



2009 Building Communities Fund (BCF) Grant Guidelines

**COMPETITIVE GRANT
PROGRAMS:**

- Building for the Arts ■
- Building Communities Fund ■
- Youth Recreational Facilities ■

Capital grants for nonresidential community and social service projects.

There is no minimum or maximum grant award amount.
Small and rural projects are encouraged to apply!

A standard award of up to 25 percent state match of eligible project costs.

Application Deadline: Friday, September 26, 2008 at 5 p.m.

Grant application workshops:

Wednesday, September 3, 2008 in Seattle and
Thursday, September 4, 2008 in Moses Lake
(see back page for details)

Join our listserv:

<http://listserv.wa.gov/archives/capital-programs.html>

CTED Capital Programs

P.O. Box 42525

Olympia, WA 98504-2525

360/725-3075

caprograms@cted.wa.gov

www.cted.wa.gov/CapitalPrograms

PART 1: PROGRAM BACKGROUND AND ELIGIBILITY REQUIREMENTS

This is not a funding source for homeless shelters, transitional housing, or retail operations.

1.1 Background

The 2008 Legislature enacted the Building Communities Fund (BCF) to provide a means of identifying qualified community and social service capital projects, and providing capital support to nonprofit agencies and their partners to develop or improve these facilities.

These investments will play a key role in improving the economic, social, and educational climate in distressed communities and other areas that serve low-income persons.

1.2 Program purpose

This program awards state grants to nonprofit, community-based organizations to defray up to 25 percent of eligible capital costs to acquire, construct, or rehabilitate nonresidential community service centers. However, under exceptional circumstances the state share of project costs may exceed that amount (see 1.10 on Page 4). There is no minimum or maximum grant award amount.

BCF is a state program financed entirely through the sale of state bonds. No federal dollars are involved. This program operates under RCW 43.63A.125. For statutory language go to www.leg.wa.gov/rcw/.

1.3 Applicant eligibility

All applicants must meet the following eligibility standards *at the time the application is submitted*:

- Be registered in the state of Washington as a nonprofit organization;
- Possess a current or advance ruling 501(c)3 Internal Revenue Service

registration;

- Have a legally constituted board of directors;

- Agree to enter the LEED certification process or receive an exemption from us (see Page 11);

- Certify that state prevailing wages will be paid for all construction labor performed after July 1, 2009 (see 5.7 on Page 8).

At the time of application, if the applicant does not have control of the project site, either through ownership or an executed long-term lease (at least 15 years), all partners must sign and submit a letter of intent to have this requirement completed by February 15, 2009. This letter must outline all terms and conditions, including square footage, rental rate, any shared incomes and liabilities, and the responsibilities of all parties involved.

1.4 Eligible projects

A proposed project must:

- Be a nonresidential facility;
- Consist of acquisition, construction, or rehabilitation of a facility used to deliver community services (social service and multipurpose community centers) including those serving a distinct or ethnic population;

- Be located in a “distressed community” or serve a substantial number of low-income or disadvantaged persons.*

A distressed community is defined as:

- A county that has an unemployment rate that is 20 percent above the state average for the immediately previous three years;

**Please go to our website to determine if your project is located in an eligible distressed area. www.cted.wa.gov/capitalprograms*

■ An area within a county designated as a low-income community under the U.S. Department of the Treasury’s Community Development Financial Institutions Fund’s New Markets Tax Credit program; **OR**

■ A school district in which at least 50 percent of local elementary students receive free and reduced-price meals.

To qualify as serving “a substantial number of low-income or disadvantaged persons” applicants must demonstrate that at least 40 percent of service recipients are at or below 200 percent of the U.S. Dept. of Health and Human Services Poverty Level Guidelines or qualify as “disadvantaged” as outlined by the federal Small Business Administration’s Individual Determinations of Social and Economic Disadvantage. Please see our website for more information.

To qualify, applicants must also demonstrate that the project meets all 10 of the following benchmarks:

- I.** Will increase the range, efficiency, or quality of the services provided;
- II.** Will be located in a distressed community or serve a substantial

number of low-income or disadvantaged persons;

III. Will offer a diverse set of activities that meet multiple community service objectives;

IV. Reflects a long-term vision for the development of the community, shared by residents, businesses, leaders, and partners;

V. Requires state funding to accomplish a discrete, usable phase of the project;

VI. Is ready to proceed and will make timely use of the funds;

VII. Is sponsored by one or more entities that have the organizational and financial capacity to fulfill the terms of the grant agreement and to maintain the project into the future;

VIII. Fills an unmet need for community services;

IX. Will achieve its stated objectives; **AND**

X. Is a community priority as shown through tangible commitments of existing or future assets made to the project by community residents, leaders, businesses, and government partners.

1.5 Ineligible projects

Ineligible projects include:

- Single-use facilities; and

CTED Capital Programs

Department of Community, Trade and Economic Development

Mailing / street address:

P.O. Box 42525
906 Columbia Street SW
Olympia, WA 98504-2525

Main phone:

360/725-3075

Fax:

360/586-4162

E-mail:

capprograms@cted.wa.gov

Web:

www.cted.wa.gov/CapitalPrograms

Listserv:

<http://listserv.wa.gov/archives/capital-programs.html>

STAFF:

Daniel Aarhun

Manager
360/725-3007
dana@cted.wa.gov

Kathy Chance

BCF Project Manager
360/725-3075
kathyc@cted.wa.gov

Michael Kendall

Project Manager
360/725-3073
michaelk@cted.wa.gov

Sheryl Reed

Project Manager
360/725-3074
sherylr@cted.wa.gov

Beth Prihoda

Grants Specialist
360/725-5001
bethp@cted.wa.gov

Emily Hafford

Grants Specialist
360/725-3021
emilyh@cted.wa.gov

CTED LEADERSHIP:

Juli Wilkerson

Director

Karen J. Larkin

Local Government Division
Assistant Director

WHERE TO FIND IT

Applications

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| BCF 2009 application form..... | See website |
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We have a strong commitment to supporting facilities serving rural parts of the state. If you aren't sure about whether to apply for a BCF grant, please speak with us. We're here to help you succeed!

This publication is available in an alternative format upon request. Events sponsored by CTED are accessible to persons with disabilities. Accommodations may be arranged with a minimum of 10 working days notice by calling 360/725-3075.

- Residential facilities.

1.6 Partnerships

Applicants must be a 501(c)3 nonprofit. Other nonprofits, local jurisdictions, or tribes may partner with the applicant, but the nonprofit must be the primary beneficiary and exercise substantial control over the facility's management.

All partnerships must provide a copy of an executed joint-operating agreement that:

- Establishes the applicant as possessing substantial authority to manage the facility and its services; and
- Contains a contingency plan to address the possibility of dissolution or other change of ownership.

If the applicant does not have this agreement executed by the application date, all partners must sign and submit a letter of intent to have this requirement completed by February 15, 2009. Failure to fulfill both this and the site control requirements by that date will result in rescission of any BCF grant award recommendation.

Nonprofit-public partnerships will be assessed for whether their project will benefit the community at large rather than the participating public agency's clients or students. These partnerships must also demonstrate financial need.

1.7 LLCs and nonprofits

The applicant's facility may be owned by a limited liability corporation (LLC) as long as the nonprofit holds the majority interest through the duration of a tax credit program.

The applicant must be able to demonstrate that it is receiving a significant benefit from the arrangement through a reduction in the capital costs of the facility.

1.8 Mixed-use facilities

A facility that is part of a larger, mixed-use project (such as retail or condominium space) may be eligible for funding. However, this grant can only fund the capital costs of the eligible project space.

1.9 Multiple applications

Organizations with multiple facilities can apply for up to three BCF grants each cycle. Note, however, that we strive to broadly distribute funds among community and social services throughout the state.

1.10 "Exceptional Circumstances"

The state's contribution may exceed twenty-five percent under "exceptional circumstances." These include projects affected by natural disasters, emergencies beyond an applicant's control, such as a fire or an unanticipated loss of a lease where services are currently provided, a delay that could result in a threat to public health and/or safety, and instances where a local community could quantifiably demonstrate that they had exhausted all possible fundraising efforts.

PART 2: THE APPLICATION PROCESS

2.1 LEED exemptions

All applicants are required to enter the LEED certification process or get an exemption. You may do the latter before applying for a grant or as part of your application (see Page 11).

2.2 Application submissions

Applications must be postmarked or received by Friday, September 26, 2008 at 5p.m.* We prefer that they be mailed rather than hand delivered. Please use the post office box address listed on the front page of these guidelines.

If hand delivered, your application must arrive at our office by 5 p.m. on the above deadline date (our street address is listed on Page 3).

In the interest of fairness, deadlines will be strictly observed and applications received after the deadline will be returned without review. Note that “postmark” refers to a United States Postal Service (USPS) postmark.

2.3 Preliminary review

After the submittal deadline, staff will review applications for eligibility and completeness. Those that are incomplete or do not meet eligibility standards will not be forwarded to the BCF Advisory Committee for review.

2.4 Applicant notification

After the preliminary review, each applicant will receive written notification from CTED Capital Programs as to whether their project has been forwarded to the advisory committee.

Those whose projects are not forwarded to the BCF Advisory Committee will be informed of the reasons in writing, and are encouraged to discuss with our staff how to prepare a more competitive grant for a future funding cycle.

The BCF Advisory Committee includes grant officers from major foundations. The caliber of your application could influence your project's success with funding sources beyond our program.

| 2009-2011 BCF GRANT DATES | |
|---|---------------------------|
| BCF grant application workshops (west/east) | September 3 and 4, 2008 |
| Applications due (no exceptions) | September 26, 2008 |
| Notification of preliminary review results | October 2008 |
| BCF Advisory Committee work session | October 16 and 17, 2008 |
| Recommendations forwarded to Governor and Legislature | October 31, 2008 |
| Governor releases proposed capital budget | December 2008 (estimated) |
| 2009-2011 Capital Budget signed into law | June 2009 (estimated) |
| CTED Capital Programs may begin disbursing funds | Sept. 2009 (estimated) |
| Expiration of funds without legislative action | June 30, 2011 |

** In addition to submitting hard-copy materials, we require that you send us a completed application form as an email attachment. **This is also due Friday, September 26, 2008 at 5 p.m.** For details download the application template, which is posted on our website.*

PART 3: THE ADVISORY COMMITTEE REVIEW PROCESS

3.1 Advisory committee role

The BCF Advisory Committee helps develop program policy, reviews applications, and recommends projects for review by the Governor and Legislature. The committee consists of volunteers with demonstrated expertise in funding, administering, or advocating for social service organizations.

The committee includes grant officers from major foundations. The caliber of your application could influence your project's success with funding sources beyond our program.

3.2 Committee work session

The BCF Advisory Committee is scheduled to convene a work session in SeaTac on Thursday and Friday, October 16 and 17, 2008. The committee will review project applications and develop an unranked list of qualified eligible projects.

3.3 Appeals

The committee's decisions are final and cannot be appealed. However, staff would be happy to assist in strategizing how to develop an application for a future funding cycle.

PART 4: FINAL REVIEW AND FUNDING

4.1 Appropriations process

The committee will forward its recommendations, in the form of an unranked list of projects and funding levels, to the CTED director in the fall of 2008. If approved by the director, the list will be submitted to the Governor's budget office (Office of Financial Management), and thereupon to the Washington State Legislature for funding consideration in the 2009 legislative session.

The 2009 Legislature will make the final determination as to which projects, if any, receive grants, and the dollar amounts of the awards.

4.2 Availability of funds

After the Legislature approves the capital budget it must be reviewed and signed by the Governor. Unlike the operating budget, which takes effect on July 1 of each odd-numbered year, the capital budget generally takes effect in mid-May or early-June of the year in which it is signed.

Once this occurs, the Office of Financial Management will allot the BCF funds to the agency; this makes funds available for expenditure to program recipients. We anticipate that grantees will begin receiving funds on or about September 1, 2009.

PART 5: CONTRACTING SPECIFICS

5.1 Funding restrictions

This program is funded through the sale of state capital bonds, and includes no federal funds.

We strive to administer funds expeditiously and with a minimum of red tape. We do so within the policies and procedures established by the Legislature, the state Office of Financial Management, the Treasurer, the Office of the Attorney General, and CTED. We must also comply with federal arbitrage regulations.

BCF awards are funded through an appropriation in the capital budget. A grant can only be spent by the designated organization for costs that fit the scope of work listed in the grant application. In other words, *the application becomes a controlling document that guides how a grant can be spent.*

5.2 Cost reimbursement

Capital budget funds are available on a reimbursement basis only, and cannot be advanced under *any* circumstances. Reimbursable costs are those that a grantee has already incurred and paid, or costs payable within 30 days.

We may reimburse grant recipients for costs incurred prior to the date a contract is executed, and as far back as July 1, 2006. The project start date must be accurately stated in the application in order for us to do so.

5.3 Matching funds

BCF grants may be used to pay up to 25 percent or more of *eligible* project costs (see 5.12, Page 9). We cannot match other state grants. This is why

these funds cannot be included in your BCF grant application's project budget.

Non-state matching funds may consist of cash on hand, credit, documented pledge commitments, the value of land acquired for the project (not earlier than July 1, 2006), and in-kind contributions when properly documented (see box on Page 10).

Grantees may also include the proceeds of a letter of credit or other binding loan commitments as part of their non-state matching funds. The value of land used as non-state match must be supported by an appraisal performed by a certified professional appraiser.

5.4 Availability of funds

Funds are expected to be available mid-August to early September 2009, but that can vary depending upon factors such as when the state capital budget is approved. A contract cannot be written until the grantee has met all funding conditions.

Contracts generally take three to four weeks to execute once the grantee provides us with all needed information. Contracts are developed on a first-come, first-served basis.

Due to these uncertainties, grantees are advised to talk with CTED Capital Programs staff before including state funds into their cash-flow projections.

5.5 Contracting conditions

Three requirements must be met before grantees can begin drawing down their grant funds.

- Grantees must demonstrate in writing the financial capability to com-

This is a reimbursement-style grant, and you may start drawing down funds only after all other money needed to complete the project has been raised (see 5.5). However, you can receive reimbursement for any eligible costs incurred as far back as July 1, 2006 (see 5.2).

plete the project. This generally means that the entire amount of non-state matching funds must have been committed (but not necessarily in hand).

- Grantees must provide written evidence of site control, either through outright ownership of the subject property or an executed long-term lease (at least 15 years).

- The projects of some grantees may be reviewed by the state Dept. of Archeology and Historical Preservation (DAHP) under Executive Order 05-05. This review must be satisfactorily completed before a contract can be developed.

5.6 Documenting expenses

We reimburse grantees only after receiving copies of the original billing documents (invoices). We may, at our discretion, accept accounting ledger statements for minor, miscellaneous costs in lieu of original billing documents. In all cases, costs must be documented and auditable. Your project may be selected for site monitoring.

5.7 Prevailing-wage law

Construction projects that receive any of our grants are required to pay state prevailing wages beginning July 1, 2009. Construction labor includes landscaping.

Acquisition-only projects are exempt from state prevailing wage law (RCW 39.12). Note that these projects must result in a usable facility.

The Department of Labor and Industries is the state agency that implements prevailing wage law. For more information, contact Industrial Statistician David Soma at 360/902-5330 or somd235@LNI.wa.gov

5.8 Archeological review

Some projects may need to be reviewed for archeological and cultural resources. This is required of projects not undergoing a Section 106 review under the National Historic Preservation Act if the project:

- disturbs ground, and/or
- involves structures more than 50 years old.

Projects that fit these criteria and are recommended for funding by the BCF Advisory Committee will be given further information about the review process.

5.9 Reappropriations

Some grant recipients may not be able to expend all of their funds by the end of the 2009-2011 Biennium (June 30, 2011), and any unexpended funds will lapse on that date unless reappropriated. Although not legally obligated to do so, the Legislature generally reappropriates unspent funds for long-term capital projects such as those funded through BCF.

5.10 Rescinding funds

If an organization does not begin drawing down its funds within 12 months of the start of the biennium (by July 1, 2010), we reserve the right to rescind that group's award.

5.11 Change of ownership

Most of the capital projects constructed with state funds require that the facility or project be held by the grantee for a period of time appropriate to the amount of the state grant (10 years following the date of final payment), and that the facility or project be used for the same purpose expressed in the enabling legislation or contract.

5.12 Eligible costs

Capital budget funds may generally be used to pay for the following construction-related expenses incurred as far back as July 1, 2006:

- design, architectural, and engineering work;
- building permits/fees;
- archeological/historical review;
- construction labor and materials;
- demolition/site preparation;
- capitalized equipment;
- information technology infrastructure (cables and wiring);
- construction management (*from external sources only*)*;
- initial furnishings**;
- landscaping, and
- real property when purchased specifically for the project, and associated costs.***

5.13 Ineligible costs

Our grants are intended to fund bricks and mortar. This is why the following costs are not eligible for reimbursement and *cannot be used to match state funds*:

- internal administrative activities;
- project management (from any sources);
- fundraising activities;
- feasibility studies;
- computers or office equipment;
- rolling stock (such as vehicles);
- lease payments for rental of

equipment or facilities;

- mortgages and property leases (including long-term); and
- the moving of equipment, furniture, etc., between facilities.

5.14 Loan paydowns/payoffs

We can assist in paying down or paying off a construction or bridge loan that was incurred on or after July 1, 2006 as part of the project. BCF grants cannot be used to refinance debt, e.g., to pay down a mortgage regardless of when it was incurred.

** Construction management and observation is on-site management and/or supervision of the work site and workers thereon. This is an eligible project cost. Construction management does **not** include work typically performed by off-site consultants or consultant organizations, grant writers, project managers, or employees of the grantee, unless the employee is hired solely and specifically to perform on-site construction management as defined above.*

*** Furnishings and equipment are considered eligible project costs as long as the average useful life of the item purchased is 13 years or more.*

**** Costs directly associated with property acquisition include appraisal fees, title opinions, surveying fees, real estate fees, title transfer taxes, easements of record, and legal expenses.*

State (as opposed to federal) prevailing wages are now required of all construction projects as of July 1, 2009 (see 5.7).

Grants are subject to an administrative fee

CTED Capital Programs is authorized to retain up to 3 percent from each award to cover all administration costs. This is our sole source of funding; we receive no state General Fund dollars. For the 2007-2009 Biennium we retained 1.25 percent from competitive grants such as those offered by the BCF program. Keep this in mind as you develop your project budget.

Construction management does not include work performed by off-site consultants or consultant organizations, grant writers, or project managers. (see 5.14)

Loans and bonds in a capital campaign

The legislative intent of this program is to reward nonprofit organizations' successful capital campaigns. However, the BCF committee recognizes that these campaigns may take on a variety of permutations depending upon such factors as the nature of the project, the fundraising climate in a given part of the state, and an applicant's prior experience with large-scale fundraising.

For example, it may make sense for some projects to depend heavily on loans or bonds. The BCF committee will consider these types of projects if they show evidence of financial sustainability.

Loans and other credit instruments are treated the same as cash in meeting a grantee's non-state match requirement — as long as they were incurred after June 30, 2006 specifically for the project (see 5.14 on Page 9). A bridge loan could allow the release of a grantee's funds if there have been delays in the completion of its fundraising drive.

Bonds will be viewed as committed funds if the applicant documents:

- its bonding capacity; and
- a legal commitment to issue bonds dedicated to the project.

How should in-kind donations be handled?

You may apply in-kind donations toward your match requirement. Eligible donations include property, labor (except when donated by an applicant's paid staff), materials, or equipment as long as their value can be properly assessed and documented.

For example, the value of donated real estate must be documented by an appraisal performed by a certified professional appraiser.

We treat in-kind professional and nonprofessional labor differently. Professional labor is calculated at the rate a volunteer would normally charge for his or her services (be sure to document these costs with invoices). Nonprofessional labor is calculated at \$10 per hour. This can be documented with a memo itemizing the type of work done and number of

hours worked by your volunteers.

There is no limit to the portion of in-kind donations that can be applied to your non-state match. However, we reserve the right to make the final determination regarding the acceptability of in-kind contributions.

The BCF committee is wary of projects too dependent on in-kind donations, particularly if they are heavily leveraged with loans. This is why the amount of nonprofessional, in-kind labor you can receive credit for in our formula points is capped at 10 percent of project costs.

In general, reviewers look for evidence that an applicant has the ability to raise the funds needed to complete the project and cover its ongoing costs of operation.

High-performance Buildings

The 2005 Washington State Legislature passed a law that may require many of our competitive grant recipients to comply with what has been termed “high-performance” or “green” building standards (RCW 39.35D).

The goal is for major construction or renovation projects receiving state funds to be built to the LEED silver standard where “practicable.” LEED (which stands for Leadership in Energy and Environmental Design) is a certification program run by the U.S. Green Building Council.

According to the American Institute of Architects, high-performance buildings are cheaper to operate, save water and energy, and improve worker performance.

These building principles offer the most savings when incorporated early in the design process. That’s why *we strongly encourage you to talk with your architect as soon as possible.*

The first issue you may wish to explore is whether your project is required to meet the LEED silver standard. The law offers two types of exemptions.

Exemption 1: Facility types

Four facility types are exempt:

- acquisition-only projects;
- new construction less than 5,000 gross square feet of occupied or conditioned space as defined by the State Energy Code;
- renovation projects whose costs are less than 50 percent of the facility’s assessed value *and* are less than 5,000 gross square feet of occupied or conditioned space; or

- facilities such as hospitals; research facilities primarily used for laboratory experimentation, research, or training in research methods; or similar building types.

Exemption 2: ‘Not practicable’

We may exempt applicants who demonstrate that it would be “not practicable” to meet the LEED silver standard. However, we are not permitted to offer this solely because of cost or timing-related issues.

Pre-application exemption requests

You don’t need to wait until you turn in a grant application to find out if your project will be exempted. Our website has a *LEED Certification Declaration* form that you and your architect fill out. If you are seeking a “not practicable” exemption, in the form you provide a rationale for your request (your architect may be helpful here). We will quickly let you know if your exemption is approved.

Checklist gives you bonus points

Everyone who plans to meet the LEED silver standard is required to have their architect fill out a LEED checklist, which is part of the *LEED Certification Declaration* form.

Visit our web page and talk to us

We’ve created a web page devoted to this requirement. You’ll find the *LEED Certification Declaration* form, and links to grant opportunities that may help you cover extra up-front costs. If you have any questions about the LEED requirement, please don’t hesitate to give us a call,.

- **Get your questions answered**
- **Learn from other applicants**
- **Meet CTED Capital Programs staff**

AT BUILDING COMMUNITIES FUND GRANT WORKSHOPS!

Join us for a grant application workshop. These free workshops — offered in both Eastern and Western Washington — will consist of a brief presentation about the Building Communities Fund (BCF) program, followed by a step-by-step review of the application process, and a question-and-answer period. Because this is a brand new program, we would strongly encourage even seasoned grant writers to attend.

Western Washington Workshop (Seattle)
Wednesday, September 3, 2008
9 a.m. - 12 p.m.
The Radisson Hotel Gateway
Grand Salon
18118 International Boulevard
Seattle, WA 98188
(206) 244-6666

For directions & parking information:
<http://www.radisson.com>

Eastern Washington Workshop (Moses Lake)
Thursday, September 4, 2008
9 a.m. - 12 p.m.
Big Bend Community College
Room 1870 C
7662 Chanute Street NE
Moses Lake
(509) 793-2222

For directions & parking information:
<http://www.bigbend.edu/>

CTED Capital Programs

Mailing address: P.O. Box 42525, Olympia, WA 98504-2525
Main phone: 360/725-3075
Email: caprograms@cted.wa.gov
Web: www.cted.wa.gov/CapitalPrograms
Listserv: <http://listserv.wa.gov/archives/capital-programs.html>