

WORTHY CAUSE 2021 POOLFUNDS

SOLICITATION FOR REQUESTS FOR FUNDING FOR CAPITAL PROJECTS

The Boulder County Commissioners are seeking Requests for Funding from qualified nonprofit human services agencies and housing authorities for the 2021 allocation of Worthy Cause funds (“Funds”) as specified in the 2017 County Ballot Issue 1A “Worthy Cause 0.05% Countywide Sales and Use Tax Extension.”

The Request for Funding is conducted through an online application system.

BOULDER COUNTY USES THE E-CIMPACT ONLINE APPLICATION SYSTEM. THE WORTHY CAUSE APPLICATION CAN BE ACCESSED THROUGH THIS WEBSITE:

<https://agency.e-cimpact.com/login.aspx?org=COB>

YOU MUST READ THIS ENTIRE DOCUMENT BEFORE STARTING YOUR APPLICATION.

Application Information:

- ✓ The application process will open on July 15, 2020 at 8:00am and will close on September 1, 2020 at 4:30pm. **Late applications will not be considered.**

- ✓ Requests for funding must meet the criteria outlined in this document. For questions about eligibility, please contact Annie Scott at ascott@bouldercounty.org.

- ✓ Applications must be completed in their entirety; incomplete applications will not be accepted. If you have problems with the online application, please contact Annie Scott at ascott@bouldercounty.org.

About Worthy Cause Funding

In November 2000, voters approved the Worthy Cause I ballot initiative to allocate a portion of sales and use tax revenue to Boulder County nonprofit human service agencies and housing authorities for capital projects, including purchase of land or buildings, construction, renovation, and debt reduction. The tax was extended in 2003 for Worthy Cause II and 2008 for Worthy Cause III, and was again approved by voters in 2017 for Worthy Cause IV. Worthy Cause IV is scheduled to run through 2034.

Each year, the Board of County Commissioners solicits projects from the community that meet the Worthy Cause criteria, and through a competitive process, awards the annual revenues. The applications for funding are submitted through this Request for Funding (“RFF”) process. This funding cycle and allocation will address "pool" funding for calendar year 2021. Due to fluctuations in sales and use tax collections, it is unknown how much will be available in the pool for 2021. Boulder County is not required to allocate all the revenues and reserves the right to carry over funding from one year to the next.

As a necessary component of an agency’s RFF, the agency must submit a detailed description of the capital project to which the Funds would be applied. Funding requests must be for a minimum amount of \$25,000. There is no maximum amount any agency may request from the Worthy Cause Pool Fund. There are no guarantees that the amount requested will be funded. In the event of an award, the County may disburse the funds at any time prior to December 31, 2021; there is no guarantee that a recipient will receive their award funds prior to that date.

The Commissioners further reserve the right to wholly fund, partially fund, reject or otherwise not fund any and all Requests for Funding; to waive any informalities or irregularities therein; and to fund RFFs that, in the opinion of the Commissioners, are in the best interests of the County of Boulder, State of Colorado, pursuant to the intent of the 2017 County Ballot Issue 1A.

The Funds are NOT a traditional grant. The Funds are provided to nonprofit human services agencies and housing authorities to assist with capital purchases, developments, and improvements. The Funds are to assist agencies in meeting their capital needs, not to provide monetary operational support. Funding Agreements require that an agency continue to deliver its human services for a term of 99 years as a condition to receipt of the Funds. The services described in an agency’s RFF are the types of services that an agency would be obligated to continue to perform under the Funding Agreement.

The purpose of the Worthy Cause program is to promote the long-term provision of human services in Boulder County, not to provide a loan or temporary financial assistance to the agency.

Recognizing the lengthy nature of the Funding Agreement’s term, the Funding Agreement contemplates the potential need to change scope of service delivery and relocate the agency to a different property. The Funding Agreement also includes a right of first refusal that the County may exercise to purchase the property if an agency seeks to sell the property.

Worthy Cause awards represent a County investment in nonprofit human service agency and housing authority properties, in an effort to promote continued human service delivery in our community. The County protects its investment by securing the Funds through a Promissory Note and Deed of Trust, as well as a Restrictive Covenant where applicable. For each award, the County will record a Deed of Trust in the amount of Funds awarded against the agency’s property to which

the Funds are being applied.

In order to ensure that the Funds are secure, following an award of Worthy Cause funds, the County requires that the agency provide documentation related to property value and title prior to a Funding Agreement being executed. If an agency sells its property, the Worthy Cause funds may be reinvested by the agency into another qualifying capital project, or remitted back to Boulder County's Worthy Cause Pool Fund. Please view the [sample agreement](#) and exhibits to fully understand the obligations of a Funds recipient.

TERMS AND CONDITIONS FOR REQUEST FOR FUNDING

1. Applicants are expected to understand the nature of the program and further understand and agree to perform the program obligations and requirements. This information can be found in this document, and in the sample contracting documents, available for review on the Boulder County Worthy Cause website at <https://boco.org/WorthyCause>.
2. Failure to understand the Worthy Cause obligations at the time of application will be at the Applicants' own risk. The County may withdraw a Worthy Cause award if the awardee declines to agree to program terms as specified in this document and the sample contracting documents.
3. Each Applicant must provide all the information required in this document and complete the online application in its entirety.
4. Funding decisions will be made by the Board of County Commissioners, and awards will be made to those Applicants whose RFFs are considered to be most advantageous to the County of Boulder based upon performance measures and other factors that may be considered by the Commissioners.
5. The County may reject late or incomplete RFFs. It is the responsibility of the Applicant to ensure that the RFF is received by the County by the specified due date.
6. Funding is contingent on the receipt of sales and use tax revenues through the Worthy Cause tax. There is no guarantee that Worthy Cause awards will be made in any given year.
7. RFFs submitted in response to this Solicitation and any resulting agreement are subject to the provisions of the Colorado Public (Open) Records Act, C.R.S. § 24-72-201 *et seq.*, as amended. Any information or documentation received by the County or executed pursuant to the program cannot be considered confidential.

WORTHY CAUSE ELIGIBILITY REQUIREMENTS

1. **Applicants must be:**
 - a. **a § 501(c)(3) tax-exempt nonprofit organization registered and in Good Standing with the Colorado Secretary of State**

b. a Housing Authority or an Agency providing human services

- i. "Housing Authority" means those entities created under the authority of C.R.S. 29-4-201, et seq., or 29-4-501 et seq., which plan, design, construct, purchase, maintain and administer transitional and affordable rental housing units within Boulder County.
- ii. "Human services" includes safety net services targeting vulnerable, low-income, high- risk, or other at-risk populations in need of health care, mental health services, food and nutrition, emergency shelter, affordable housing, domestic violence prevention, child care, early childhood education, and supportive social services; also services targeted to serve at- risk youth, seniors, persons with disabilities, or persons in need of basic assistance such as shelter, housing, food, or other immediate assistance.
- iii. Priority will be given to Applicants who provide services to disadvantaged clients free of charge or for a low-cost (i.e. not market rate cost of services)
- iv. "Human services" does NOT include services used by the general public, such as sports, recreational and educational activities, and emergency response services. Hospitals, public schools, sports clubs/leagues and assisted living centers are NOT considered to be eligible human service agencies.

c. Must be located and operating in Boulder County

2. Project

a. Must be capital in nature: The project must relate to the acquisition, upgrade, or maintenance of physical assets such as property, buildings, or affixed equipment

- i. "Affixed equipment" means that the equipment is fixed in position to a building or property as a permanent appendage or as a structural part of the building or property
 1. Equipment must be directly and specifically related to the agency mission and program for human services delivery to clients
 2. Examples of allowed equipment include: Permanently affixed furniture, installed medical equipment or food storage systems, etc.
 3. Examples of disallowed equipment include: Computers, office equipment, vans, vehicles, etc.
 4. Solar panels are only allowable if they are permanently affixed to the property/building

b. Should fall into one of the following categories:

- i. Debt Reduction
- ii. Purchase (acquisition)
- iii. Construction
- iv. Improvements and/or Renovations

c. RFF must include a Project description

- i. **Debt Reduction:** The capital project is already completed, thus requiring the agency to fully describe the Project in its RFF
- ii. **Purchase (Acquisition)**
 1. At a minimum, the agency must have a property identified for purchase and the agency must be actively pursuing the acquisition at the time of application
 2. It is preferred that, at a minimum, an agency have a commitment of sale

- from the property owner
3. The agency must otherwise describe the Project to the fullest extent possible
 4. Must be able to provide a full Project description no later than December 15, 2020

iii. Construction

1. At a minimum, the agency must have a plan for construction of the Project and must be actively pursuing implementation of the plan
2. It is preferred that an agency have a fully developed plan for construction, including a timeline and cost projections
3. The agency must describe all aspects of the Project that have already commenced and/or been completed
4. The agency must otherwise describe the Project to the fullest extent possible
5. Must be able to provide a full Project description no later than December 15, 2020

iv. Improvements and/or Renovations

1. At a minimum, the agency must have a plan for the improvements or renovations of the building/property and must be actively pursuing implementation of the plan
2. It is preferred that the agency have a fully developed plan for the improvement or renovation, including a timeline and cost projects
3. The agency must describe all aspects of the Project that have already commenced and/or been completed
4. The agency must otherwise describe the Project to the fullest extent possible
5. Must be able to provide a full Project description no later than December 15, 2020

As part of EACH Project description, the agency should include in its RFF the following information, as applicable:

1. Scope of Project
2. Timeline of the Project as well as the anticipated expenditure of the Funds
3. Description of other funds and funding sources secured for the Project (including donations of time and expertise)
4. Results of feasibility studies
5. Results of needs assessments
6. Capital campaign plans
7. Construction plans
8. Committed community partners and the nature of the partnership for the Project
9. A description of how the Worthy Cause funds will be spent
10. In the event that a full Project description cannot be provided at the time of application – An estimated date of delivery of the full Project description to the County
11. Any other Project details that the Commissioners should consider in evaluating the RFF

3. Funding

- a. Request for funding must be for a minimum of \$25,000
- b. Award amounts will not exceed 50% of the total Project cost
- c. An awardee must commence expenditure of an award for the purpose of the Project within 12 months from the date the Funds are made available to the awardee
 - i. In the event that an agency is unable to expend the Funds towards the Project within those 12 months, the agency must submit a written request for an Expenditure Extension to the County
 - ii. The County reserves the right to withhold disbursement of the Funds until an agency is prepared to expend the Funds towards the Project
 - iii. The Commissioners reserve the right to withdraw an award in the event that the agency is unable to expend the Funds within 12 months of the Funds being made available

4. Property

- a. The Project is or will be located on property in Boulder County
- b. The Applicant must own the Property, whether directly or through a wholly owned subsidiary
 - i. *Purchases:* Agency or its wholly owned subsidiary will be the purchaser
 - ii. Awards will NOT be made for Projects located on Property leased by the Applicant with the exception of circumstances where the Applicant’s lessor is willing to legally secure the County’s interest in the Property for a period of 99 years, in recognition of the value of the public investment in the Property
- c. The Applicant must be occupying the Property, or intend to occupy the Property within a reasonable timeframe
- d. The Applicant cannot rent out any portion of the Property to any other entity except other nonprofit human services organizations
 - i. If intending to rent out the Property to other nonprofit human services organizations, the Applicant should describe whether such organizations will be charged market rate or below market rate rent by the Applicant

5. Legal Requirements: Applicants must satisfy all federal, state, and municipal laws and statutory requirements that apply to the Applicant and the Project at the time of application

- a. Applicants must be in compliance with all laws with respect to the documentation and provision of services to undocumented persons

WORTHY CAUSE AWARD CONSIDERATIONS

Worthy Cause 2021 Pool Funds will be awarded by the Commissioners in consideration of a variety of performance measurements, including but not limited to:

- The targeted human services population to be served;
- The service delivery model by which the agency provides human services to this population;
- The manner in which the agency and proposed project may fulfill a need identified in a countywide coordinated system or service plan;
- The manner in which the proposal is aligned with the county’s most recent Human Services funding priorities.

- The history and stability of the nonprofit agency;
- The agency’s ability to continuously support and provide services to clients during the construction or purchase of the capital project;
- The role the capital expense will play in directly helping the agency achieve its mission to serve its clients;
- The ability of the agency to provide assurances that it will be able to complete the proposed project within its proposed timeframe;
- The existence of other actual or potential sources of funding for the capital expenditure;
- The agency’s ability to complete a promissory note and deed of trust, as described in number 3 above;
- The timeframe for completion of projects and for anticipated expenditure of county funds; and
- Consideration of how applicants demonstrate their commitment to environmentally-sustainable, green building standards.

POST-AWARD OBLIGATIONS

Awardees will be required to sign a Funding Agreement and execute a Promissory Note and Deed of Trust, and may be required to execute a Restrictive Covenant (the “Contract Documents”) before Funds can be disbursed. The Contract Documents grant the County the right to monitor and enforce successful completion of the Project and continued service delivery through the awardee’s program. The County will record certain Contract Documents to legally secure the County’s interest in the Property for a period of 99 years, in recognition of the value of the public investment in the Property.

Each Applicant should read and review the sample Contract Documents before submitting an RFF for consideration. The County is not obligated to alter any terms of the Contract Documents. Applicants that request changes to the Contract Documents should describe their proposed changes in their RFF.

Agencies are required to submit a Property appraisal and title report to the County prior to execution of the funding agreement. The County may choose to accept other forms of proof of Property value and title history.

ADDITIONAL CONSIDERATIONS

Funding Priority: While all eligible projects will be considered for funding, agencies providing Permanent Supportive Housing are encouraged to apply in the 2021 fund round.

Incomplete Project Description: The Commissioners recognize that not all capital opportunities for 2021 projects may be known in full detail or identified in detail prior to the RFF deadline. Therefore, the Commissioners retain the right to delay disbursing part of the 2021 Worthy Cause funds to allow

agencies to more fully develop their proposals.

Future Funding Cycles: Worthy Cause IV will be funded through sales tax revenues through 2033. Any Applicant seeking funding in this cycle may also apply for Worthy Cause Pool Funds in future years regardless of whether or not the agency has received Worthy Cause funding in prior years. Although it is helpful for the Commissioners to be aware of an agency's intent to apply for Worthy Cause funding in future years, funding for future years cannot be guaranteed.

Changes to RFF: The Commissioners reserve the right to disallow funding to any agency that makes substantial changes to the scope or concept of its proposed Worthy Cause project or project concept after submission of its application for Worthy Cause funding or after a Worthy Cause award is made. If any agency selected for capital funding significantly or fundamentally changes its project scope, timing, location, design, or population to be served, it must request Commissioner approval of the changes in writing. Approval of any changes shall be made at the sole discretion of the Board of County Commissioners. In the event an agency changes the scope or concept of its proposed project before or after receipt of awards, the Commissioners retain the discretion to approve or disapprove the changed proposal or to withdraw the award based on the proposed changes.

Delays in Start of Project: Applicants are encouraged to start expenditure of any awarded monies on the Project within 12 months of the date the Funds are made available. If an agency is unable, for any reason, to accept and expend its allocation within this timeframe, the agency must contact the Community Services Worthy Cause office with an explanation of the reason for the delay of Funds expenditure. Examples of reasonable rationale for delay of expenditure of the Funds includes construction delays, challenges in obtaining leveraged matching funds, or other commonly occurring types of construction/renovation delays that impact capital projects.

Board of County Commissioners Approval: The Commissioners shall have sole discretion to approve or disapprove any delayed expenditure of Worthy Cause 2021 funds. If disapproved, the allocation may be recovered by the Commissioners and/or re-allocated to the Worthy Cause Pool for the current or subsequent years, at the Commissioners' sole discretion.

QUESTIONS

If you have questions about the RFF process or Worthy Cause IV generally, you can direct them to Annie Scott at ascott@bouldercounty.org.