

PROJECT GUIDELINES

Please carefully read the Program Guidelines. If you have any questions or concerns about this section, please contact the Office of Community Development for technical assistance. At the end of each page, Applicant must initial where indicated.

I. PROGRAM PURPOSE AND FUNDING

The Orange County Farmworker Housing Rehabilitation Program is made available through the Community Development Block Grant Program (CDBG), a grant from the U.S. Department of Housing and Urban Development (HUD). Under this program, owners of housing occupied by farmworkers with low incomes (less than 80% of the County median) are offered deferred grants in order to repair and upgrade their units. The program is administered by the Orange County Office of Community Development.

II. ELIGIBLE PROPERTIES

To qualify, the properties must be a working, owner operated farm in Orange County and buildings to be rehabilitated must be used as a residence for seasonal or year-round farmworkers at rental rates that do not exceed 30% of household income. Owners must agree to make residential units assisted under the Program available for this purpose for a regulatory period of time as stated in Item IV of this document.

III. FORM OF ASSISTANCE

The County will provide owners with deferred grants in amounts not to exceed 75% of the total rehabilitation costs of the project. The applicant/owner will be required to provide a cash match of at least 25% of the total rehabilitation cost. The cash funds necessary to complete the rehabilitation shall be delivered to County at the time of the Grant Agreement/Promissory Note execution. The County will place these funds in escrow with the grant funds in the name of the premises. If project costs increase post-contract the owner will be responsible for the additional costs.

IV. TERMS AND CONDITIONS OF THE GRANT

The owner will execute a Grant Agreement/Promissory Note & Mortgage in favor of the County for the amount of the assistance. The term of Agreement will be as follows:

- ✓ **Less than \$15,000 of County/CDBG funds – Five (5) Years**
- ✓ **\$15,000 - \$39,999 of County/CDBG funds – Ten (10) Years**
- ✓ **\$40,000 or more of County/CDBG funds – Fifteen (15) Years**

If the assisted units remain in good condition and are available to low income farmworkers at rents that do not exceed 30% of household income, the full amount of the deferred grant will be forgiven after the term of Agreement. If the owner sells the property during the term, the full amount of the grant will be due and payable to the County unless the new owner signs a similar agreement with the County for the remainder of the term. The County's Office of Community Development will inspect the units at least annually to ensure that the terms of the grant are followed.

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V. ELIGIBLE CONSTRUCTION WORK

The purpose of this program is elimination of substandard housing conditions and removal of health and building code violations in existing farmworker units. The two priorities for construction work are therefore the following:

1. Seasonal Housing Units - Removal of existing health code violations.
2. Year-Round Housing Units - Winterization improvements and removal of code violations and substandard building conditions.

Eligible items of work to meet these priorities include roof, insulation, windows, heating, plumbing, electric, other interior and exterior work. Other items may be eligible to the extent that they will address code items or substandard conditions. ****New Housing Construction is not eligible.**

VI. SELECTION FOR FUNDING

Applications that contain incomplete, inaccurate information will not be considered for funding. All proposed funding is subject to availability of CDBG funds. Applications for grant funds are ranked and approved based on the following criteria:

1. The extent to which the proposed rehabilitation addresses the elimination of substandard housing conditions and removal of health and building code violations in existing farmworker housing units.
2. The extent to which the proposed construction costs are reasonable and the project is cost-effective and can be completed by August 2019.
3. Total number of units that will be rehabilitated.
3. Total number of farmworker beneficiaries of the proposed project.
4. Average cost in grant funds per beneficiary.
5. The extent to which the grant funds will be used to further leverage other funding.
6. Successful completion of previous projects on a timely basis and within budget.

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VII. APPLICATION PROCESS

1. Applications will be available in the Spring. Notices of availability and due date for applications will be published in the newspaper and on the Office of Community Development webpage.
2. Upon review of the completed application, a determination of owner and tenant eligibility will be made. Program beneficiaries (farmworkers) must be employed by the owner/applicant. With the application, the owner must submit additional documentation including, but not necessarily limited to the following:
 - *Copy of the recorded deed if this is first time applying**
 - *Copies of any outstanding health code or building violations on the premises to be rehabilitated.**
 - *At least two cost estimates for proposed work from contractors.**
 - *Completed Pay-to-Play Form "A" (enclosed with application)**
 - *Income surveys completed and signed (enclosed with application)**
3. All applicants will have the opportunity to present their project to the Farmworker Committee and Community Development. Community Development will contact each applicant and advise them of the date and time for the site visit. All recommended projects will be presented to the Orange County Executive for final approval. Notification letters will be sent to each applicant.
4. Community Development Inspectors contact awardee to prepare Scope of Work.
5. Once a contractor has been awarded the job, the owner will submit to OCD a check in the amount of his share to be deposited into an escrow account. Owners and contractors are required to obtain all necessary permits, and contractors must have Workers' Compensation Insurance (or proof from the Workers' Compensation Board that compensation insurance is not required) and Liability Insurance in an amount of \$500,000/\$1,000,000 on occurrence for injury to persons and not less than \$500,000 for damages to property. A Grant Agreement/Promissory Note is signed with the County and a Construction Agreement is signed between the Owner and the contractor.
6. Work proceeds with interim and final inspections being performed by County staff. If partial payments are involved, the owner's share of funds will be used first.
7. Upon request of final payment, the owner confirms that the work is completed and acceptable, and the contractor has provided warranties, lien releases and equal opportunity wage forms, if necessary. A final payment is made with the check payable to the contractor. Final payment Will not be disbursed until all paperwork is received by Office of Community Development.
8. All assistance under the program will be secured by a Grant Agreement/Promissory Note & Mortgage.