

**2025-2026**

**FEDERAL GRANTS: CDBG, ESG, HOME, AND SSBG**

# **REQUEST FOR APPLICATIONS (RFA)**

**Release Date:**

**October 28, 2024**



**Division of Housing and Community Development**

**Office of Regional Development**

## Introduction

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Salt Lake County's Department of Housing and Urban Development (HUD) Consolidated Plan identified community-wide affordable housing and community development needs. Through extensive review and analysis of market conditions and community engagement, a framework for the five-year plan is established based on data driven decisions. Salt Lake County's Consolidated Plan is a community-wide dialogue focusing on priorities that align with funding from the Office of Community Planning and Development (CPD) formula block grant programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) Program, and Emergency Solutions Grants (ESG) Program.

The Consolidated Plan allows Salt Lake County to plan and detail how it will address the priority needs. Salt Lake County's goal is to invest in overarching priorities through the continuation and/or creation of activities that strengthen communities and open access to opportunity by focusing on the priority needs that will benefit very low, low, and low- and moderate-income citizens.

This Request for Applications (RFA) is the first of the 2025-2029 Consolidated Plan which will be approved May 2025. Because the plan has not been adopted and we anticipate that many of the needs remain the same, this RFA will include priorities by the 2020-2024 adopted plan. Those needs include focuses on affordable housing, homelessness, special needs, and community development. Low- and moderate-income households face obstacles of ever-increasing rents, food insecurity, access to health care, and access to opportunities e.g., living wage jobs and economic mobility. In response to these challenges, Salt Lake County is prioritizing resources to activities that increase or sustain affordable housing inventory, increase a household's housing stability, or contribute to economic mobility.

2020-2024 Consolidated Plan Objectives are as follows:

1. Housing
  - a. Housing Rehabilitation
  - b. Rental Housing
  - c. Homeownership
  - d. Rental Assistance
2. Neighborhood/Community Improvements
  - a. Infrastructure
  - b. Public Facilities
3. Essential services, as defined by HUD in 24 CFR 576.102

Housing and Community Development is releasing a **single** RFA for the 2025-2026 program year. This consolidated RFA combines multiple funding opportunities:

- Community Development Block Grant
- Emergency Solutions Grant
- Social Services Block Grant
- HOME Investment Partnership Program

Although this is a combined RFA, there are three different applications based on project types and funding sources. See Sections 6, 7, and 8 for further details.

## Section 1. Program Overviews

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### 1.1 Community Development Block Grant (CDBG) Program Overview

The primary focus of CDBG is to provide decent housing, a sustainable living environment and to expand economic opportunities for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq. The funding Salt Lake County receives each year is based on a HUD formula that considers population lag, pre-1940 housing, and poverty rates. [24 CFR 570](#) provides additional guidance on specific rules related to this funding.

CDBG funded projects must meet one of three National Objectives:

1. Benefit low- and moderate-income persons.
2. Aid in the prevention or elimination of slums and blight.
3. Meet other community development needs that have a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

#### 1.1.1 CDBG Eligible Activities

CDBG funds may be used for activities which include, but are not limited to:

- a) Acquisition of real property
- b) Relocation and demolition
- c) Rehabilitation of residential and non-residential structures
- d) Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes
- e) Public services, within certain limits
- f) Activities relating to energy conservation and renewable energy resources
- g) Provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities

### **1.1.2 CDBG Eligible Beneficiaries**

The project must serve primarily persons whose household is at or below 80% of the area median income (AMI), as established by [HUD](#).

Eligibility may be established by one of the following ways:

Area Benefit: An activity, the benefits of which are available to all the residents in a particular area, where at least 51% of the residents are low- and/or moderate-income persons, is eligible under area benefit. Such an area need not be coterminous with census tracts or other officially recognized boundaries, but the entire area must be served by the activity. An activity that serves an area that is not primarily residential in character does not qualify under this criterion.

Presumed Benefit: To establish eligibility based on presumed benefit, the program/project must exclusively serve people in any one or a combination of the following categories of persons who are presumed to be low- to moderate- income persons:

- a) abused children
- b) battered spouses
- c) elderly persons
- d) adults meeting the Bureau of the Census' Current Population Reports definition of “severely disabled”
- e) homeless persons
- f) illiterate adults
- g) persons living with AIDS
- h) migrant farm workers

Limited Clientele: To establish eligibility under this criterion, the program/project must benefit a limited clientele, at least 51% of whom are low- or moderate-income persons.

Applications must be for activities located within the eligible Urban County or demonstrate the majority of clients served, for which CDBG funds will be used, reside within the eligible geographical areas of the County.

The Urban County includes the Metro Townships of Copperton, Emigration Canyon, Kearns, Magna and White City, the balance of the Unincorporated County, the Town of Alta, and Cities of Bluffdale, Brighton, Cottonwood Heights, Draper, Herriman, Holladay, Midvale, Millcreek, Murray, Riverton and South Salt Lake City.

Projects that serve primarily residents of the cities of Salt Lake, Sandy, South Jordan, Taylorsville, West Jordan, and West Valley may be ineligible for CDBG funding from Salt Lake County. Please consult HCD staff if you have questions regarding eligible service areas for your project.

## 1.2 HOME Investment Partnership Program (HOME) Overview

The HOME program is the largest federal block grant designed to create affordable housing for low-income households. The program is authorized under the HOME Investment Partnerships Act, located at Title II of the Cranston-Gonzales National Affordable Housing Act, 42 U.S.C. § 12701-12898 (the “Act”). [24 CFR 92](#) provides regulatory guidance related to the funding. The HOME program is designed to reinforce the following principles of community development:

1. Empower communities to design and implement strategies that support their own needs and priorities.
2. Expand and strengthen partnerships among all levels of government and the private sector in the development of affordable housing.
3. Build capacity with partners through technical assistance activities and set-asides for qualified community-based nonprofit housing groups.
4. Mobilize community resources in support of affordable housing through the requirement that participating jurisdictions match twenty-five percent (25%) of program funds.

### 1.2.1 Eligible Activities

HOME funds may be used for activities which include, but are not limited to:

- a) Development of Affordable Housing Units
- b) Homeowner Rehabilitation
- c) Tenant Based Rental Assistance

For more information on eligible activities please visit [24 CFR Part 92](#) or visit the HOME website on the HUD exchange [https://www.hud.gov/program\\_offices/comm\\_planning/home](https://www.hud.gov/program_offices/comm_planning/home).

### 1.2.2 Eligible Beneficiaries

The eligibility of households for HOME assistance varies with the nature of the activity.

- a) Rental housing and rental assistance: at least 90 percent of benefiting families must have incomes that are no more than 60 percent of the HUD-adjusted median family income for the area. In rental projects with five or more assisted units, at least 20% of the units must be occupied by families with incomes that do not exceed 50% of the HUD-adjusted median.
- b) The incomes of households receiving HUD assistance must not exceed 80 percent of the area median. [HOME income limits](#) are published each year by HUD.

NOTE: The HOME program requires a 25% match from subrecipients.

### 1.2.3 Community Housing Development Organization (CHDO)

Salt Lake County has reserved at least fifteen percent (15%) of its HOME allocation for specific activities to be undertaken by a special type of nonprofit organization called Community Housing Development Organization (“CHDO”). CHDO certification is required to access funds specifically

set aside for CHDOs. CHDO's may also apply for up to 5% of the HOME allocation for overhead costs related to development.

For more information on eligible activities please visit [CHDO Requirements](#).

### **1.2.3 Development of Affordable Housing Units**

Projects receiving HOME funds for the development of affordable housing units will be provided their awards as loans according to the terms outlined in Section 4.1.

## **1.3 Emergency Solutions Grant (ESG) Program Overview**

The ESG program is designed to assist people with quickly regaining stability in permanent housing after experiencing a housing crisis and/or homelessness. The program is authorized through the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act. [24 CFR 576](#) provides regulatory guidance related to the funding

### **1.3.1 Eligible Activities**

ESG funds may be used for activities which include, but are not limited to:

- a) Street Outreach
- b) Emergency Shelter
- c) Homeless Prevention
- d) Rapid Re-housing

For more information on eligible activities please visit <https://www.hudexchange.info/programs/esg/>

### **1.3.2 Eligible Beneficiaries**

ESG funds may be used for the following beneficiaries:

- a) Persons who meet the definition of homeless under [24 CFR 576.2](#) and the description of at risk of homelessness under [24 CFR 576.103](#).

NOTE: ESG requires 100% match from subrecipients.

## **1.4 Social Services Block Grant (SSGB) Program Overview**

SSBG is a flexible federal grant passed through to Salt Lake County by the State of Utah. Funding provides support through the provision of social services, such as prevention of abuse, neglect, rehabilitation, self-reliance, etc.

### **1.4.1 Eligible Activities**

The following are eligible used for the SSBG grant:

- a) Childcare for children or adults
- b) Special services to persons with disabilities
- c) case management
- d) Housing
- e) Special services for youth
- f) Employment services

**1.4.2 Eligible Beneficiaries**

Eligible beneficiaries must be verified as low or moderate income.

NOTE: Salt Lake County may require SSBG subrecipients to provide 25% match.

**Section 2. Timeline**

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<b>Date</b>	<b>Activity</b>	<b>Location</b>
October 28, 2024	Applications Available	Via Smartsheet. For more information, please visit <a href="#">Salt Lake County's HCD website.</a>
November 6, 2024	In- Person Application Training	Salt Lake County Government Center 2001 S State Street, N2-800
November 22, 2024	Final Day to Submit Questions	<a href="https://app.smartsheet.com/b/form/8bc36b9f0e8b40c99ec6679a29bff73f">https://app.smartsheet.com/b/form/8bc36b9f0e8b40c99ec6679a29bff73f</a>
<b>December 2, 2024</b>	<b>Applications Due</b>	<b>Via Smartsheet</b>
January - February 2025	Application Reviews with board members  Initial recommendations will be posted on Salt Lake County HCD website	TBA
March 2025	Public Hearing and public comment period  Date & time will be announced two weeks before hearing date	TBA

April 2025	Final Funding Allocations Announced	TBA
June 2025	2025-2026 Grant Recipient Training	TBA
July 2025	Start of 2025-2026 Program Year	N/A

## Section 3. Funding Priorities and Estimated Funding

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### 3.1 Funding Priorities

Funding will be prioritized to applications that provide a clear connection to the following objectives:

1. Housing
  - a. Housing Rehabilitation
  - b. Rental Housing
  - c. Rental Assistance
2. Neighborhood/Community Improvements
  - a. Infrastructure
  - b. Public Facilities
3. Essential Services, which are defined by HUD as case management, childcare, education services, employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, transportation, and services for special populations.

In particular, applications requesting funding to increase affordable housing, increase access to affordable housing, and projects that look to prevent homelessness will be prioritized.

Of the total CDBG allocation listed below, it is estimated that \$1,500,000 will be allocated to communities located within the Urban County (see 1.1.2). Additionally, \$900,000 from previous program year CDBG will be allocated to public facilities and affordable housing rehabilitation projects in the form of grants or loans (see section 4 for more information).



### 3.2 Estimated Funding\*

Funding Source	Funding Amounts and Priorities
<b>CDBG</b>	\$4,633,311 a) \$2,233,311 – Salt Lake County CDBG allocation** b) \$900,000 – Bonus Affordable Housing and Public Facility Rehabilitation Projects c) \$1,500,000 – Urban County Municipalities ONLY
<b>HOME</b>	\$2,144,790 a) \$382,515 - Development of Affordable Housing Units b) \$637,520 – Housing Rehabilitation c) \$255,010 - Tenant Based Rental Assistance d) \$240,000 - CHDO e) \$79,745 CHDO Project Overhead f) \$550,000 – HOME Consortium Member Cities ONLY
<b>ESG</b>	\$227,884
<b>SSBG</b>	\$372,221

\*The amounts above are estimates based on the most current guidance from HUD and may not reflect the actual amounts available to award and are subject to change.

\*\* Up to 15% of the CDBG allocation can fund public service activities, as outlined in 24 CFR 570.201(e)

### 3.3 Minimum and Maximum Award

Projects are encouraged to apply only for the amount needed to provide the services outlined in the project. The minimum request is \$100,000. There is no maximum award, but funds are limited to the amounts listed in Section 3.2. Final award amounts may be lower than \$100,000 based on the discretion of the review committee, Urban County, and HOME Consortium.

## Section 4. Grant, Loan, and Conditions

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It is estimated that \$900,000 of CDBG funds will be allocated to the rehabilitation of affordable housing units and public facilities.

Public facilities are defined as any facility or improvement that is publicly owned or owned by a nonprofit but open to the public. This includes:

- Streets
- Playgrounds
- Underground utilities

- Non-profit buildings open to the public
- Community centers
- Sidewalks
- Drainage systems
- Water and sewer system

To be eligible, public facilities must provide an Area Benefit as defined in Section 1.1.2 of this RFA.

Affordable Housing is defined as permanent rental housing provided to households at or below 80% of Area Median Income. Mixed income properties qualify as affordable housing and funding can be allocated to costs of rehabilitating affordable units or for a portion of common spaces.

Funding provided for the rehabilitation of affordable housing provided as a loan. Public facilities will be awarded as a grant, unless determined by HCD staff to be better provided as a loan.

#### 4.1 Loan

Affordable Housing Rehabilitation Loans and HOME New Development Loans will be provided pursuant to the following terms and conditions:

1. **Loan Amount:** Loans will be provided according to the amount awarded to the project. There is no loan maximum amount.
2. **Term:** Financing will be in the form of short-term loans not to exceed 5 years. Because loan extensions will not be granted, applicants must demonstrate in their response how they will meet the term requirements of the loan.
3. **Interest Rate:** The interest rate for loans will be 1%. Interest on loans shall accrue annually as simple interest.
4. **Repayment:** Frequency of loan payments is negotiable. All loans must be repaid in full by the end of the term, regardless of payment frequency.
5. **Security:** Loans must be secured using the following assurances: Loan Agreement; Promissory Note; Trust Deed; Deed Restriction on maximum rents and tenant eligibility standards for not less than 10 years from the time of occupancy for CDBG funded projects and up to 15 years for HOME funded projects.
6. **Subordination:** Loans may be subordinated.
7. **Affordable Housing Restriction:** Eligible projects must provide for a period of affordability of maximum rent and tenant income eligibility standards, imposed through covenant or other enforceable legal mechanism, of not less than 10 years from the time of occupancy for CDBG funded projects and up to 15 years for HOME funded projects. Restrictions will be in place from the time Certificate of Occupancy is received from the local jurisdiction.
8. **Closing Costs:** Borrower is responsible for the expense of document preparation and other closing costs, if any.

#### 4.2 Other Conditions

1. The amount of funds will be awarded based on the program application, evaluation criteria and funding availability.
2. Funding may be distributed on a cost-reimbursement basis.

3. Salt Lake County may elect to terminate any loan for non-compliance or funding availability.

#### **4.3 Compliance**

Each applicant must certify that the project is, and will be, in compliance with all federal and local rules and regulations. Projects will be subject to ongoing monitoring to evaluate and ensure that projects are complying with affordability requirements, applicable funding priority policies and other requirements as determined in the loan agreement

## **Section 5. Threshold Requirements**

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Applicants must meet the following eligibility requirements to be considered for funding from any or all grants.

### **5.1 Eligible Applicants**

Applications will be accepted from the following:

1. Eligible municipalities that do not receive CDBG or HOME entitlement funds directly.
2. For-profit corporations, partnerships, joint ventures, limited liability companies, or sole proprietors (Development of affordable housing units projects only).
3. Private incorporated non-profit agencies with IRS 501(c) designation.
4. Public Housing Authorities

### **5.2 Eligibility Requirements**

To be considered eligible, projects seeking funding through this program must meet the following requirements:

1. Be located wholly within Salt Lake County.  
Comply with CDBG, HOME, and ESG regulations. This includes compliance with Davis Bacon Wage Requirements, Section 3, National Environmental Policy Act, Buy America Build America, and any other requirements as outlined in 24 CFR 570.
2. Demonstrate the ability to expend funds between July 1, 2025, and June 30, 2026.
3. Be in good standing if the applicant or the project previously received funding from the SLCo Office of Regional Development, or the SLCo Division of Housing & Community Development.

Applicants are advised that the County is not bound by the terms of the RFA until a written agreement is fully executed and any activity taken on by the Applicant prior to full execution of a written agreement is done at the Applicant's sole risk.

## Section 6. Application Submission Requirements

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**IMPORTANT:** Prior to filling out the online Application and Program Information Form, complete and compile the following documents, which will need to be attached to the Application and Program Information Form.

There are three application Smartsheet's depending on project type:

1. For service projects funded by CDBG, SSBG, ESG, or HOME TBRA, please complete this [Service Projects Smartsheet](#)
2. For Acquisition and Rehabilitation projects, including single family rehab programs and public facility improvements please complete this [Acquisition and Rehabilitation Smartsheet](#)
3. For new development of affordable housing, please complete this [New Development Smartsheet](#)

To be considered complete, application submittals must include the following components:

1. Forms provided by Salt Lake County
  - a. Application and Program Information Form (Smartsheet Form)
  - b. Certification (Appendix A)
  - c. Project Budget (Appendix B(a) or Appendix B(b))
    - i. For Construction/Acquisition/Rehabilitation projects, use Appendix B(a)
    - ii. All other project types, use this Appendix B(b)
  - d. Environmental Compliance Practices, Vendor Compliance Statement, and Non-Debarment Certification (Appendix C)
  - e. Business Confidentiality Request Form, if applicable (Appendix D)
  - f. Exception to Contract Request/Remedy Form, if applicable (Appendix E)
2. Attachments provided by Applicant
  - a. Partnership Letters (If applicable)
  - b. Leverage award letters (If applicable)
3. Additional documents provided by applicant. Construction/Acquisition/Rehabilitation projects only:
  - a. Complete sources and uses statement with accompanying commitment letters from funding sources (Public facility and Affordable Housing)
  - b. Project Schedule, including site acquisition, design, permitting, financing commitments, construction start and completion dates, zoning changes, and marketing & outreach (Public facility and Affordable Housing)

- c. Project Pro Forma for the Affordability Period (20 years), beginning at the issuance of the Certificate of Occupancy, (Affordable Housing Only)

#### 4. Information Only Resources

- a. Salt Lake County Grant Agreement Template
- b. Application Checklist

All forms provided by the County and additional resources can be found on [Salt Lake County's HCD website](#) under Required Documentation and Additional Resources.

**Separate applications are required for each project or program. If you are seeking funds for more than one program or project, please submit more than one application.**

**After the application is submitted, Salt Lake County's HCD staff will email the applicant contact with a OneDrive link to upload the required and supporting documentation.**

Applicants bear the cost of preparing and submitting the application.

Failure to comply with any part of the RFA will result in disqualification of the application.

Do not include additional information or documents such as personal cover sheets, table of contents, pamphlets, marketing or public relations information, addenda, etc.

## Section 7. Application Process and Submittal

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### 7.1 Application Submittal and Deadline

Applications can be accessed at:

1. For service projects funded by CDBG, SSBG, ESG, or HOME TBRA, please complete this [Service Projects Smartsheet](#)
2. For Acquisition and Rehabilitation projects, including single family rehab programs and public facility improvements please complete this [Acquisition and Rehabilitation Smartsheet](#)
3. For new development of affordable housing, please complete this [New Development Smartsheet](#)

Required forms and additional resources can be found here:

<https://www.saltlakecounty.gov/regional-development/housing-community-development/apply-for-grant-funding/2025-2026-salt-lake-county-housing-and-community-development-request-for-applications-rfa/>

Applications are due **December 2, 2024, no later than 3 PM MST**. Applications must be submitted online through Smartsheet. Incomplete, hand-delivered, emailed, faxed, or late applications will be ineligible and not accepted.

## 7.2 Application Training

Interested applicants are invited to attend an application training to discuss project and applicant eligibility requirements and to ask questions about the RFA. The training will be held on **Wednesday, November 6, 2024, at 9:30 am (MST)**.

To register to attend the application training, please use the link below. Please make sure that you use your business/organizational information when registering as this information is subject to the Utah Government Records Access and Management Act (GRAMA) regulations.

<https://app.smartsheet.com/b/form/3fc34deeb703422aa3049e4e6ddc5fd8>

## 7.3 Submitting a Question

Applicants are encouraged to submit their questions in writing before the pre-application webinar through the question form, [RFA Questions from Applicant](#). submit questions is **Friday, November 22, 2024, at 3:00 pm (MST)**.

## Section 8. Application Evaluation and Scoring Criteria

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Applications will be reviewed internally by HCD staff to determine whether they meet the eligibility criteria outlined in Sections 5.1 and 5.2. CDBG, SSBG and ESG applications will be reviewed and scored by the Community and Economic Development Advisory Committee (CEDAC) who will make recommendations to the Urban County mayors for final awards. Applications using HOME or CDBG for new development activities will be reviewed and scored by the Housing Trust Fund Advisory Board who will make recommendations to the HOME Consortium for final awards. The HOME Consortium will review all other HOME applications and determine final awards.

Final awards may be for less than the application amount and less than the minimum application amount of \$100,000.

The scoring criteria in the green section is based on the information provided by the Applicant in the Federal Grant Application RFA: Application and Project Information Form. That form is included in the items provided by the County in Section 6.

The review committee will be provided with a score sheet to complete the proposal evaluation utilizing the point system listed below. Committee members will individually score the proposals and rank them 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, etc., according to their total score. The following point system is utilized:

**Excellent (5):** If the application exceeds expectations, with an excellent probability of success in achieving all requirements of the RFA, and is very detailed in providing innovative ideas, new concepts, or optional features applicable to the project then a score of “5” is given.

**Good (4):** If the application has a very good probability of success, achieves all requirements of the RFA reasonably, and provides some innovative ideas, new concepts, or optional features applicable to the project then a score of “4” is given.

**Acceptable (3):** If the application has a reasonable probability of success but falls short of some of the requirements of the RFA, and lacks innovative ideas, new concepts, or optional features applicable to the project then a score of “3” is given.

**Poor (1-2):** If the application falls short of expectations of the RFA and has a low probability of success then a score of “1” or “2” is given.

**Unacceptable (0):** If the approach completely fails the requirements of the RFA, then a score of “0” is given.

If an applicant does not meet the eligibility screening or submits an incomplete application, that will result in the application not being reviewed by the Board and the project will not be eligible for funding.

Score Sheets Available via RFA Website. Please double check the specific excel sheet within the workbook matches your application type.

## Section 9. General Requirements and Information

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The selected Applicant must agree to all requirements in the RFA unless an exemption is stated in the application. The County understands that the attached Loan Agreement, Deed Restriction and Promissory Note may need to be negotiated due to requirements that Borrower may have from other funders. **HOWEVER, IF YOU WISH TO MAKE MATERIAL CHANGES TO THE RFA INCLUDING EXHIBITS, ATTACHMENTS, ADDENDA AND/OR ANY OF THE TERMS OF THE EXAMPLE STANDARD AGREEMENT THE EXCEPTION MUST BE SPECIFICALLY IDENTIFIED IN YOUR APPLICATION WITH REASONABLE ALTERNATIVES PRESENTED. APPLICANT UNDERSTANDS THAT DEVIATIONS FROM THE STANDARD FORM AGREEMENTS ARE MADE AT THE COUNTY’S DISCRETION.** Applicants are advised that County is not bound by the terms of the RFA until a written agreement is fully executed and any activity taken by Applicant prior to a written agreement being fully executed is done at the Applicant’s sole risk.

### 9.2 Notice to Applicants

By submitting an application to this RFA, Applicant understands and agrees to the following:

- A. **RFA Cancellation:** This RFA may be cancelled at any time prior to the execution of a written agreement if deemed in the best interests of County. This includes cancellation of the RFA after an award has been made, but prior to the execution of a written contract. Applicant is not entitled to recover any costs related to the preparation of the application due to cancellation of the RFA or withdrawal of an award prior to the execution of a written agreement.
- B. **Loan Amount:** All loan amount requests and awards are to remain firm from the RFA closing date until the contract document is executed, unless a different period is stated in County’s RFA. Any application that does not offer to remain firm for the required period may be considered to be non-responsive.
- C. **Costs:** Applicants bear all costs and expenses related to this RFA including, but not limited to, preparation and delivery of the application, attending the pre- application conference, and attending an interview, if applicable.
- D. **Licensing:** All applicable federal, state, and local licenses must be acquired before the

contract is entered into between County and the selected respondent. Licenses must be maintained throughout the entire contract period. Persons doing business as an Individual, Association, Partnership, Corporation, or otherwise shall be registered with the Utah State Division of Corporations and Commercial Code. NOTE: Forms and information on registration may be obtained by calling (801) 530-4849 or toll free at 877-526-3994, or by accessing: <https://corporations.utah.gov>.

- E. Changes or Modifications: County will make any changes or modification to the RFA by written addendum. Applicants submitting an application based on any information other than that contained in County's RFA and any addenda, do so at their own risk.
- F. Receiving Applications: Applications will be submitted via a Smartsheet form (as outlined on the [RFA website](#)) that will require multiple attachments and will be reviewed after the closing date and time. If only one application is received in response to this RFA, County may recommend an award of a contract to the single Applicant if the conditions cited above are met. Alternatively, County may re-solicit for the purpose of obtaining additional applications.
- G. Rejection of Applications: Any application containing significant deviations from the specifications of the RFA shall be considered non-responsive and may be rejected in whole or in part.
- H. Protests: Pursuant to Salt Lake County Code of Ordinances § 3.25.080, a protest in regard to the RFA document shall be submitted in writing to the Program Administrator within seven (7) business days after notification of the award is posted to the county's website or delivered to the applicants. An appeal may be amended and/or supplemented during the seven calendar days after notification of the award is posted but shall not amend and/or supplement its appeal after the expiration of that time period. An aggrieved applicant may file only one (1) appeal after the closing date for applications. Appeal letters should specifically and completely state the facts that constitute the error in the applications process or the award and the desired remedy.
- I. Free and Competitive Selection: Any agreement or collusion among prospective Applicants to fix a price or limit competition shall render the application void, and such conduct is unlawful and subject to criminal sanction. Each Applicant shall certify that no one in its firm or company has either directly or indirectly restrained free and competitive selection, participated in any collusion, or otherwise taken any action unauthorized by County Purchasing Ordinances or applicable law.
- J. Reasonable Accommodations: Reasonable accommodations for qualified individuals to attend meetings may be provided upon receipt of a request with two (2) working days' notice. Please contact Jennifer Jimenez, HCD Operations Manager, at 385-468-4944. TTY users may call 711.
- K. Environmentally Responsible Procurement Practices: County has implemented environmentally responsible procurement practices. Please refer to Appendix C: Environmental Compliance Practices, Vendor Compliance Statement, and Non-Debarment Certification.
- L. Government Records Access and Management Act (GRAMA)  
County is a governmental entity subject to the Utah Government Records Access and Management Act (GRAMA), Utah Code Ann. §§ 63G-2-101 to -901. As a result, County is required to disclose certain information and materials to the public, upon request. Generally, any document submitted to County is considered a "public record" under GRAMA. Any person who provides to County a record that the person believes merits protection under subsection 63G-2-305(1) or (2) must submit with their application all of



the following: (1) a written claim of business confidentiality and (2) a concise statement of reasons supporting the claim of business confidentiality, and (3) a separate copy of the application with the information requested to be protected redacted. Failure to comply with any of the three (3) requirements for a claim of business confidentiality waives the request for protected record. Generally, GRAMA only protects against the disclosure of trade secrets or commercial information that could reasonably be expected to result in unfair competitive injury. For your convenience, County has provided a Business Confidentiality Request Form which is attached to this RFA as Appendix D. All documents submitted in response to this RFA will be treated as public records in accordance with GRAMA, unless a claim of business confidentiality has been properly made and approved by County. All proposed costs/pricing/fees submitted to the county are public records. An entire application cannot be identified as “PROTECTED,” “CONFIDENTIAL,” or “PROPRIETARY” and may be considered non-responsive if marked as such.

M. Notice to Retirees of Utah Retirement Systems (URS)

County is a URS “participating employer.” Entering into an agreement with County may affect a URS retiree’s retirement benefits including, but not limited to, cancellation of the retiree’s “retirement allowance” due to “reemployment” with a “participating employer” pursuant to Utah Code Ann. § 49-11-504 to -505. In addition, Contractor is required to immediately notify County if a retiree of URS is the contractor; or an owner, operator, or principal of the contractor. Contractor shall refer the URS retiree to the URS Retirement Department at 801-366-7770 or 800-695-4877 for all questions about post-retirement employment regulations.

N. Employee Status Verification System

Applicant shall register and participate in the Status Verification System before entering into a contract with County as required by Utah Code Ann. § 63G-12-302. The Status Verification System is an electronic system operated by the federal government, through which an authorized official of a state agency or a political subdivision of the state may inquire by exercise of authority delegated pursuant to 8 U.S.C. § 1373 to verify the citizenship or immigration status of an individual within the jurisdiction of the agency or political subdivision. Applicant is individually responsible for verifying the employment status of only new employees who work under Applicant’s supervision or direction and not those who work for another Applicant or subcontractor, except each Applicant or subcontractor who works under or for another Applicant shall certify to the main Applicant by affidavit that the Applicant or subcontractor has verified, through the Status Verification System, the employment status of each new employee of the respective Applicant or subcontractor. The Applicant shall comply in all respects with the provisions of Utah Code Ann. § 63G-12-302. Applicant’s failure to so comply may result in the immediate termination of its contract with County.

O. Ethical Standards

Applicant represents that it has not: (a) provided an illegal gift to any County officer or employee, or former County officer or employee, or to any relative or business entity of a County officer or employee, or relative or business entity of a former County officer or employee; (b) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established for the purpose of securing business; (c) breached any of the ethical standards set forth in State statute or Salt Lake

County Code of Ordinances § 2.07; or (d) knowingly influenced, and hereby promises that it will not knowingly influence, any County officer or employee or former County officer or employee to breach any of the ethical standards set forth in State statute or Salt Lake County ordinances.

P. Campaign Contributions

The Salt Lake County campaign finance disclosure ordinance limits campaign contributions to County candidates by engaged and/or contracted Applicants. Salt Lake County Code of Ordinances § 2.72A. Applicant acknowledges and understands those limitations on campaign contributions mean that any person, business, corporation or other entity that enters into a contract or is engaged in a contract with County is prohibited from making campaign contributions in excess of \$100 to County candidates during the term of the contract and during a single election cycle as defined in the ordinance. Applicant further acknowledges that violation of those provisions governing campaign contributions may result in criminal sanctions as well as termination of this Agreement.

Q. Copyrighted Material Waiver

In the event that the application contains copyrighted or trademarked materials, by submitting its application the Applicant grants County the right to use, reproduce, and publish the copyrighted or trademark materials in any manner County deems necessary for conducting County business and for allowing public access to the responses under GRAMA or otherwise, including but limited to photocopying, County Intranet/Internet postings, broadcast faxing, and direct mailing.

If the application contains materials whose copyright or trademark is held by a third party, it is the Applicant's sole responsibility to obtain permission from that third party for County to reproduce and publish the information.

By submitting its application, the Applicant certifies that it owns or has obtained all necessary approvals for the reproduction or distribution of the contents of the application and agrees to indemnify, protect, save and hold County, its representatives and employees harmless from any and all claims arising from all intellectual property claims related or connected to the application and agrees to pay all legal fees incurred by County in the defense of any such action.

R. Restrictions on Communications

From the issue date of this Request For Application until an Applicant is selected and the selection is announced, Applicants are prohibited from communications regarding this procurement with agency staff, evaluation committee members, or other associated individuals EXCEPT the Program Administrator overseeing this procurement. Failure to comply with this requirement may result in disqualification.

### **9.3 Insurance Requirements**

Insurance will be required per the amounts listed below. Please refer to the attached sample agreement for information concerning insurance requirements.

- A. Workers' compensation and employer's liability insurance as required by the State of Utah.
- B. Commercial general liability insurance in the minimum amount of \$2,000,000 per occurrence with a \$3,000,000 general policy aggregate and a \$2,000,000 products completed operations policy aggregate.

- C. Professional liability insurance in the minimum amount of \$2,000,000 per occurrence with a \$3,000,000 annual policy aggregate limit.
- D. Commercial automobile liability insurance that provides coverage in the minimum amount of \$1,000,000 per person, \$2,000,000 per accident, \$500,000 per occurrence for property damage, or a single combined limit of \$2,000,000.