

TBRA CLEANUP GRANT ADMINISTRATION GUIDE



December 4, 2024

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Roles and Responsibilities

Who is the grantee?

Minnesota statute limits Livable Communities (LCA) grants to cities, counties and their housing or development authorities. Developers, contractors, sub-contractors and consultants cannot be LCA grantees. This means that while we are happy to work with developers and contractors in support of their projects, the formal grantee has the pivotal role in communication and certain grant-related actions.

What is the grantee's role?

- Serve as the primary grant contact. The Council will not initiate direct contact with developers or other project partners to ensure that the grantee has all the information they need to administer the grant. Similarly, developers, contractors and consultants should direct their project-related communications through the grantee rather than contacting the Council directly. We are always willing to include developers and contractors in communication and meetings regarding the grant project.
- Understand all the requirements in the grant agreement and ensure developers and contractors comply with the requirements that flow through to them.
- Monitor the project and ensure grant deliverables are met.
- Notify the Council Authorized Agent of any changes to the project. Cleanup grants have a specific development or redevelopment project associated with them, as well as the cleanup activities and deliverables. The Council must be notified if any changes have occurred to the development project or activities for which the award was competitively scored.
- Submit status reports. Status reports are required twice each year and often require information to be gathered from project partners to complete.
- Review and submit payment requests according to the approved budget. The grantee may work closely with project partners to prepare a draw request, but the grantee must review all documentation to ensure grant funds are spent properly and aligned with approved budget line items. Only the grantee may formally submit payment requests through Webgrants.
- Close-out. Grantees are expected to comply with all reporting and close-out requirements as noted in the grant agreement.

What is the Council's role?

- Provide technical assistance to grantees, including answering questions about cost eligibility and other program requirements
- Work with the grantees' developers or contractors at the request of the grantee
- Process payment requests upon receipt and work with grantees to resolve any payment questions
- Monitor project progress
- Process amendment requests
- Remind grantees of impending grant expiration six months in advance of the grant expiration date
- Work with grantees as necessary after the final grant payment to close out the grant

General Information

Council Authorized Agent

Grantees should direct any grant-related questions to the Council Authorized Agent listed in their grant agreement. Unless otherwise state in the agreement, the contact information for the Council Authorized is below:

| <u>Name</u> | <u>Title</u> | <u>Contact information</u> |
|-----------------|--------------------------------|--|
| Kelly Nezworski | Senior Grants Administrator | 651-602-1757 kelly.nezworski@metc.state.mn.us |

Using Webgrants

Webgrants is the Council's online grant management system. Webgrants is used for both applying for grants and administering grants once they have been awarded. You can access Webgrants here: www.metrocouncilgrants.org. See Appendix 2 for instructions on how to use Webgrants.

What activity must be conducted through the system?

- **Payment requests.** All grant draw requests must be made through the online system. The system allows you to upload files up to 50MB in size and allows you to upload as many files as necessary.
- **Status Reports (also known as Semi-Annual Reports).** See Appendix 2 for more detail.

Who can access your grant via the system?

Individuals who can access your grant(s) must be registered in Webgrants and approved by the grantee to have access to each specific grant. This requires a bit of interaction with the Council to set up. The process is described online at <http://metro council.org/Communities/Services/Livable-Communities-Grants/LCA/Collaborating-in-WebGrants.aspx>.

Grantees should consider whom they will allow to present status reports and payment requests on their behalf to the Council. Some grantees will want to restrict access to their own staff for active grants, even if consultants or developers assisted the grantee in the application phase. Other grantees may want their developers or contractors to assist the grantee by having access during reporting and the draw process. **Access is completely under the grantee's control.** The Council recommends that grantees carefully consider who has access on their behalf, and then set the access accordingly. Note that there are restrictions on who may *certify* a payment request, but anyone the grantee selects may *submit* the payment request.

Assignment

LCA grants are not assignable to any entity, public or private or at any tier sub-recipient. A general partner may not, for example, assign a grant to a limited partnership.

Source of funds

There are no State or federal funds in LCA grants.

Compliance Requirements

Fair Housing Policy

If you had not already done so, the grantee's governing board must adopt a Fair Housing Policy prior to funds being released for the grant. This requirement only applies to your grant if the project has a housing component. Please see the grant agreement for more detailed information.

Using Grants as Loans

The grantee has special responsibilities if the project partners would like to structure the grant funds as loans. Grantees must ensure all requirements are met. Please see the grant agreement for more detailed information.

- The loan must be between the grantee and the property owner. If there is a general partner and a limited partnership involved with the development, for example, the loan must be between the grantee and whichever of the partnership entities will actually own the project.
- The loan may not be forgivable. At the termination of the loan period and at the Council's discretion, the loan will either be repaid to the Council, or with written permission, be reinvested the project to ensure continued affordability.
- The grantee must provide a copy of the executed loan agreement to the Council before payments will be dispersed.
- The grantee must report annually to the Council for the compliance period of the loan. This is done in the *Status Reporting* section of Webgrants, using the form called *Annual Reporting for LCA Grants Used as Loans for LIHTC*.

Acknowledging LCA contributions to a project

The grant agreement requires grantees to acknowledge the financial assistance provided by the Council in all construction signage, promotional materials, press releases, reports and publications relating to the project activities. Please use the full formal name, *i.e.*, "Metropolitan Council," not "Met Council" or "Metro Council."

Specifically, the agreement requires that you acknowledge our assistance in "promotional materials, press releases, reports and publications relating the project activities that are funded in whole or in part with the grant funds." All such acknowledgements should contain the following language:

Financing for this project was provided by the Metropolitan Council Metropolitan Livable Communities Fund.

What kind of acknowledgement is expected?

- If your project will have signage at the project site, and if that signage acknowledges any funders, we expect similar acknowledgement on that signage. If, for example, the signage displays the logos of other funding partners, we expect our logo to be displayed. If there are statements regarding funding, we expect the above statement to be included.
- When issuing press releases, reports or publications that address funding in any way, we expect to be included in any discussion of funding partners.
- We will provide to you with an electronic version of the Council logo.
- If you are inviting funding partners to a ceremony, such as a ground-breaking or grand opening, please consider inviting Metropolitan Council Member who represents the district in which the project is located. Contact information for Council members is available online at <http://www.metrocouncil.org/about/members.htm>.

If you have questions about what sort of acknowledgements are appropriate, please contact the grant administrator.

Initial Grant Set-up

You just received an LCA grant. What happens next? Below are the primary steps you need to take to process the grant agreement and get started with your grant.

Grant agreement

- A grant agreement will be provided to you electronically.
- Read the entire agreement and project summary (Attachment A) carefully. Contact the Council Authorized Representative if you have any questions about the terms of the agreement or about the details in the project summary.
- Route the agreement for signature according to your internal guidelines. It often makes sense to route the Designation of Signing Authority form for signature at the same time.
- The Council accepts electronic signatures. Otherwise, scan and send the partially executed agreement to the Council Authorized Representative via email. Include the Designation of Signing Authority form (if available.)
- A fully executed version of the agreement will be sent to you via email as soon as it has been signed.

Needed Prior to Releasing Payment

Several requirements need to be checked off before payment will be released.

- Grant agreement needs to be fully executed
- Designation of Signing Authority form needs to be provided
- Fair Housing Policy needs to be adopted by the grantees governing body (only applies if one has not already been adopted and the grant project includes a housing component)
- Loan Documents need to be provided (only applies if the grant will be used as a loan)

Reporting Requirements

Grant reporting is a means to illustrate achievements and progress made toward program goals and to ensure accountability and transparency in the use of public funds. For LCDA Pre-Development and TOD Pre-Development grants, the following reports are required.

Status Reports (Semi-annual reports)

Grantees are required to report on the status of grant activities twice each year. Reports should be submitted by January 31 and June 30 each year until the completion of the grant. To complete the status report, you will need to provide updates on the following covering each reporting period:

- Grant funded activities that occurred
- Estimated amount expended for grant funded activities
- Issues that arose, and how they were addressed
- Possible changes required to the grant scope or budget
- Organizational or staff changes related to the grant
- Cash flow estimates for when future grant draws will occur and in what amounts

See instructions in Appendix 2 on how to submit status reports.

Final Report

This form is due before the final payment has been made or the grant has been closed for any reason. The Council Authorized Representative will email this form to you via email when it is needed.

Annual Reports (required after grant expiration)

Cleanup grants have reporting requirements that survive the grant term. These reports are due for four consecutive years, beginning the year after the grant expires. These reports will document the actual number of jobs, the increase in net tax capacity and other outcomes that result from project completion. You will work with Marcus Martin (marcus.martin@metc.state.mn.us) to collect these reports.

Loan Status Report

An annual report is required if the grant is used as a loan for tax credits. An annual report is required through the compliance period of the loan which can extend beyond the grant term.

Payment Requests

All payments are made on a reimbursement or cost-incurred basis. Grantees must supply adequate supporting documentation to substantiate each individual line item on the payment claim and must clearly tie that documentation to the claim line item. This packet provides a sample payment request and instructions for completing the request successfully. Lack of clear information and supporting documentation may delay payment processing or cause the payment request to be returned to the grantee for further clarification.

Submitting payment requests

Grant costs may be incurred immediately after the grant is awarded but grant funds will not be paid out until the grant agreement has been executed. Subsequent requests may be submitted at the discretion of the grantee.

Please make your draw requests on a timely basis. Draws tend to become overcomplicated if you include too broad a date period. The requests may be made at your discretion, but we would prefer frequent, smaller requests rather than large, complicated requests.

All payment requests must be submitted via the Council's online grant management system, with the exception that voluminous supporting documents may, with the Council's prior approval, be submitted in hard copy or made available for download at an FTP site.

An official payment request form is required for each payment request, which is uploaded to Webgrants along with other supporting documentation. Please do not substitute other reporting formats for any portion of the payment request form, and do not alter the form except to complete the required areas.

The Council will not accept a payment request that is unsigned or that has been signed by anyone other than the grantee's authorized signatory, as documented by the *Designation of Signing Authority* form. An electronic version of this form will be included with the files sent to the grantee after orientation.

General cost eligibility guidelines

A general list of eligible activity costs are included on the [TBRA webpage](#) found on the Metropolitan Council's website, but in order to be an eligible cost for your project activities must be explicitly allowed in the project summary of your grant agreement.

To be eligible for payment, costs must be incurred within the grant period stated on the grant agreement and must not exceed the total grant amount awarded.

- No reimbursements will be made for costs incurred prior to the date of award – which can be found on the first page of the grant agreement – unless your grant agreement specifically calls out activities conducted prior to the date of award that may be eligible. If you have questions, please call us.
- Absolutely no reimbursements will be made for costs incurred after the grant expiration date, including any extensions to the grant agreement, as allowed.

Supporting documentation

Every cost claimed must be documented. **Supporting documents include, but are not limited to, contractor and/or subcontractor invoices, pay applications and their continuation sheets, a copy of a contract or signed waivers or lien statements.**

An executed copy of each contract for goods or services must be provided to the Council before any costs will be approved against that contract, including the scope of work and all change orders that affect the scope.

Please note:

- If there is no signed contract, provide the agreement that dictates the costs of goods or services, such as a bid, proposal, purchase order, etc. To be acceptable, the scope or work or description of the goods or services must be included, along with a change orders.
- Supporting documents must unambiguously identify the name of the service provider, refer to the contract or other cost agreement or project number, cost per hour or unit, total cost of service, quantity of service, the kind of service rendered or products provided. They must unambiguously relate to a specific grant-funded activity. Payment requests with unclear claims will be declined. The Council will not accept invoices 'for professional services rendered' unless those services are itemized.
- When submitting a signed copy of the **Certificate of Payment** along with a **Continuation Sheet or AIA Sheet**, provide clear identification of the claimed costs – highlight, mark or otherwise note the line items being claimed. It is your responsibility to fully identify the claimed costs. If you are claiming less than the total line item, you must indicate what portion of the line item is being claimed and the rationale for arriving at that number. **If the item claimed is not visible on the invoice/continuation sheet or referenced by line item on the payment request, the Council will not approve the costs.**
- If costs from subcontractors are claimed, a copy of the **subcontractor's invoice(s) must be provided**. Make sure you exclude ineligible costs by clearly marking them on the subcontractor's invoice.
- Payment requests that include costs for soil remediation must include copies of the load tickets and manifests to support hauling and disposal charges, along with an electronic summary in sortable format, preferably in Excel.
- Land acquisition costs must be supported by a copy of the purchase agreement with the payment request followed up with a settlement statement after closing.

Dealing with ineligible costs

Because of the nature of the LCA grant program, there are some valid project costs that we cannot cover, including common activities such as permits, travel, mileage, postage or administrative overhead. These costs are described in the *Ineligible Costs* section of this information packet. An invoice may also include costs that are being submitted to another grantor. All such charges must be clearly identified on the face of the supporting invoices and deducted from the invoice total. The net amount claimed must be indicated on the face of **each invoice**.

When these charges are submitted, it is the grantee's responsibility to identify them and exclude them from payment requests to the Council. If we cannot readily determine how you arrived at your net amount claimed, we will not approve the invoice.

| | | | | | | | | | | |
|-----------|--|----------------|----------------|-------------|--------|----------------|--------------|-------------|----------------|--------|
| | \$24.00 PER TON | 33500.000 | 19056.980 | 248.380 | 0 | | 19305.360 | 14194.640 | 0 | |
| 000000012 | Excavate & Backfill On-Site Soil | \$63,798.00 | \$82,348.00 | | \$0.00 | \$0.00 | \$82,348.00 | 129.076 | (\$18,550.00) | \$0.00 |
| | \$14.00 PER CY | 4557.000 | 5882.000 | 0 | 0 | | 5882.000 | | -1325.000 | 0 |
| 000000013 | Demo, Crushing & Backfill of Crushed Aggregate | \$225,600.00 | \$335,450.75 | | \$0.00 | \$0.00 | \$335,450.75 | 148.693 | (\$109,850.75) | \$0.00 |
| | \$23.50 PER CY | 9600.000 | 14274.500 | 0 | 0 | | 14274.500 | | -4674.500 | 0 |
| 000000014 | Select Granular Material | \$418,500.00 | \$259,995.62 | \$1,712.23 | | \$0.00 | \$261,707.83 | 62.535 | \$156,792.17 | \$0.00 |
| | \$6.75 PER TON | 62000.000 | 38517.870 | 253.660 | 0 | | 38771.530 | | 23228.470 | 0 |
| 000000015 | Class 7 Aggregate | \$1,200.00 | \$24,639.72 | \$16,113.84 | | \$0.00 | \$40,753.56 | 3396.130 | (\$39,553.56) | \$0.00 |
| | \$12.00 PER TON | 100.000 | 2053.310 | 1342.820 | 0 | | 3396.130 | | -3296.130 | 0 |
| 000000016 | Change Order # 1 | \$16,861.00 | \$16,861.00 | \$0.00 | \$0.00 | \$0.00 | \$16,861.00 | 100.000 | \$0.00 | \$0.00 |
| 000000017 | Change Order # 2 | (\$307,384.45) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0 | (\$307,384.45) | \$0.00 |
| | | \$1,354,844.55 | \$1,318,614.53 | \$23,787.17 | \$0.00 | \$1,342,401.70 | 99.08% | \$12,442.85 | \$0.00 | \$0.00 |

inc 11 Contam Soil
\$ 5,961.12
- 298.08 Ret.
\$ 5,663.04
TBRA
(DEED match)

Line 14 Backfill \$1,712.21 - 85.61 Ret. = \$1,626.60
Line 15 Backfill \$16,113.84 - 805.69 Ret. = \$15,308.15
TBRA \$ 22,597.81
\$ 16,934.15
TBRA
(DEED match)

The example above illustrates how an AIA continuation sheet should be annotated. Notice that the retainage amounts are clearly indicated so the net amounts claimed are understandable and that the line items claimed are highlighted.

| Project | 23271264.01 | Work Order 2 | Invoice | 24 |
|--------------------------------------|-------------|----------------------|--------------------|--------------------|
| Subconsultants | 7/11/2014 | | 583.00 | |
| Subtotal Subconsultant | | | 583.00 | 583.00 |
| Expense Charges | | | | |
| Materials / Equipment | 6/30/2014 | | 187.73 | |
| Travel | 7/11/2014 | Personal vehicle use | 15.24 | |
| Subtotal Expenses | | | 203.97 | 203.97 |
| Unit Charges | | | | |
| Vehicle - 2WD Field | | 1.0 day @ 50.00 | 50.00 | |
| Photoionization Detector | | 0.5 days @ 110.00 | 55.00 | |
| Vehicle (Mileage) | | 128.0 miles @ 0.56 | 71.68 | |
| Subtotal Unit Charges | | | 176.68 | 176.68 |
| Task Subtotal | | | 583.00 | 583.00 |
| Task: 003 Grant Assistance | | <i>ineligible</i> | | |
| Labor Charges | | | | |
| Consultant / Advisor | | 12.10 | 185.00 | 2,238.50 |
| Engineer / Scientist / Specialist II | | 1.30 | 100.00 | 130.00 |
| | | 13.40 | | 2,368.50 |
| Subtotal Labor | | | | 2,368.50 |
| Unit Charges | | | | |
| Postage | | 5.74 ea @ 1.00 | 5.74 | |
| Subtotal Unit Charges | | | 5.74 | 5.74 |
| Task Subtotal | | | 2,374.24 | 2,374.24 |
| Job Subtotal | | | \$10,995.39 | \$10,995.39 |
| Total this Invoice | | | \$10,995.39 | \$10,995.39 |
| Invoiced to Date | | | | |
| | Current | Prior | Total | |
| | 10,995.39 | 720,251.22 | 731,246.61 | |

The example at left illustrates how we would like invoices annotated. Notice that ineligible items are not only clearly excluded, but the net amount claimed is also easily discerned.

Important note: This invoice included costs from two sub-vendors (see the red arrows). To be eligible for reimbursement, copies of these invoices must be included in the payment request document set. It is very helpful if the invoices are grouped, as well, so we can quickly ascertain that all necessary invoices are present.

Further, invoices for 'services rendered' must clearly state what those services are. We prefer that the staff time charges are tied to a line item on the contract/bid.

Instructions for completing the payment request

An Excel spreadsheet is used in conjunction with the online grants management system to provide the necessary documentation for payment requests.

- The online system segregates your costs by budget line item and decrements the amount available on your grant.
- The Excel spreadsheet and its supporting items document the eligible costs and reports on the progress of the project. You must complete the areas marked in yellow.

General notes:

- Include copies of every invoice or pay application that you are claiming. If the invoice includes costs from subcontractors, sub consultants or other contributing factors, you must document every one of these by providing a copy. If your subcontractors have subcontractors, we will need copies of those invoices, too. Just like the saying goes about turtles, we need copies of the invoices “all the way down.”
- Please render your documentation as succinctly as possible. Do not list or provide copies of any costs that you are not claiming or that are not presented as matching costs (unless they are essential to understanding the context of claimed costs). We do not need copies of lien waivers, insurance, checks, etc.
- Documentation of matching costs is required only for TBRA Site Investigation, TBRA Pilot Site Investigation and Pre-Development grants.




Specific instructions:

- Enter only invoices from prime contractors (i.e., entities to whom the developer or grantee made direct payments – in other words, do not list invoices from contributing vendors such as subcontractors).
- If your grant agreement has separate budget line items, list the line item in the “Budget #” column. For grants without separate line items, you may leave this blank.
- List enough of the vendor name to adequately distinguish each vendor.
- List the entire invoice number or pay application number.
- Enter the actual invoice date.
- List the **total invoice amount** and list it only once. Do not decrement the invoice amount in this column for any reason.
- For each invoice, enter the amount you are claiming as grant eligible.

An easily-understood payment request is a quickly-paid payment request.

Marking the invoices:

- On **every** invoice, note the amount claimed. If you are claiming the total, circle it. Otherwise, write the claimed amount near the 'total amount due' portion of the invoice.
- **YOU ARE RESPONSIBLE FOR EXCLUDING ALL INELIGIBLE ITEMS, CLEARLY MARKING THEM AS EXCLUDED AND DEDUCTING THEM FROM YOUR CLAIM.** If you are uncertain about the eligibility of any item, please call the grant administrator. We will be happy to review your proposed costs with you.
- **On each invoice from a contributing vendor/subcontractor**, write the invoice number for the prime contractor.
- On **every invoice for which you are claiming LESS than the total**, you must demonstrate how you arrived at the net amount claimed. For example, if an invoice includes mileage, which is always ineligible for Livable Communities grant payments, you could highlight it, strike it, use

the common editing mark for a deletion ( - this is the preferred method, since the excluded amount remains visible), etc. In any case, you must make clear which costs (if any) you are not claiming and then summarize them at the totals line on the invoice to show how you arrived at your claimed amount. If Council staff cannot determine which costs are claimed or how you arrived at your totals, we will ask you to correct the invoice package, which will delay your payment.

Section 5: Certify the request. Only an authorized employee of the grantee – not a developer, contractor or other entity – may sign the payment request form. The grantee's signature certifies for audit purposes that the information presented is true and correct and that the funds are being spent on appropriate activities. Each grantee will be provided with an MS Word version of the *Designation of Signature Authority Form* through which one or two people may be authorized to certify the payment request for each grant.

"Nice-to-have" aspects.

- If possible, please scan the invoices in the order in which they are shown on the payment request.
- Color copies of your invoices are not necessary unless meaning is conveyed via color.
- Please reduce the file size as much as possible. If you have the ability to compress the scanned PDF, please do so.
- We would greatly appreciate it if you would orient all pages so they are immediately readable (i.e., orient the pages so the top of the legible page is at the top of the screen).

Special instructions for site acquisition payments to be used at closing. LHIA, LCDA and LCDA-TOD grants are sometimes awarded for site acquisition. If you intend to use LCA funds at closing, the following special instructions apply:

- Site acquisition payments are the only payments which the Council will make in advance.
- Site acquisition payments will only be made to the grantee. It is the grantee's responsibility to arrange to forward the funds on to the appropriate closing authorities.
- Please time your payment request to allow the Council **at least five business days' processing time, plus at least two days for the grantee to forward the funds on to the closer**. We realize timing is critical at closing. Your grant agreements contain a requirement to return to the Council any interest earned on grant payments, therefore you must time your

request early enough that funds will be available at closing but not so early that we have to deal with interest repayments. If your closing is delayed after our payment is generated, you may be asked to return the funds and request them again when the closing schedule solidifies.

- Required documentation:
 - A copy of the purchase agreement
 - A signed payment request
 - After the closing, provide the Council with an executed copy of the settlement statement

Payments schedule

We will pay within 35 days of a complete payment request. You will be notified within 10 calendar days if errors are discovered in the payment request that would prevent staff from approving it. The 35-day payment period re-sets after notification of any errors to the day the claim is re-submitted.

The Council requires that all grant payments be made via electronic funds transfer. For those grantees that have not yet set up a funds-transfer relationship, a form to register for electronic payments will be sent to you via email. The setup process takes about two weeks to complete, so be sure to return the form well in advance of the first requested payment

Amendments

The terms of the grant agreement may be adjusted under certain circumstances. Smaller adjustments to the budget may be made by the grantee with prior written approval of the Council Authorized Representative. Significant changes to the development project the application was scored on may require approval by our Community Development Committee. Some general information on amendments is included for your reference below. For more detail on amendment review procedures, see Appendix 3.

Timeline and procedure

- Amendment requests must be received 3 months prior to the expiration date to be considered. Requests received after that time will be denied.
- Amendments must be fully executed prior to expiration.

Budget Change

- The grantee may reallocate up to 20% of the grant budget among the listed line items. You must obtain the written permission of the Council in advance, but no formal amendment is necessary. A request to reallocate the budget may be submitted via email to the Council Authorized Representative.
- If you need a change of more than 20% of the total grant budget, you must request a formal amendment request, and the change requires the approval of the Council's Community Development Committee.
- The total grant amount cannot be increased.

Project Change

- Grantees are required to notify the Council Authorized Representative if the development project associated with their grant changes. This applies even if the activities for which funding was awarded remain the same.
- Significant changes to the project may trigger a review as outlined in Section VI of the LCA Amendment Procedure. If the project change may be significant, the grantee will be asked to provide detail on the new project. Significant changes require approval by our Community Development Committee, and the Council reserves the right to reduce or rescind the grant and to recover grant funds already paid out.

Extensions

- An extension may be needed if both the grant-funded activities cannot be completed and the development project does not commence within the grant term.
- Cleanup grants may be extended to a maximum of 5-years, including the initial 3-year term.
- Site Investigation and SEED grants may not be extended.

Closing a Grant

Grants are closed when grant funds are completely drawn down or if the grantee cancels any balance on a grant. You have 120 days after the grant expiration date to submit your final payment requests. Any unspent funds will revert back to the Council. Prior to closing the grant, the following must be completed.

Development Project Commencement

Cleanup grants fund specific cleanup activities, but also have a development project associated with them. The development project must “commence” prior to grant expiration, and the grant will remain open until it can be demonstrated that the project has commenced.

Deliverables

Specific grant-funded activities have deliverables that must be provided once they are available. The grant will remain open until these are provided. These are discussed in the grant agreement in section 3.04 Certificate of Completion and summarized in the table below.

| Activity | Deliverable |
|--|--|
| Environmental investigation | Investigation documents, including but not limited to: <ul style="list-style-type: none"> • Phase I ESA • Phase II ESA work plan • Phase II Investigation report • RAP or DRAP plan and addenda (if any) and focused feasibility study (if more than one remedy proposed) • Asbestos or hazardous materials survey and asbestos or hazardous wastes management plan and approval of RAP or DRAP |
| Hazardous waste or substance contamination | <ul style="list-style-type: none"> • Certificate of Completion issued by MPCA; <u>or</u> • No Further Action Letter issued by MPCA |
| Asbestos contamination | <ul style="list-style-type: none"> • Statement from the licensed asbestos abatement contractor that the project-specific project plan has been completed according to rules of the MN Department of Health; <u>or</u> • Final asbestos abatement implementation plan |
| Petroleum contamination | Copy of the site closure letter issued by the MPCA |
| Lead abatement | <ul style="list-style-type: none"> • Copy of the contractor firm certification to conduct lead-based paint activities in residential or child-occupied facilities; <u>and</u> • Statement or other documentation from the certified contractor that the lead abatement had been completed according to the applicable regulations |

Final Report

A final report must be provided with the final payment request. The payment will not be approved without this report. It will be provided to the grantee upon request.

Appendix 1 – Designation of Signing Authority

Designation of Signing Authority for Reimbursement Requests for Metropolitan Council Livable Communities Grants

Grantee:

SG#:

Fund:

Project name:

The following employee(s) of the City of Saint Paul is/are authorized to certify Metropolitan Council Payment Request for the above-referenced project.

Name

Title

Mailing Address

Phone

Fax

Email

Signature

Name

Title

Mailing Address

Phone

Fax

Email

Signature

Signature Approval by Supervisor:

Signature

Date

Print or type name

Title

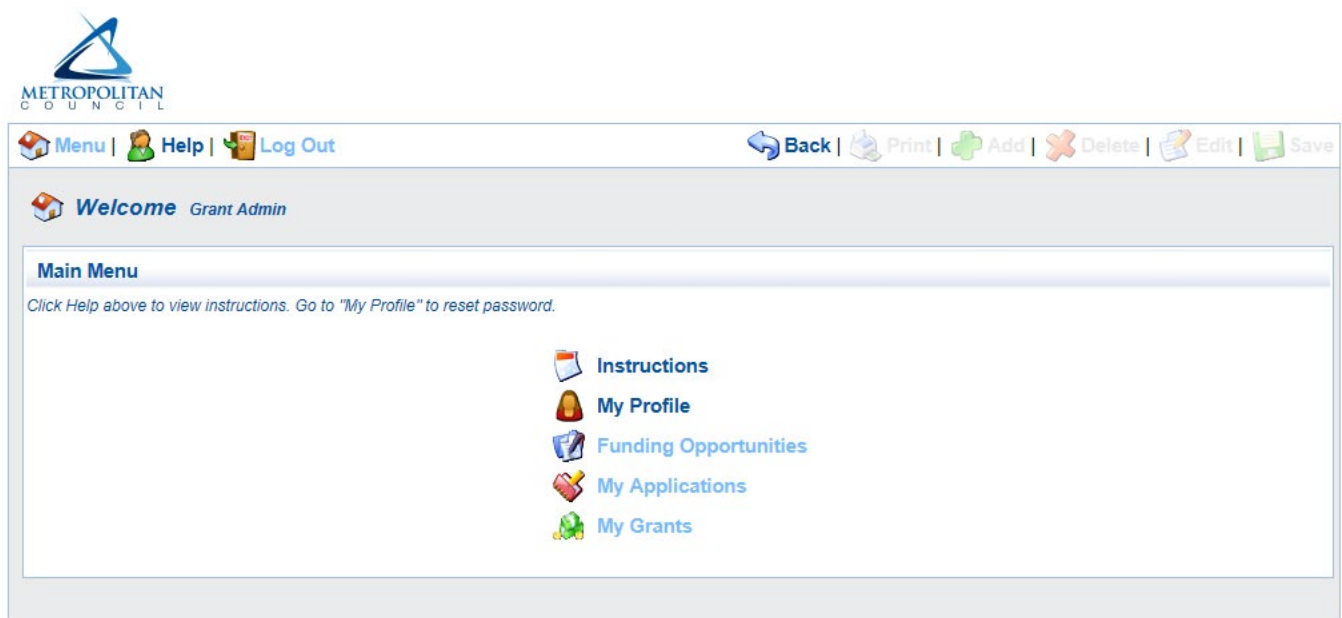
Appendix 2 – Using Webgrants to administer your grant

Beginning in the summer of 2015, the Council expects all Livable Communities grantees to administer their grants online via Webgrants, the Council's online grants management system. With the exception of Local Housing Incentives Account grants, if you applied for a grant after 2013, you have already used the applications module Webgrants.

The grant administration module of the software collects all of the pertinent details of the grant into one place. After your grant has been awarded, you will be able to access the grant to review the outcomes we expect (using the **LCA Outcomes** form), submit payment requests (using the **Claims** form) and submit or review status reports (using the **Status Reports** form).

The first few steps to access the outcomes, claims or status reports are all the same, and the remainder of the steps are similar. First, here 's a little refresher on some terminology:

This is the main menu:



My Profile allows you to update your contact information. Please keep that current.


Funding Opportunities allows you to search for upcoming funding rounds and create applications.

My Applications allows you access to past applications you have withdrawn or that were not funded by the Council, as well as current applications that you are creating. Once you submit an application, however, you may not access it again unless we negotiate it back to you for correction.

My Grants allows you access to all of the grants for which you have been named as a primary or additional contact. Note that this is not the same thing as having been identified deeper in the application as a contact during the application phase – this refers to your name being cited on the **General Information** page in the application. City staffers, you do not *automatically* have access to all of your city's grants – you must be named on the General Information form. See <http://metro council.org/Communities/Services/Livable-Communities-Grants/LCA/Collaborating-in-WebGrants.aspx> for a refresher on this topic, or contact Livable Communities staff for help.

When you click on *My Grants*, you will be presented with a list of all the grants for which you have been named as a contact.

Click on the title of the grant you wish to access, as highlighted in yellow, below.



Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save


Grant Tracking

Current Grants [Closed Grants](#) | [Claims](#)

Grants in the status Underway or Suspended appear on this list. To view other Grants, click the closed Grants link.

| ID | Status | Year | Title | Program Area | Grant Administrator | Grant Amount |
|------------|----------|------|------------------------------------|--------------|---------------------|--------------|
| SG2014-105 | Underway | 2014 | City of Lakes Community Land Trust | LHIA | Linda Milashius | \$150,000.00 |

These are the forms that authorized contacts may see for their grants. Click on any of the links in the yellow highlighted area to proceed.



Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Grant: SG2014-105 - City of Lakes Community Land Trust - 2014

Status: Underway
 Program Area: LHIA
 Grantee Organization: MINNEAPOLIS,CITY OF
 Program Officer: Linda K Milashius
 Awarded Amount: \$150,000.00

Grant Components
You can define your own alerts in the Alerts section

| Component | Last Edited |
|------------------------|-------------|
| General Information | 07/14/2015 |
| Grants/Amendments Memo | |
| Status Reports | |
| Claims | |
| LCA Outcomes | 04/07/2015 |
| Opportunity | - |

Using the General Information tab

The **General Information** form displays the basic details of your grant: when it was executed, when it expires, the date it was awarded and the Council business item number, the project summary, and the names of people authorized to access the grant. In this case, with the kind permission from the City of Minneapolis, we have used a sample Local Housing Incentives Account grant for the City of Lakes Community Land Trust. Grantees always have the right to change the users to whom they wish to grant access. [See the instructions on how to change authorized contacts.](#)

Grant Tracking

General Information [Return to Components](#)

Grant Title: City of Lakes Community Land Trust
Grant Status: Underway
Grantee Organization: MINNEAPOLIS, CITY OF
Grantee Contact: Grant Admin
Additional Contacts: Paula Mazzacano
Program Officer: Linda Milashius
Additional Internal Contacts: Melissa Anderson, Deb Jensen, Charlene LaMusga
Program Area: LHIA
Grant Number: SG2014-105
Award Year: 2014
State FY:
Federal FY:
Contract Dates: 12/22/2014 (Contract Sent), 02/19/2015 (Contract Received), 03/04/2015 (Contract Executed)
Project Dates: 12/11/2014 (Project Start), 12/31/2017 (Project End)
Scope of Work: Acquisition and rehab
Project Committed Date: 12/10/2014
Master Project: City of Lakes
Theme:
Business Item: 2014-317
MPOSC:
P O Number: 15002520
County: Hennepin
Council District: 7 - Gary Cunningham
Legislative District: TBD
Address: North Minneapolis
City: Minneapolis
Project Summary: The city of Minneapolis is partnering with the City of Lakes Community Land Trust (CLCLT) to transform foreclosed and boarded/vacant homes in North Minneapolis into long-term affordable homeownership opportunities for low- and moderate-income households. The CLCLT works with homebuyers to develop a scope of work that addresses deferred maintenance, mechanicals, safety and code issues, environmental concerns and energy efficiency issues in the property.

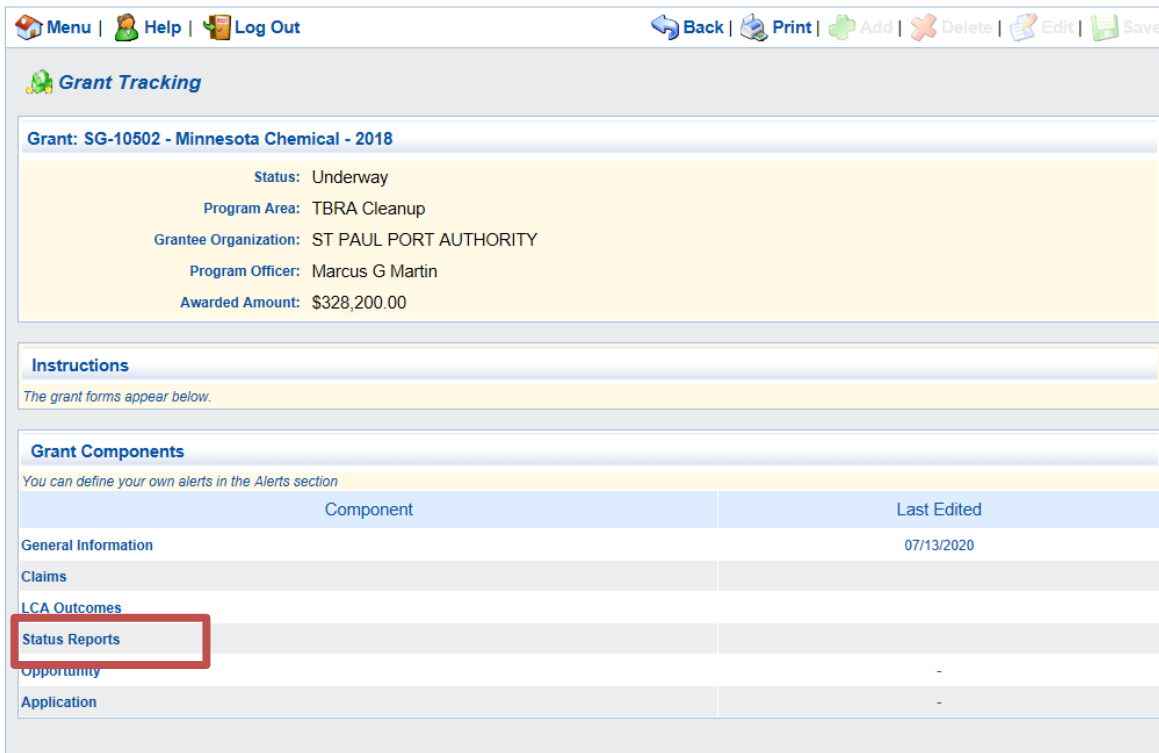
Last Edited By: Grant Admin, 07/14/2015

The next link, **Grants/Amendments Memo** is not used.

Status reports

Note: we recommend using Microsoft Edge browser to submit status reports. Some have reported issues submitting them using Chrome browser.

1. Sign into Webgrants, click “My Grants” and select the grant for which you wish to submit a status report. Select the “Status Reports” component.



The screenshot shows the 'Grant Tracking' interface for grant 'SG-10502 - Minnesota Chemical - 2018'. The grant details are as follows:

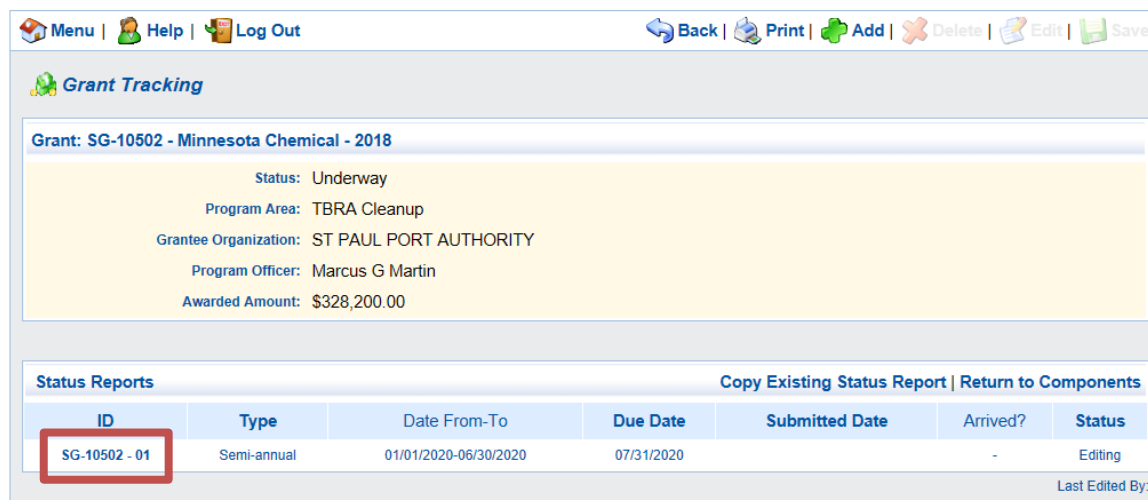
- Status: Underway
- Program Area: TBRA Cleanup
- Grantee Organization: ST PAUL PORT AUTHORITY
- Program Officer: Marcus G Martin
- Awarded Amount: \$328,200.00

Below the details is an 'Instructions' section stating 'The grant forms appear below.' The 'Grant Components' section includes a table with the following data:

| Component | Last Edited |
|---------------------|-------------|
| General Information | 07/13/2020 |
| Claims | |
| LCA Outcomes | |
| Status Reports | |
| Opportunity | - |
| Application | - |

The 'Status Reports' row in the table is highlighted with a red box.

2. If a status report for the correct Due Date has already been created in the system, select corresponding ID.



The screenshot shows the 'Grant Tracking' interface for grant 'SG-10502 - Minnesota Chemical - 2018'. The grant details are as follows:

- Status: Underway
- Program Area: TBRA Cleanup
- Grantee Organization: ST PAUL PORT AUTHORITY
- Program Officer: Marcus G Martin
- Awarded Amount: \$328,200.00

Below the details is a 'Status Reports' table with the following data:

| ID | Type | Date From-To | Due Date | Submitted Date | Arrived? | Status |
|---------------|-------------|-----------------------|------------|----------------|----------|---------|
| SG-10502 - 01 | Semi-annual | 01/01/2020-06/30/2020 | 07/31/2020 | | - | Editing |

The first row of the table is highlighted with a red box. The table also includes links for 'Copy Existing Status Report' and 'Return to Components'.

If the correct status report for the correct Due Date has not been created, select “Add” at the top of the screen.

The screenshot shows the top navigation bar with 'Menu', 'Help', and 'Log Out' on the left, and 'Back', 'Print', 'Add', 'Delete', 'Edit', and 'Save' on the right. The 'Add' button is highlighted with a red box. Below the navigation bar is the 'Grant Tracking' header. The main content area displays 'Grant: SG-10502 - Minnesota Chemical - 2018' with the following details: Status: Underway, Program Area: TBRA Cleanup, Grantee Organization: ST PAUL PORT AUTHORITY, Program Officer: Marcus G Martin, and Awarded Amount: \$328,200.00. Below this is a 'Status Reports' section with a table header: ID, Type, Date From-To, Due Date, Submitted Date, Arrived?, and Status. There are also links for 'Copy Existing Status Report' and 'Return to Components'.

3. If you selected a report that was already created in the previous step, click the “General Information” component and verify the dates are correct. To edit the dates, click “Edit” at the top of the screen. Click “Save” once you are finished editing.

The screenshot shows the top navigation bar with 'Menu', 'Help', and 'Log Out' on the left, and 'Back', 'Print', 'Add', 'Delete', 'Edit', and 'Save' on the right. The 'Edit' button is highlighted with a red box. Below the navigation bar is the 'Grant Tracking' header. The main content area displays 'General Information' with the following details: ID: 14705, Status Report Status: Editing, Due Date: 07/31/2020, Status Report Type: Semi-annual, and Report Period: 01/01/2020 (From Date) to 06/30/2020 (To Date). There is a 'Return to Components' link and a 'Last Edited By:' field at the bottom right.

If you added a new report in the previous step, you will be taken directly to the “General Information” screen. Select the “Semi-annual” option from the Status Report Type dropdown menu and enter the dates for the reporting period. Click “Save” when finished.

The screenshot shows the top navigation bar with 'Menu', 'Help', and 'Log Out' on the left, and 'Back', 'Print', 'Add', 'Delete', 'Edit', and 'Save' on the right. The 'Save' button is highlighted with a red box. Below the navigation bar is the 'Grant Tracking' header. The main content area displays 'General Information' with the following details: Status Report Type: Semi-annual (dropdown menu), and Report Period: 01/01/2020 (From Date) to 06/30/2020 (To Date). There is a 'Return to Components' link and a 'Last Edited By:' field at the bottom right.

4. Select "Return to Components."

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

General Information **Return to Components**

Use the drop down box to select the type of report that you want to submit. Then enter the period of time that the report will detail.

ID: 14705
Status Report Status: Editing
Due Date: 07/31/2020
Status Report Type: Semi-annual
Report Period: 01/01/2020 (From Date) to 06/30/2020 (To Date)

Last Edited By: Grant Admin, 07/13/2020

5. Select the "Livable Communities Grant Status Report" component.

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Status Report: SG-10502 - 01

Grant: **SG-10502-Minnesota Chemical**
Status: Editing
Program Area: TBRA Cleanup
Grantee Organization: ST PAUL PORT AUTHORITY
Program Manager: Marcus G Martin

Components Preview | Submit

Complete each component of the status report and mark it as complete. Click Submit when you are done.

| Name | Complete? | Last Edited |
|--|-----------|-------------|
| General Information | ✓ | 07/13/2020 |
| Livable Communities Grant Status Report | | |

- Begin answering all required questions in the status report. When finished editing, click “Save” at the top of the screen. *Note: Clicking “save” does not submit the report. You can return later to continue editing.*
- When you are finished editing the report, click “Mark as Complete.”

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Status Report: SG-10502 - 01

Grant: **SG-10502-Minnesota Chemical**
 Status: Editing
 Program Area: TBRA Cleanup
 Grantee Organization: ST PAUL PORT AUTHORITY
 Program Manager: Marcus G Martin

Instructions

To complete this report, you will need updates on project activities and project-related expenditures for the reporting period. You will also need to estimate when future grant draws will occur and in what amounts based on your knowledge of the project. For the report due July 31, the reporting period is the prior January 1-June 30. For the report due January 31, the reporting period is the prior July 1-December 31.

Project and Budget Update **Mark as Complete** [Go to Status Report Forms](#)

What project activities occurred during this reporting period?*

How much was expended on grant-funded activities this reporting period?* \$0.00

- On the next screen, click “Submit.”

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Status Report: SG-10502 - 01

Grant: **SG-10502-Minnesota Chemical**
 Status: Editing
 Program Area: TBRA Cleanup
 Grantee Organization: ST PAUL PORT AUTHORITY
 Program Manager: Marcus G Martin

Components [Preview](#) **Submit**

Complete each component of the status report and mark it as complete. Click Submit when you are done.

| Name | Complete? | Last Edited |
|---|-----------|-------------|
| General Information | ✓ | 07/13/2020 |
| Livable Communities Grant Status Report | | |

Payment requests

The WebGrants software refers to payment requests as 'claims.'

Important note: Have all of your [claims documentation prepared](#) and ready to upload into WebGrants.

Start by clicking on **Claims**.

| Grant Components | |
|--|-------------|
| You can define your own alerts in the Alerts section | |
| Component | Last Edited |
| General Information | 07/14/2015 |
| Grants/Amendments Memo | |
| Status Reports | |
| Claims | |
| LCA Outcomes | 04/07/2015 |
| Opportunity | - |

Click on **Add**.

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Grant: SG2014-105 - City of Lakes Community Land Trust - 2014

Status: Underway
Program Area: LHIA
Grantee Organization: MINNEAPOLIS,CITY OF
Program Officer: Linda K Milashius
Awarded Amount: \$150,000.00

Claims Copy Existing Claim | Return to Components

| ID | Type | Status | Date Submitted | Date Paid | Date From-To | Claim Amount |
|----|------|--------|----------------|-----------|--------------|--------------|
|----|------|--------|----------------|-----------|--------------|--------------|

Enter the date period covered by this claim, select 'reimbursement' as the *Claim type*, and then click **Save**.

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Claim: SG2014-105 - 001 Grant Components

Grant: SG2014-105-City of Lakes Community Land Trust
Status: Editing
Program Area: LHIA
Grantee Organization: MINNEAPOLIS,CITY OF
Program Manager: Linda K Milashius

Claim General Information

To create a new Claim enter the starting date and the ending date of the Report Period. This is the period of coverage for this Claim.

Report Period: 01/01/2015 From* 04/30/2015 to*

Claim Type: Reimbursement

Here's the tricky part: click on *Return to Components*.

Menu | Help | Log Out | Back | Print | Add | Delete | Edit | Save

Grant Tracking

Claim: SG2014-105 - 001 Grant Components

Grant: SG2014-105-City of Lakes Community Land Trust
 Status: Editing
 Program Area: LHIA
 Grantee Organization: MINNEAPOLIS, CITY OF
 Program Manager: Linda K Milashius

Reporting Period Return to Components

Report Period: 01/01/2015 04/30/2015
From to
 Claim Status: Editing
 Claim Type: Reimbursement

In this case, the 'components' are the separate elements of the claim itself.

Click on *Reimbursement*.

Components Preview | Submit

Complete each component of the Claim and mark it as complete. Click Submit when you are done.

| Name | Complete? | Last Edited |
|---------------------|-----------|-------------|
| General Information | ✓ | 07/14/2015 |
| Reimbursement | | |
| Attachments | | |

The resulting screen will display each of the line items awarded for your grant. In this example, there is only one line item (all LHIA and nearly all TBRA grants will have only one budget line item). For LCDA Development and LCDA-TOD Development grants, however, there may be several line items. This is the screen that allows you to draw down from the pertinent grant line in your grant. Click on **Edit**.

Menu | Help | Log Out | Back | Print | Add | Delete | Edit | Save

Grant Tracking

Claim: SG2014-105 - 001 Grant Components

Grant: SG2014-105-City of Lakes Community Land Trust
 Status: Editing
 Program Area: LHIA
 Grantee Organization: MINNEAPOLIS, CITY OF
 Program Manager: Linda K Milashius

Reimbursement Mark as Complete | Go to Claim Forms

| Budget Category | Contract Budget | Expenses This Period | Prior Expenses (Paid) | Total Paid | Available Balance (Unpaid) |
|--|---------------------|----------------------|-----------------------|---------------|----------------------------|
| LHIA request | | | | | |
| Gap financing - land or construction costs | \$150,000.00 | \$0.00 | \$0.00 | \$0.00 | \$150,000.00 |
| Total: | \$150,000.00 | \$0.00 | \$0.00 | \$0.00 | \$150,000.00 |

For each budget line item in which you are claiming costs, enter the amount in the appropriate field. When complete, click **Save**.

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Claim: SG2014-105 - 001 Grant Components

Grant: SG2014-105-City of Lakes Community Land Trust
 Status: Editing
 Program Area: LHIA
 Grantee Organization: MINNEAPOLIS,CITY OF
 Program Manager: Linda K Milashius

Reimbursement

| Budget Category | Contract Budget | Expenses This Period | Prior Expenses (Paid) |
|--|-----------------|----------------------|-----------------------|
| LHIA request | | | |
| Gap financing - land or construction costs | \$150,000.00 | \$75,200.00 x | \$0.00 |

After the record saves, the software will display the amount claimed for each line item in this period, as well as the balance available for each line item. If the amounts are represented correctly, click on **Mark as Complete**. If the record needs correction, click on **Edit** to change it.

Menu | Help | Log Out Back | Print | Add | Delete | Edit | Save

Grant Tracking

Claim: SG2014-105 - 001 Grant Components

Grant: SG2014-105-City of Lakes Community Land Trust
 Status: Editing
 Program Area: LHIA
 Grantee Organization: MINNEAPOLIS,CITY OF
 Program Manager: Linda K Milashius

Reimbursement [Mark as Complete](#) | [Go to Claim Forms](#)

| Budget Category | Contract Budget | Expenses This Period | Prior Expenses (Paid) | Total Paid | Available Balance (Unpaid) |
|--|---------------------|----------------------|-----------------------|--------------------|----------------------------|
| LHIA request | | | | | |
| Gap financing - land or construction costs | \$150,000.00 | \$75,200.00 | \$0.00 | \$75,200.00 | \$74,800.00 |
| Total: | \$150,000.00 | \$75,200.00 | \$0.00 | \$75,200.00 | \$74,800.00 |

As soon as you mark the record complete, it will pop you back out to the list of claims components. Next, you will upload your attachments to support your claim.

Components [Preview](#) | [Submit](#)

Complete each component of the Claim and mark it as complete. Click Submit when you are done.

| Name | Complete? | Last Edited |
|---------------------|-----------|-------------|
| General Information | ✓ | 07/14/2015 |
| Reimbursement | | |
| Attachments | | |

For **each** separate attachment, you will need to follow the next set of steps. Council staff would appreciate receiving only **one** attachment, [prepared in accordance with the instructions found earlier in this packet.](#) To begin, click on **Add**.

The screenshot shows the 'Grant Tracking' interface. At the top, there is a navigation bar with 'Menu', 'Help', and 'Log Out' on the left, and 'Back', 'Print', 'Add', 'Delete', 'Edit', and 'Save' on the right. The 'Add' button is highlighted with a red arrow. Below the navigation bar, the 'Grant Components' section displays the following information:

- Claim: SG2014-105 - 001
- Grant: SG2014-105-City of Lakes Community Land Trust
- Status: Editing
- Program Area: LHIA
- Grantee Organization: MINNEAPOLIS,CITY OF
- Program Manager: Linda K Milashius

Below the grant information is the 'Attachments' section, which includes a 'Mark as Complete' button and a 'Go to Claim Forms' link. The attachment table has the following columns: Description, File Name, File Size, and Date Uploaded.

A standard file upload screen results. Click on the **Browse** button to navigate to where your payment documentation is stored.

The screenshot shows the 'Attach File' screen. It features an 'Upload File' field with a 'Browse...' button. The 'Description' field contains the text 'Payment req #1 CLCLT'. A yellow sticky note is placed over the 'Browse...' button with the text: 'Click on the Browse button to locate your file'.




If this upload completes your payment documentation, click on **Mark as Complete**. If you need to upload more, repeat this process.

The screenshot shows the 'Grant Tracking' interface after the file upload. The 'Attachments' section now contains one entry:

| Description | File Name | File Size | Date Uploaded |
|----------------------|---|-----------|---------------|
| Payment req #1 CLCLT | City of Lakes CLT 2015 LCA Payment Request.xltx | 26 KB | 07/14/2015 |

The 'Mark as Complete' button is highlighted in yellow. The 'Grant Components' section remains the same as in the previous screenshot.

If you would like to check over your entries, click on **Preview**. If you are ready to send the payment request to the Council, click on **Submit**. Within a few minutes, the Webgrants system will notify the Council staff responsible for processing your payment request that it has been submitted.

 Reply  Reply All  Forward



Tue 7/14/2015 2:29 PM

metrocouncilgrants@dullestech.com

WebGrants ? Grant ? SG2014-105 - 001 - Claim Status Changed

To

Cc Anderson, Melissa; Jensen, Deb; LaMusga, Charlene

**** Do Not Respond to This Email ****

The claim for the following grant has been submitted:

Number: SG2014-105 - 001

Title: City of Lakes Community Land Trust

Program Area: LHIA

Grantee Organization: MINNEAPOLIS, CITY OF

Grantee: Grant Admin

The status of the Claim has changed:

FROM: Editing

TO: Submitted

When your payment request has been approved, the Webgrants system will send you an email alerting you that it has been approved.

Appendix 3—Livable Communities Act Grant Amendment Process

1. Introduction

The Metropolitan Council ("Council") anticipates that grantees of the Livable Communities Demonstration Account (LCDA), Local Housing Incentives Account (LHIA), and Tax Base Revitalization Account (TBRA) will complete their Projects within the timelines and conditions identified in their applications and grant agreements. However, occasionally circumstances may delay Project implementation or create the potential for changes to the Project. The Council may consider amendments to grant agreements at its discretion. Grantees should contact Livable Communities (LCA) staff as soon as they become aware of the potential for needed amendments.

2. Procedure

a. Definitions

- i. For TBRA Contamination Cleanup grants, LCDA Development grants and LHIA grants, **Project** means the development or redevelopment project identified in the Attachment A to the grant agreement that through its design and execution will deliver benefits such as housing, connections, jobs, and/or an increase to the tax base to the region.
- ii. For LCDA Pre-Development grants and TBRA Contaminated Site Investigation grants, the **Pre-Development Project** is the set of Grant Funded Activities for which funding is requested in the application. The Future Development Project is the future development or redevelopment that through its design and execution will deliver benefits such as housing, connections, and/or jobs.
- iii. For TBRA Contamination Cleanup grants, LCDA Development grants and LHIA grants, **Grant-Funded Activities** are components of the Project described in the Attachment A to the grant agreement. The Grant-Funded Activities do not in and of themselves comprise the Project for which grant funds are awarded.
- iv. Project **Commencement** means initiation of development – e.g., tangible work on a building, such as laying a foundation.
- v. **Site Control** means having acceptable evidence, such as a purchase commitment, option, or letter of intent from a government body or sole developer, etc. If there will be no transfer of ownership, then a warranty deed or contract for deed is acceptable. The evidence of site control must be current, fully executed, include a legal description of the land, and extend to the anticipated date of the funding recommendation.
- vi. **Significant Change** to the Project or to the demonstrative value(s) of the Grant Funded Activities is defined based on considerations of account-specific legislative outcomes and on factors considered when the application for funding was scored. These account

specific legislative outcomes and factors are listed below in Section VII.

- vii. The **Directors** are the Director of Community Development and the Director of Housing and Livable Communities.

b. Amendment Types

Grant agreements may be amended for the following reasons:

- i. Change in the term of the grant agreement;
- ii. Change in the Grant Funded Activities;
- iii. Change to the Project, and/or
- iv. Change to both Grant Funded Activities and to the Project

c. Requirements

To request and be considered for a grant agreement amendment:

- i. The request for an amendment must be submitted in writing to Livable Communities staff no less than 90 days prior to the expiration of the grant agreement.
- ii. The requested amendment must be consistent with the scope and intent of the original grant award made by the Council's governing body.
- iii. The amendment must be executed by both parties prior to the current grant agreement expiration date.

3. Request for a Change in the Grant Term

In addition to the requirements listed in section II. C., a request for an extension to the term of the grant agreement must include information evidencing:

- a. site control;
- b. significant progress toward full financing;
- c. significant progress toward an executed development agreement;
- d. a schedule showing the commencement and completion dates for all Grant-Funded Activities as described in Attachment A of the grant agreement;
- e. a schedule showing the commencement and completion dates of the Project described in Attachment A the grant agreement.
- f. The schedules must demonstrate that the Grant-Funded Activities will be completed and the Project will have Commenced within the requested extension timeframe.

Note: Neither TBRA Contaminated Site Investigation grants nor LCDA Pre-Development grants are eligible for extensions to the term of the grant agreement.

Exception to the Policy Governing the Extension of TBRA Grants:

The Directors may authorize additional 24-month extensions to the term of a TBRA grant agreement beyond the typical twenty-four month extension period, in order to pay for costs associated with MPCA-required air and/or groundwater monitoring, until all MPCA-required air and/or groundwater monitoring is completed or until all TBRA award funds are expended, whichever comes first. Each request for such an extension must be submitted to Livable Communities staff in writing and include a status report on Grant-Funded Activities.

4. Request for a Change in Grant Funded Activities

In addition to requirements listed in section II.C. a request for a change in the Grant Funded Activities, including budget variances of more than 20% of the grant amount, must:

- a. state the proposed eligible use(s);
- b. explain the impact the proposed change(s) will have on:
 - i. the Project, the account-specific factors on which the application was scored, and on the Project benefits identified in the grant application, such as affordable housing units or jobs;
 - ii. the schedule for the completion of the Grant Funded Activities;
 - iii. the schedule for completion of the Project; and
- c. submit a revised Project budget.

5. Request for a Change in the Project

In addition to the requirements listed in II.C. a request for a change in the Project must:

- a. describe the specific change(s) to the Project;
- b. explain what impact the proposed change(s) will have on:
 - i. the Project and the account-specific factors on which the application was scored, and on the Project benefits identified in the grant application, such as affordable housing or jobs;
 - ii. the schedule for the completion of the Grant Funded Activities; and
 - iii. the schedule for completion of the Project; and
- c. submit a revised Project budget.

6. Request for a Change in the Grant Funded Activities and in the Project

In addition to the requirements listed in section II.C. a request for a change in the Project must comply with the requirements in sections IV and V, above:

7. Review and Approval or Denial

- a. The Directors have discretion to administratively approve:

- i. an extension to the term of a grant agreement for a period up to 24 months and for additional periods as identified in the exception policy for TBRA grants; and/or
- ii. a change in the Grant-Funded Activities and/or the Project when they determine that the proposed change(s) do not “significantly change” the Project or, for LCDA, the demonstrative value(s) of the Grant Funded Activities or Project. The determination of “significant” change will be based on consideration of the account-specific factors considered when the application for funding was scored. Only the factors applicable to the Project as originally proposed and scored will be evaluated.
 - 1. For the **Tax Base Revitalization Account** Cleanup grants, a proposed change will be considered **significant** if the change:
 - a. proposes to replace the Project as originally proposed with a completely different Project, or
 - b. will result in a reduction of 20 percent or more of the total net tax capacity expected to be generated by the Project as originally proposed, or
 - c. proposes to reduce by 15 percent or more, or by 50 jobs (whichever is higher), the total number of new or retained jobs, or
 - d. proposes to reduce by 10 percent or more, or by 50 units (whichever is higher), the total number of housing units, or
 - e. proposes to reduce the total percentage of affordable housing units from the Project as originally proposed.
 - 2. For the **Tax Base Revitalization Account** Site Investigation grants, a proposed change will be considered **significant** if the change:
 - a. proposes adding a residential land use that was not included in the Project land uses(s) identified in Attachment A to the grant agreement
 - b. proposes excluding a residential land use that was included in the Project land use(s) identified in Attachment A to the grant agreement
 - 3. For the **Livable Communities Demonstration Account** development grants, a proposed change will be considered significant if the change:
 - a. proposes to replace the Project as originally proposed with a completely different Project, or
 - b. proposes to substantially change the mix and type of land uses originally proposed in a way inconsistent with program objectives or that substantially change the nature of the Project originally proposed, or

- c. will reduce the overall Project density and/or land use intensity below the density guidelines for developments in the Project location, or 20 percent below the density and/or land use intensity originally proposed (whichever is higher), or
 - d. proposes to reduce the total percentage of affordable housing units from the Project as originally proposed.
 - 4. For the **Livable Communities Demonstration Account** Pre-Development grants, a proposed change will be considered **significant** if the change:
 - a. proposes to replace the Project as originally proposed with a completely different Project, or
 - b. proposes to substantially change the intended grant funded activities for which the funds were awarded.
 - 5. For the **Local Housing Incentives Account**, a proposed change will be considered **significant** if the change:
 - a. proposes to replace the Project as originally proposed with a completely different Project, or
 - b. proposes to reduce the total percentage of affordable housing units, or
 - c. no longer meets Minnesota Housing funding requirements resulting in the withdrawal of Minnesota Housing funds from the Project.
- b. When the change is deemed to be significant by Livable Communities staff, the request will be presented to the Community Development Committee (CDC) for their consideration. Staff will provide the CDC with a memorandum assessing the proposed amendment's eligibility and compliance with additional account-specific criteria and reporting the results of the rescoring (when possible) of the Project as proposed. Representatives of the grantee will present to the CDC their amendment request(s) and answer Committee members' questions. The CDC will make a final decision regarding disposition of the request(s).
- c. The CDC, or the Directors, in the case of determinations made under their administrative discretion, may authorize an amendment to the grant agreement and to the Project Summary description included as Attachment A to the grant agreement provided that the Project, as revised, will produce the intended results described in the Livable Communities Act (shown below in italics) and meets additional account-specific conditions as follows:
 - i. **Tax Base Revitalization Account**—
 - 1. *provide the highest return in public benefits for the public costs incurred, encourage development that will lead to the preservation or growth of living-wage jobs or the production of affordable housing, and enhance the tax base of the recipient municipality, and,*
 - 2. meets the account eligibility criteria, and

3. if the revised Project is acceptable to the Council’s funding partners that have also granted funds to the project, and
 4. if the revised Project would score similarly to the original Project (i.e., it would have ranked within the list of Projects recommended for funding) in the areas of jobs/housing and net tax capacity increase;
- ii. **Livable Communities Demonstration Account—**
1. *interrelate development or redevelopment and transit; interrelate affordable housing and employment growth areas; intensify land use that leads to more compact development or redevelopment; involve development or redevelopment that mixes incomes of residents in housing, including introducing or reintroducing higher value housing in lower income area to achieve a mix of housing opportunities; or encourage public infrastructure investments which connect urban neighborhoods and suburban communities, attract private sector redevelopment investment in commercial and residential properties adjacent to the public improvement, and provide project area residents with expanded opportunities for private sector employment, and*
 2. meets the account eligibility criteria, and
 3. if an examination of the record of review for the grant award indicates that the development/redevelopment Project, as amended, would still include the elements of demonstration and innovation that contributed to the Livable Communities Advisory Committee’s recommendation of the Project for funding, and, in addition,
 4. if the revised Project would have at least met the minimum evaluation point scoring threshold in the staff technical evaluation.
- iii. **Local Housing Incentives Account—**
1. *create incentives for developing communities to include a full range of housing opportunities; create incentives to preserve and rehabilitate affordable housing in the fully developed area,*
 2. meets the account eligibility criteria, and
 3. if the revised Project is acceptable to the Council’s Metropolitan Housing Implementation Group funding partners that have also granted funds to the project.

In addition to the conditions outlined above, the CDC may authorize an amendment to the grant agreement and to the Project Summary description included as Attachment A to the grant agreement, provided that the Project, as revised will provide improved outcomes, based on the account-specific

criteria, and would likely have scored equal or higher points in the evaluation than the project originally awarded the Livable Communities Act grant.

- d. The Community Development Committee will endeavor to inform grantees of the committee's decision regarding requested amendments in writing within 45 days of receipt of the grantee's written requests, subject to the committee's meeting schedule.

8. Appeal Process

The Community Development Committee will be informed of any request for a grant amendment denied by the Directors. A grantee may appeal the decision of the Directors to the Council's Community Development Committee by submitting a written appeal request to Livable Communities staff. Staff will schedule an appeal discussion on an upcoming Committee meeting agenda, subject to the committee's schedule and committee workload.