



**Emergency Shelter Facility Grant Program
Application Guidelines**

Applications Due: November 30, 2023

housing@mt.gov

housing.mt.gov/Community-Housing/HOME-ARP-and-ESFG

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Alternative accessible formats of this document will be provided upon request. If you need this document in an alternative format, such as large print, Braille, audio tape, or computer diskette, please contact the Montana Housing at (406) 841-2840, TDD (406) 841-2872, or the Relay Services number, 711.

The Montana Department of Commerce does not discriminate on the basis of disability in admission to, access to, or operations of its program, services, or activities. Individuals, who need aids or services for effective communication or need other disability-related accommodations in the programs and services offered, are invited to make their needs and preferences known. Please provide as much notice as possible for requests.

APPLICATION GUIDELINES FOR THE EMERGENCY SHELTER FACILITY GRANT (ESFG) PROGRAM

I. Introduction

The Emergency Shelter Facility Grant (ESFG) Program is a one-time funding opportunity authorized by House Bill 5 of the 68th Legislative Session to award grant funding to nonprofit corporations that provide emergency shelter for the homeless.

The objective of the ESFG Program is to increase the inventory of and improve access to emergency shelter for the homeless, as defined in these guidelines.

Commerce will accept applications that meet this objective using ESFG funds to acquire, construct, or rehabilitate emergency shelters around the state. In exchange for funds, recipients agree to terms and conditions set forth by State authorities. After completion of a project, property owners agree to maintain the building as an emergency shelter for a period of use (POU). ESFG-assisted properties will be monitored for compliance throughout the POU.

This document presents the requirements for ESFG applications. Applicants should use these guidelines if the project will include ESFG funds.

The Emergency Shelter Facility Grant Program application guidelines and other relevant information and resources are available on Commerce's website at [HOME-ARP and ESFG - Montana Housing \(mt.gov\)](https://www.mt.gov/comm/programs/ESFG). Interested persons may also e-mail staff at Housing@mt.gov or call (406) 841-2840, Montana Relay Service at (406) 841-2702, or 711 regarding any questions they may have about the ESFG program.

Applications are due to Commerce no later than November 30, 2023. Commerce will rank the applications and make recommendations to the Commerce Director, who will make the final award decisions. Any applications received after this date will not be considered.

II. Definitions

ESFG funds must be used by Commerce to provide grant funding to nonprofit corporations that provide emergency shelter for the homeless.

Eligible applicants: Nonprofit corporations that own, will own, and/or operate an emergency shelter.

Emergency Shelter: Any facility operated for the primary purpose of providing temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. This includes both congregate and non-congregate¹ shelters, warming centers, and seasonal facilities.

Homeless: An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground. This definition includes individuals or families who are fleeing, or are attempting to flee, domestic violence, dating violence,

¹ Non-congregate shelter provides private units or rooms as temporary shelter to individuals and families and does not require a lease or occupancy agreement.

sexual assault, stalking, or human trafficking.

Lease and Occupancy Agreement: A signed agreement that stipulates length and cost of stay. Facilities granted ESFG funds cannot require leases or occupancy agreements. Agreements outlining house rules pertaining to health, safety and behavioral issues are not considered occupancy agreements.

Nonprofit Corporations: Corporations, which are defined to mean Montana corporations, as designated in accordance with [35-2-126, MCA](#), that provide emergency shelter for the homeless.

Period of Use (POU): The period of five (5) years after project completion a property must remain in use as an emergency shelter and in compliance with program requirements.

III. Eligible Activities

ESFG funds can be used for property acquisition, shelter space acquisition, construction, and general capital improvement projects:

Construction

Construction or rehabilitation of shelter space that is owned, will be owned, and/or is operated by the recipient. All emergency shelters newly constructed or rehabilitated with ESFG funds must meet National Standards for the Physical Inspection of Real Estate (NSPIRE), comply with all zoning ordinances and building standards adopted by the state and local government, and incorporate shelter best practices. In accordance with Section 21 of House Bill 5, projects that are not subject to any design standards must comply with generally accepted industry standards. Recipients are strongly encouraged, to the extent possible, to adopt trauma-informed design elements, smoke-free requirements, and include the three basic visitability features: zero-step entrances, doors with 32 inches of clear passage space, and wheelchair-accessible bathrooms.

General Capital Improvements

An application for rehabilitation or general capital improvements totaling more than \$500,000 must be accompanied by a Capital Needs Assessment prepared by a licensed professional and include detailed cost estimates. Recipients are strongly encouraged, to the extent possible, to adopt trauma-informed design elements, smoke-free requirements, and include the three basic visitability features: zero-step entrances, doors with 32 inches of clear passage space, and wheelchair-accessible bathrooms.

Property Acquisition

Acquisition of real property for an activity assisted under the ESFG program must be documented as voluntary through a fair market appraisal. No property may be acquired through eminent domain, and no acquisition may result in the displacement of families, individuals, businesses, non-profit organizations or farms.

Shelter Space Acquisition

Acquisition of existing shelter space must be documented as voluntary through a fair market appraisal. These facilities must be used as emergency shelter for the duration of the period of use. No existing shelters may be acquired through eminent domain.

Ineligible Project Activities

ESFG funds cannot be used to construct or rehabilitate permanent rental housing, transitional housing², residential treatment facilities, single-family homes for homeownership, housing for existing homeowners, or provide mortgage assistance or housing counseling through homebuyer programs. ESFG funds may not be used for expansion or rehabilitation of public housing, or for projects that will result in permanent displacement. In accordance with the House Bill 5 Section 17(1) definition of “Emergency Shelter”, assistance cannot be provided to facilities where occupants sign a lease or occupancy agreement.

IV. Other Considerations

Conflict of Interest

No employee, officer or agent of the applicant covered by the conflict of interest provisions who exercise or have exercised any functions or responsibilities with respect to activities assisted with ESFG funded projects or who are in a position to participate in a decision-making process or gain inside information with regard to these activities may obtain a financial interest or financial benefit from the ESFG assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to the ESFG assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

Eligible and Ineligible Project Expenses

Project activities *eligible* for reimbursement with ESFG funding include, but are not limited to:

- Construction costs. Expenses that directly relate to construction or rehabilitation activities that implement the scope of work identified in the contract, which may include contractor costs, architect/engineer fees, permitting, surveying, contingency, environmental compliance, etc.
- Acquisition costs. Costs associated with real property acquisition that will result in emergency shelter.
- These costs are only eligible for reimbursement if incurred on or after July 1, 2023, the date on which the enabling legislation became effective.

Expenses that are *not eligible* for ESFG grant funding include, but are not limited to:

- Any costs associated with permanent rental housing, transitional housing, residential treatment facilities, or homeownership activities;
- Inpatient detoxification and other inpatient drug or alcohol treatment facilities;
- Furnishings, fixtures, or equipment including but not limited to beds, bedding, mattresses, window coverings, and mini-refrigerators;
- Administrative and shelter operating costs;
- Any costs associated with temporary relocation or displacement;
- Any costs incurred prior to July 1, 2023;
- Acquisition of property owned by the State of Montana;
- Delinquent taxes, fees, or charges on properties to be assisted with ESFG funds;
- Political activities, advocacy, lobbying, counseling services, travel expenses, and preparing or providing advice on tax returns;
- Infrastructure outside of the project property;
- Rental subsidies;
- Legal, administration, outreach, or other costs to manage and operate the recipient organization;

² Transitional Housing provides housing with supportive services typically up to 24 months, with the goal of interim stability and support to successfully move individuals and families to permanent housing.

- Any other ineligible cost listed in [House Bill 5](#).

Fair Housing

Any recipient of ESFG funds agrees to follow and comply with Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1968, as amended; Executive Order 11063 and the Montana Human Rights Act prohibiting discrimination against program participants based on race, color, creed, national origin, sex, age, marital status, familial status, physical or mental disability, and religion.

Match

For projects awarded \$25,000 or more, ESFG regulations require a one-for-one match of funds or in-kind contributions of assets from private sources, the value of which must be documented through an appraisal.

Maximum Award

The maximum amount of ESFG funding to be allocated to entities within any individual county may not exceed \$750,000. Applications for ESFG funding will be reviewed and ranked according to Commerce's criteria. If total application funding requests within a county exceed \$750,000, Commerce will solicit input from county elected officials. If local officials do not provide feedback within 15 days, Commerce will award funds in the order in which they are ranked until the maximum amount per county has been reached. If actual project expenses are lower than projected in an application, Commerce will reduce the amount of grant funds provided in any award to the applicant.

Montana Environmental Policy Act (MEPA)

Projects that are awarded ESFG funds are subject to the requirements of the Montana Environmental Policy Act (MEPA). MEPA specifies three different levels of environmental review, based on the significance of the potential impacts. The levels are: (1) exempt or excluded from MEPA review; (2) environmental assessment (EA), and (3) environmental impact statement (EIS).

For detailed information on MEPA, see [A Guide to the Montana Environmental Policy Act](#), or [A Citizen's Guide to Public Participation in Environmental Decision Making](#).

To document completion of the environmental review process the applicant must follow the guidance on our website - <https://housing.mt.gov/Community-Housing/HOME-ARP-and-ESFG> - and provide documentation. Documentation includes the public notice for and minutes of a public meeting at which the environmental review was discussed, the public comments received, and the final decision on the environmental determination.

Period of Use (POU)

Upon receipt of an award of ESFG funds, the recipient commits to operate the property as an emergency shelter for a period of five (5) years after project completion. During this period of use, annual documentation of compliance will be submitted to Commerce to verify the project outcomes regarding beneficiaries and document continued compliance with program requirements. Recipients will be encouraged to report outcomes in the Homeless Management Information System (HMIS) and participate in their local Coordinated Entry (CE) system, where available.

Procurement

Projects funded with ESFG assistance are not required to procure professional services or contractors through a sealed bid process. However, to facilitate cost reasonableness, recipients must demonstrate due diligence in securing contractors to complete construction or rehabilitation. It is considered best practice

to conduct a request for proposals and/or solicit three bids from contractors to complete a projects' specific scope of work.

Project Completion

Documentation of satisfactory project completion is required as part of project closeout requirements. This could be a Certificate of Occupancy, or an architect's certification that applicable building standards or generally accepted industry standards have been met, as applicable to the scope of the project.

Public Participation

Applicants for ESFG funds should consult with their local elected officials. Commerce also encourages applicants to engage with their stakeholders, e.g., community organizations, the public, housing partners, and current or potential shelter participants through informal meetings or planning sessions to make information available and inform the public of the proposed activity.

Grant Agreement

Applicants awarded grant funding will be required to execute a grant agreement with Commerce that includes a project management plan, reporting requirements to track outcomes, compliance and enforcement provisions and other program requirements.

V. Application Submission

Commerce will accept ESFG applications using the web-based application available on the Commerce website at [Grants and Loans Portal – Montana Grants and Loans \(servicenowservices.com\)](https://servicenowservices.com).

If applicants have questions while submitting applications, please contact Commerce staff at housing.mt.gov or 406-841-2840.

A complete ESFG application must include the following sections, as applicable:

1. Table of Contents

2. Responses to Priority Questions (see Appendix A)

3. Documentation to Support Responses to Priority Questions

The applicant must provide documentation and sources of supporting data for all information and responses provided in the Project Budget, Implementation Schedule and in response to the Priority Questions. Templates for Project Budget and Implementation Schedule are available in the Application Toolkit located at <https://housing.mt.gov/Community-Housing/HOME-ARP-and-ESFG>.

4. Project Budget (see Appendix B)

5. Income Statements or Operating Budget (Appendix C)

6. Project Implementation Schedule (see Appendix D)

7. Site Plan and Capital Needs Assessment (CNA)

For New Construction:

Provide a site plan that demonstrates compliance with applicable zoning and building code requirements.

For Standard Rehabilitation or General Capital Improvements:

Provide a Capital Needs Assessment (CNA) for projects with a cost over \$500,000 prepared by a licensed professional that includes detailed cost estimates and thoroughly addresses all building code, health and safety issues. CNA Requirements are available in the Application Toolkit located at <https://housing.mt.gov/Community-Housing/HOME-Program>.

For projects with costs under \$500,000, provide a detailed scope of work including cost estimates and documentation that all local codes, health and safety issues will be addressed.

In the event an applicant is unable to provide a CNA with the application submission, a CNA can be provided after funds are awarded but prior to the start of the project. A CNA is an eligible expense for ESFG funds, or matching funds may be used to cover this expense.

8. Draft Management Plan

Each application for ESFG funds must be accompanied by a draft project management plan that identifies all project partners and their capacity, responsibilities, and roles. A management plan template is available in the Application Toolkit located at <https://housing.mt.gov/Community-Housing/HOME-Program>.

Appendix A - Application Scoring and Priority Questions

Applications will be ranked based upon the extent to which the proposed project relates to each ranking priority. The ranking team will prepare and submit a report to the Department of Commerce Director containing the recommended projects. The Commerce Director will make the final decision on awards and funding.

Commerce staff will review and rank applications on the following priorities:

- A) Geographic Diversity and Community Needs (100 points);
- B) Capacity of the Applicant (200 points);
- C) Affordability and Financial Feasibility (200 points);
- D) Appropriate Design and Long-Term Solution (250 points);
- E) Long-term Planning and Management (100 points); and
- F) Readiness to Proceed (150 points).

In general, the descriptors below will assist the ranking team in the process of scoring application narratives to reduce subjectivity:

LEVEL 3: To receive a "LEVEL 3", the application would have provided a very complete narration that thoroughly addressed the overall priority, applicable ranking issues, and minimum requirements, including very complete substantive supporting documentation to support its claims. The applicant's response to the priority is considered exemplary, particularly innovative, or to be extremely consistent with the intent of the priority. There were no ranking issues of any significance that were not adequately addressed. (250/250; 200/200; 150/150; 100/100)

LEVEL 2: To receive a "LEVEL 2", the application would have provided an adequate narrative addressing the overall priority, applicable priority questions, and minimum requirements, with acceptable documentation to support its claims. The applicant's response to the priority is considered average, adequate, or to be generally consistent with the intent of the ranking priority. A "LEVEL 2" would meet the minimum requirements needed to respond to the priority and document compliance with the special requirements pertinent to the ranking priority. The application may not have adequately considered some questions or issues that were considered potentially important. (175/250; 125/200; 100/150; 75/100)

LEVEL 1: To receive a "LEVEL 1", the application would have provided some narration addressing the overall priority, priority questions or issues, and minimum requirements, but may have provided weak or inadequate responses and/or documentation to support its claims or compliance clearly or completely with a requirement. The applicant's response to the priority is considered below average, inadequate, or not entirely consistent with the intent of the ranking priority. The application may not have been complete or did not consider or sufficiently address some ranking issues that were considered important. (75/250; 60/200; 50/150; 25/100)

LEVEL 0: To receive a "LEVEL 0", the application would have serious weaknesses or no responses in its narrative to the priority or issues, and lacks critical supporting documentation, or fails to adequately document compliance with one or more of the minimum ESG requirement(s). The applicant's response to the selection criteria is considered very weak, seriously inadequate, lacking a response, or inconsistent with the intent of the selection criteria. The application either did not address or did not

provide sufficient information regarding several critical priority questions. No points will be awarded if an applicant receives a level 0. (0/250; 0/200; 0/150; 0/100)

Applicants must provide responses to each of the priority questions that follow. Commerce staff are available prior to the application deadline for technical assistance to help provide clarification on any of the priority questions.

Priority A. Geographic Diversity and Community Needs (100 points possible)

Commerce will consider the extent to which the applicant will address the existing supply or need for additional emergency shelter as follows:

1. Describe the type of emergency shelter ESFG funds will be used for, and whether shelter operations are year-round or seasonal.
2. Describe and document the need for an increase in or preservation of the supply of emergency shelter resources in the proposed community.
3. Describe and document how the project targets the homeless in general, or specific populations. Describe how the project complies with the Montana Human Rights Act.
4. Describe what efforts were made to coordinate applications with other service providers within the county.

Priority B. Capacity of the Applicant (200 points possible)

Commerce will consider the applicant's experience in operating emergency shelter facilities in compliance with state obligations and requirements. Commerce will also consider the level of services proposed for the project, and the capacity of the service provider as applicable.

1. Demonstrate and document organizational capacity to coordinate and fulfill programmatic requirements during construction. Reference the Management Plan submitted with this application as applicable.
2. Document the applicant's experience in meeting timely obligation of funds and completing activities in a timely manner.
3. Describe the applicant's experience with management of an emergency shelter. Describe any contracted services necessary to carry out the project, such as administration and/or project management.
4. After construction, the recipient has ongoing responsibilities during the POU. Describe and document the capacity and experience of all professionals that will be assigned to manage, operate, and meet regulatory period of use requirements. Those requirements include but are not limited to: annual financial statement review; participation in the local Coordinated Entry system, if applicable; and, reporting project outcomes. Reference the Management Plan submitted with this application as applicable.

Priority C. Affordability and Financial Feasibility (200 points possible)

Commerce will consider the extent to which the application demonstrates financial feasibility.

1. Ensure the financial information in Appendix B - Project Budget is complete, accurate, and well documented.
2. Provide an income statement or operating budget showing income and expenditures for the emergency shelter facility. Financial information should be complete and audited for 2022 with year to date and annualized projections for 2023. For new shelters, Appendix C should be used to demonstrate estimates from other existing facilities of similar size and complexity.
3. Describe how, if any, supportive services will be provided and paid for.
4. For applications over \$25,000, describe and document how the match obligation will be met with private funds or private in-kind contributions of assets with appraised value. Describe whether the match is proposed, pending consideration, or firmly committed. Provide documentation to verify the availability of these matching funds or in-kind assets.

Priority D. Appropriate Design and Long-Term Solution (250 points possible)

Commerce will consider the extent to which an applicant demonstrates that the project aligns with the objectives and goals of House Bill 5.

1. Submit a site plan for new construction projects, or a Capital Needs Assessment (CNA) for rehabilitation projects over \$500,000, as applicable.
 - a. For new construction, the site plan should include a narrative description that addresses applicable zoning code requirements for the site location and compliance with applicable building standards or general industry standards.
 - b. For rehabilitation or general capital improvement projects totaling \$500,000 or more, the CNA must comply with Commerce's CNA requirements, be prepared by a licensed professional, and include detailed cost estimates.

If a licensed architect or engineer did not produce the CNA, describe how a licensed professional will be procured to oversee the final rehabilitation design and the construction activities to rehabilitate the property.

In the event an applicant is unable to provide a CNA with the application submission, a CNA can be provided after funds are awarded but prior to the start of the project. A CNA is an eligible expense for ESFG funds, or matching funds may be used to cover this expense.

- c. For rehabilitation or general capital improvement projects totaling less than \$500,000, application must include documentation that identifies all local code, health and safety issues and how they will be addressed. This documentation should support the scope of work and project budget and be prepared by a qualified professional.
2. Describe how health and safety concerns for both shelter participants and shelter staff will be addressed, and how shelter best practices will be included in the project design. Include details on amenities or features that incorporate trauma-informed design, shelter best practices, and accessibility and visitability standards.

Priority E. Long-term Planning and Management (100 points possible)

Commerce will consider the extent to which proposals include documentation of community support and consistency with shelter best practices.

1. Provide a letter of support from the community, including a brief description of how the proposed project will address the community's emergency shelter needs.
2. Document efforts to reach and involve the public in information, planning, design, and decision-making.
3. Describe the capacity to comply with reporting requirements during the Period of Use (POU), involvement in local or state-wide Continuum of Care (CoC) and level of participation in Coordinated Entry (CE).
4. Describe how the shelter will comply with applicable federal, state and local Fair Housing requirements.

Priority F. Readiness to Proceed (150 points possible)

Commerce will consider steps the applicant has taken to ensure the project can proceed in a timely manner.

1. Are all sources of funds presented in the Project Budget committed to the project? Describe how the applicant will have all funds fully committed within nine months of an ESFG award.
2. Describe the project's design status and provide an implementation schedule using the template in Appendix D and available on the website at <https://housing.mt.gov/Community-Housing/HOME-ARP-and-ESFG>.

Appendix B – Project Budget

	SOURCE:	SOURCE:	SOURCE:	TOTAL
Land				
Existing Buildings				
Appraisal				
Legal/Closing Costs				
Total Acquisition				
Construction				
Contingency				
Contractor Fees				
Architect/Engineer				
Permits/Inspections				
Total Construction				
TOTAL PROJECT COST				

Appendix C – Operating Budget

	Year 1	Year 2	Year 3	Year 4	Year 5
Income Source:					
Income Source:					
Income Source:					
Income Source:					
Income Source:					
Total Projected Income					
Personnel					
Administrative					
Utilities					
Maintenance/Repairs					
Equipment/Furniture					
Food					
Office Supplies					
Transportation					
Security					
Phone/Internet					
Contractual Services					
Land/Building					
Other:					
Other:					
Other:					
Total Projected Expenses					
BALANCE (Income - Expenses)					

Appendix D – Project Implementation Schedule

TASK	QUARTERS, [YEAR]				QUARTERS, [YEAR]			
	1st <u>JFM</u>	2nd <u>AMJ</u>	3rd <u>JAS</u>	4th <u>OND</u>	1st <u>JFM</u>	2nd <u>AMJ</u>	3rd <u>JAS</u>	4th <u>OND</u>
<u>PROJECT DESIGN</u>								
Architect Selection								
Complete Project Scope of Work								
<u>CONSTRUCTION</u>								
Begin Construction								
Complete Construction								
Final Inspection								
<u>PROJECT CLOSE OUT</u>								
Project Completion Report								
Contract End Date								
POU End Date								