referred to as rapid re-housing assistance, may be provided to program participants who meet the criteria under paragraph (1) of the “homeless” definition in Sec. 576.2 or who meet the criteria under paragraph (4) of the “homeless” definition and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. The rapid re-housing assistance must be provided in accordance with the housing relocation and stabilization services requirements in Sec. 576.105, the short- and medium-term rental assistance requirements in Sec. 576.106, and the written standards and procedures established under Sec. 576.400.

Sec. 576.105 Housing relocation and stabilization services.

Financial assistance costs. Subject to the general conditions under § [576.103](#) and § [576.104](#), ESG funds may be used to pay housing owners, utility companies, and other third parties for the following costs:

Rental application fees. ESG funds may pay for the rental housing application fee that is charged by the owner to all applicants.

Security deposits. ESG funds may pay for a security deposit that is equal to no more than 2 months' rent.

Last month's rent. If necessary to obtain housing for a program participant, the last month's rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month's rent. This assistance must not exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period.

Utility deposits. ESG funds may pay for a standard utility deposit required by the utility company for all customers for the utilities listed in paragraph (5) of this section.

Utility payments. ESG funds may pay for up to 24 months of utility payments per

program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.

Moving costs. ESG funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance under paragraph (b) of this section and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.

Services costs. Subject to the general restrictions under § [576.103](#) and § [576.104](#), ESG funds may be used to pay the costs of providing the following services:

Housing search and placement. Services or activities necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing, include the following:

- Assessment of housing barriers, needs, and preferences;
- Development of an action plan for locating housing;
- Housing search;
- Outreach to and negotiation with owners;
- Assistance with submitting rental applications and understanding leases;
- Assessment of housing for compliance with Emergency Solutions Grant (ESG) requirements for habitability, lead-based paint, and rent reasonableness;
- Assistance with obtaining utilities and making moving arrangements; and
- Tenant counseling.

Housing stability case management. ESG funds may be used to pay cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent housing or to assist a program participant in overcoming immediate barriers to obtaining housing. This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing. Component services and activities consist of:

- (A)** Using the centralized or coordinated assessment system as required under § 576.400(d), to evaluate individuals and families applying for or receiving homelessness prevention or rapid re-housing assistance;
- (B)** Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility, for individuals and families applying for homelessness prevention or rapid re-housing assistance;

- (C) Counseling;
- (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
- (E) Monitoring and evaluating program participant progress;
- (F) Providing information and referrals to other providers;
- (G) Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
- (H) Conducting re-evaluations required under § 576.401(b).

Mediation. ESG funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.

Legal services. ESG funds may pay for legal services, as set forth in § 576.102(a)(1)(vi), except that the eligible subject matters also include landlord/tenant matters, and 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.

Credit repair. ESG 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.

Maximum amounts and periods of assistance. The recipient may set a maximum dollar amount that a program participant may receive for each type of financial assistance under paragraph (a) of this section. The recipient may also set a maximum period for which a program participant may receive any of the types of assistance or services under this section. However, except for housing stability case management, the total period for which any program participant may receive the services under paragraph (b) of this section must not exceed 24 months during any 3-year period. The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.

Use with other subsidies. Financial assistance under paragraph (a) of this section cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.

Sec. 576.106 Short-term and medium-term rental assistance

General provisions. Subject to the general conditions under § 576.103 and § 576.104, the recipient or subrecipient may provide a program participant with up to 24 months of rental

assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination of this assistance.

Short-term rental assistance is assistance for up to 3 months of rent.

Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.

Payment of rental arrears consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.

Rental assistance may be tenant-based or project-based, as set forth in paragraphs (h) and (i) of this section.

Discretion to set caps and conditions. Subject to the requirements of this section, the recipient may set a maximum amount or percentage of rental assistance that a program participant may receive, a maximum number of months that a program participant may receive rental assistance, or a maximum number of times that a program participant may receive rental assistance. The recipient may also require program participants to share in the costs of rent.

Use with other subsidies. Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, rental assistance cannot be provided to a program participant who is receiving tenant-based rental assistance, or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Rental assistance may not be provided to a program participant who has been provided with replacement housing payments under the URA during the period of time covered by the URA payments.

Rent restrictions.

Rental assistance cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507.

For purposes of calculating rent under this section, the rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under the lease (other than late fees and pet fees) and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located.

Rental assistance agreement. The recipient or subrecipient may make rental assistance payments only to an owner with whom the recipient or subrecipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the recipient or subrecipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.

Late payments. The recipient or subrecipient must make timely payments to each owner in

accordance with the rental assistance agreement. The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The recipient or subrecipient is solely responsible for paying late payment penalties that it incurs with non-ESG funds.

Lease. Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. For program participants living in housing with project-based rental assistance under paragraph (i) of this section, the lease must have an initial term of one year.

Tenant-based rental assistance.

A program participant who receives tenant-based rental assistance may select a housing unit in which to live and may move to another unit or building and continue to receive rental assistance, as long as the program participant continues to meet the program requirements.

The recipient may require that all program participants live within a particular area for the period in which the rental assistance is provided.

The rental assistance agreement with the owner must terminate and no further rental assistance payments under that agreement may be made if:

The program participant moves out of the housing unit for which the program participant has a lease;

The lease terminates and is not renewed; or

The program participant becomes ineligible to receive ESG rental assistance.

Project-based rental assistance. If the recipient or subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before a program participant is identified to lease the unit, the recipient or subrecipient may enter into a rental assistance agreement with the owner to reserve the unit and subsidize its rent in accordance with the following requirements:

The rental assistance agreement may cover one or more permanent housing units in the same building. Each unit covered by the rental assistance agreement (“assisted unit”) may only be occupied by program participants, except as provided under paragraph (i)(4) of this section.

The recipient or subrecipient may pay up to 100 percent of the first month's rent, provided that a program participant signs a lease and moves into the unit before the end of the month for which the first month's rent is paid. The rent paid before a program participant moves into the unit must not exceed the rent to be charged under the program participant's lease and must be included when determining that program participant's total rental assistance.

The recipient or subrecipient may make monthly rental assistance payments only for each whole or partial month an assisted unit is leased to a program participant. When a program participant moves out of an assisted unit, the recipient or subrecipient may pay the next month's rent, *i.e.*, the first month's rent for a new program participant, as provided in paragraph (i)(2) of this section.

The program participant's lease must not condition the term of occupancy to the provision of rental assistance payments. If the program participant is determined ineligible or reaches the maximum number of months over which rental assistance can be provided, the recipient or subrecipient must suspend or terminate the rental assistance payments for the unit. If the payments are suspended, the individual or family may remain in the assisted unit as permitted under the lease, and the recipient or subrecipient may resume payments if the individual or family again becomes eligible and needs further rental assistance. If the payments are terminated, the rental assistance may be transferred to another available unit in the same building, provided that the other unit meets all ESG requirements.

The rental assistance agreement must have an initial term of one year. When a new program participant moves into an assisted unit, the term of the rental assistance agreement may be extended to cover the initial term of the program participant's lease. If the program participant's lease is renewed, the rental assistance agreement may be renewed or extended, as needed, up to the maximum number of months for which the program participant remains eligible. However, under no circumstances may the recipient or subrecipient commit ESG funds to be expended beyond the expenditure deadline in § 576.203 or commit funds for a future ESG grant before the grant is awarded.

Changes in household composition. The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.

Sec. 576.107 HMIS component

Eligible costs.

The recipient or subrecipient may use ESG funds to pay the costs of contributing data to the HMIS designated by the Continuum of Care for the area, including the costs of:

- Purchasing or leasing computer hardware;
- Purchasing software or software licenses;
- Purchasing or leasing equipment, including telephones, fax machines, and furniture;
- Obtaining technical support;
- Leasing office space;
- Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;
- Paying salaries for operating HMIS, including:

- (A) Completing data entry;
- (B) Monitoring and reviewing data quality;
- (C) Completing data analysis;
- (D) Reporting to the HMIS Lead;
- (F) Training staff on using the HMIS or comparable database; and
- (G) Implementing and complying with HMIS requirements;

Paying costs of staff to travel to and attend HUD-sponsored and HUD-approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;

Paying staff travel costs to conduct intake; and

Paying participation fees charged by the HMIS Lead, if the recipient or subrecipient is not the HMIS Lead. The HMIS Lead is the entity designated by the Continuum of Care to operate the area's HMIS.

If the recipient is the HMIS lead agency, as designated by the Continuum of Care in the most recent fiscal year Continuum of Care Homeless Assistance Grants Competition, it may also use ESG funds to pay the costs of:

Hosting and maintaining HMIS software or data;

Backing up, recovering, or repairing HMIS software or data;

Upgrading, customizing, and enhancing the HMIS;

Integrating and warehousing data, including development of a data warehouse for use in aggregating data from subrecipients using multiple software systems;

Administering the system;

Reporting to providers, the Continuum of Care, and HUD; and

Conducting training on using the system or a comparable database, including traveling to the training.

If the subrecipient is a victim services provider or a legal services provider, it may use ESG funds to establish and operate a comparable database that collects client-level data over time (*i.e.*, longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to an HMIS.

General restrictions. Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS.

Sec. 576.108 Administrative activities

Eligible costs. The recipient may use up to 7.5 percent of its ESG grant for the payment of administrative costs related to the planning and execution of ESG activities. This does not include staff and overhead costs directly related to carrying out activities eligible under § 576.101 through § 576.107, because those costs are eligible as part of those activities. Eligible administrative costs include:

General management, oversight and coordination. Costs of overall program

management, coordination, monitoring, and evaluation. These costs include, but are not limited to, necessary expenditures for the following:

Salaries, wages, and related costs of the recipient's staff, the staff of subrecipients, or other staff engaged in program administration. In charging costs to this category, the recipient may either include the entire salary, wages, and related costs allocable to the program of each person whose *primary* responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes *any* program administration assignments. The recipient may use only one of these methods for each fiscal year grant. Program administration assignments include the following:

- (A) Preparing program budgets and schedules, and amendments to those budgets and schedules;
- (B) Developing systems for assuring compliance with program requirements;
- (C) Developing interagency agreements and agreements with subrecipients and contractors to carry out program activities;
- (D) Monitoring program activities for progress and compliance with program requirements;
- (E) Preparing reports and other documents directly related to the program for submission to HUD;
- (F) Coordinating the resolution of audit and monitoring findings;
- (G) Evaluating program results against stated objectives; and
- (H) Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described in paragraph (a)(1)(i)(A) through (G) of this section.

Travel costs incurred for monitoring of subrecipients;

Administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; and

Other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.

Training on ESG requirements. Costs of providing training on ESG requirements and attending HUD-sponsored ESG trainings.

Consolidated plan. Costs of preparing and amending the ESG and homelessness-related sections of the consolidated plan in accordance with ESG requirements and 24 CFR part 91.

Environmental review. Costs of carrying out the environmental review responsibilities under § 576.407.

Sharing requirement.

States. If the recipient is a State, the recipient must share its funds for administrative costs with its subrecipients that are units of general purpose local government. The amount shared must be reasonable under the circumstances. The recipient may share

its funds for administrative costs with its subrecipients that are private nonprofit organizations.

Territories, metropolitan cities, and urban counties. If the recipient is a territory, metropolitan city, or urban county, the recipient may share its funds for administrative costs with its subrecipients.

Sec. 576.109 Indirect costs

In general. ESG grant funds may be used to pay indirect costs in accordance with OMB Circular A-87 (2 CFR part 225), or A-122 (2 CFR part 230), as applicable.

Allocation. Indirect costs may be allocated to each eligible activity under § 576.101 through § 576.108, so long as that allocation is consistent with an indirect cost rate proposal developed in accordance with OMB Circular A-87 (2 CFR part 225), or A-122 (2 CFR part 230), as applicable.

Expenditure limits. The indirect costs charged to an activity subject to an expenditure limit under § 576.100 must be added to the direct costs charged for that activity when determining the total costs subject to the expenditure limit.

Attachment C: Glossary of Terms

Best Practices – Evidence based and replicable approaches to service delivery that have worked in the past and have produced successful results.

Collaboration – Sharing of resources, whether cash match or in-kind, that impacts the delivery of the proposed service. Examples of collaborative partners may include, but is not limited to school sites where services will be located, school districts where services will be located, and other nonprofit Community Based Organizations.

Continuum of Care – The purpose of the Continuum of Care program is to promote community-wide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and local governments to quickly re-house homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.

Homeless Management Information System (HMIS) – A Homeless Management Information System (HMIS) is a local information technology system used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at risk of homelessness. Each Continuum of Care is responsible for selecting an HMIS software solution that complies with HUD's data collection, management, and reporting standards.

National Objective – See page 12 for details

Outcomes – Outcomes are benefits or changes for individuals or populations during or after participating in the program activities. They are influenced by a program's outputs and may relate to behavior, skills, knowledge, attitudes, values, condition, status or other attributes.

Severely Disabled Adults – Persons are considered severely disabled if they:

1. use a wheelchair or another special aid for six months or longer;
2. are unable to perform one or more functional activities (seeing, hearing, having one's speech understood, lifting and carrying, walking up a flight of stairs and walking), need assistance with activities of daily living (getting around inside the home, getting in and out of a bed or chair, bathing, dressing, eating or toileting), or instrumental activities of daily living (going outside the home, keeping track of money or bills, preparing meals, doing light housework and using the telephone);
3. are prevented from working at a job or doing housework;
4. having a selected condition including autism, cerebral palsy, Alzheimer's disease, senility or dementia or mental retardation; or
5. are under 65 years old and are covered by Medicare or receive Supplemental Security Income (SSI).

Subrecipient (CDBG & ESG) – Subrecipient means a public or private nonprofit agency, authority, or organization, or a for-profit entity authorized under §570.201(o), receiving CDBG funds from the recipient or another subrecipient to undertake activities eligible for CDBG assistance.

Under-Served – Shortage of services that are provided for various target populations.

Unduplicated Participant – A participant who receives services at least once a year but who may not be counted more than once in that year.

Attachment D: HEARTH Definition of “Homeless”

24 CFR Parts 91 – Consolidated Submissions for Community Planning and Development Programs. In § 91.5, the definition of “Homeless” is added to read as follows:

Homeless. (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 of time 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; or

(4) Any individual or family who: (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other 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 to their primary nighttime residence; (ii) Has no other residence; and (iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

Eligibility by Component for Emergency Solutions Grant Funds

Street Outreach - Individuals defined as Homeless under the following categories are eligible for assistance in Street Outreach:

- Category 1 – Literally Homeless
- Category 4 – Fleeing/Attempting to Flee DV (where the individual or family also meets the criteria for Category 1)

Street Outreach projects have the following additional limitations on eligibility within Category 1:

- Individuals and families must be living on the streets (or other places not meant for human habitation) and be unwilling or unable to access services in emergency shelter

Emergency Shelter - Individuals and Families defined as Homeless under the following categories are eligible for assistance in ES projects:

- Category 1 – Literally Homeless
- Category 2 – Imminent Risk of Homeless
- Category 3 – Homeless Under Other Federal Statutes
- Category 4 – Fleeing/Attempting to Flee DV

Rapid Re-housing - Individuals defined as Homeless under the following categories are eligible for assistance in RRH projects:

- Category 1 – Literally Homeless
- Category 4 – Fleeing/Attempting to Flee DV (where the individual or family also meets the criteria for Category 1)

Homelessness Prevention - Individuals and Families defined as Homeless under the following categories are eligible for assistance in HP projects:

- Category 2 – Imminent Risk of Homeless
- Category 3 – Homeless Under Other Federal Statutes
- Category 4 – Fleeing/Attempting to Flee DV

Individuals and Families who are defined as At Risk of Homelessness are eligible for assistance in HP projects.

HP projects have the following additional limitations on eligibility with homeless and at risk of homeless:

- Must only serve individuals and families that have an annual income below 30% of AMI

Attachment E: Insurance Requirements

GRANTEE, at GRANTEE's sole cost and expense, and for the full term of this grant or any renewal thereof, shall obtain and maintain at least all of the following minimum insurance requirements prior to receiving any monies under the grant:

- A. A COMMERCIAL GENERAL LIABILITY: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage, products and completed operations, including non-owned and hired automobile if not insured separately.
- B. A WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY: Workers' Compensation limits as required by the Labor Code of the State of California and Employers' Liability limits of \$1,000,000 per accident; coverage shall be endorsed to state carrier waives its rights of subrogation against the City its officials, employees, agents and contractors.
- C. AUTOMOBILE LIABILITY: \$500,000 combined single limit coverage described in Insurance Services Office Form Number CA 0001 covering Automobile Liability, Code 1 "any auto" or Code 2 "owned autos," and Endorsement CA 0025. Coverage shall also include Code 8 "hired autos" and Code 9 "no owned autos"; and Coverage's shall be applicable to any and all leased, owned, hired or non- owned vehicles used in pursuit of any of the activities associated with the grant agreement.
NOTE: This Section C applies only if an owned or leased vehicle is used in conjunction with the operation of this project.
- A. SOCIAL SERVICE AGENCIES AND CLINICS PROFESSIONAL LIABILITY: \$1,000,000 limit of liability (if applicable).

ENDORSEMENTS

The policies are to contain, or be endorsed to contain, the following provisions.

- 1) General Liability and Automobile Liability Coverages
 - a) The City, its officials, employees, agents and contractors are to be covered as additional insured as respects: liability arising out of activities performed by, or on behalf of, the GRANTEE; products and completed operations of the GRANTEE; premises owned, leased or used by the GRANTEE; or automobiles owned, leased, hired or borrowed by the GRANTEE. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officials, employees, agents and contractors.
 - b) The GRANTEE's insurance coverage shall be primary insurance as respects the City, its officials, employees, agents and contractors. Any insurance or self-insurance maintained by the City, its officials, employees, agents or contractors shall be excess of the

GRANTEE's insurance and shall not contribute with it.

- c) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officials, employees, agents, or contractors.
- d) Coverage shall state that the GRANTEE's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- e) Coverage shall contain a waiver of subrogation in favor of the its officials, employees, agents and contractors.

PROOF OF COVERAGE

Copies of all the required ENDORSEMENTS above shall be attached to the CERTIFICATE OF INSURANCE, which shall be provided by the GRANTEE's insurance company as evidence of the stipulated coverage's. This Proof of Insurance shall then be mailed to the following offices:

City of San José - Finance
Risk Management, 13th Floor Tower
200 East Santa Clara Street
San José, CA 95113 - 1905

City of San José Housing Department
Grants Division, 12th Floor Tower
200 East Santa Clara Street
San José, CA 95113 - 1905

Alternatively, the certificate may be uploaded in WebGrants.

Attachment F: General Audit Review Process

Introduction

The financial statements can provide valuable information on the financial health of the organization and the organization's ability to manage its business. This attachment will provide descriptions of the various components of the financial statements, and the analysis to determine the financial health of the organization. The numeric information is important, but it should not stand alone. Valuable information is found within the Auditor's Report and Management Letter (if applicable), and the Notes, which will be used to complement the numeric information. Staff will review two years of financial statements to observe trends in financial performance of the agency.

Key Concepts

In the review of financial statements, staff will work under a common set of key concepts to ensure consistent review and evaluation between the various departments or units that are performing financial statement review and analysis. Financial statement review are based on these concepts, therefore a working vocabulary must be established for consistency and understanding. These concepts are:

Cash vs. Accrual Basis: Cash and accrual basis accounting are two different methods of recording income and expenses. They differ in the determination of when to recognize and record transactions in financial records.

Cash basis accounting: Income is recognized and recorded only when cash is actually received and expenses are recorded only when they are paid. If a nonprofit is working on a cash basis accounting system, this should be noted in the Notes section of the audit.

Accrual basis accounting: Income is realized in the accounting period in which it is earned, regardless of when cash is actually received. Expenses are recorded as they are owed instead of when they are paid. This method is the best practice and creates a true picture of the agency's financial status.

It important to note that some agencies maintain their day-to-day financial records on a cash basis during the year and then re-state their financials on an accrual basis for the purpose of year-end financial statements and the audit.

Income Types and Restrictions: Income received by nonprofits generally fit under two main categories:

Earned revenue: Income that the nonprofit obtained through exchange of transactions, such as fees, and government contracts. These transactions should be recorded when the revenue is earned.

Support: Grants and contributions fall under this category and are recorded based on conditions and level of restriction.

Unconditional: Contributions given without reference to any contingency or qualifying event. These contributions are recorded at the time the donor makes the commitment.

Conditional: Contributions made contingent upon a qualifying event or condition that must be met. These contributions are not recorded until the condition has been met.

Restricted Support: Grants and contributions must be recorded according to generally accepted accounting principles for nonprofit organizations. Support should be reported in the following three categories on the Statement of Activities.

Unrestricted: These grants or contributions have been given without stipulation as to how they are to be used.

Temporarily restricted: These grants or contributions have been given with a specific purpose or during a restricted period of time. Once the restriction is met or expired, the restriction is lifted.

Permanently restricted: These grants or contributions usually take the form of endowment grants/gifts. The principal of the contribution is to be invested according to the donor's wishes. The income from the investment can be either further restricted or unrestricted.

Functional Classification of Expenses: Nonprofits are required to report expenses by functional classification or activity as well as by line item. The two primary types of nonprofit activities are: 1) program services defined as activities that result in goods and services being delivered to beneficiaries, and 2) support services are defined as all activities other than program services, which include general administration, fundraising and membership development.

Employee Time Tracking: All employees should account for their time by funding source and activity. Agencies awarded CDBG funds will be required to use a timecard template provided at time of contract.

Common Costs and Allocations: These costs consist of the costs that are shared by all programs and may not be easily identified with a single program or function. Examples of such cost include office supplies, telephone, postage, occupancy, salaries of staff such as office managers and technology managers (see 24CFR Part 200). Allocation is a method of distributing costs throughout the organization. Specific funding sources, like federal or State, may dictate specific methods of allocating common costs. It is imperative that cost allocation methods be reviewed with your analyst.

Four common approaches to cost allocations are as follows:

1. Square Footage – based on the percentage of agency office square footage used for the activity
2. FTE – based on the percentage of full-time equivalents used by each program
1. Payroll – based on each activity’s percentage of the total agency payroll
2. Program-specific costs – based on the percentage of agency costs incurred by the program before common costs are added

Using a percentage of income of each activity or program to the total income of the organization is NOT an acceptable basis since income is not an accurate measure of how resources are being used.

Capitalization and Depreciation: Items purchased by the nonprofit and used over a period of years should be capitalized and depreciated over their useful life.

- a. Capitalization means that an item is recorded as an asset instead of an expense at the time of purchase.
- b. Depreciation is a means of reducing the value of an asset over the useful life of the item.

Staff will request a copy of the nonprofit’s capitalization and depreciation policy.

Audited Financial Statements

All audits must be performed by a certified public accountant currently licensed to practice in the State of California, must conform to generally accepted auditing standards and otherwise be in a form acceptable to the City Manager. Acceptable forms include:

1. An original, bound copy signed by the certified public accountant responsible for the work, OR
2. A protected document file format (.pdf) emailed from the agency’s certified public accountant

Agencies must submit audits within 150 days from the end of the agency’s fiscal year. If this deadline cannot be met, the agency must keep the city staff informed as to the expected date of receipt and the reason for the delay.

Several reports are contained within the audit. They are as follows:

- 1) Independent Auditor’s Report: Each set of audited financial statements will contain an Independent Auditor’s Report. This report will contain three required paragraphs, usually in the following order:

- a) **Introductory Paragraph:** The Introductory Paragraph will provide the Auditor’s role in performing the review. It generally provides information about the time period the audit covers, responsibility over the financial statements, and the auditor’s role of providing an opinion based on their review. This paragraph also limits the auditor’s responsibility for possible inaccuracies.
- b) **Scope of Work:** The Accounting Standards used and whether or not the agency complied with the particular accounting standards will be noted.

The accounting standards are reported to indicate that the organization is maintaining their financial records consistently with acceptable accounting rules and practices. If the auditor does not find any problems with the statements, they will simply state that the statements have been prepared “in conformity with generally accepted auditing principles” (or GAAP).

- c) **Opinion Paragraph:** The Auditor’s opinion is usually located within the third paragraph. The auditor will state their opinion of the financial statements. This opinion needs to be evaluated in conjunction with the financial information provided. It cannot stand alone. The opinions provided are generally:
 - Unqualified – no red flags that limit the auditor’s opinion
 - Qualified – if problems exist, auditors qualify their opinions and note the problem areas and/or areas of concern. A qualified report should also generate a discussion of the problems in the Management Letter.

Staff will review additional paragraphs that may reference information in the Audit Notes, Management Letter or Supplemental Statements. This will provide the reviewer specific concerns that must be taken into consideration during the review of the statements, such as opinion on internal controls and findings and/or questioned costs.

Other opinions or statements that need to be addressed can be:

- a. **Doubt of a Going Concern –** A “going concern” is an entity that appears capable of continuing to operate successfully. If there is substantial doubt that an agency has the ability to stay in business; the auditors will indicate that the agency has a going-concern problem. Problems can include ongoing losses or capital deficiencies.
- b. **Internal Controls are business and accounting practices of an entity.** Problems with internal controls may include:
 - Material Weaknesses
 - Significant Deficiencies (Reportable Conditions)
 - Material Noncompliance

Management Letter

The Management Letter opens a discussion with the organization’s management and the auditing team. This letter informs management of what went smoothly or what went wrong during the audited year. This letter may also refer to specific notes in the financial statements. Staff will review these notes carefully and in the context of the entire audit.

Financial Statements

There are four basic financial statements that must be included in the Audited Financial Statements. These statements reflect an organization’s financial position as part of a complete set of statements prepared in accordance with generally accepted accounting principals.

Statement of Financial Position: Is a snapshot of the organization’s financial position as of one point in time and provides liquidity information on the nonprofit agency. This statement will include:

Assets

- Current Assets – Assets that will be available within the next 12 months
 - Cash
 - Accounts Receivables (A/R)
 - Other Assets
- Fixed Assets –Long term assets
 - Property
 - Equipment

Liabilities

- Current Liabilities: Liabilities that will be due within the next 12 months
 - Accounts Payable
 - Accrued Expenses
 - Current portion of long term debt
- Non-current Liabilities
 - Notes Payable
 - Other Debt longer than 12 months
- Net Assets
 - Unrestricted
 - Temporarily Restricted
 - Permanently Restricted

Statement of Activities: Reflects all of the organization’s financial transactions and calculations from the beginning to the end of the fiscal year, which may result in an increase or decrease in the net assets. This statement may also be identified under “Statement of Income and Expenses”. This statement will include:

Revenue and Other Support

- Government and Other Support
- Private Grants and Contributions

- Income from fees and programs

Expenses

- Program Services
- Management and General
- Fund Raising

Net Assets Released from Restrictions

Statement of Functional Expenses: Reflects the organization's expenses. Though each Grantee will have varying percentages for each category, the percentages identified below can be used as a reasonable benchmark. Different percentages may apply to some programs.

Program Services (72%)

Management and General (17%)

Fund Raising (11%)

Statement of Cash Flows: Reflects the organization's ability to generate positive cash flow, their ability to meet obligations and pay programmatic obligations. This statement will include:

Cash flows from Operating Activities

Cash flows from Investing Activities

Cash flows from Financing Activities

Financial Ratios

Financial ratios are a good tool to use for trend analysis. This requires the review of at least three consecutive years' financial statements. One year alone will not provide the valuable comparative information necessary to determine the agency's financial health. The information to determine the following ratios can be obtained from the Statement of Financial Position.

Liquidity Ratios: Provide the reviewer a quick glimpse of the organization's ability to meet its obligations. The question that should be asked is –“For every dollar of liability, is there an equal or greater amount available in asset?” Below are three ratios that will provide you with a moment-in-time view of the organization's liquidity.

Current Ratio: Compares the Total Current Assets (CA) to the Total Current Liabilities (CL). The Current Ratio should be at least a 1:1, or for every \$1 they owe, they have \$1 in hand or on the way. This indicates that the organization maintains sufficient liquid assets to meet their current liabilities. Current assets and liabilities are defined as assets that are available within the next 12 months and liabilities that are due within 12 months.

This ratio can be a CRISIS Indicator. A 1:1 ratio can be detrimental if they experience a delay in receivables. A 2:1 ratio is preferred but will still prove to be challenging for the agency.

$$\text{Formula: Current Ratio} = \frac{\text{Current Assets}}{\text{Current Liabilities}}$$

Working Capital: Reflects the value of current assets available to be used as working capital, after all current liabilities are covered.

$$\text{Formula: Working Capital} = \text{Current assets} - \text{Current Liabilities}$$

Cash Ratio: Reflects the organization's most liquid cash position and its ability to meet all its obligations with cash and marketable securities. Minimum ratio should be 1:1.

$$\text{Formula: Cash Ratio} = \frac{\text{Cash} + \text{Marketable Securities}}{\text{Current Liabilities}}$$

Safety Ratios: Provide the reviewer with the organization's overall safety net. They compare the organizations total debt to the net assets or equity. A ratio of less than 1:1 reflects a more favorable position.

Debt Ratio: Compares the total debt to the agency's total assets. This will identify whether or not the organization has sufficient assets to cover all of its obligations.

$$\text{Formula: Debt Ratio} = \frac{\text{Total Debt}}{\text{Total Assets}}$$

Debt to Equity: Compares the total debt to the agency's net assets.

$$\text{Formula: Debt to Equity} = \frac{\text{Total Debt}}{\text{Total Net Assets}}$$

Reserves: Compares the Unrestricted Net Assets (UNA) less fixed assets to Total Expenditures. This calculation determines how many months the agency can survive if resources cease to come in. A typical agency will maintain a reserve equivalent to 3 to 6 months of operating expense.

$$\text{Formula: \# Months Reserves} = \frac{\text{UNA-Fixed Assets}}{\text{Total Operating Expenses}/12 \text{ months}}$$

Efficiency Ratios: Are useful in determining the organization's collection effort. It can also provide you a picture of the organization's accounting department capacity and oversight.

A/R Turnover: This ratio reflects the average turnover rate of the accounts receivables as compared to the annual revenue.

$$\text{Formula: A/R Turnover} = \frac{\text{Annual Revenue}}{\text{Accounts Receivables}}$$

Average Collection: This ratio identifies the number of days it takes a receivable to be collected. It is a good indicator of whether or not the organization is having accounting staffing issues.

$$\text{Formula: Avg. Collection (Days)} = \frac{\text{Accounts Receivable}}{(\text{Annual Revenue}/365)}$$

Other financial indicators: Other indicators to look for:

Is total income for the year greater than total expenses for the year?

Is their income diversified? Is the agency too reliant on a single revenue source? What if this source goes away?

Are overhead costs appropriate? Are the total of support costs (administrative and fundraising) excessive compared to total expenses for the year? A fair range would be between 15 and 25%.

Audit Notes

The Audit Notes are a critical component to a complete and thorough audit review. The Notes provide explanations and additional detail that may surface non-compliance and potential problems with internal controls.

Audited Financial Statement Review and Analysis

Criteria
Does the audit indicate it was performed in accordance with GAAP?
Is the audit report complete, including: 1) auditor’s report; 2) management letter with satisfactory response (if applicable); 3) statements of: a) financial position, b) activities, c) functional expenses, d) cash flow; 4) notes to financial statements; 5) schedule of findings and questionable costs (if applicable)?
Did the agency receive >\$500,000 in federal funds in the fiscal year audited? If so, are the following supplemental reports included: 1) summary of financial expenditures; 2) report on compliance on internal controls according to GAS; 3) report on compliance on internal controls according to OMB circular a-133?
Total revenue / total expense ratio: Is the agency generating sufficient revenue to operate? Are revenues sufficient to cover all operating expense? Are fundraising costs reasonable for revenues generated? Is the revenue to expense ratio at least 1:1?

<p>Liquidity ratios: Does the agency have sufficient liquid assets to meet its obligations? For every dollar of liability, is there an equal or greater amount available in asset? Is current ratio greater than 1:1? Is the cash ratio at least 1:1? Does the agency have a positive working capital budget?</p>
<p>Safety net: These ratios compare the agency's total debt to the net assets or equity, and measures the agency's leverage by looking at what portion of the assets come from debt financing. Questions asked include: Does the agency have a sufficient safety net? Are the debt ratio and the debt to net assets ratios <1:1? Do reserves indicate the number of months an agency can operate if all funding ceases? (A minimum of 3 months operating reserves is typical.)</p>
<p>Efficiency ratios: These ratios provide an indication of the accounting department's capacity and oversight and measures the average turnover ratio of the accounts receivables as compared to the number of days it takes to collect a receivable. The question asked is: Does the agency practice adequate collections efforts?</p>
<p>Income diversification: Measures the agency's income diversification. Favorable income diversification is between 25% to 50% per category (i.e., government, private grants, and foundations.) The question asked is: Is the agency too reliant on a single revenue source?</p>
<p>Overhead Costs: Measures the agency's overhead costs (administrative and fundraising). A fair range would be 15-25%.</p>

Attachment G: Outcome Performance Measurement System

The U.S Department of Housing and Urban Development (HUD) has implemented an Outcome Performance Measurement System. This process provides a framework for capturing program outcomes across grant programs that enable HUD to describe these results on a national level. The system establishes a process to identify goals and measure whether goals were achieved. It focuses on the question, “How did this program make a difference?” and strives to link budget decision-making with performance results.

- 0) Objectives** – The Outcome Performance Measurement System has three overarching objectives. Objectives reflect the common ways applicants work to achieve their goals. The Objectives incorporated into the Outcome Performance Measurement System are listed below.
- **Suitable Living Environment:** In general, this objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment.
 - **Decent Affordable Housing:** The activities that typically would be found under this objective are designed to cover the wide range of housing possibilities. This objective focuses on housing activities whose purpose is to meet individual family or community housing needs. It does not include programs where housing is an element of a larger effort to make community- wide improvements, since such program would be more appropriately reported under Suitable Living Environment.
 - **Creating Economic Opportunities:** This objective applies to activities related to economic development, commercial revitalization, or job creation.
- 1) Outcomes** – Each objective has three potential outcomes. They show how programs benefit a community or the people served. Outcomes may benefit participants during or after their involvement with the program. Outcomes may relate to knowledge, skills, attitudes, values, behavior, condition, or status.
- **Availability / Accessibility.** This outcome category applies to activities that increases or improves the availability or accessibility of services, infrastructure, housing, or shelter to low- and moderate-income people, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living affordable, available, and accessible to low-and moderate – income people.
 - **Affordability.** This outcome category applies to activities that provide affordability in a variety of ways in the lives of low- and moderate – income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or daycare.

- Sustainability – Promoting Livable or Viable Communities. This outcome applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low– and moderate–income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain communities or neighborhood.

Thus, the three objectives, each having three possible outcomes, will produce nine possible “Outcome/Objective Statements” within which to categorize grant activities. It is expected that homeless services will fall into one of the three boxes highlighted.

Categories	Outcome 1: Availability / Accessibility	Outcome 2: Affordability	Outcome 3: Sustainability
Objective #1: Suitable Living Environment	Enhance Suitable Living Environment through Improved/New Accessibility	Enhance Suitable Living Environment through Improved/New Affordability	Enhance Suitable Living Environment through Improved/New Sustainability
Objective #2: Decent Affordable Housing	Create Decent Affordable Housing with Improved/New Availability	Create Decent Affordable Housing with Improved/New Affordability	Create Decent Affordable Housing with Improved/New Sustainability
Objective #3: Economic Opportunity	Provide Economic Opportunity through Improved/New Accessibility	Provide Economic Opportunity through Improved/New Affordability	Provide Economic Opportunity through Improved/New Sustainability

Outputs - are products of a program’s activities, such as the number of meals provided, classes taught, brochures distributed, or participants served. A program’s outputs should produce desired outcomes for the program participants.

Each output should relate to the intended outcome/objective of the program activities and community objectives. A complete statement has these components: Output (quantified) + Outcome (from categories above) + Activity (description) + Objective (from categories above). Combining these elements into a single sentence summarizes the community’s activities, results, intended outcomes and purpose in a way that can

be related to resource inputs. Examples are provided below:

- 2,000 homeless persons have new access to shelter for the purpose of creating decent affordable housing.
- 52 households have new access to public sewers for the purpose of creating a suitable living environment.
- 50 persons have access to new jobs through the extension of a water line to businesses for the purpose of creating economic opportunity.

Each of the below six components must be addressed in Section 6 of your response:

- 1) **Total Number of Unduplicated Participants:** Provide the total number of unduplicated participants that will be served by the proposed project, regardless of the number of activities in which they participate. Each participant should be counted only once for the year.
- 2) **Activities/Outputs:** This component should address a specific activity or set of activities that affect a specific group to accomplish project outcomes. An activity is what a program does with its inputs (the services it provides) to fulfill its mission. Examples are sheltering homeless families, educating the public about signs of child abuse, and providing adult mentors for youth. Program activities results in outputs.
- 3) **Number of Participants:** Detail the number of participants served by each activity.
- 4) **Number of Units of Service:** Define a unit of service for each service provided and list the number of units of service to be provided. Be as specific and detailed as possible when defining the unit of service. For example, if you propose to track the number of case management sessions, provide the average length of the sessions. If you propose to track the number of shelter nights, provide a clear definition of a "shelter night."
- 5) **Outcome Measures:** Outcome measures are ways to measure program outcomes. Please detail at least one outcome measure that will be used for each program outcome chosen. Describe how the project outcomes align with the HUD Objectives and Outcomes. Express your outcome measure as a percentage of clients who participated in the activity that exhibit the desired change in behavior or desired result.

Examples:

85% of students who attend the career preparation workshop will complete a plan for higher education or entering a career.

50% of clients who attend the Let's Stay in School Program will have an absentee rate of fewer than six days for the remainder of the school year.

Grantees will be required to track CoC benchmarks. These benchmarks are currently under development by the CoC and the City expects they will be approved by the time contracts are executed.

- 6) Data Collection Method or Measurement Methodology: Specify the method and calculation to be used to measure the agency's objective. Data collection methods include surveys, focus groups, interviews, report cards, and pre- and post-tests. (If a survey, questionnaire, pre- or post-test will be used for outcomes, attach the applicable document to this application).

When describing your measurement methodology, please include the frequency of collection. For example, "We will administer a survey to our participants at the end of each semester." Funded applicants will be expected to provide quarterly reports on their project's activities and unduplicated participants and semi-annual reports on their project's outcomes.

Attachment H: Project Budget Definitions and Instructions

The contract will be on a monthly cost-reimbursable basis. Reimbursements will be based on the actual expenditure of costs listed in the project's budget. Grantees will be expected to produce receipts, cancelled checks, and supporting documents as necessary to verify expenditures.

Due to the ESG expenditure limits (see 24 CFR 576) on Street Outreach and Emergency Shelter activities, program cost must be attributed to one of the ESG-eligible activity categories (street outreach, emergency shelter, rapid re-housing, homeless prevention, or HMIS). For costs shared among more than one activity, programs may estimate the costs by activity based on the percentage of full-time equivalents used by each element of the project. If the project will use an alternate method of allocation among the program categories, please describe the allocation method in the narrative.

Personnel Services: The sum of staff salary expense to be paid by CDBG/ESG.

Fringe/Benefits: Included in this line item are payroll-related costs such as FICA, health insurance and retirement benefits, Workers' Compensation, and other payments made on behalf of employee.

NOTE: Grantees must submit time distribution reports and payroll registers of all staff members whose cost will be fully or partially reimbursed by the grant funds. Time distribution reports must identify the actual number of hours spent on the grant activities. Reimbursement on percentages is not an approved method of determining personnel cost reimbursement.

Indirect Admin Staff Cost: Costs may only be submitted for projects that have a federally negotiated overhead rate or an approved rate from a Certified Public Accountant (CPA). Your application must include either a letter from the agency's "cognizant federal agency" indicating your federally negotiated overhead rate OR a letter from a CPA verifying that your overhead rate was calculated in accordance with 24 CFR part 200. The letter must also include a list of what costs are included in the overhead rate.

Office Supplies: Costs for consumable commodities, which have a useful life of one (1) year, or less, or which cost less than Five Hundred Dollars (\$500) and which render services essential to the operation of the project.

Communication: Costs for telephone, telegraph, postage, and other communication costs that are essential to the operation of the project.

Printing and Advertising: Costs for printing and duplicating services, newspaper printing by contract; and newspaper advertising which is essential to the operation of the project.

Supplies such as paper or fluids for a copy machine owned or leased by the organization for project use may be charged to this category.

Travel: Cost for automobile mileage, transportation, and all necessary and ordinary travel expenses while on official project business within and outside of Santa Clara County. All out-of-state travel related to the CDBG funded project must be approved in writing, by City, prior to any expenditure for such travel. Such travel not previously approved will NOT be reimbursed.

Occupancy: 1) Appropriate portion of rental charges for real property, i.e. office space for the project attributable to this CDBG project or 2) occupancy costs for a building owned by the recipient may be included as a budgeted item if: a) it is necessary for the services provided under this grant and b) costs are allocated among funding sources and c) the amount charged is calculated as specified in OMB Circular A-122, "Cost Principles for Non-profit Organizations."

Utilities: The prorated costs for water, gas, electric, garbage and trash collection, and similar expenses for the project.

Insurance: Prorated cost of insurance and other related services for the project.

Equipment Rental Maintenance: Rental of equipment that is essential for the operation of the project. Equipment is defined as tangible property other than land and buildings, or building improvements, having a useful life of more than one (1) year, the unit cost of which is Five Hundred Dollars (\$500) or more.

Audit Fees: Audit fees are reimbursable under an approved cost allocation plan. Agencies with federal expenditures in excess of \$750,000 are subject to conformance to 24 CFR 200.501

Ineligible Costs: Refer to 24CFR.570, 24CFR.576, and 24CFR.200.

Other Funds Budget: List all funding sources (city and non-city) that the agency will use to fund the project.

PROJECT BUDGET SUMMARY

Funding Year: 2018-1019

Project Title: _____

		Grant Request					Total Grant Request	Other Funds* (Leverage/Match)	Total Project Cost
		Street Outreach	Emergency Shelter	Rapid Re-housing	Homeless Prevention	HMIS			
<u>Program Services</u>									
	Personnel						\$ -		\$ -
	Fringe/Benefits						\$ -		\$ -
	Office supplies						\$ -		\$ -
	Communication						\$ -		\$ -
	Printing & Advertising						\$ -		\$ -
	Travel						\$ -		\$ -
	Occupancy						\$ -		\$ -
	Utilities						\$ -		\$ -
	Insurance						\$ -		\$ -
	Equipment Rental/Maintenance						\$ -		\$ -
	Audit (CDBG/ESG Portion Only)						\$ -		\$ -
	Other (specify)						\$ -		\$ -
<u>Support Services</u>							\$ -		\$ -
	Management & General						\$ -		\$ -
Total		\$ -	\$ -	\$ -			\$ -	\$ -	\$ -

Appendices

Each of the following Appendices relate to sections within the application in Webgrants. These appendices are provided only for the use of the applicant to gather information prior to submitting an application in WebGrants.

Appendix A-1: Outreach, Engagement, and Mobile Case Management Program

Appendix A-2: Homeless Prevention Program

Appendix A-1: Citywide Homeless Outreach & Engagement and Mobile Case Management Program

Introduction

The City is seeking proposals from agencies interested in utilizing an integrated approach to the administration of a Citywide Outreach and Engagement and Mobile Case Management Program that will serve as a comprehensive response to addressing persons living unsheltered in San José. The Program will focus on engaging with homeless individuals through street outreach and providing street-based case management.

By focusing its Federal funding and local funding on homeless outreach both Citywide and in the Downtown core, the City would expand the scope of the outreach program to include proactive outreach and mobile case management. The proactive outreach component would focus on engaging homeless individuals and transition aged youth throughout the City of San José, especially in areas of increased encampment activity. Proactive outreach teams would also be expected to build relationships with local businesses, neighborhood groups, the Police Department and other relevant community groups. The reactive outreach component would still be directed by the needs of the Homeless Concerns Hotline, which will continue to be operated by the City, but would additionally respond to Santa Clara County in assisting homeless individuals and transition aged youth, and families from the City of San José that may be in other areas in the County. The Citywide Outreach and Engagement Program will be expected to operate a Homeless Helpline, which will assist homeless individuals, transition aged youth, and families navigate the system and connect them with appropriate resources and services. Lastly, outreach teams would include a mobile case management component that would introduce a new “Diversion” strategy that prevents homelessness for people seeking shelter by helping them identify immediate alternate housing arrangements and, if necessary, connecting them with services and financial assistance to help them return to permanent housing.

The Citywide Outreach & Engagement and Mobile Case Management Program is expected to focus on the Outreach and Case Management components, but may include shelter activities as part of the process of engaging clients and assisting them in beginning the process of exiting homelessness. The City anticipates funding no more than two proposals under this component.

The three main purposes of the Program are as follows:

- 1) To provide a consistent proactive and reactive presence on the streets and other outdoor locations throughout San José and the downtown area to build rapport and

trust with unsheltered homeless residents with the goal of moving them into and keeping them in permanent housing;

- 2) To provide mobile street based case management to the unhoused population and;
- 3) To provide an avenue to alleviate resident and local business concerns about encampments and homeless residents living in their neighborhoods or other areas of San José.

Eligible activities under this type of project include:

- Street Outreach – Activities designed to meet the immediate needs of unsheltered homeless people by connecting them with emergency shelter, housing, and/or critical health services.
 - Engagement
 - Mobile Case Management
 - To assist with the County’s work on community-wide coordinated assessment
 - Community-based case management services pre- and post-housing
 - Linkages and referrals to services and benefits provided by other nonprofits and government agencies
 - Direct transportation to shelter and other services
 - Helpline for homeless people to call for individualized services and referrals

As Citywide Outreach Coordinators, the selected agency or agencies will be expected to proactively identify areas to provide outreach, as well as to respond to concerns from City staff, residents, businesses, and other persons as appropriate. Program staff may also be expected to attend meetings with residents, City representatives, businesses, or other persons as appropriate in an effort to address their concerns.

Successful proposals under the Citywide Outreach & Engagement and Mobile Case Management Program will creatively demonstrate how they plan to seamlessly provide, either directly or through partnerships/direct referrals, all of the services their engaged clients need to begin the process of exiting homelessness.

Specific Project Response Content

Please see the Application Completion Requirements for All Respondents’ section of the General Information and Application Instructions. Proposals that do not include all of the required documentation will be disqualified. In the event of any conflict between any of the Proposal documents, resolution thereof shall be in the City’s sole discretion.

Program Description

Please provide a detailed narrative description of your proposed program. Include responses to the following questions in your answer:

1. What is the overall structure of your proposed program? Please identify any partners or other collaborative plans. Where will these services be located? Describe when you will be ready to commence services and include a timeline.
2. Describe how your proposed program will contribute to the goal of ending homelessness. Do not simply assert that the proposed program contributes to reaching this goal – demonstrate how.
3. How will your proposed program identify and engage prospective program participants? How will you reach out to underserved populations?
4. Describe which population(s) you intend to serve and how you will ensure that they are eligible and receive the appropriate level and type of assistance. Include a description of ongoing assessment procedures.
5. Describe your program staffing and experiences.
6. Describe how many individuals and households you plan to serve over the grant period and what services they will receive. Describe the follow-up you will conduct including the time periods at which they will occur.
7. Describe how you will connect clients to all of the services they need to obtain and maintain permanent housing, including mainstream programs such as food stamps, SSI/SSDI, etc. Please provide a list of agencies to which program participants will likely be referred, what services those agencies provide and describe how those services will enhance the program.
8. Describe your methods for identifying and securing affordable housing for program participants. Explain how these methods are effective.
9. Describe the case management model you will utilize for clients both pre- and post-housing, case review and supervision.
10. Describe how the mobile case management and “Diversion” components will be utilized to connect clients with services and/or housing.

Additional questions to be addressed by Citywide Homeless Outreach Program applicants only:

1. Describe how you plan to coordinate with other homeless outreach teams to avoid duplication of effort and more effectively and efficiently utilize all of the teams’ resources. Include information on any specific areas in which you intend to target your outreach efforts.
2. Describe how you plan to transport persons engaged through the program’s street outreach to shelter or other services as appropriate.
3. San José has both a large number of homeless encampments and persons living in these encampments. In line with its goal to end homelessness, the City is working to eliminate these encampments. Describe how your Citywide Homeless Outreach and Mobile Case Management Program would contribute to the City’s goal and efforts.

Organizational Capacity and Experience

Please answer the following questions about the agency or agencies that will provide services under the proposed program:

1. Describe your experience in providing services similar to those described in the Requested Services section of this RFP. Include information on your experience providing rental or financial assistance, if applicable. Provide information about your agency's relevant accomplishments and outcomes.
2. For any of the staff members who will provide services under this proposal, please provide an organizational chart, resumes and/or job descriptions. Explain how oversight and supervision will occur.
3. Explain clearly the experience/cultural competence of your staff in meeting the needs of the three target populations described in the City's Language Access Plan.
4. Describe your experience administering government grants especially contracts with the City of San José and/or funded through federal and especially Emergency Shelter Grant and Community Development Block Grant monies either directly or as a sub-recipient.
5. Describe your experience using the Homeless Management Information System (HMIS). If your agency has not used HMIS, describe your plan for building the capacity to use the system, as required for this award.
6. For any services offered at a fixed location, describe how the facility(s) complies with Americans with Disabilities Act (ADA) requirements regarding accessibility.

Project Specific Outcome Measure Requirement

Applicants seeking funding to implement a Citywide Homeless Outreach & Engagement and Mobile Case Management Program **MUST** include an outcome measure related to the program's ability to assist clients to become permanently housed and maintain that housing for at least six months. Successful applicants will also be required to include new regional HUD-mandated measures and benchmarks in their final contracts. These benchmarks are currently under development in coordination with the Continuum of Care.

Appendix A-2: Homeless Prevention Program

Introduction

The City is seeking proposals from agencies interested in utilizing an integrated approach to administering a Homeless Prevention Program through the provision of relocation assistance and stabilization services, and other services as appropriate.

The 2015-2020 Community Plan to End Homelessness contains a clear call to action, “Prevent homelessness before it happens”. The purpose of the Homeless Prevention Program is to provide the support needed for low income households to remain permanently housed. The Program will work in conjunction with and/or enhance existing homeless prevention programs, including the Emergency Assistance Network (EAN).

The City anticipates funding no more than two proposals under this component.

Applicants will need to demonstrate how they will:

- 1) ensure all clients are aware of their services; and
- 2) address the specific needs, confidentiality, and other requirements of these populations.

Eligible activities under this type of project include:

- Homeless Prevention – These activities are designed to prevent an individual or family from moving into an emergency shelter or living in a public or private place not meant for humans through housing relocation and stabilization services and short- and/or medium-term rental assistance. Funds may be used for housing relocation and stabilization services (including rental application fees, security deposits, utility deposits or payments, last month’s rent, moving costs, housing search and placement activities, housing stability case management, mediation, legal services, and credit repair). Funds may also be used for short- or medium- term rental assistance for those who are at-risk of becoming homeless or transitioning to stable housing.

Successful proposals to administer the program will creatively demonstrate how they plan to seamlessly provide, either directly or through partnerships/direct referrals, all of the services their clients need to prevent homelessness and maintain that housing for a least six months.

Specific Project Response Content

Please see the Application Completion Requirements for All Respondents’ section of the General Information and Application Instructions. Proposals that do not include all of the required documentation will be disqualified. In the event of any conflict between any of the Proposal documents, resolution thereof shall be in the City’s sole discretion.

Program Description

Please provide a detailed description of your proposed program. Include responses to the following questions in your answer:

1. What is the overall structure of your proposed program? Please identify any partners or other collaborative plans. Where will these services be located? Describe when you will be ready to commence services and attach a timeline.
2. Describe how your proposed program will contribute to the goal of preventing or ending homelessness. Do not simply assert that the proposed program contributes to reaching this goal – demonstrate how.
3. How will your proposed program identify and engage prospective program participants? How will you reach out to underserved populations?
4. Describe which population(s) you intend to serve and how you will ensure that they are eligible and receive the appropriate level and type of assistance. Include a description of ongoing assessment procedures.
5. Describe your program staffing and experiences.
6. Describe how many individuals and households you plan to serve over the grant period and what services they will receive. Describe the follow-up you will conduct including the time periods at which they will occur.
7. Describe how you will connect clients to all of the services they need to obtain and maintain permanent housing, including mainstream programs such as food stamps, SSI/SSDI, etc. Please provide a list of agencies to which program participants will likely be referred, what services those agencies provide and describe how those services will enhance the program.
8. Describe your methods for identifying and securing affordable housing for program participants. Explain how these methods are effective.
9. Describe how you plan to structure the use of rental subsidies, including the potential sources for the subsidy and the length of time and amount of subsidy each client can receive. Explain how you will ensure that clients are not receiving financial services from other agencies.
10. Describe the case management model you will utilize for clients both pre- and post-housing, case review and supervision.

Additional questions to be addressed by the Home Prevention Program applicants only:

1. Describe how you will ensure that special sub-populations are aware of and able to access your program. How will you address the fact that many of these potential clients may not be familiar with the homeless service delivery system or safety net services?
2. Describe how you will address the special confidentiality and safety needs of specific sub-populations
3. Describe how you plan to coordinate with other agencies serving similar populations.

4. If serving victims of domestic violence or youth under the age of 18, describe the data collection and reporting system you will use. Explain how the partnering agencies in your proposal will coordinate to provide the City with integrated, non-duplicative quarterly reports utilizing the multiple databases.

Organizational Capacity and Experience

Please answer the following questions about the agency or agencies that will provide services under the proposed program:

1. Describe your experience in providing services similar to those described in the Requested Services section of this RFP. Include information on your experience providing rental or financial assistance, if applicable. Provide information about your agency's relevant accomplishments and outcomes.
2. For any of the staff members who will provide services under this proposal, please provide an organizational chart, resumes and/or job descriptions. Explain how oversight and supervision will occur.
3. Explain clearly the experience/cultural competence of your staff in meeting the needs of the three target populations described in the City's Language Access Plan.
4. Describe your experience administering government grants especially contracts with the City of San José and/or funded through federal and especially Emergency Shelter Grant and Community Development Block Grant monies either directly or as a sub-recipient.
5. Describe your experience using the Homeless Management Information System (HMIS). If your agency has not used HMIS, describe your plan for building the capacity to use the system, as required for this award.
6. For any services offered at a fixed location, describe how the facility(s) complies with Americans with Disabilities Act (ADA) requirements regarding accessibility.

Project Specific Outcome Measure Requirement

Applicants seeking funding to implement Homeless Prevention Program **MUST** include an outcome measure related to the program's ability to assist clients to become permanently housed and maintain that housing for at least six months. Successful applicants will also be required to include new regional HUD-mandated measures and benchmarks in their final contracts. These benchmarks are currently under development in coordination with the Continuum of Care.