



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Executive Office of the Mayor
Office of the Deputy Mayor for Planning and Economic
Development

FY 2022 Food Access Fund

REQUEST FOR APPLICATIONS (RFA)

Release Date of RFA: **Monday June 27, 2022**

RFA ID #: **DMPED – FY22 FAF**

Grant Orientation: Please refer to the Food Access Fund website at, <https://dmped.dc.gov/page/food-access-fund>.

Submission Deadline:
Round 1: **Wednesday July 27, 2022 at 5:00 pm (EST)**

All applications must be submitted electronically. Hand-delivered or mailed applications will not be accepted. Applications submitted after the deadline will not be accepted.

Submission Details: Online submissions only. Please submit your application (including attachments) through the GrantVantage portal on the Food Access Fund website of the Office of the Deputy Mayor for Planning and Economic Development: <https://dmped.dc.gov/page/food-access-fund>.

Point of Contact: **DMPED Grants Team**
Phone: (202) 727-6365
E-mail: dmped.grants@dc.gov

Availability: Download the application from the following websites:

- Office of Partnership and Grants - opgs.dc.gov
- Office of the Deputy Mayor for Planning and Economic Development - dmped.dc.gov

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- Appendix A – Arrest and Conviction Statement (*may be omitted from application submission, but will be required if conditionally awarded*)
- Appendix B – Debarment Affidavit (*may be omitted from application submission, but will be required if conditionally awarded*)

ATTACHMENTS

- Attachment A – DCRA – Certificate of Good Standing (*may be omitted from application submission, but will be required if conditionally awarded*)
- Attachment B – Clean Hands Certificate (*may be omitted from application submission, but will be required if conditionally awarded*)
- Attachment C – Evidence of Site Control
- Attachment D – Landlord Affidavit
- Attachment E – Business Tax returns (for the past two years for existing businesses; for the past three years for new concepts)
- Attachment F – Annual Financial Statements (for the past two years for existing businesses; for the past three years for new concepts)
- Attachment G – Employee Roster and Job Creation Chart
- Attachment H – Project Budget (include description of work)
- Attachment I – Project Timeline
- Attachment J – Space Floor Plan, depicting square footages
- Attachment K – Photo of Existing Space Exterior or Conceptual Rendering of Exterior
- Attachment L – Development Team Identities and Details

- **Checklist for Applications: FY22 Food Access Fund** Verify that the application form is prepared in 8 ½ by 11-inch page format, using 11 – or -12-point Arial, Calibri, or Times New Romans type.
- The application is submitted electronically to DMPED through GrantVantage.
- The application includes only the requested information below:
 - Narrative for FY22 Food Access Fund Applicant
 - Project Summary
 - Community Impact Response
 - Market Feasibility Response
 - Financial Viability Response
 - Business Experience Response
 - Job Retention, Proposed Job Creation, and Economic Benefits Response
 - Certified Business Enterprise Commitment Response
 - The following appendices and attachments:

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I. Introduction

The Office of the Deputy Mayor for Planning and Economic Development (DMPED) is soliciting applications from qualified food-related businesses seeking to expand their existing operations through the opening of a new business location¹ in an area designated as having low food access (as set forth in the Act), with priority given to locations in Ward 7 and Ward 8. The purpose of the Food Access Fund (FAF) is to increase equitable access to fresh, healthy, and affordable food by securing grocery stores and restaurants, fast casual restaurants and other food access points in areas with low food access, with a focus on Wards 7 and 8. DMPED anticipates these funds will create 6-8 new food access points, putting 95-99% of Ward 7 and 8 residents within a mile of a food access point. In addition, the FAF Grant will support qualified businesses with capital for tenant improvements related to the expansion of operations into a new location in an area identified as having low food access (as set forth in the Act), with priority given to locations in Ward 7 or Ward 8.

The grant will be awarded pursuant to the Local Food Access Grants Emergency Amendment Act of 2021 (B24-0309), and any subsequent temporary or permanent legislation (Act). Additionally, the grant shall be governed in accordance with the requirements of 2 C.F.R. 200 and all other all applicable federal and District statutes and regulations. In FY2022, DMPED will award up to a maximum of \$7,387,538 in federal grant funds to the successful grantees under this program.

The FY22 FAF Grant identified the following program funding priorities.

1. To improve access to food options for residents of areas that currently have low food access by encouraging existing food-related businesses to expand their operations to a new location in areas with low food access (as set forth in the Act), with priority given to locations in Ward 7 or Ward 8.
2. To expand the local food ecosystem and support fresh food retailers and providers through grants.
3. To invest in businesses, particularly small businesses:
 - a. That are food-related businesses (see Eligible Applicants);
 - b. That has at least two (2) years (for existing businesses) and three (3) years² (for new concept brands³) of revenue generating operations and commit to expanding into an area with low food access;

¹ A new business location excludes expansions into additional space within an existing location's building.

² For a new concept, three years financials of an existing brand can be provided to demonstrate the owner's ability for financial viability.

³ For the purposes of this RFA, new concept brands include a new food brand delivered by an existing restaurant business or food operator

- c. That maintain and/or create new jobs, with a commitment to hire District residents;
- d. That serves or may serve as a community anchor and impacts the community by its presence; and
- e. That can support existing food-related businesses and the designated area's economic vitality by attracting new consumers and/or visitors to the area;

II. Eligible Applicants

For the purpose of this RFA, Eligible Applicants will be defined as the following: ***Existing food-related businesses with at least two (2) years of revenue generating operations and new concept brands of existing food-related operators***, which are expanding to a new business location in an area with low food access (as set forth in the Act), with priority given to Ward 7 or Ward 8. Food-related businesses shall include, but not be limited to:

- Full-service grocery stores;
- Restaurants, including new concept brands by existing restaurant businesses⁴ or food operators, prioritizing those with a dine-in component;
- Taverns;
- Neighborhood-based eligible food operators;
- Local Business Enterprise (LBE) eligible food operators;
- Food Halls; and
- Property owners, on behalf of food-related business tenants, which must be identified. (Preference will be given to property owners who commit to securing locally minority-owned or women-owned businesses.)

For all applicants:

- The property owners/landlords/development team of the associated project must demonstrate a commitment to support the sustainability of local business tenancy by providing specific amenities and inducements, which must include improvements, rent concessions and/or abatements. The amenities and inducements must be summarized within the Landlord Affidavit.
- Applicants must commit to commence construction on the project within eighteen (18) months of the date of the executed grant agreement.

⁴ For the purposes of this RFA, existing restaurant businesses will be defined as businesses with an existing operating location with at least two (2) years of revenues, evidenced by tax returns.

III. Ineligible Applicants

The following types of businesses are ineligible to receive grant funding under this program:

- Adult entertainment
- Auto body repair
- Bank
- Construction/general contracting/architecture/design-build
- E-commerce business⁵
- Financial services
- Home-based
- Hotel
- Liquor store
- Nightclub, as defined by ABRA and DCRA licensure⁶
- Phone store
- Professional services⁷
- Real estate development/property management/realtor
- Seasonal (open only part of the year)
- Developers / Property Owners that received Neighborhood Prosperity Fund (NPF) awards within the last two (2) years of 6/27/2022, are not eligible to apply for an awarded project, unless the Developers/Property Owners are also the operators of the business at the property.⁸
- Expansion into additional space at an existing location

IV. Eligible Funding Uses

The following are eligible funding uses:

Up to 100% of the grant can be applied towards the following hard costs and operating costs:

- Build-out of new or vacant space
- Purchase and installation of heavy equipment, fixtures, or furniture that is permanently attached to a wall, floor, or ceiling
- Furniture, fixtures, and equipment items that are directly responsible for the performance of the qualified food related business and subject to written approval from DMPED
- Rent
- Mortgage, not to exceed the lesser of \$35.75 per square foot or 25% of the sale

⁵ For the purposes of this Request for Applications, an e-commerce business is defined as a commercial entity (1) without an existing, revenue-generating brick-and-mortar retail and (2) whose business operations and/or sales transactions for the exchange of goods and services are conducted solely online.

⁶ Any business holding an ABRA Nightclub license is ineligible.

⁷ Professional services are defined as any business offering accounting, actuary, architectural, dentistry, engineering, evaluator services, financial planning, legal services, physician care, registered nurse/nursing services, and training/development providers.

⁸ A business/tenant may apply on behalf of themselves, despite a developer/ property owner having received prior NPF awards for the overall project.

- price for Property Owners that operate the business at the property
- Security, for applicable grocery stores

The following are NOT eligible uses of funds:

- Debts, not listed above
- Expenses associated with preparing this application
- Inventory
- Legal fees
- Marketing
- Payroll
- All expenses not listed above as eligible uses of funds

V. Information Sessions

A web information sessions hosted by DMPED is posted on the DMPED website and is accessible via this link: <https://dmped.dc.gov/page/food-access-fund>. Prospective applicants with questions regarding this RFA are encouraged to review the information session.

VI. Submission Guidelines

The application portal will begin accepting applications on Monday, June 27, 2022. All applications must be submitted via the online application system.

All electronic applications must be submitted based on the following schedule:

Round 2 no later than **Wednesday, July 27, 2022 at 5:00 p.m./EST**

All applications will be recorded upon receipt. Any applications received after the deadline will not be accepted. Unless requested by DMPED, any additions or deletions to an application will not be accepted after the specified deadline. DMPED is not responsible for unreadable submissions.

DMPED is not responsible for non-submission due to technical difficulties. DMPED advises prospective applicants not to upload any documents using Dropbox or similar applications due to access issues. For assistance with completing an application, please contact a technical assistance provider as listed on the Great Streets website under Small Business Resources.

VII. Application Review

A. Initial Screening

Prior to the formal review process, each application will receive an initial administrative screening to ensure that all required forms, signatures, and documents are present. An application will not be evaluated by the review panel if:

- 1) The application is received after the closing date;
- 2) The project synopsis/description fails to address the program priorities; and,
- 3) The application does not fall within the scope of the RFA.

B. Independent Review Panel

Upon receiving the applications from DMPED, the third-party review panel will review, analyze, evaluate, and score each application. The panel will submit final scoring, ranking and comments to DMPED.

C. Final Review

Based on the external and internal review panel recommendations, the Mayor's budget priorities, the resources available, the goal of achieving a balance as to communities served, and the goals of the program, DMPED will make the final funding decision. The DMPED leadership will submit recommendations to the Deputy Mayor for Planning and Economic Development for final approval after taking into consideration the external independent review panel's recommendations. **The final funding decision cannot be contested or appealed.**

VIII. Scoring Criteria

Applications will be evaluated based on the following criteria outlined below. Failure to demonstrate how the proposed Project meets these criteria may reduce the application's score.

Project Summary (20 points)

The applicant should describe and fully explain the project being proposed.

- Describe the proposed project by thoroughly explaining the concept, implementation, and operation of the proposal over the entire period of performance. Describe the project's concept that clearly demonstrates innovation, creativity, cost-efficiency, and a strong likelihood of achieving the desired outcome. The applicant must ensure the project summary clearly articulates the project for the reviewers to properly evaluate the proposal. Failure to do so may reduce the applicant's scoring under this criterion.
- Describe the specific work requirements from concept through operations.
- Provide a project timeline. The project should commence construction on the project within eighteen (18) months of the date of the executed grant agreement.
- Provide a concept plan / rendering of the space, including square footage and space allocation.
- Exhibit site control of the project through one of the following forms:

- Contract of Sale
- Letter of Intent, executed within 60 days prior to application submission
- Option to Purchase Agreement
- Fee simple ownership
- General warranty deed
- Executed contract or lease between property owner and tenant with a minimum unexpired term of at least ten (10) years.

Note: The name of the entity grantee receiving the funds must be the same as the signatory on the grant agreement and must match the name on all the compliance documents including documents evidencing site control.

Applicants who lease their business property are required to submit an affidavit from their landlord authorizing the proposed improvement project and summarizing the committed amenities and inducements.

Community Impact (20 points)

The applicant must be able to:

- Illustrate how funding towards the proposed project will activate the area to positively enhance the neighborhood and community.
- Illustrate how funding supports the applicant’s ability to maintain a viable physical and economic presence in the designated area.
- Illustrate how funding meets the program’s priorities listed above in Section I. 1-3.
- Illustrate how funding towards the proposed project will contribute to diversity of healthy food and food service businesses that allow for on-site dining.

Market Feasibility (15 points)

- Submit a concise description of the site and the immediate surrounding areas.
- Submit an analysis with a focused assessment of the business. DMPED will show preference to applications that include an assessment conducted by a third-party analysis. The analysis must have been acquired at Applicant’s own cost.
- Submit a precise statement of key conclusions reached by the analysis and a statement of opinion of market feasibility, including the estimate of the long-term performance of the project, given commercial, housing, demographic trends, and economic factors. The statement of opinion of market feasibility is not required if the business is a grocery store or a business located in any of the Great Streets Corridors in Ward 7 or Ward 8.

Prospective applicants can verify their location prioritization eligibility via the interactive mapping tool found at:

<https://dcgis.maps.arcgis.com/apps/InformationLookup/index.html?appid=77167e5109b644c9bb903706595c9255>

- State the changes and/or modifications in business which illustrate growth or anticipate growth through change in business approach, product delivery/consumer-focused strategies, new product offerings, and the like. Applicant's response should address how the grant funding and proposed project will allow the business to remain competitive and viable.

Financial Viability (15 points)

- Submit all required financial documents for review, including but not limited to the prior two (2) years (for existing businesses) or three (3) years (for new concept brands)
 - Balance Sheet reflecting the assets, liabilities and net worth of the business; and
 - Income Statement/Profit and Loss Statement.

All financial reports must adhere to generally accepted accounting principles (GAAP) and indicate the applicant's ability to remain a going concern.

- Submit a project budget including sources and uses of funds, and the immediate funding gap (use Attachment H template).
- Submit a budget narrative providing justifications for all budget items in detail to enable the proposal reviewers to evaluate the appropriateness of the funding requested. Each cost must be itemized with detailed description in the budget narrative which enables application reviewers to determine if the cost is allowable, allocable and reasonable. One-word descriptions are not adequate for justifying costs or narrative descriptions. Each budget item should be broken out and described fully so that there is no ambiguity or question regarding its relevance or reasonableness to the project and its objectives.
- Submit a business pro forma forecasting at least three years.
- Identify any and all support/incentives received from the District of Columbia in the past three (3) years: list year, agency/entity, grant/funding program, amount awarded, and purpose for support/incentive.

If one or more documents are missing or omitted and/or the budget and/or its justification is not detailed or clearly explained, it may reduce the applicant scoring under this criterion.

Business Experience (15 points)

The applicant must present information describing the experience and qualifications of

the organization to carry out the proposal in Attachment L. The application should include the following information, as applicable:

- Biographies or Resumes of Major Participant(s).

Major participants are defined as the business owners, organization leader, financial management officer, and/or Project manager/daily supervisor of the proposed project. The applicant should provide a one-page biography and/or resume showing experience of the Major Participant(s).

- Development Team / Partners

The Applicant shall provide the status of the primary entities (developers, tenants, etc.), whether it is a corporation, a non-profit or charitable institution, a partnership, a limited liability company, a corporation, a business association, joint venture, or other and indicate under which laws it is organized and operating, and a brief history of each organization and its principals.

Additionally, the applicant shall provide an organizational chart showing key personnel from the primary entities (developers, tenants, etc.) and/or joint venture partners who will be working on the Project and a brief bio for each person outlining relevant experience.

Please identify (a) the decision-making individual for the entity and, if different, (b) the day-to-day lead individual who will be available to respond to questions or requests for additional information.

- Tenant Partners (if a Property Owner Applicant)

Identify any proposed tenant(s) for the Project.

- Financial Partners:

Identify any construction and permanent lenders, major investors, and other key consultants, if any, included in the financing plan.

- Design Team:

Identify any architects, engineers, consultants, included as part of the proposed team.

- Other relevant team members:

For each team entity identified in the section above, Applicants shall identify, in Attachment L, the following for the point-of-contact at each entity:

1. First and last name
2. Business Address

3. Business Telephone Number
 4. Business Email address
 5. Business Title
 6. Experience – list similar projects, including square footage, estimated development costs, projected or completion date, and the role in the project
- Proof of Capability

Applicants are also encouraged to provide proof of capability such as (but not limited to) public records of accomplishments, public citations, and/or letters of referrals as attachments in the proposal.

- Statement Regarding Debarments, Suspensions, Bankruptcy, or Loan Defaults

The Applicant shall provide a statement regarding any debarments, suspensions, bankruptcy, or loan defaults on real estate development projects and/or government contracts of any of the bidding team’s entities or affiliates (listed above in “Development Team Identities and Details”).

Job Retention, Proposed Job Creation, and Economic Benefits (10 points)

- Applicants must discuss in a narrative and quantify using Attachment G, as best as possible (a) The number of direct jobs (either in the aggregate or on average for the project financed) that will be created or retained; and (b) the number of temporary jobs (e.g., construction) and permanent jobs
- State whether or not the jobs provide living wages (e.g., the minimum hourly wage necessary for an individual to meet basic needs, including housing, nutrition, daily living expenses and other incidentals such as clothing, for an extended period of time) and/or employment benefits (e.g., health insurance, retirement benefits, employee stock ownership, etc.). Also, discuss the extent to which jobs created will provide opportunities for training and advancement (particularly for low-skilled workers).
- State the extent to which the jobs created or retained will be targeted and/or available to persons living in Ward 7 or Ward 8, and people who face other barriers to employment (e.g., longer term unemployed, persons with prior justice system involvement, person currently or previously experiencing homelessness, persons with mental health needs, and/or persons with a history of substance use).

Certified Business Enterprise Commitment (5 points)

The applicant must be able to illustrate a commitment towards and a realistic plan to support the local economy by contracting with Certified Business Enterprises (CBE) for the proposed project. In the event the proposed project scope cannot be contracted with a CBE for at least 35% of the proposed project amount, a written justification must be provided.

IX. Anticipated Announcement and Award Notification

Anticipated time for processing applications is thirty (30) to forty-five (45) days after date of application close of each round.

DMPED will send an intent to award letter to eligible applicants, informing them of their status in the review process, and assign a Grants Associate who will assist the grantee with providing the supplemental documentation listed below.

1. Internal Revenue Service (IRS) W9 form
2. DC Office of Tax and Revenue (OTR) Tax Certification Affidavit
3. Statement of Certification
4. Insurance Policies Affidavit
5. Required Financial Document Statement
6. Valid/Current Business License
7. Automated Clearing House (ACH) Form – Approved awardees will receive disbursed tranches⁹ via an electronic transmission to the bank account designated for this grant. To establish this transfer, approved awardees must fully complete and submit an ACH Form that includes the signature of an authorized representative from their financial institution.
8. DC Vendor Portal Registration (<https://vendorportal.dc.gov/Account/Terms>)
9. Master Supplier Form
10. EEO Policy Statement - Applicants are required to sign an Equal Employment Opportunity (EEO Statement) with the Office of Human Rights.
11. DOES First Source Agreement and Employment Plan
12. SBE Subcontracting Plan and Acknowledgement Form
13. Proof of Insurance – See Article XVIII.
14. Itemized Budget and Budget Narrative (specific to award amount on your letter)
15. ABRA License (If applicable)
16. 501(c)(3) IRS Determination Letter (If applicable)
17. Grant Agreement – draft template can be found here: www.dmped.dc.gov.

Error! Hyperlink reference not valid.

To remain eligible for this grant, all supplemental documentation must be submitted to DMPED within 7 business days of the intent to award letter. An applicant that cannot provide these materials **WITHIN 7 BUSINESS DAYS** will be deemed ineligible to receive grant funds.

X. Amount of Award

Maximum award amount per applicant is based on the following applicant category:

- Grocery Stores – up to \$243.17 / SF for tenant improvement, rent, and security.
- Restaurant – up to \$303.01 / SF for tenant improvement and rent.

Grant funds are considered taxable income for any applicant which pays income taxes.

XI. Terms and Conditions

Funding for this grant will be distributed to grantees in up to three disbursements at the (1) lease execution and commencement of construction, for construction costs; (2) approval of a Certificate of Occupancy, for rent and/or security costs; and (3) on the first day after one year of operations, for rent and/or security costs.

Funding for this grant is contingent upon continued appropriations to the grantor. This RFA does not commit DMPED to make a grant award.

DMPED reserves the right to accept or deny any or all applications if it is determined to be in the best interest of DMPED to do so. DMPED shall notify the applicant if it rejects their application. DMPED reserves the right to suspend or terminate an RFA.

DMPED reserves the right to issue addenda and/or amendments subsequent to the issuance of this RFA, or to rescind this RFA.

DMPED shall not be liable for any costs incurred in the preparation of applications in response to this RFA. The applicant agrees that all costs incurred in developing the application for this grant are the applicant's sole responsibility.

DMPED may conduct pre-award on-site visits to verify information submitted in the application and to determine if the applicant's facilities are appropriate for the services intended.

The Agency may enter into negotiations with an applicant and adopt a firm funding amount or other revision of the applicant's proposal that may result from negotiations.

DMPED shall provide the citations to the statute and implementing regulations that authorize the grant or sub-grant; all applicable federal and District regulations and payment provisions identifying how the grantee will be paid for performing under the grant agreement; reporting requirements, including programmatic, financial, and any special reports required by DMPED; and compliance conditions that must be met by the grantee. If there are any conflicts between the terms and conditions of this RFA and any applicable federal or local laws or regulations, or any ambiguity related thereto, then the provisions of the applicable laws or regulations shall control, and it shall be the responsibility of the applicant to ensure compliance.

DMPED reserves the right to withhold funds and/or withdraw a grant award to applicants who change vendors during the period of performance prior to submission and approval by DMPED.

XII. Point of Contact

DMPED Grants Team
Phone: (202) 727-6365
Email: dmped.grants@dc.gov

XIII. Total Allocation for Grants:

The total allocation for the grant program is \$7,387,538 for FY2022.

XIV. Minimum Requirements

Eligible applicants must meet the following minimum requirements to be considered for a grant:

- Expanding to an additional location in Ward 7, Ward 8 or eligible area as defined in the Act
- Licensed business maintains Good Standing with the DC Department of Consumer and Regulatory Affairs (DCRA), and obtain Clean Hands from the Office of Tax and Revenue (OTR) throughout the pre-award process and the grant's period of performance.
- Retain site control of the business property either through (1) contract of sale, (2) letter of intent, executed within 60 days prior to application submission, (3) option to purchase agreement, (4) fee simple ownership, (5) general warranty deed, and (6) executed contract or lease between property owner and tenant with a minimum unexpired term of at least ten (10) years.
- Applicants who lease their business property are required to submit a notarized affidavit from their landlord authorizing the proposed improvement project and summarizing the committed amenities and inducements.
- The property owners/landlords/development team of the associated project must demonstrate a commitment to support the sustainability of local business tenancy by providing specific amenities and inducements, which must include improvements, rent concessions and/or abatements.
- Provide proof of property and liability insurance (an insurance quote is permitted for new location of an existing business) compliant with the requirements set forth in Section XVIII of this RFA).
- Required Appendices and Attachments

Each grant application should include each of the following required appendices and attachments, completed by the Applicant:

- Appendix A – Arrest and Conviction Statement (*may be omitted from application submission, but will be required if conditionally awarded*)

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Content and Form of Application Submission

- Content Requirement - The application must provide sufficient information for the agency to make a determination of merit of the proposal.
- Scoring Criteria Requirement - Applications should include the elements for each section to be eligible for the maximum consideration. Applications that fail to include all the necessary elements may not be reviewed, considered, or ineligible for full funding, and may be disqualified.

XV. Grant Disbursement

DMPED expects to award multiple grants under this program. Grant award sizes will vary by applicant category. Maximum grant award per applicant is based on the following:

- Grocery Stores – up to \$243.17 / SF for tenant improvement, rent, and security;
- Restaurant – up to \$303.01 / SF for tenant improvement and rent.

The period of performance of each grant will be the date of grant execution and shall remain in effect through September 30, 2025. The District’s period of agreement and financial obligation for the grant will be from the date of execution through September 30, 2025.

Grant funding will be disbursed to the grantee based on award amount in tranches following execution of a grant agreement. The grant award will be disbursed in three tranches provided expenditures are allowable expenses and grantee adheres to the disbursement process.

Vendors (grantees) must submit invoices electronically through the vendor portal: <https://vendorportal.dc.gov>. Vendors are required to register on the vendor portal prior to submitting an invoice.

XVI. Taxability of Grant Funds

Receipt of grant funds may be considered taxable income to the grantee. Grantees should consult their tax advisor regarding tax income and tax liability concerns.

XVII. Certifications and Assurances

Insurance Requirements for Applicants

The applicant, when requested, must show proof of all insurance coverage required by law at the time of application submission. The applicant shall maintain general liability insurance, consistent with District law. The applicant is responsible for adhering to the insurance guidelines as defined by the District of Columbia Office of Contracting and Procurement.

Insurance Requirements for Grantees

The grantee shall procure and maintain, during the entire period of performance under the grant agreement, the types of insurance specified below. The grantee shall have its insurance broker or insurance company submit a Certificate of Insurance to the Contracting Officer providing evidence of the required coverage prior to commencing performance under the grant agreement. In no event shall any work be performed until the required Certificates of Insurance signed by an authorized representative of the insurer(s) have been provided to, and accepted by, DMPED's Contracting Officer. All insurance shall be written with financially responsible companies authorized to do business in the District of Columbia and have an A.M. Best Company rating of A- VIII or higher.

The grantee shall require all of its sub-grantees to carry the same insurance required herein. The grantee shall ensure that all policies provide that the Contracting Officer shall be given thirty (30) days prior written notice in the event that the stated limit in the declarations page of the policy is reduced via endorsement or the policy is canceled prior to the expiration date shown on the certificate. In the event of non-payment of premium, the grantee shall provide the Contracting Officer with written notification within ten (10) calendar days.

1. Commercial General Liability Insurance

The grantee shall provide evidence satisfactory to the Contracting Officer with respect to the services performed that it carries \$1,000,000 per occurrence limits, \$2,000,000 aggregate, Bodily Injury and Property Damage including, but not limited to: premises operations; broad form property damage; Products and Completed Operations; Personal

and Advertising Injury; and, contractual liability and independent contractors. The policy coverage shall include the District of Columbia as an additional insured, shall be primary and non-contributory with any other insurance maintained by the District of Columbia, and shall contain a waiver of subrogation. The grantee shall maintain Completed Operations coverage for five (5) years following final acceptance of the work performed under the grant.

2. Automobile Liability Insurance

The grantee shall provide automobile liability insurance to cover all owned, hired, or non-owned motor vehicles used in conjunction with the work performed under the grant. The policy shall provide a \$1,000,000 per occurrence combined single limit for bodily injury and property damage.

3. Workers' Compensation Insurance

The grantee shall provide workers' compensation insurance in accordance with the statutory mandates of the District of Columbia.

4. Employer's Liability Insurance

The grantee shall provide employer's liability insurance as follows: \$500,000 per accident for injury; \$500,000 per employee for disease; and \$500,000 for policy disease limit.

Duration - The grantee shall carry all required insurance until all work performed under the grant is accepted by the District and shall carry the required General Liability, any required Professional Liability, and any required Employment Practices Liability insurance for five (5) years following final acceptance of the work performed under the grant.

Liability - These are the minimum insurance requirements established by the District of Columbia. However, the minimum insurance requirements provided above will not in any way limit the grantee's liability under the grant.

Grantee's Property - The grantee and sub-grantees are solely responsible for any loss or damage to their personal property, including but not limited to tools and equipment, scaffolding and temporary structures, rented machinery, or owned and leased equipment. A waiver of subrogation shall apply in favor of the District of Columbia.

Measure of Payment - The District shall not make any separate measure of payment for the cost of insurance and bonds. The grantee shall include all the costs of insurance and bonds in the grant price.

Notification - The grantee shall immediately provide the Director of Contracts, Procurement and Grants with written notice in the event that its insurance coverage has or will be substantially changed, canceled, or not renewed, and provide an updated Certificate of Insurance to the Director of Contracts, Procurement and Grants.

Certificates of Insurance - Prior to commencing any work under the grant, the grantee shall submit Certificates of Insurance providing evidence of the required coverage as specified above. The grantee shall submit evidence of insurance to:

Office of the Deputy Mayor for Planning and Economic Development
Attention: Contracts, Procurement and Grants (Certificates of Insurance)
dmped.grants@dc.gov

Nondiscrimination in the Delivery of Services - In accordance with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, no person shall on the grounds of race, color, religion, nationality, sex, or political opinion be denied the benefits of, or be subjected to discrimination under, any program activity receiving DMPED funds. The grantee shall comply with all of the applicable District and Federal statutes and regulations as may be amended from time to time including, but not limited to The Americans with Disabilities Act of 1990, The Hatch Act, Chap. 314, The Occupational Safety and Health Act of 1970, Lobbying Disclosure Act, Drug Free Workplace Act of 1988, District of Columbia Human Rights Act of 1977 and the DC Language Access Act of 2004.