

2014 – 12th Grant Cycle



Application for Funding Assistance

Application Postmark Deadline: OCTOBER 3, 2014

Contact Information:

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Courthouse Facilities Improvement Fund

Application for Funding Assistance - Instructions

The application must be completed in its entirety in order to be considered for funding. Focus your application on only ONE category. Incomplete applications will not be considered.

Each application shall consist of 7 tabs:

- I. County Applicant Information and Category Selection
- II. Define the Project
- III. Describe the Proposed Improvements
- IV. Project Budget
- V. Historical Significance / SHPO contact
- VI. Letters of Support
- VII. Supporting Documents, including pictures

Application Review. The Authority staff shall receive all applications and date-stamp them. All grants shall stand as received on the grant deadline date. If an application is incomplete as of the deadline, it will not be considered for funding.

Draft Review: To take advantage of the Draft Review, an applicant may submit a completed application by September 19th to the CFIA. The application must be received in the CFIA office by September 19th to take advantage of this review, not postmarked by that date. Staff will review the submitted application and contact the Project Director to let them know if information is missing. Staff will not provide feedback on ways to improve the application, but simply on its completeness. Grants received after the Draft Review deadline must stand as received. Staff will NOT contact grant applicants to notify of missing information within two weeks of the postmark deadline.

Application Postmark Deadline: October 3, 2014

Total number of pages submitted should not exceed fifty (50) pages. Upon completion, please forward the original application, with blue ink signatures, and two (2) copies (for a total of 3) to:

WV Courthouse Facilities Improvement Authority
2003 Quarrier Street
Charleston, WV 25311

Tab I. County Contact Information and Category Selection

1. County Applicant: Please list county name, complete mailing address, and general telephone number for county applicant.

2. Project Director: Name, mailing address, email address and telephone number of individual responsible for the daily implementation of the project. This person **cannot** also be listed as the Authorized Official or the Fiscal Director.

3. Fiscal Director: Name, mailing address, email address and telephone number of the individual responsible for the financial records of the project. This person **cannot** also be listed as the Project Director or the Authorized Official.

4. Authorized Official: Name, mailing address, email address and telephone number of County Commission President. This is the individual who would be authorized to enter into a contractual agreement.

5. Federal Employer's Identification Number (F. E. I. N. #):

6. Are you applying for grant funds that will be applied to the main courthouse building?

Yes

No, please explain _____

7. Provide a brief description of your construction project in the space below:

8. Applicants May Only Apply for Funding under one Category. Please place an X in the box next to the category for which you are requesting funding assistance.

Project Categories:

- Life Safety
- Structural Improvements
- Roofing
- Electrical
- Exterior Improvements
- Interior Improvements
- Mechanical (HVAC/Plumbing)
- Doors and Windows
- Accessibility
- New Construction / Space

Tab II and Tab III should be consistent with the category that you have indicated above.

Category 1: Life Safety

Types of Projects:

Egress Lighting (Normal and Emergency), Fire Alarm, Exit Signage, NEC Code Compliance, Building Configuration (Dead-End Corridors), Automatic Fire Suppression (Sprinklers), Ventilation, Egress Capacity, Panic Hardware, Elevator Shut-Down/Recall, Fire and Smoke Separations, Exit Stairway Enclosures, Smoke Evacuation Systems, Fire Penetrations, Extinguisher Cabinets, Door Closers.

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Provide a general description of the building identifying all life safety concerns that exist.

- Describe the building life safety issue that is the basis for this grant application. Include photos documenting the concern.

- Does the life safety issue present a current hazard to building occupants?

- How will the safety of building occupants be improved once the project is completed?

- Has a local or state fire safety official documented the problem? If yes, attach any reports, citations, etc.

- Will this project correct all major life safety concerns? If no, describe other concerns that will remain.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Provide information about the system or product that will be used to correct the building life safety deficiency. If possible, provide product literature and/or architectural drawings of the proposed improvements.

Category 2: Structural Improvements

Types of Projects:

Foundation Cracking or Settlement, Floor Slab Cracking or Settlement, Foundation/Basement Wall Cracking, Retaining Wall Cracking or Settlement, Roof Structure Deterioration, Connections (Bolts, Fasteners), Deflection, Vibration, Load Bearing Wall Damage, Window/Door Lintels, Additional Load Capacity.

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Describe the building's structural system.

- Describe the scope of the current structural problem including the deficient structural elements. Document the project with photographs and attach them to the application.

- Describe the cause of the structural damage.

- Is the current structural problem causing damage to other building systems (interior finishes, doors/windows, etc.)? If yes, describe and document the damage.

- Does the current condition of the structure impact the safety of the occupants? If yes, document how the proposed repairs will improve safety for the occupants.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Provide information about the structural system that will be used or repaired in the project. If possible, provide product data, and/or architectural and engineering drawings of the proposed improvements.

Category 3: Roofing

Types of Projects:

Roofing (metal, membrane, shingles, slate, tile, etc.), Flashing, Roof Insulation, Copping, Roof Sheathing, Roof Replacement, Roof Drainage, Overflow Scuppers, Roof Curbs, Gutters and Downspouts, New Roofing, Roofing Repair, Eaves, Soffits, Roof Vents, Snow Guards.

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Provide a general description of the facility, including a description of the roofing system.

- Is the current roof original to the facility?

- Describe the scope of the current deficiency with the roofing system. Document the project with appropriate photographs and attach them to the application.

- Is the current roof work causing damage to other building systems (structure, interior finishes, etc.)? If yes, describe and document the damage.

- Has the roof work been tested for hazardous materials (asbestos mastic, caulking, etc.)?

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements in detail.

- Provide information about the new roof work that will be used in the project. If possible, provide manufacturer’s product data, MSDS sheets, and section details indicating new work and its relationships to existing conditions.

Category 4: Electrical

Types of Projects:

Lighting: Lighting Improvements (Interior or Exterior), Light Fixture Replacement, New Installation, Light Fixture Repair, Group Re-lamping, Rewiring

Power: Electrical Service Upgrade, Service Entrance Equipment Replacement, Feeder Replacement, Electrical Distribution Modification, Power Distribution Panelboard, Lighting/Appliance Branch Circuit Panelboard, Transformer, Circuit Breaker Replacement, Branch Circuit Modification

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Thoroughly describe the current electrical system needing improvement and list all deficiencies.
 - *For Lighting Systems*, describe existing light fixtures (surface, recessed, suspended, etc.) lamp source, ballast, controls, dimming system, and the area of installation. Provide all relevant information necessary to accurately describe the current conditions.

- *For power systems*, identify all components requiring improvements and their electrical characteristics such as Volts, Amps, phase, kVA, circuit breaker size, wiring, nameplate information, maximum ampacities, etc. Provide all relevant information necessary to accurately describe the current conditions.

- Does the current electrical problem impact other buildings or building systems? If yes, describe and document the implications.

- Does the current electrical system pose a potential safety hazard? If so, document the safety hazard and any implications.

- Was the electrical problem or violation identified by a Local or State Fire Official? If so, attach the citation report to the application.

- Have the electrical components been tested for hazardous materials (i.e. Mercury, Lead, PCB's) or other materials that may constitute an environmental hazard?

- Does the current condition of the electrical system create a security problem? If so, document the security issues.

- Describe the scope of the proposed improvements and document the project with photographs. Attach all photographs and pertinent information to the application.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Describe how mandatory improvements address any citations or violations raised by the Local or State Fire Officials.

- Provide information regarding the electrical components that will be used in this project. If possible, provide architectural/engineering drawings of the proposed improvements.

- Describe how the proposed improvements will impact the building and its occupants during demolition and/or construction.

Category 5: Exterior Improvements

Types of Projects:

Veneer (Brick, Stone, Masonry, Wood Trim, etc.) Repair and/or Replacement, Painting, Staining, Cleaning, Masonry Re-pointing, Repair and/or Replacement of Sidewalks, Stairs, Railing, Retaining Walls, Canopies, Signage, Plazas, Memorials, Clocks, Bell Towers, Weather Barriers, Subsurface Drainage System, or other Exterior Improvements.

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Is the current exterior system/component or site element original to the facility?

- Describe the exterior system/component or site element that requires improvement. Describe in detail the cause(s) of the problem, if known. Provide photos of existing conditions.

- Describe the scope of the current exterior problem. Document the project with photographs and attach them to the application.

- Has the exterior system/component been tested for hazardous materials (i.e. lead paint, asbestos)?

- Does the current condition of the exterior system/component or site element create a security problem? If yes, document the security issues.

- Does the current condition of the exterior system/component or site element create a safety hazard? If yes, document the hazard.

- Are there maintenance issues with the current exterior system/component or site element? If yes, describe the issues.

- Will additional maintenance be required for the proposed improvements? If yes, describe the extent.

- Building Improvement only:

- Is the current exterior system/component causing damage to other building systems (interior finishes, building structure, etc.)? If yes, describe and document the damage.

- Is the current exterior system well-insulated?

- Does the current exterior system prevent water infiltration? If no, describe and document the damage.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Provide information about the exterior system/component or site element that will be used in the project. If possible, provide product data and/or architectural and engineering drawings of the proposed improvements.

Category 6: Interior Improvements

Types of Projects:

Repair and/or Replacement of Flooring Materials/Non-Loadbearing Walls/Ceilings, Wood Millwork/Casework Restoration and/or Replacement, Acoustical Treatments, Historical/Functional Window Treatments, Main Courtroom Renovation, Floor Plan Layout Modifications (including changes to improve security, to create rooms for records storage, or space reallocation), Modification of Interior Rooms and Spaces to Meet Current WV Court Standards, Elevator Cab Upgrades, Repair and/or Replacement of Interior Doors and Windows, Hazardous Materials Abatement (including asbestos, lead paint, or mold), Interior Painting.

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Describe the general scope of the proposed improvements. Document the project with photographs and attach them to the application.

- Have the floors, walls or ceilings been tested for hazardous materials (i.e. lead paint, asbestos caulking)? If yes, what were the results?

- Does damage to the floors, walls, or ceilings create a safety or environmental hazard? If yes, document the condition(s).

- Is the existing millwork or casework original to the facility? Is restoration needed for application to the Historic Register?

- Is the current layout of the space inefficient or insufficient for current and/or future needs? If yes, describe.

- Does the current condition or layout of the space create a security problem? If yes, document the security issues.

- Does the current condition of interior doors/windows create a security or safety problem? If yes, document the issues.

- Are acoustics deficient or do they create a security problem? If yes, describe the locations and issues.

- Do window treatments exist, and if so, do they filter out glare, direct sunlight and/or heat gain? If not, describe the issues.

- Describe and document the condition of existing furnishings. Are they insufficient for current and/or future needs? Are any pieces broken and present a safety hazard? If yes, describe.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Provide results of any hazardous materials testing.

- If applicable, provide product data or specifications of any proposed materials to be used.

- If possible, provide architectural drawings of the proposed improvements.

Category 7: Mechanical (Plumbing / HVAC)

Types of Projects:

Plumbing: New / replacement Equipment or Fixtures (Hot Water Heater, Toilet, Urinal, Water Cooler, Sink, Pumps), Piping Replacement (Domestic Water, Storm Drain, Sanitary/Sewer), Piping Insulation, Backflow Preventers, Meters, Valves, Fittings, Access Panels, Roof Drains, Venting.

HVAC: Equipment Replacement (Cooling, Heating, Ventilation, Exhaust), System Replacement / Renovation (Cooling, Heating, Ventilation, Exhaust), New System (Cooling, Heating, Exhaust), Building Automation System (Controls) Renovation, HVAC Systems Re-commissioning, Louvers, Ductwork, Duct Insulation, Dampers, Diffusers/Grilles, Humidity Control

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- What mechanical systems require improvement? Are they original to the facility? Why are the improvements needed?

- Describe the scope of the current deficiencies. Document the project with photographs and attach them to the application.

- Is the current mechanical system problem causing damage to other building systems (interior finishes, exterior masonry, etc.)? If yes, describe and document the damage.

- Have the mechanical systems been tested for hazardous materials (i.e. asbestos insulation or equipment lining, mercury, etc.)?

- Does the current condition of the mechanical system impact the health and welfare of building occupants?

- Does the current condition of the mechanical systems create a health safety problem? If yes, document the health safety issues.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Describe the effect of the proposed improvements on the other building systems (i.e. electrical requirements, water requirements, wall / roof penetrations, etc.).

- Provide information about the mechanical equipment/system that will be used in the project. If possible, provide product data, architectural and engineering drawings, or other supporting documents of the proposed improvements.

Category 8: Doors and Windows

Types of Projects:

Exterior Door Repair and/or Replacement, Exterior Window Repair and/or Replacement, Skylight Repair and/or Replacement, Door Lintel Repair, Window Lintel Repair, Window Flashing Repair, Door/Window Caulking

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Are the current doors/windows original to the facility?

- Describe the scope of the proposed improvements. Document the project with photographs and attach them to the application.

- Is the current door/window problem causing damage to other building systems (interior finishes, exterior masonry, etc.)? If yes, describe and document the damage.

- Have the exterior doors/windows been tested for hazardous materials (i.e. lead paint, asbestos caulking)?

- Does the current condition of the doors/windows create a security problem? If yes, document the security issues.

- Are the exterior doors and windows insulated?

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Provide information about the door/window system that will be used in the project. If possible, provide product data and/or architectural drawings of the proposed improvements.

Category 9: Accessibility

Types of Projects:

Building Access, Courtroom Access, Toilet Room Access and Layout, Accessible Parking, General ADA Compliance Projects, Repair and/or Replacement of Door Hardware, Ramps, Stairs, Railings, Elevators, Lifts, Signage, Curb-Cuts.

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Describe the scope of the proposed building accessibility concern. Document the project with photographs and attach them to the application.

- Have there been any complaints from building occupants regarding accessibility? If yes, document the complaints.

- Have there been any citations issued for ADA violations, or is there an ADA lawsuit pending? If yes, attach documentation and describe how the project will fix the problem.

- Has there been a Department of Justice inspection? If yes, attach report.

- Is the first floor of the building currently accessible for people with disabilities? If no, document the current conditions.

- Are major public spaces in the building, such as a courtroom or public office, accessible for people with disabilities? If no, document the current conditions.

- Does the current building meet ADA standards? If no, describe the non-compliant areas and attach relevant photographs.

Tab III: Describe the Proposed Improvements

- Describe the proposed improvements.

- Provide information about the materials or systems that will be used in the project. If possible, provide architectural drawings of the proposed improvements.

Category 10: New Construction/Space

Types of Projects:

Additions, New Construction, Renovation, Building Connectors

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, describe the facility.

- Identify the current space deficiency that is leading to the new construction (i.e. we have no space for the Family Court, or we need additional space for record storage).

- Describe the scope of the proposed project. Document the project with appropriate photographs and attach them to the application.

- Indicate the area (in square feet) of the proposed construction (existing building, acquired building to be renovated, proposed new addition, proposed new building, etc.).

- Indicate the County agencies scheduled to occupy the new construction/ space and their number of employees.

- Provide a program of new spaces. List each individual room and area (in square feet). For acquired buildings to be renovated, proposed new additions, and proposed new buildings, include an additional 10% of total area for building services (mechanical and electrical) and 20% of total area for circulation (corridors, walls, etc.).

Tab III: Describe the Proposed Improvements

- Describe the proposed new construction/space in detail.

- Provide floor plans of the new construction/space to scale indicating basic interior finishes for floors, walls and ceilings.

- Provide exterior building elevations of the new construction/space indicating exterior materials, roof slopes and window and door locations.

- Provide information about the new construction/space that will be used in the project. If possible, provide manufacturer's product data as well as sections and details indicating new work and its relationships to existing conditions.

Tab IV. Project Budget Information

Attach an overall detailed budget for the proposed improvements. Consider the requirements listed within the “Special Conditions and Assurances” section of this application, in particular numbers 4 and 5, when developing your project budget. Include testing, design fees, demolition costs, construction costs, and a project contingency in the budget.

1. Provide an estimated total cost of the proposed modification:

2. The amount of funding assistance requested and the specific uses of the funding:

Tab V. Historical Significance

Provide proof that SHPO has been contacted regarding your potential project. Provide a letter from SHPO, name of a contact person at SHPO or a general statement that explains your communication with SHPO. Attach a description of how the proposed project will impact the historic characteristics of the courthouse facility and how the project will either maintain or enhance the historic characteristics.

Tab VI. Letters of Support

Tab VII. Supporting Documents – resolution, statement of need, etc...

Signature Page

Provide the name and signature of the Authorized Official (County Commission President) and the names, signatures, official positions (of elected officials) whose areas of responsibility are affected by the requested improvements. For clarification purposes, the signatures could be those of the Circuit Judge, Sheriff, Circuit Clerk, Assessor, County Clerk, Magistrate, Family Court Judge, Prosecuting Attorney, or any combination depending on the improvements anticipated.

Signature and Position/Title

Special Conditions and Assurances

The applicant hereby certifies and assures that it shall comply with the following special conditions, regulations, policies, guidelines, and requirements of the Courthouse Facilities Improvement Authority. These policies, Special Conditions, and Assurances apply to all funds expended for purposes associated with this project.

1. **Commencement within 60 days:** The funded project must be initiated within 60 days of the project starting date specified in the contract agreement. If the project has not been initiated within 60 days of the specified project starting date, the Authority may accept a written explanation of the delay by the county applicant to terminate the funding agreement.
2. **Project Completion:** If the funded project is incomplete by the end date specified in the contract agreement, the county applicant must submit to the Authority a written explanation of the delay. The Authority may either accept the written explanation for the delay or it may cancel the project and redistribute the funds to other projects.
3. **Press Release:** Any release of funding information must include the funding amount and the name of the “West Virginia Courthouse Facilities Improvement Authority”.
4. **Procurement Procedures:** County applicants are required to solicit and consider competitive proposals from a minimum of three qualified vendors, utilizing a public bidding format. The applicant shall be governed in all respects by the laws of the State of West Virginia.
5. **Prevailing Wage Rate:** Any wages paid by contractors must meet any governing West Virginia Department of Labor regulations.
6. **Green Buildings Minimum Energy Standards:** In accordance with §22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: Provided, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.

7. **Legal Authorization:** The county applicant hereby certifies it has the legal authority to apply for funding assistance; that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizing the person identified as the official county representative of the applicant to act in connection with the application and to provide such additional information as may be required.
8. **Relationship:** The relation of the county applicant to the Authority shall be that of an independent contractor, not that of a joint enterprise. The county applicant shall have no authority to bind the Authority for any obligation or expense without the express prior written approval of the Authority.
9. **Laws of West Virginia:** Any funding application/contract shall be governed by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by the Courthouse Facilities Improvement Authority.
10. **Access to Records:** The Courthouse Facilities Improvement Authority, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the funds distributed, and to relevant books and records of contractors.
11. **Use of Funds:** Funds awarded through the Courthouse Facilities Improvement Fund may be expended only for the purposes and activities specifically covered by the county applicant's approved project agreement. The funds may only be used on property legally owned and occupied by the county and county officials.
12. **Sanctions for Noncompliance:** In the event of the county applicant's noncompliance with the terms, conditions, covenants, rules, or regulations of this funding assistance, the Courthouse Facilities Improvement Authority may impose such contract sanctions as it may deem appropriate, including, but not limited to the following:
 1. Withholding of payments to the applicant until the applicant complies, or
 2. Cancellation, termination, or suspension of the contract, in whole or in part, or
 3. Refrain from extending any further assistance to the applicant until satisfactory assurance of future compliance has been received.
13. **Written Approval of Changes:** The county applicant must obtain prior written approval from the Courthouse Facilities Improvement Authority for all project

changes.

14. **Contracts**: No contract or agreement may be entered into by the county applicant for the execution of the project activities or provisions of service which is not incorporated in the approved agreement, and without the prior written approval of the Courthouse Facilities Improvement Authority
15. **Accounting Requirements**: County applicant agrees to record all project funds and costs following generally accepted accounting procedures. A separate account number or cost recording must separate all project costs from the county's other or general expenditures. Adequate documentation for all project costs and income must be maintained. All relevant information must be retained for audit purposes.
16. **Obligation of Project Funds**: Funds may not, without prior written approval from the Courthouse Facilities Improvement Authority, be obligated prior to the effective date or subsequent to the termination date of the project period. Obligations outstanding as of the termination date shall be liquidated within thirty days.
17. **Program Accountability**: Fund accounting, auditing, monitoring, and evaluation procedures will be conducted by the applicant to assure fiscal control, proper management and efficient distribution of funds.
18. **Reporting of Irregularities**: Applicants are responsible for reporting promptly to the Courthouse Facilities Improvement Authority the nature and circumstances surrounding any fiscal irregularities discovered. Failure to report known irregularities may result in suspension of funding or other remedial action.
19. **Public Availability of Information**: The applicant agrees to comply with the terms and conditions of pertinent state Freedom of Information Acts, and to require its contractors comply with these requirements.
20. **Conflict of Interest**: No public official or employee of the applicant agency, who performs any duties under the project may participate in an administrative decision with respect to the project if such a decision can be expected to result in any benefit or remuneration to him/her or his/her immediate family.
21. **Release of Information**: If requested, all records, papers, and other documents kept by recipients of financial assistance are required to be made available to the Courthouse Facilities Improvement Authority or its representative.
22. **Inspection and Audit**: County applicants and sub-applicants have the

responsibility to provide for an audit of their activities. The county applicant agrees to submit a copy of each audit conducted to the Courthouse Facilities Improvement Authority along with a method for timely and appropriate resolution of audit findings and recommendations.

23. **Discrimination Prohibited**: No person shall, on the grounds of race, religion, color, national origin, sex, or handicap, be excluded from participation in, be denied benefits, or be otherwise subjected to discrimination under, or denied employment in connection with assistance awarded pursuant to the Anti-Drug Abuse Act of 1986. The applicant assures that it will comply, and all its contractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safety Streets Act, as amended; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Department of Justice Nondiscrimination Regulations 28 CFR Part 42, Subparts C, D, E, and G; and, Executive Order 11246, as amended by Executive Order 11375; and their implementing regulations, as well as the West Virginia Human Rights Act, as amended (Section 5-11-1 of the Code of West Virginia), and 41 CFR Pat 60.1 et.seq., as applicable to construction contracts.
24. **Equal Employment Opportunity Program**: Each county applicant certifies that it has executed and has on file, an Equal Employment Opportunity Program which conforms with the provisions of 28 CFR Section 42.301 et.seq., Subpart E, or that in conformity with the forgoing regulations, no Equal Employment Opportunity Program is required.
25. **Confidentiality of Research Information**: Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with Courthouse Facilities Improvement Funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22). Confidential Information- The applicant should only include the program description, the funds involved, and the number of projects. The unit of local government implementing the program will be made known to the Courthouse Facilities Improvement Authority upon request or upon completion of the project.
26. **Criminal Penalties**: Whoever embezzles, willfully misapplies, steals, or obtains by fraud or endeavors to embezzle, willfully misapply, steal, or obtain by fraud any funds, assets, or property which are the subject of grant or contractor or other form

of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to use his/her gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant or contract or other form of assistance pursuant to this Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

27. **Patents and/or copyrights and rights in data:** Where activities supported by this funding assistance produce original graphical, pictorial, written, and/or similar works for which a patent, or copyright application, is contemplated, the Courthouse Facilities Improvement Authority should be contacted for further instructions.
28. **Time Extensions:** Time extensions for this program are unallowable unless written extensions are submitted by the county applicant and approved in written form by the Courthouse Facilities Improvement Authority. Any funds remaining at the conclusion of the contract period shall be deobligated unless otherwise determined by the Courthouse Facilities Improvement Authority.
29. **Cost Overruns:** Any cost overruns incurred by the county applicant in conjunction with the completion of a project funded, wholly or in part, by the Courthouse Facilities Improvement Fund will be the responsibility of the applicant. Any changes or upgrades to a funded project that have not been approved by the Courthouse Facilities Improvement Authority are the responsibility of the county applicant.
30. **Project Reporting:** Progress reports are required. They are to be submitted to the Authority by the 20th of the month following the end of each quarter during the project period. Progress reports must also accompany each request for reimbursement. Within 30 days of completion, a Project Completion Report must be submitted to the Authority. This report will be available on the website: www.cfia.wv.gov. Information to be included is as follows: Cost comparisons, Quality of workmanship, Quality of materials used, Employee/Courthouse visitor

benefits, Timeliness of contractors/materials, Problem areas and County applicants project overview/recommendations. A Project Completion Report must accompany the final request for reimbursement. Failure to submit any of the reports listed above is considered a violation of the signed contract and may result in contract termination.

12th Cycle Funding Application Requirements Checklist

- ___ Tabs I - VII
- ___ Included pages 3, 4, 28 and 29
- ___ Appropriate, single category narrative for Tab II and Tab III
- ___ Original, signed in blue ink signature page
- ___ 2 copies of the completed application, in its entirety
- ___ Detailed Budget
- ___ SHPO contact information
- ___ Letters of Support
- ___ Before photos on cd, not on paper, or email jpg photos to melissa.smith@wvcfia.com
- ___ Original, signed in blue ink, completed resolution

Remember, all completed application materials must be postmarked by October 3, 2014. All the items listed above in the checklist are required for an application to be considered complete.

If you have any questions, please do not hesitate to call CFIA staff at (304) 558-5435 or email: melissa.smith@wvcfia.com.

Important note: Please submit only pages that require a response from the application packet and any required supporting documentation. Do not return the instructional portion of the packet to us, the various category sheets or the special assurances section. This will reduce paper usage and mailing costs. These sections are for your information only and to assist you with completing the application.