

**Infill Infrastructure Grant Program  
Guideline Amendment (Rev. 12/17/13)**



Section 306.10 Performance Based Disbursement Deadline Extensions

- (a) Notwithstanding anything to the contrary in Section 306, and subject to the threshold requirements set forth below, the Department shall have the discretion to extend the disbursement deadline date of an individual Recipient up to February 1, 2017. The actual extension period will be determined by the Department at its sole discretion and will be based upon documentation provided by the Recipient to the Department, substantiating the need for additional time.
- (b) To be eligible for a disbursement deadline extension, the Recipient must as of December 31, 2014, have had award funds disbursed for eligible costs directly related to the actual physical construction of the Capital Improvement Project (CIP). The Recipient must meet the disbursement conditions set forth in the Standard Agreement and Disbursement Agreement, which shall include but not be limited to the following:
  - (1) The Recipient must provide written documentation that it has obtained for the subject CIP all necessary and discretionary public land use approvals and entitlements.
  - (2) The Recipient must provide written documentation that it has obtained for the subject CIP all necessary environmental clearances.
  - (3) The Recipient must provide written documentation demonstrating project feasibility for Department approval, such as a current market study, a project pro-forma, sources and uses statement, or other feasibility documentation that is standard industry practice for the type of proposed housing development.
  - (4) The Recipient must demonstrate that it has obtained all their respective enforceable construction (or if applicable permanent) funding commitments, which shall include but not be limited to their tax credit reservations (if applicable), an executed construction contract for a CIP, and an executed construction contract for Housing Development(s).
- (c) The Recipient must not be in default of any provision of the Standard Agreement or Disbursement Agreement as notified by the Department.
- (d) If the Department does not grant an extension and/or if the Recipient fails to meet the performance-based milestones that are the basis to grant an extension, the existing disbursement deadlines stated in the Standard Agreement and Disbursement Agreement shall remain, and the Department shall disencumber the Recipient's IIG grant funds if and when the Recipient fails to meet those established deadlines.
- (e) If an extension is granted pursuant to this section, the Department shall disencumber the Recipient's IIG grant funds if and when the Recipient fails to meet the extended timelines set forth in the Recipient's written extension.