



2008 Storms Disaster Recovery Workshop

Hyatt Jacksonville Riverfront

November 3-4, 2009



Introductions & Program Overview

Jacquelyn Dupree

Community Program Manager

Florida Small Cities CDBG, Disaster
Recovery & Neighborhood Stabilization
Programs

Federal Register Action Plan Waivers

Glenn Hodges

Operations and Management
Consultant II

2008 Supplemental CDBG Appropriations

- Congress appropriate \$2.1B
- Tropical Storm Fay, Hurricanes Ike and Gustav
- Fourteen states
- Disaster relief, long-term recovery, restoration of infrastructure
- Most impacted and distressed areas
- No match required

US Department of Housing and Urban Development, Docket No. FR – 5256-N-01

- Florida allocated \$81,063,855
- Unmet housing needs
 - Uninsured homeowners w/major damage
- Action Plan
- Waivers and alternative requirements
- Disallow expenditures
 - Duplicate other benefits
 - Not 2005 disaster related
 - Fraud Prevention Measures

2008 Disaster Funding

- Action Plan
 - Disaster related activities
 - Emphasis on restoration
 - Land use, flood plain management
 - Construction methods
 - Displaced residents, homelessness
 - Duplication of benefits, fraud

Overview – Time Line

- Program
 - Four-year administrative plan
 - November 2009 – October 2013
- Initial agreement period
 - Two years
 - June 2010 - June 2012

Regulations and Rules

- NOFA
 - Regulations not waived
 - Waivers & alternative requirements
 - Waivers requested

Regulations Not Waived

- Fair Housing
- Equal Opportunity
- Conflict of Interest
- Procurement
- Environmental Assessment
- Labor Standards

Recovery Funding Waivers

- Overall LMI Benefit
 - 50% LMI
- Urgent Need/Slum Blight
 - 50%
- Citizen Participation
 - Reasonable opportunity for input
 - Ongoing access to information
 - Respond to complaints within 15 days
 - Plan to minimize displacement

Waivers

- One-for-one Replacement
 - Allows for more responsive housing activities
 - May demolish with no replacement
- Flood Buyouts
 - Pre/post values uniformity

Application Review Timeline

Stacie Roldan Toci
Government Operations
Consultant



The Application

- Application Cycle
 - Opens on November 16, 2009
 - Closes January 15, 2010
 - Due to DCA on January 15, 2010 by 5pm EST.

The Application, continued

- Easy to complete
 - Contact information
 - Project descriptions
 - Budget information
 - Supporting documentation
- Hardcopy provided
- Softcopy available online:
 - www.FloridaCommunityDevelopment.org/DisasterRecovery.cfm

The Application, continued

- **Procedures**

- Submit two (2) copies of the application, with original signatures
- Include an Executive Summary and a Table of Contents
- Put the application in a 3-ring binder, with dividers and tabs - label them

- **Intergovernmental Coordination and Review**

- 15 copies of the application must be submitted to the Florida State Clearing House at DEP
- One copy of the application is submitted to your local RPC

The Application, continued

- Local Government Information
- Application Preparer Information
- Application Information:
 - List all jurisdictions where activities will take place
 - Amount of funding requested
 - Are these activities consistent with the Local Comp Plan?

The Application, continued

- **Historic Preservation**
 - If “yes” is a response to any of the Historical Preservation questions, you must contact SHPO immediately.
- **Project Description Narrative**
 - Explanation of prioritization process
 - Explanation of need for CDBG funds
 - Not reimbursable by any other source
 - By service area/project description
 - Activities must be Disaster related, CDBG eligible, and not already underway

The Application, continued

- Attachment A
 - General Guidelines
- Attachment B
 - Household Income Verification – Form 27-07

The Application, continued

- National Objective Forms
- Attachment C
 - Slum & Blight for Spot Basis
- Attachment D
 - Slum & Blight for Area Basis
- Attachment E
 - Urgent Need

The Application, continued

- **Attachment F - Preparing An Estimated Project Budget**
- **Attachment G -Project Description and Budget Summary**
 - Roll-up of service area information
- **Attachment H - Description and Budget by Service Area**
 - Prepare for each service area/project
 - Will correlate with narrative description
 - Use 'Eligible Activities' table to identify activities by category and number
 - Specify CDBG costs and 'other sources' costs

The Application, continued

- Appendices
 - Map(s) depicting service area(s)
 - Required for each activity
 - Define service area - draw boundary on map
 - Locate the activity
 - Code beneficiaries
 - Required Policies
 - Citizen complaint
 - Anti-displacement and relocation plan
 - Procurement policy
 - Housing assistance plan
 - Contract 'special conditions'
 - Interlocal Agreement(s)

Application Appendices

- Housing Assistance Plan
 - May have plan in place
 - Local policy establishing standard procedures
 - Avoid grievances

The Application, continued

- Assurances, Certifications & Signatures
 - Signed by appropriate authority
 - Approved by local government
 - Regulations not waived
 - Accuracy of information
- Review application for completeness

Eligible Activities


- Affordable Housing
 - Rehabilitation, hardening
 - Demolition, replacement
 - Buyout/relocation
 - Complementary housing activities

Eligible Activities, continued

- Restoration of Infrastructure
 - Re-establish/repair water lines, wastewater services
 - Repair roads, sidewalks, public facilities

**Inter-Local Agreement
Monitoring Protocol
14% Affordable Rental Housing**

Glenn Hodges
Operations and Management
Consultant II



Interlocal Agreements

- County and City
- Greatest Need
- Documentation of Greatest Need
 - Storm damage related documentation
 - Organizational Response Effectiveness

Monitoring

- Program Performance
 - Financial
 - Regulatory
- 24 CFR 570.501(b)
- 24 CFR 85
 - comply with all regulations
 - achieve their performance objectives

Monitoring Process

- Planning
 - Monitoring Plan
- Implementation
 - Initial Monitoring
- Communication
 - On-going monitoring
- Follow-up
 - Annual monitoring visits

Strategies for Effective Monitoring

- On-site field visits
 - Notification Letter
 - Entrance Conference
 - Documentation, Data Acquisition and Analysis
 - Exit Conference
 - Follow-up Monitoring Letter

Open Communications

- Grant Application
- Contractual agreement
- Progress reports
 - Amendments
- Draw-downs (Request for Funds)
- Documentation of Previous Monitorings
- Copies of Audits

Recordkeeping

- **Documentation, Documentation, Documentation**
 - Grant Objectives, expenditures, dates, & terms
 - Project Status
 - Applicable Regulations
 - Documentation Requirements
 - Problems, constraints and barriers

14% Affordable Housing

- \$81,063,855
- Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.)
- \$9,079,866 must be used to address affordable rental housing

Documentation of Project Eligibility

Stacie Roldan Toci
Government Operations
Consultant



Documenting Project Eligibility

Critical to receive funding

- Explanation of reason and need for using CDBG funds (i.e., not covered by FEMA, insurance or other sources of funding).
- Explanation must specifically state how it relates to storms and documentation must be provided with application.

Documenting Project Eligibility

- Documentation must include, but is not limited to:
- Photographs
 - Before storm (if available) / showing storm damage
- Reports:
 - FEMA
 - State of Florida - Damage Assessment Report
 - Insurance
 - Police
 - County

Documenting Project Eligibility

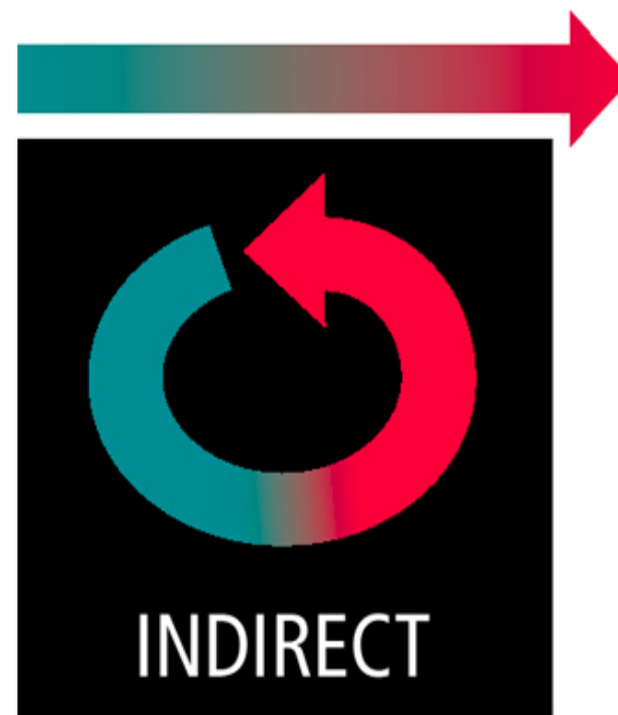
- Newspaper articles – provide copies
- Television news stories (provide DVD)
- Write-ups:
 - Code Enforcement
 - Local housing authority
 - Public Works Department

Service Area

Steve Fellerman
Financial Specialist

Service Area (SA) Development

- SA is for “indirect benefit” activities
 - indirect benefit = benefit to “area”
 - work is on public property (or easement)
- SA boundaries based on beneficiaries
 - “geography” may be misleading for boundaries
 - SA beneficiaries must be at least 51% LMI
 - unless using “urgent need” national objective



Service Area Map

- Visual representation of project
 - what activities, where located, & beneficiaries
 - consistent w/ beneficiaries identified & surveyed?
- Improperly drawn
 - can affect eligibility and funding
 - improper beneficiaries
 - lose eligibility if LMI-based and LMI % overstated
 - activity not in narrative or map, isn't part of project



Service Area & Map Issues

- All activities must be in a service area (SA)
 - multiple SA's possible, including overlapping SA's
- Procedure:
 - 1) locate activity on map
 - 2) identify beneficiaries
 - 3) draw SA boundary
- Multiple activities may require multiple SA's
 - when beneficiaries not identical for all activities



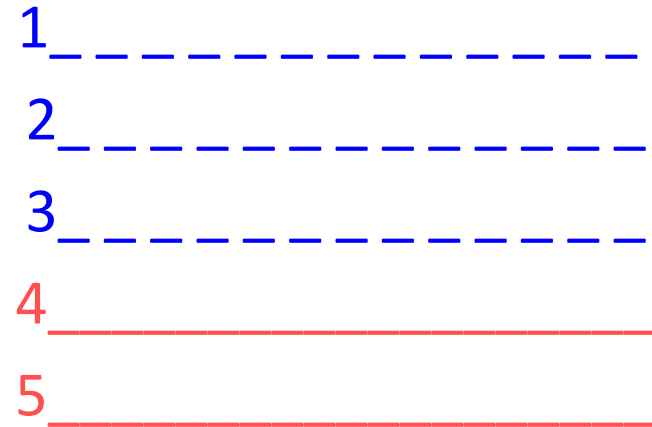
Service Area Examples

Example 1



All 5 streets to receive sewer & paving.

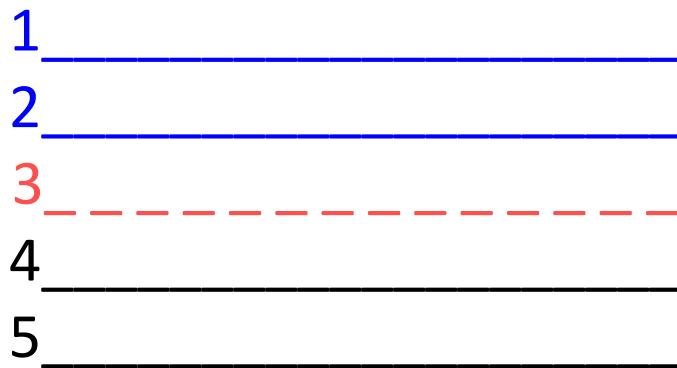
Example 2



Streets 1-3 to receive sewer & paving; streets 4 & 5 to receive only paving.

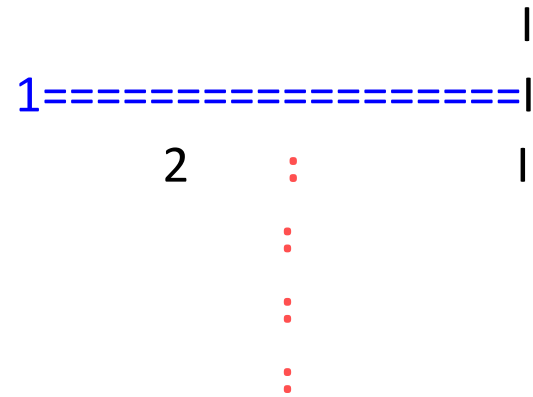
Service Area Examples

Example 3



Replace sewer on street 1 & 2
No activity on Street 3
Replace sewer on streets 4 & 5

Example 4



Pave dirt road 1 to paved road I.
No work on occupied dirt road 2

Survey Methods

Steve Fellerman
Financial Specialist



Surveying

- Purposes:
 - establish 51% LMI benefit
 - establish number of beneficiaries (LMI/VLI/over)
- 4 Methods:
 - census data
 - previous survey w/in 5 years accepted by DCA
 - “small service area” survey
 - random sample survey

Census / Previous Survey

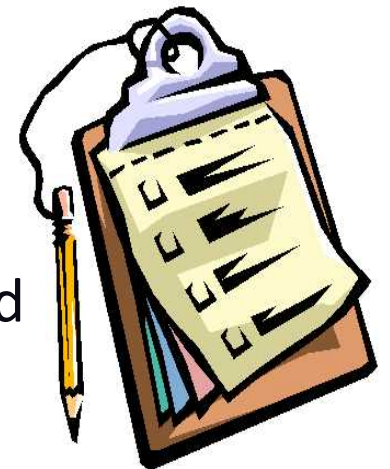
- Census Data

- Only if service area corresponds exactly
 - whole block groups, tracts, or jurisdiction's boundary
 - If SA is whole census unit and partial unit, can survey partial unit and then add results to census info.



- Previous Survey

- Defined SA in previously funded CDBG grant
 - valid for 5 years unless info exists that not valid
 - SA boundaries must be identical; no changes
 - use previous beneficiary totals; no updating allowed



Small Service Area



- Small Service Area
 - service area under 50 homes
 - must survey all homes
 - if can't survey, assume not LMI
 - unsurveyed homes:
 - use average beneficiary size from surveyed totals

Random Sample Survey

- Use CPD Notice CPD-05-06 (Survey Methodology)
- Sample selection is **critical** to projecting results
 - DCA will not accept results if procedure is flawed
- Procedure:
 - identify universe
 - establish sample size
 - create random sample group & alternates group
 - conduct survey



Random Sample

- Identify Universe
 - Beneficiaries
 - incorrect universe = corrupted survey
 - ex: sewer plant universe = all residences hooked up
 - some beneficiaries may be outside city
 - not all in city may be hooked up
- Establish sample size
 - use 95% confidence level
 - local government selects confidence interval (CI)
 - CI affects sample size
 - 51% LMI nat'l objective based on LMI % minus CI



Random Sample

- Create random sample and alternates
 - use random number website (www.random.org)
 - print random listing of all homes in universe
 - first group = random sample;
 - second group = alternates, in that exact order
- Conduct survey
 - attempt contact with initial sample group
 - contact method irrelevant: phone, mail, door-to-door
 - document three contact attempts
 - survey alternates in groups same way to reach min. sample size
 - project all totals from sample size using LMI worksheet

Surveying Issues

- Service Area improperly drawn
 - “citywide” SA: often **“fatal”** (result questionable)
 - ex: city limits is SA for water plant with service in County
- Smaller SA:
 - “fatal” if survey total is below minimum required;
 - otherwise, “assume non-LMI”

Surveying Issues

- Random Sample
 - was sample selected truly “random”?
 - alternates used properly?
- Beneficiary issues?
 - can apply to any size SA and can be fatal
 - improper inclusion or exclusion corrupts survey
 - excluded: count as non- LMI @ surveyed average size
 - included: remove from results
 - survey may collapse

Application

- Include:
 - how the beneficiary universe was established
 - survey methodology
 - print out of randomly generated list of homes
- Service Area map
 - code (color, symbol, etc) LMI, VLI, non-LMI, vacant
 - show all other households in SA



Resources

- Sample Size:
 - <http://www.surveysystem.com/sscalc.htm>
 - use 95% confidence level
 - select confidence interval
 - based on knowledge of service area
 - final LMI % = results minus confidence interval
- Random Number Generator:
 - <http://random.org/>
 - select non-repeating random numbers option
 - print out and include copy with application

Implementation Critical Dates Application Cycle

Melanie Alexander
Community Assistance
Consultant



Implementation of Critical Dates*

- Application cycle November 16 – January 15
- Application review January 15 – February 5
- Site visits February 5 – April 5
- Completeness Period April 5 – June 7
- Contract ready to award June 7
- Contracts mailed out June 7 – July 7

*These are tentative dates and subject to change

Getting to Know Your Contract

Tara Walters

Community Assistance
Consultant

Getting To Know Your Contract Overview

- Standard Agreement
- Attachments

Getting To Know Your Contract Standard Agreement

- Critical Source Document/ Held Accountable
 - Contains terms of agreement
 - Specifies the Parties of the agreement
 - Term of the contract (24 Months)
 - Contract Amount
 - Access to Records
 - Recordkeeping
 - Audit requirements
 - Reports

Getting To Know Your Contract Attachments

A – Scope of Work and Budget

B – State and Federal Statutes and Regulations

D – Reporting Requirements

F – Warranties and Representations

G – Certification Regarding Debarment & Suspension

I – Activity Work Plans

J – Program and Special Conditions

K – Signature Authorization

Getting To Know Your Contract

Attachment J

Program and Special Conditions

Within 90 Days & Before Admin Exceeds \$15,000,
Submit:

- Professional Services Contracts
 - Administrative
 - Engineering or Architectural
- Environmental Review Record

Getting To Know Your Contract

Attachment J

Program and Special Conditions

- Submit to Department for Review & Acceptance:
 - All Engineering Specifications & Construction Plans
 - All Bid Documents for Services & Materials for Construction Activities

Getting To Know Your Contract

Attachment J

Program and Special Conditions

- Administration and Activity Delivery Costs
- Monitoring of Sub-recipients
- National Objective Forms
- Duplication of Benefits Avoidance
- Special Conditions

Environmental Review Procedures

Judy Peacock
Planning Manager



Environmental Review

Federal Regulations

- 25 CFR 51
- 24 CFR 58
- 24 CFR 55 (Floodplain)
- National Environmental Policy Act

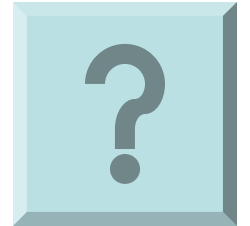


Laws (examples)

- Historic Preservation, Floodplain and Wetlands Management, Coastal Zone Management, Sole Source Aquifers, Endangered Species, Wild and Scenic Rivers
- Air Quality, Farmland Protection, Environmental Justice, Noise Abatement and Control, Toxic/Hazardous/Radioactive Materials, Airport Clear Zones and Accident Potential Zones

Who's Responsible? (24 CFR 58.4)

1. HUD awards funds to state
2. State awards funds to local governments
3. Local governments prepare environmental reviews and submit them to the state for approval
4. The state reviews the local government's documents
 - ERR
 - On-site
5. HUD monitors the state's process and randomly selected environmental reviews



Begin the Process

- Review Clearinghouse letter
 - Documents Coastal Zone consistency
 - Provides comments from other agencies
- Is housing unit or other improvement is > 50 years old?
 - If so, the SHPO must be contacted
- Is any portion of the project in the floodplain?
 - If so, compliance with 24 CFR 55 (8-step process is required (includes public notices) whether funded by NSP or not



Levels of Review

- Exempt
- Categorically Excluded
- Single Family Housing Unspecified Site Strategy
 - Tiered Review for Single Family Housing
- Full Assessment

Exempt (24 CFR 58.34(a))

1. Environmental & studies
2. Information & financial services
3. Administrative & management activities
4. Public services with no physical impact or change
5. Inspections & testing of properties for hazards or defects
6. Purchase of insurance
7. Purchase of tools
8. Engineering or design costs
9. Technical assistance & training

Exempt (24 CFR 58.34(a))

10. Assistance for temporary or permanent improvements that do not alter environmental conditions & are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration. *{emergency assistance; special requirements}*
11. Payment of principal & interest on loans or obligations guaranteed by HUD
12. Categorical exclusions listed in Sec. 58.35(a) provided that there are no circumstances which require compliance with laws & authorities cited in Sec. 58.5

Categorically Excluded Not Subject To 24 CFR 58.5

- Do not alter conditions
- Do not require a review or compliance determination under the Federal laws and authorities cited in Sec. 58.5
- No Notice of Intent to Request Release of Funds
- The state requires a RROF and documentation
- Must comply with applicable requirements under 58.6

Categorically Excluded Not Subject To 24 CFR 58.5

1. Tenant-based rental assistance
2. Supportive services [health care, housing services, day care]
3. Operating costs [maintenance, security, utilities, equipment]
4. Economic development activities
5. Assistance to homebuyers to purchase existing dwelling units or units under construction, including closing costs, down payment assistance, interest buydowns, and similar activities for the transfer of title

Categorically Excluded Not Subject To 24 CFR 58.5

6. Affordable housing pre-development costs which do not have a physical impact [legal, consulting, developer and costs related to obtaining site options, financing, administrative costs and fees for loan commitments]
7. Approval of supplemental assistance to a project previously approved, if the approval is made by the same responsible entity and re-evaluation of the environmental findings is not required under Sec. 58.47

Categorically Excluded Subject To 58.5

1. Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
2. Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.

Categorically Excluded Subject To 58.5

3. Rehabilitation of buildings and improvements if:
 - (i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland
 - (ii) In the case of multifamily residential buildings:
 - (A) Unit density is not changed more than 20 percent
 - (B) The project does not involve changes in land use from residential to non-residential; and
 - (C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation

Categorically Excluded Subject To 58.5

3. Rehabilitation of buildings and improvements if:

(iii) In the case of non-residential structures, including commercial, industrial, and public buildings:

(A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and

(B) The activity does not involve a change in land use.

Categorically Excluded Subject To 58.5

4.
 - (i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or
 - (ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
 - (iii) Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).
5. Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
6. Combinations of the above activities.

Categorically Excluded Subject To 58.5 24 CFR Part 58.35(a)(3)(iii)

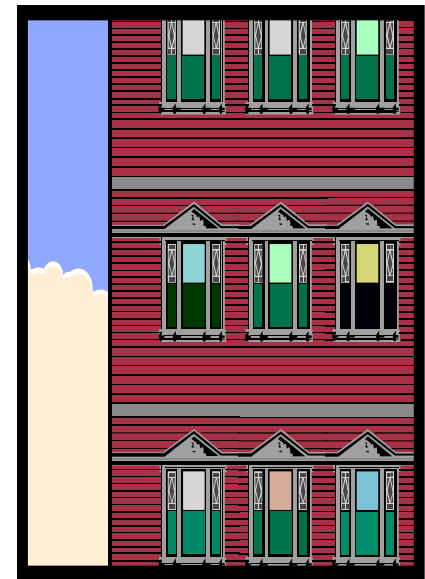
- Rehab of Non-Residential
 - < 20% change in size and capacity
 - does not change land use



Categorically Excluded Subject To 58.5

24 CFR Part 58.35(a)(3)(ii)

- Rehab of Multifamily Residential
 - Density is not changed > 20%
 - Does not involve change in land use
 - Cost is < 75% cost of replacement

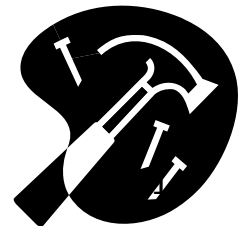


Categorically Excluded Subject To 58.5 24 CFR Part 58.35(a)(3)(i)

- Rehabilitation of 1 to 4 Family Dwellings
 - Density is not > 4 units
 - Land use is not changed
 - The site is not in FP
 - The footprint is not expanded

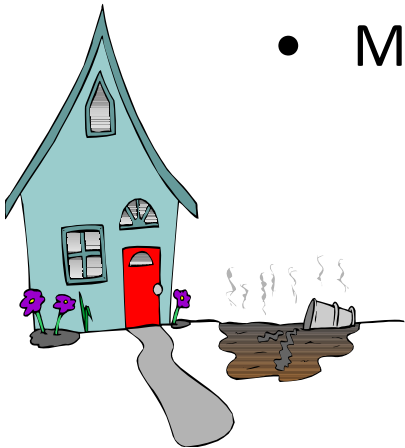
Unspecified Site Strategy for Housing Categorical Exclusion Subject To 24 CFR 58.5

- Single Family Housing Rehab
- Single Family Housing Replacement
- Related activities (relocation, demolition, etc.)



Housing Unspecified Site Strategy

- Applicable to Housing Rehab only when units to be addressed have not been selected
- Requires an overall review of the community to determine what compliance “might be” or “is” necessary
- Requires a strategy for reviewing each unit
 - Must specify potential environmental issues



Housing Unspecified Site Strategy

1. Describe the project (only activities listed at 24 CFR Part 58.35 (a)(3), (4), (5), or (6) should be included).
2. List all funding sources and approximate amount of funding.
3. Include maps and other information to define functional or geographic area.
4. Certify that project is Categorical Excluded Subject to 58.5.

Housing Unspecified Site Strategy

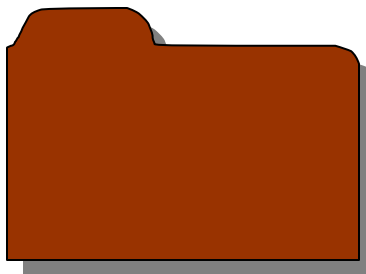
5. Conduct “Broad Review” of environmental impact for overall project or service area.
 - A project is a group of related activities (24 CFR Part 58.2(a)(1), which can be functionally (all single family actions) or geographically related.
 - Address as many of the compliance factors and provide documentation on the Laws and Authorities on HUD’s Statutory Worksheet (24 CFR Part 58.5 and 6).
 - Include maps; use acceptable floodplain map if applicable.
 - For items that need more specific site information, indicate “see Written Strategy” in the documentation section of the Statutory Worksheet.

Housing Unspecified Site Strategy

6. Develop Written Strategy to address factors that could not be eliminated in broad review.
 - Explain how each will be addressed.
7. Based on Written Strategy, develop “Site Specific Review Checklist” to evaluate individual sites.
8. Publish or post NOI/RROF. Indicate that the project is for multiple years, the funding sources and amount, service area and specific activities.
 - After comment period, sign, date and submit RROF to Department.
 - Do not commit funds until an Authority to Use Grant Funds is issued.

Housing Unspecified Site Strategy

9. Proceed with mitigation and address laws and authorities that trigger compliance.
 - Upon receipt of the ROF, conduct “Site Specific Review” for each site before obligating or expending funds on it.
10. Place site specific checklists and documentation in ERR; submit a copy to the Department.



Full Assessment (not Exempt or Categorically Excluded)

- Improvements that increase size or capacity to serve by more than 20%
- New construction
- Activities not Exempt or Categorically Excluded
- Reviews entire geographic service area
- Assessment should result in a FONSI



Full Assessment: Complete the Environmental Assessment for HUD-funded Proposals

1. Complete Statutory Worksheet and provide documentation
2. Complete NEPA Environmental Assessment Checklist
3. Document compliance with 58.6 (a – d)
4. Floodplain notices required if any part of service area is in floodplain
5. A concurrent notice is required

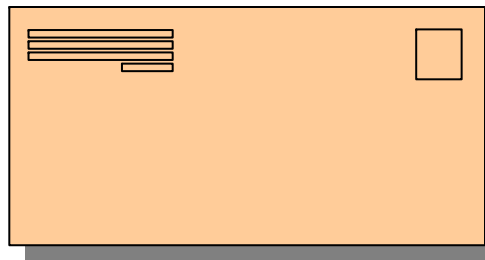
Full Assessment (not Exempt or Categorically Excluded)

- Public Notice
 - Floodplain notices if applicable
 - Concurrent notice
- RROF
- DCA Environmental Assessment for HUD-funded Proposals
 - General information
 - Statutory Worksheet
 - NEPA Environmental Assessment Checklist
 - Documentation of Compliance with 24 CFR Part 58.6 (a – d)



Full Assessment (not Exempt or Categorically Excluded)

- Submit everything to DCA
- DCA
 - 15 day comment period
 - Release of Funds (HUD Form 7015.16)



Public Notice



- Early Public Notice (floodplain or wetland)
 - “incidental” does not mean “small portion,” it means any part of site (whether construction will occur or not)
 - 15 day comment period
- Notice of Explanation (floodplain or wetland)
 - 7 day comment period
- Notice of Intent to Request Release of Funds
 - 7 day comment period

- The Concurrent Notice must identify two purposes
 - finding of no significant impact
 - intent to request release of funds
- Specify the site address or location
- Provide contact information
- Provide for 15 day comment period
- Give information on grounds for objections

Resources

- Mapping resources:
 - DOT
 - USGS
 - FWS
 - FEMA - FIRM
 - Google Earth

Resources

- Florida DOT
 - maps that show locations of airports, rails, etc. that can be used as documentation
 - traffic count (for noise documentation)
- US Fish and Wildlife Service
 - maps that show location of wetlands
 - information on endangered species

Resources

- State Clearinghouse provides coastal zone “consistency”
- Sample Statutory Worksheet provides examples of sources of acceptable documentation



Documentation

- “Common knowledge” if there is common knowledge about the factor.
 - If there is no airport in a jurisdiction – it is common knowledge that no airport exists and therefore the runway clear zone requirement does not apply.

Community Profile

- Maps
- Photos
- Information on applicability of laws and authorities to the community
- Previously conducted environmental assessments

Procurement

Steve Fellerman
Financial Specialist

Professional Services Procurement

- If contract has any CDBG funding, comply with:
 - 287.055, Florida Statutes (engineers)
 - 24 CFR 85.36 (HUD procurement regulation)
 - local CDBG procurement policy
 - grant contract program conditions
- If procurement does not comply, 2 choices:
 - use non-CDBG funds to pay for contract
 - bring into compliance
 - application services must comply CDBG funded

287.055, Fla. Statutes (CCNA)

- Engineers & others, regardless of funding
- Does not cover grant administrators
- Major requirements:
 - No price information before negotiations begin
 - No reconsideration after ending final negotiations
 - Must conduct “detailed cost analysis” of price
 - Prohibition on contingent fees clause (all)
 - Truth-in-Negotiation certification (if over \$150,000)
 - Price adjustment clause (if over \$150,000)

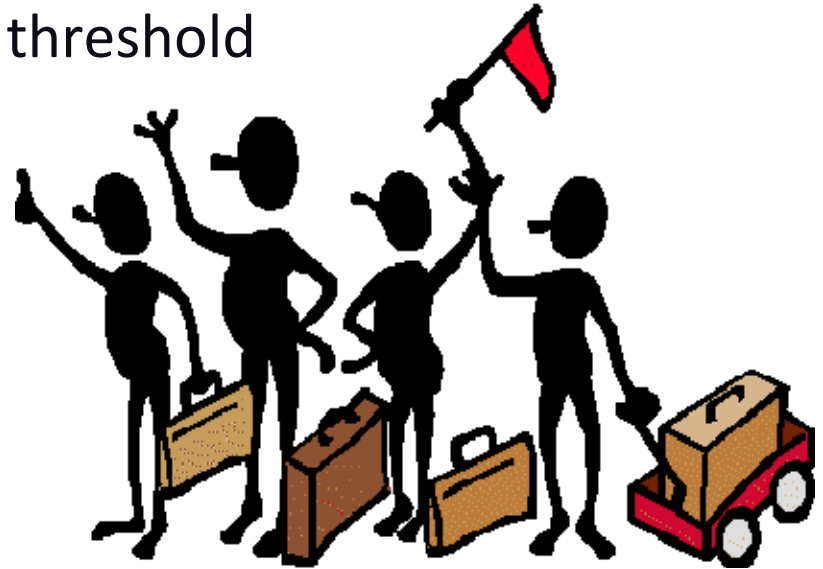
24 CFR 85.36

- Competition is most important review issue
 - No minimum experience requirements
 - No geographical restrictions (incl. small/MBE/WBE)
 - “Small business” definition must = SBA definition
 - Prequalified list: can’t bar others from bidding
 - Prequalified list must be “current”
 - No retainer or continuing contracts
 - No “piggyback” contracts; State contract OK
 - Any action which limits competition may be issue

24 CFR 85.36

(Types of Procurement)

- Small purchase
 - informal (phone quotes, faxed quotes)
 - local CDBG proc. policy has low threshold
 - federal = \$100,000 maximum
- Competitive Bids
 - price is primary consideration
- Competitive Negotiation
 - Qualifications is primary consideration
- Non-competitive
 - only in certain situations with DCA approval



Competitive Proposals

- All evaluation criteria must be publicized
 - no deviation during evaluation process
- Price must be evaluation factor
 - unless 287.055 applies (engineers / architects)
- Consider scoring / ranking procedure
 - raw points or other procedure?
 - can procedure be manipulated?
- Think through evaluation factors
 - relevant? measurement?



Competitive Proposals

- Role of elected officials & evaluation committee?
 - elected officials: can't change committee rankings
 - accept or reject ranking; or conduct own ranking
 - Dual ranking procedure:
 - committee ranks all firms & “short lists” top 3 (or specified)
 - short listed firms ranked by elected officials for final order
 - note dual ranking procedure in RFP or policy
- Ranking only establishes order of consideration
 - must still negotiate a contract
 - if no agreement, move on to next highest ranked

Competitive Proposals

- Always conduct either price or cost analysis
 - price analysis is “bottom line”
 - compare to other prices and range
 - price within lower to middle of range: OK
 - price near or at top of range: discuss and document
 - can’t conduct price analysis if only one proposer / bidder
 - cost analysis if price was not evaluation factor
 - obtain direct costs for level of effort (personnel, hours, rates)
 - obtain indirect cost rate
 - obtain other costs: sub-consultants, travel, etc.
 - obtain estimated profit; cannot be “built in” to hourly rate
 - sample cost analysis form on DCA website

Competitive Proposals

- Limits on CDBG funding for admin & engineering
 - grant admin maximum: 2.5%
 - engineering / architectural maximum:
 - Rural Utility Services fee schedule
 - plus defined “additional engineering” services
 - maximum based on final construction cost
 - negotiate contract price regardless of limit
 - “reasonable” price required by OMB Circular A-87
- Contracts must contain certain clauses
 - see 24 CFR 85.36 (i)

Competitive Proposals

- City of Sandspur Beach RFP:

The City is seeking a firm to provide grant application and grant administration services for a CDBG disaster recovery grant. A firm must have at least 2 years CDBG experience to be considered. Evaluation criteria are:

- Firm's CDBG experience - 40 points
- Prior work history with Sandspur Beach – 25 points
- Prior success in obtaining CDBG grants – 15 points
- References – 10 points
- M/WBE firm located in Sandspur County – 10 points

Non-competitive Procurement



- Only in special, justified situations
- Requires prior DCA written approval
 - includes award to single bidder or proposer
 - DCA will review RFP / advertising procedure

Formal Bids

- Award to “low, responsive, responsible bidder”
 - Responsive: addresses “promise to perform”
 - Responsible: addresses “ability to perform”
 - “Responsive” issue cannot be corrected: reject
 - “Responsible” issue can be corrected before award
 - Don’t ignore issues because price is good.
 - Don’t create issues to reject a contractor
- Comptroller General:
 - “responsive” cannot be made “responsible”
 - “responsible” cannot be made “responsive”



CDBG Contract Requirements

- Separate procurement for separate services
 - separate: application, administration, engineering
 - “separate” language must be in public notice / RFP
 - separate evaluation & separate contracts
 - rejection issue
- Public notice requirements:
 - MSA newspaper or consider at least 3 firms
 - at least 12 days for submission of proposals / bids

Procurement Protests

- Resolve using local, written protest procedure
- Notify DCA of protest
 - DCA reviews for:
 - program procurement issues
 - policy precedent by Comptroller General
- If DCA not notified of protest:
 - possible loss of CDBG funding for that contract



Procurement Reviews

- Professional Services
 - Submit to DCA for desk review (grant condition)
- Construction Services
 - full review during on site monitoring
 - overviewed through bidding information form
 - submitted to DCA before contract award

Procurement Reviews



- Consult with DCA about any irregularity
 - local policy, case law, etc. irrelevant to 85.36
 - Comptroller General appeals decisions apply
- Contract Execution ends Procurement
 - if contract later terminated: new procurement

Typical Procurement Issues

- Professional Services
 - RFP doesn't include price as evaluation factor
 - except for engineering & architectural services
 - Advertising not broad enough
 - MSA newspaper or at least 3 proposals considered
 - Lack of "maximum competition"
 - minimum experience requirement to submit
 - geographic preference
 - local or regional firm, including small / minority / women



Typical Procurement Issues

- Construction Services
 - “responsible vs. responsive”
 - good price doesn’t justify improper award
 - negotiation with low bidder if price exceeds budget
 - include bid deducts or allow all bidders to revise price
 - “brand name” equipment
 - generic, performance-based specs preferred
 - If “brand name” used
 - identify minimum requirements for “equality”
 - using more than one brand name does not comply



Uniform Relocation Act (URA) Acquisition

Steve Fellerman
Financial Specialist



Acquisition

- Uniform Act (URA)
 - Uniform Relocation Assistance & Real Property Acquisition Policies Act
 - implementing regulation: 49 CFR 24 – (DOT reg)
- HUD Handbook 1378 (HUD guidance for URA)
- Model letters & forms on DCA website

URA Applicability

- Applies even if no CDBG \$ used for acquisition
 - (test: property is needed for project w/ federal \$)
- Applies as soon as federal funding considered
 - funds don't have to be awarded or applied for
- No URA compliance: no CDBG funds for project
 - Ex: city uses local \$ to buy land for sewer plant
URA applies if City plans to apply for CDBG \$ for plant

Voluntary Acquisition

- No specific site needed or planned
 - only if multiple acceptable sites
 - example: sewer plant sprayfield
 - road or sewer line easement
 - usually needed, so can't be "voluntary"
(unless owner retains title to property)
- Assure owner: "no eminent domain"
- Inform owner in writing of market value

Involuntary Acquisition

- Specific site is needed
- Notify affected property owner(s) in writing
 - URA rights letter and brochure on DCA website
 - avoid verbal discussions before letter issued
- Obtain appraisal & review appraisal (> \$10K)
 - (below \$10K, can use other valuation method)
- Make offer based on Fair Market Value

Involuntary Acquisition

- Negotiate if owner does not accept offer
- Option – administrative settlement
 - provided in 49 CFR 24.102(i)
 - after negotiations fail
 - “reasonable, prudent and in public interest”
 - obtain DCA prior written approval
 - local government must provide justification

Relocation Assistance

- 42 months (URA)
- Amount: increased cost x 42
 - must be “comparable” to former unit
 - plus moving expenses (actual or allowance)
- Payment timing: “periodic intervals”

URA Waivers

- Section 104 (d) HCDA
 - one-for-one replacement and
 - 60 months relocation assistance for LMI persons
- voluntary, arm's length acquisition
 - for persons buying home as principal residence
- “30 % of income” for housing cost if no hardship
- Local gov't may set own moving expense
 - must be “reasonable” for jurisdiction
 - address expenses in 49 CFR 24.301

Conflicts of Interest

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Overview

- Federal Regulations
- Definition for “Conflict of Interest”
- Relationships the Represent Conflicts
- Remedies
- Penalties

Federal Code and State Statutes

- Federal requirements:
 - 24 CFR 85.36 (b) (3), and
 - 24 CFR 570.489 (h)
- State requirements:
 - 112.311 – 112.3143, Florida Statutes
- Applies to grant administrators, partnering agencies, subcontractors, & direct beneficiaries

Definition of Conflict of Interest

A relationship or circumstance whereby a person or organization exercises functions or responsibilities for funded activities through which they, their relatives, or known associates obtain or appear to obtain a financial benefit.

Conflict of Interest

- There are two types of conflicts:
 - Beneficiary, and
 - Procurement

Beneficiary Conflicts of Interest

- Involve any direct benefit, such as housing rehab, utility hook-up, or façade renovation;
- Covers applicants for direct benefits, anyone with a role in CDBG approval process, including CATF, local grant administrator, city officials and council/commission members;
- Beneficiary conflicts can be waived by local government and DCA, but:
 - Prior DCA approval is required;
 - Costs incurred prior to DCA approval are unallowable
- **THERE ARE NO RETROACTIVE WAIVERS**

Beneficiary Conflicts of Interest

- Identify beneficiary conflicts at all levels:
 - Applicants
 - CATF members
 - Local government officials
- If you discover a conflict:
 - Publicly acknowledge beneficiaries by name;
 - Get attorney's opinion; and
 - Request a waiver from DCA
 - DCA will review and if appropriate grant a waiver

Procurement Conflict of Interest

A conflict exists if there appears to be a relationship between funded activities and:

- Recipient officers, their employees or agents
- Any member of their immediate family (also see 112.12(21), F.S.)
- partners
 - Organizations employing, or about to employ, any of the above

Procurement Conflict of Interest

- Covers all aspects, from solicitation, to award, to administration
 - Writing selection criteria, evaluating proposals, negotiating terms, etc.
- Resolution?? Affected person must not participate.
 - Level of conflict is irrelevant
 - Any conflict requires non-participation
- Procurement conflict cannot be waived
 - Person with conflict cannot participate at any time
 - No CDBG funding for contract with conflict of interest present
 - DCA must be notified in writing

Conflict of Interest

ESTABLISH APPROPRIATE PROCEDURES TO
ADDRESS CONFLICT OF INTEREST

REQUEST GUIDANCE BEFOREHAND

QUESTIONS OR CONCERNS?

CONTACT YOUR REGIONAL REPRESENTATIVE
TO DISCUSS THE ISSUES

Q & A

Jacquelyn Dupree

Community Program Manager
Florida Small Cities CDBG, Disaster
Recovery & Neighborhood
Stabilization Programs

2008 Storms Disaster Recovery Workshop



Hyatt Jacksonville Riverfront
November 3-4, 2009



Opening Remarks

Jacquelyn Dupree

Community Program Manager
Florida Small Cities CDBG, Disaster
Recovery & Neighborhood
Stabilization Programs

Fair Housing

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Fair Housing Activities

- Designed to promote awareness of a citizen's right to equal opportunity for housing and to discourage discrimination on the basis of:
 - Race
 - Color
 - Sex
 - Religion
 - Handicap
 - Familial Status, or
 - National Origin

Fair Housing Ordinance

- Recipients and subrecipients not required to adopt a fair housing ordinance, but are encouraged to do so
- Download a sample ordinance via internet at

www.floridacommunitydevelopment.org

Fair Housing Requirements

- Federal Requirements
 - 24 CFR 570.487(b)(4)
 - 24 CFR 570.601-602, & 570.607
- State Requirements
 - Grant Agreement/Program Condition 8 requires recipients and subrecipients to undertake annual fair housing activity
 - Public Outreach and Information Strategy
 - Workshop targeting local officials and general public
 - Workshop targeting professionals

Fair Housing Requirements

- Public Outreach and Information Strategy
 - Public notices and/or announcements
 - Hand bills
 - Art contest
 - Local news article
 - Internet website with links to fair housing advocacy groups and organizations

Fair Housing Requirements

- Workshop for Local Officials & General Public
 - Provide Public Notice – Keep Copy
 - Conduct the Event at Public Meeting
 - Retain Agenda and Training Materials
 - Prepare and Retain Sign-in Sheet

Fair Housing Requirements

- Workshop for Professionals
 - Design event to target appropriate professionals and property owners
 - Invite participation by direct mail or e-mail and retain copies of the invitations
 - Retain agenda and training materials
 - Prepare and retain sign-in sheet

Fair Housing Requirements

For Information
That May Prove Helpful to
Promote Fair Housing

Please visit the HUD Website

<http://www.hud.gov/offices/fheo/index.cfm>

Citizen Complaints

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Citizen Complaints

Overview

1. Reducing complaints
2. Resolution of complaints
3. Department's Role



Citizen Complaints

1. Reducing Complaints

- A. Clear policies and procedures
- B. Communication processes
- C. Documentation
- D. Special attention for Housing activities
 - 1. Clear work write-ups
 - 2. No promises
 - 3. Be very clear with homeowner
 - 4. Keep them up to date on progress



Citizen Complaints

2. Resolution of Complaints

A. Resolve issues at local level

1. Maintain a log of citizen complaints

- date & time, name, nature of complaint, resolution

2. Respond within 15 days per 24 CFR570.431(b)(5)

3. Consult with appropriate parties: CATF, contractors, Council or Commission

B. Get complaint in writing and respond in writing

C. If no resolution, refer citizen to Department

CITIZEN COMPLAINTS



3. Department's Role

- A. Ensuring proper procedures were followed
- B. Either local government's action are adequate and satisfy procedures or are directed to keep trying
- C. We can respond with other actions you should take
- D. Not an investigative operation

Labor Standards

Steve Fellerman
Financial Specialist

Labor Standards

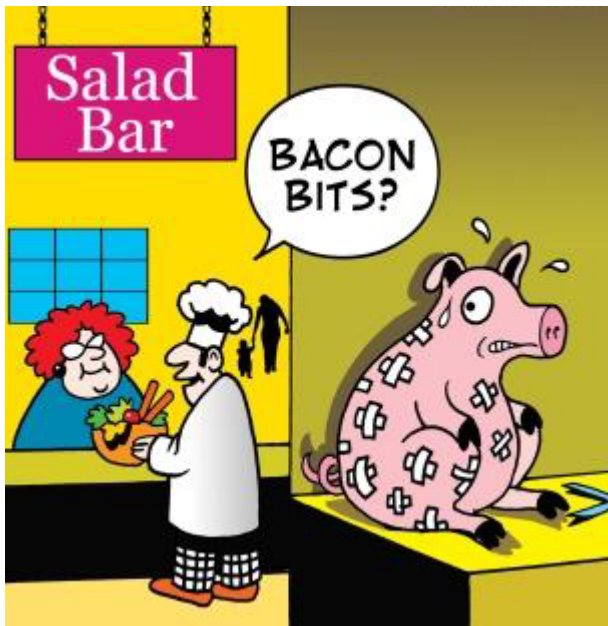
- Davis- Bacon Act
 - “prevailing wages”
- Contract Work Hours Act
 - overtime
- Copeland Act
 - deductions



Davis-Bacon Act

- All construction contracts over \$2,000
 - if prime contractor is covered, all subs covered
- Exceptions:
 - single family home rehab (HCD Act exemption)
 - contract for “hookups only” is “housing rehab”
 - “supply and install” contract
 - “install” must be less than 13% of total cost
 - “incidental construction” per admin. law judge ruling
 - work by local government employees

Davis-Bacon Act



- Request wage decision approx. 45 days before bidding
 - including entitlements
 - these projects will be reported to HUD by DCA
 - don't include in your semi-annual Labor Standards report
 - wage decision request form on DCA website
- Decision Validity:
 - "locked in" at bid opening if awarded within 90 days
 - DCA will issue updates until notified of bid opening

Monitoring Issues

- **“Minimum hourly rate”**
 - any combination of cash & “bona fide” fringe
 - bona fide fringe: benefit payment to 3rd party
 - “apprentices”: formal program or reclassify
 - program establishes rates (hourly or % of trade rate)
 - “helpers” – not allowed; reclassify
- **Two wage decisions being used**
 - Using wage decision applicable to that work?
- **Identify all subs & get their payrolls**
 - “day labor” workers – that firm submits payroll



Other Labor Laws

- Contract Work Hours Act
 - applies to contracts over \$100,000
 - 150% of “basic rate” for over 40 hrs/week
 - worked on project
 - “basic rate” = whatever hourly rate worker is paid
 - unrelated to wage decision “minimum” rate
 - ex: minimum = \$10; worker paid \$20; OT rate = \$40
- Copeland Act
 - Written authorization by worker for all deductions
 - unless required by law, court order, or other legal action
 - some deductions may require permission by US DOL

Monitoring Issues



- Misclassification
- Multiple classifications for same worker
- Classification does not exist
- “Salaried” worker is subject to overtime
- “Owner” working on site covered
- “Leased” workers
- Subcontractor payrolls missing
- Deductions – do not need to obtain all

Enforcement Options

- Withhold payment to prime contractor
 - prime is responsible for subcontractor deficiencies
 - w/hold amount needed for compliance
- Contractor fully paid, or w/holding insufficient:
 - withhold from another contract subject to DBA
 - Report contractor to HUD / DOL for debarment



Monitoring Requirements

Tara Walters
Community Assistance
Consultant



Monitoring Requirements



- DCA Program Management Responsibilities
- Compliance with Laws, Rules & Regulations
- Minimizes Fraud, Waste & Mismanagement
- Maximizes Performance & Accomplishments
- Monitoring is Done Using Several Methods

Monitoring Requirements

- Monitoring is an Ongoing Process
- At Least Two On-Site Visits
- Written Notification of Visit
- Records Must be Accessible
- Begins with Entrance Interview



Monitoring Requirements

- Program Administration and Performance
- Civil Rights
- Records Management
- Financial Management
- Duplication of Benefits
- Procurement
- Labor Standards
- National Benefit

Program Administration & Performance



- Verifies Capacity to Manage & Administer
- Status of Special Conditions
- Timely Performance
- Review of Citizen Complaints
- Review Contract Awards
- Review Work Plans & Develop Corrective Action as Necessary

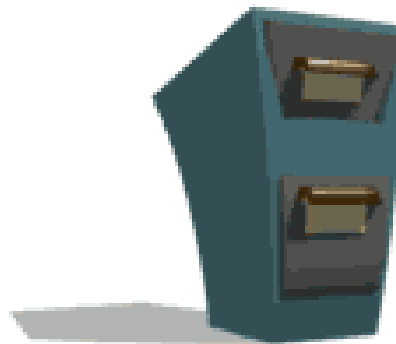
CIVIL RIGHTS



- Review of EEO Complaints
- Confirm Beneficiary Civil Rights Profile
- Review of Policies
- Confirm Employment Ad Refers to EEO
- Handicapped Accessibility
- Review of 504 Self-Evaluation

RECORDS MANAGEMENT

- Records must be accessible
- Maintained by the recipient, in a secure environment



FINANCIAL MANAGEMENT

- Accounting System Review
- Assess Timeliness of Expenditures
- Sample Audit of Two or More Claims
- Confirmation of Audit Trail
- Force Account Records
 - discuss with your grant manager



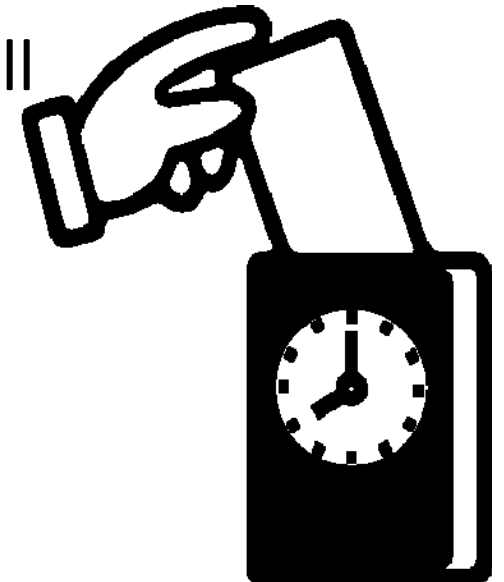
PROCUREMENT

- Confirm Compliance with Local, State, & Federal Policies, Rules & Regulations
- Review Efforts to Reach Out to M/WBEs
- Ensure Compliance with Section 3 Requirements



LABOR STANDARDS

- Construction Contract Awarded Timely
- Review of Payroll Records to Ensure Correct Wage Amounts are Paid
- Ensure Proper Documentation of Payroll Deductions
- Interview of Workers
- Posting of Labor Standards Notice



NATIONAL BENEFIT

Confirm Documentation of National Objective Requirements

- Low-to-Moderate Income
- Slum & Blight
- Urgent Need



Objectives

Monitoring Requirements

- Exit Interview
- Monitoring Findings
- Monitoring Concerns
- Respond to findings within 35 days
- Document all corrective actions
- 15 day extension



Monitoring Requirements

DCA will review and respond by:

- Clearing all findings
- Rejecting response
- Partially clear findings and request additional information



Monitoring Requirements

Copies of the monitoring checklists are available on the Department's website:



www.floridacommunitydevelopment.org/cdbg/DownloadsRecipients.cfm

Duplication of Benefits Avoidance

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Duplication of Benefits Avoidance

- Recipients Must Implement Procedures that Minimize Risk
 - Applicants for direct benefits must provide certification and documents to account for similar benefits paid out from other sources on their behalf
 - Recipient must take steps to verify the certification and documents by cross-referencing data with U.S. Small Business Administration and Federal Emergency Management Agency
 - Other sources of funding must be accounted-for and expended first
 - Recipients must maintain comprehensive case files



Duplication of Benefits Avoidance

- Avoidance of duplication of benefits paid by FEMA
 - Secure certification and documentation accounting for benefits
 - Require applicant to sign FEMA Authorization to Release Information Form
 - Transmit copy of form to FEMA under cover of fax memo or via e-mail
 - Compare FEMA reply to certification and account for amounts and differences
- Avoidance of duplication of benefits paid by SBA
 - DCA will provide recipients with copy of SBA data abstract of beneficiaries
 - Compare SBA data abstract to certification and account for amounts and differences

Duplication of Benefits Avoidance

- Accounting for duplication or the absence thereof
 - Establish escrow for non-CDBG funds
 - Maintain appropriate documentation in case files
 - If applicant is unable to account for benefits paid from other sources, gap financing of equal amount must be secured and applied

Duplication of Benefits Avoidance

- Contact information for verification of FEMA benefits:

Sylvia Hogan, Program Manager or
Sherry Losapio, Program Specialist
Individual Assistance Program

Long Term Recovery Office – Orlando

Phone: 407-268-8656 Fax: 407-268-8568

E-Mail: sylvia.hogan@em.myflorida.com or
sherry.losapio@em.myflorida.com



Duplication of Benefits Avoidance

Disaster: 1545 - Florida Hurricane Process: Applicant Inquiry Subqueue: Completed: 0 Queue Size: N/A

Rgn ID: 91-1246386 MS CHRISTINA SSN: Current: (321) OVR: Own Dep: 1 HA: CLOSED OTHER: NONREF CBRA: No
 Co-Rsg: Co-SSN: Alternate: (321) HH: 2 SBA Home: FIT Fld Zrc: SC:

Insurance | HA | Other Asst |
 Overview | App Info | Insp Real Prop | Insp Pers Prop/Misc | Insp Summ | Info Control | Correspondence | Comment | Special

Insurance Policies

| Ins Type | Policy ID | Company Name |
|-----------------------|-----------|--------------|
| No RP or PP Insurance | | |

Current Queues

| WP Id | Process |
|-------|----------|
| 1 | Disposed |

HA Assistance Status: N/A

| Category | Asst Type | Award Level | Eligibility | Eligibility Amt | Elig Date | App |
|---------------|-----------|-------------|--------------------|-------------------|------------|-----|
| Home Repair | Initial | First | CHR - Eligible - H | \$2,550.00 | 09/20/2004 | Yes |
| Total: | | | | \$2,550.00 | | |

Other Assistance Status: NONREF

| Category | Asst Type | Award Level | Eligibility | Elig Date | Amount | Adj Amt | App |
|---------------|-----------|-------------|-------------|-----------|--------|---------|---------------|
| Total: | | | | | | | \$0.00 |

App Info

App: 09/11/2004 Loss Date: 09/04/2004
 Language: English
 Damaged Address:
 IRIS ST
 COCOA, FL 32927-4889
 County: Brevard (County)
 Primary Residence: Yes (Primary)

Verification

Own Vrfc: Official's Statement/Letter
 Occ Vrfc: Driver's License
 Declaration: 90-69D

Inspection

Type: Initial Completed: 09/20/2004
 Number of Inspections: 1
 Res Type: Mobile Home
 High Water: , ft. in.
 Dmg Rec: Hail/Rain/Wind Driven Rain

Bedrooms: 1 Size: 800 SQ FT
 Occupancy: Owner Sign 98-69B: Yes
 Sign 90-69C: Yes US Citizen/Non-Citi

Done Split WP Cancel Hold Route

start Friday, Aug 10, 2007 11:19 AM

AUG-14-07 11:02:32 PM

FAX NO.

P. 08

Duplication of Benefits Avoidance

2004 Hurricanes Charley, Frances, Ivan & Jeanne

| SBA Application Number | SBA Loan Number | FEMA Number | Last Name | First Name | SBA RE Loan Amount | SBA RE Total Verified Loss | Damaged Property Add Line 1 | City | County | Zip Code |
|------------------------|-----------------|-------------|------------|------------|--------------------|----------------------------|-------------------------------|-------------------|------------|--------------|
| 0000297493 | 1369766008 | | [REDACTED] | [REDACTED] | \$10,000.00 | \$63,288.00 | 3045 NW 62ND ST | Miami | Miami-Dade | 33147 |
| 0001209137 | 9800404007 | 591068591 | [REDACTED] | [REDACTED] | \$0.00 | \$0.00 | SW 23RD TERRACE | Miami | Miami-Dade | 33175 |
| 0001230836 | 9416184008 | 932039024 | [REDACTED] | [REDACTED] | \$10,000.00 | \$18,142.00 | SW 92 CT | Miami | Miami-Dade | 33176 |
| 0001338992 | 9836974005 | | [REDACTED] | [REDACTED] | \$35,000.00 | \$34,940.00 | SW 212 TE | Miami | Miami-Dade | 33177 |
| 0001780805 | 1838196007 | | [REDACTED] | [REDACTED] | \$42,700.00 | \$42,627.00 | SOUTHWEST 129 AVENUE | Miami | Miami-Dade | 33177 |
| 0001833623 | 9853274009 | 912393697 | [REDACTED] | [REDACTED] | \$29,100.00 | \$64,043.00 | SW 197TH AV | Homestead | Miami-Dade | 33031 |
| 0001849144 | 1266246002 | 9408391335 | [REDACTED] | [REDACTED] | \$44,700.00 | \$57,830.00 | ARCADIA DRIVE | Cudjoe Key | Monroe | 33042 |
| 0001971125 | 9832764004 | | [REDACTED] | [REDACTED] | \$0.00 | \$69,902.00 | FOGARTY AV | Key West | Monroe | 33040 |
| 0001982874 | 1281816005 | | [REDACTED] | [REDACTED] | \$0.00 | \$55,335.00 | PAULA AVENUE | Key West | Monroe | 33040 |
| 0001999101 | 1302946009 | | [REDACTED] | [REDACTED] | \$20,000.00 | \$19,918.00 | ROYAL COACHMAN | Lake Wales | Polk | 33898 |
| 0001999320 | 1096046008 | | [REDACTED] | [REDACTED] | \$10,000.00 | \$30,728.00 | BREEZE WAY | Lake Wales | Polk | 33898 |
| 0001999336 | 9882714009 | | [REDACTED] | [REDACTED] | \$49,700.00 | \$49,603.00 | ARCADIA DRIVE | Miramar | Broward | 33023 |
| 0002064920 | 1191335010 | 931809979 | [REDACTED] | [REDACTED] | \$0.00 | \$5,865.00 | PENINSULAR AV | Key West | Monroe | 33040 |
| 0002064933 | 1160378008 | | [REDACTED] | [REDACTED] | \$32,100.00 | \$52,019.00 | SW 87TH | Davie | Broward | 33324 |
| 0002092389 | 1207966006 | 940883781 | [REDACTED] | [REDACTED] | \$0.00 | \$0.00 | NE 12TH AVE #M161 | Homestead | Miami-Dade | 33030 - 5051 |
| 0002190633 | 1521806001 | | [REDACTED] | [REDACTED] | \$0.00 | \$64,866.00 | SW 133RD PLACE | Miami | Miami-Dade | 33183 |
| 0002208608 | 1377386001 | 936531708 | [REDACTED] | [REDACTED] | \$63,800.00 | \$71,225.00 | SW 98 CT | Miami | Miami-Dade | 33176 |
| 0002208613 | 1252966005 | | [REDACTED] | [REDACTED] | \$10,000.00 | \$58,133.00 | ROYAL POINCIANA | Weston | Broward | 33326 |
| 0002387268 | 1061936004 | | [REDACTED] | [REDACTED] | \$0.00 | \$0.00 | SOUTHWEST 122ND PLACE APT 316 | Miami | Miami-Dade | 33177 |
| 0002387390 | 1500126000 | 921624121 | [REDACTED] | [REDACTED] | \$30,000.00 | \$34,714.00 | SW 156TH ST | Miami | Miami-Dade | 33187 |
| 0002387479 | 1356436004 | 266615123 | [REDACTED] | [REDACTED] | \$17,200.00 | \$17,196.00 | SOUTHWEST 115TH AVE | Miami | Miami-Dade | 33170 |
| 0002402637 | 1254196003 | | [REDACTED] | [REDACTED] | \$0.00 | \$0.00 | AMIE STREET #B | Chokoloskee | Collier | 34138 |
| 0002445114 | 1532106010 | 940881840 | [REDACTED] | [REDACTED] | \$10,000.00 | \$11,385.00 | NE 10PH LN | Okeechobee | Okeechobee | 34974 |
| 0002464408 | 1723778004 | 937717105 | [REDACTED] | [REDACTED] | \$10,100.00 | \$10,052.00 | VALENCIA-G | Delray Beach | Palm Beach | 33446 |
| 0002482080 | 1517906005 | 931767796 | [REDACTED] | [REDACTED] | \$8,500.00 | \$10,425.00 | LANDERS | Delray Beach | Palm Beach | 33484 |
| 0002482083 | 1889396008 | | [REDACTED] | [REDACTED] | \$0.00 | \$64,490.00 | W. 120TH STREET | Miami | Miami-Dade | 33168 |
| 0002482103 | 1241436004 | 931799151 | [REDACTED] | [REDACTED] | \$14,000.00 | \$49,991.00 | W 118 AVE | Plantation | Broward | 33325 |
| 0002485809 | 1532166006 | 936634388 | [REDACTED] | [REDACTED] | \$0.00 | \$0.00 | DUNCAN STREET | Key West | Monroe | 33040 |
| 0002501164 | 2237206007 | 931828014 | [REDACTED] | [REDACTED] | \$0.00 | \$0.00 | SW 225 LANE | Miami | Miami-Dade | 33190 |
| 0002567052 | 1401326006 | | [REDACTED] | [REDACTED] | \$23,800.00 | \$23,583.00 | NW 85ST | Miami | Miami-Dade | 33147 |
| 0002593179 | 1725456006 | 921610661 | [REDACTED] | [REDACTED] | \$33,600.00 | \$38,795.00 | CORAL BLVD | Miramar | Broward | 33023 |
| 0002598336 | 1730986006 | 931989819 | [REDACTED] | [REDACTED] | \$17,800.00 | \$17,752.00 | NE 178 TER | North Miami Beach | Miami-Dade | 33162 |
| 0002800412 | 1422306010 | | [REDACTED] | [REDACTED] | \$79,800.00 | \$79,750.00 | SW 127TH COURT | Miami | Miami-Dade | 33184 |
| 0002804436 | 1910926007 | | [REDACTED] | [REDACTED] | \$10,000.00 | \$17,416.00 | WEST OAKMONT DRIVE | Hialeah | Miami-Dade | 33015 |
| 0002949721 | 1839916000 | | [REDACTED] | [REDACTED] | \$0.00 | \$0.00 | NE 8TH ST APT H | Homestead | Miami-Dade | 33033 |

Duplication of Benefits Avoidance

- DCA will perform onsite monitoring visit including review of documentation and case files
- Failure to maintain documentation may lead to disallowed costs
- DCA will monitor grants with multiple fund sources to ensure no duplicate payments

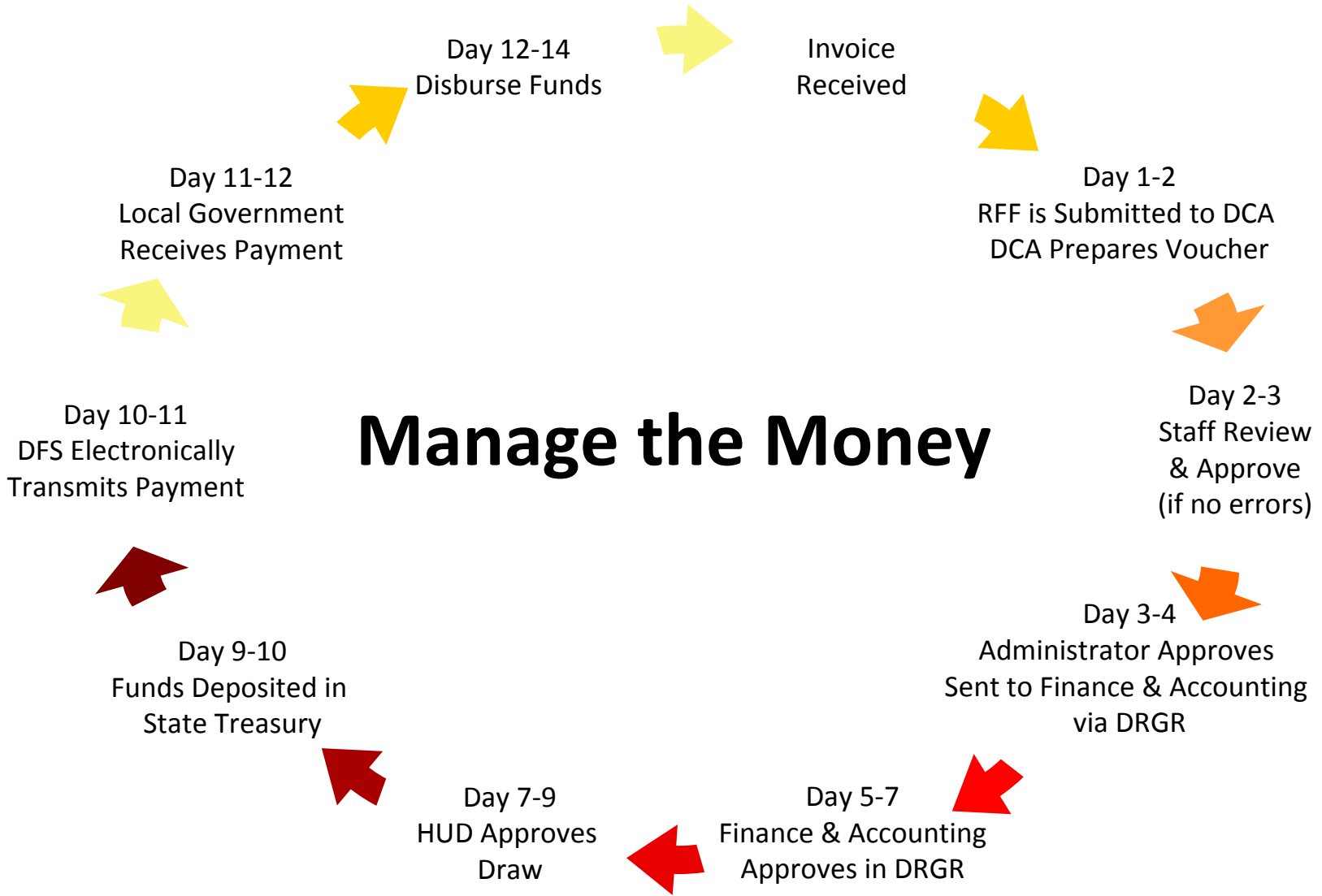


Requests for Funds (RFFs)

Judy Peacock
Planning Manager



Manage the Money



Request for Funds

- All requests for funds (RFFS) must be requested electronically via email to disasterrecovery@dca.state.fl.us
 - **Must be for at least \$5,000 (unless final payment)**
- Only persons authorized on the Signature Authorization Form can approve or submit RFFs

Signature Authorization Form

- Contract
- Website
- Updated form required if:
 - Person with authority to approve RFFs changes
 - Person with authority to submit RFFs changes
 - Other important information changes
 - name, address, email address changes, etc.

Securing the Process

- The Department will only accept RFFs from the email address(es) listed on the Signature Authorization Form
- The proper form must be used
- RFFs must be sent to disasterrecovery@dca.state.fl.us
- Reports must be received in pdf format

Completing the Form

- Use the RFF excel spreadsheet
 - All activities must be reflected with the current budget
 - Spreadsheet will help you track activity balances
 - Some information will only need to be entered once
 - When you complete the spreadsheet
 - have it signed electronically and print it to a pdf
 - OR obtain a signature and scan it to a pdf
 - Submit the pdf to the Department

DCA Processing of RFF

- RFF appears as a pdf in our email inbox
- It is reviewed to confirm that there are no errors
 - RFF Number
 - Line Item Activities
 - Budget and Math
- Checked against Signature Authority Form to ensure that it matches name and email address

DCA Processing of RFF

- RFF is approved by:
 - Grant Manager
 - Planning Manager
 - Program Administrator
- Copies are made for the files
- RFF is submitted to Finance and Accounting
- Funds are drawn from HUD's online system (DRGR) and deposited in state treasury
- Department of Financial Services electronically deposits funds in your account
- Process should take no more than 15 days (usually less)

Reporting

Judy Peacock
Planning Manager

Reporting

- Accounts for funds expended
- Measures HUD requirements related to Section 3, Fair Housing and Equal Opportunity, and Minority Business (contractual obligations)
- Measures accomplishments and beneficiaries
- Identifies performance issues

Reports and Due Dates

- **Audit**
 - Due June 30
- **Contractual Obligation and MBE Report**
 - Due 15th of April and October
- **Quarterly Status Report**
 - Due 15th of January, April, July, October
- **Section 3 Summary Report**
 - Due July 31
- **Administrative Closeout**
 - Due 45 days after termination date or upon completion

Audit

- Due June 30
- Local governments that have open or administratively closed contract
- See Award Agreement
- A-133 requirements

- If Recipient expends >\$500,000 in Federal funds, a single or program-specific audit must be conducted (OMB Circular A-133)
 - Consider all sources of Federal funds
- If Recipient expends <\$500,000 in Federal funds, audit not required
 - Certification is required
- If Recipient expends <\$500,000 in Federal funds, but has an audit conducted in accordance with OMB Circular A-133, cost must be paid from non-Federal resources

- Completed by independent CPA
- Submit copy to Department's Audit Services Office and CDBG
 - Copies should also be sent to Federal Audit Clearinghouse
 - Any reports, management letters, or other required information must also be submitted

- Retain financial records and other documents relating to grant for 6 years after date of final closeout
- If litigation or an audit is initiated prior to the end of the 6-year period, records must be retained until litigation or audit findings are resolved
- Audit must be submitted no later than 9 months from the end of the Recipient's fiscal year
- Due by June 30

Contractual Obligations and Minority Business Reporting

HUD Form 2516

Direct Economic Opportunities to Small/Woman/Minority Businesses and Section 3 Businesses/Persons

- State List of Minority Vendors
- Create Local Lists
- RFP's
- Assist Contractors
- Job Advertisements
- PSAs
- Signs (for Section 3, post signs on public housing authorities bulletin boards)

Report Includes

- Funds under contract
- Type of contracts
- Contractors
- Subcontracts
- Ownership
 - Minority
 - Woman-Owned
 - Section 3

Quarterly Status Report

- Activities accomplished
- Beneficiaries served
- Status of projects
- Challenges or impediments to progress
- Fair Housing activities
- Projected need of funds

Make your report meaningful!

Quarterly Status Report

- Used for reporting to HUD in DRGR
- Used by grant manager to establish monitoring or technical assistance visits
- Failure to submit is violation of contract conditions

Quarterly Status Report

Quarter

Report Due

Jan 1 – Mar 31

April 15

Apr 1 – Jun 30

July 15

Jul 1 – Sep 30

October 15

Oct 1 – Dec 31

January 15

Section 3 Summary Report

Economic Opportunities for Low- and Very Low-Income Persons

Form **HUD-60002**

Section 3 Summary Report Economic Opportunities for Low- and Very Low-Income Persons

U.S. Department of Housing
and Urban Development
Office of Fair Housing
and Equal Opportunity

OMB Approval No. 2529-0043
(exp. 8/31/2007)

HUD Field Office:

See back of page for Public Reporting Burden statement

| | | |
|--|---|-------------------------------|
| 1. Recipient Name & Address: (street, city, state, zip) | 2. Federal Identification: (contract/award no.) | 3. Dollar Amount of Award: |
| | 4. Contact Person: | 5. Phone: (include area code) |
| | 6. Reporting Period: | 7. Date Report Submitted: |
| 8. Program Code: * <input type="text"/> (Use a separate sheet for each program code) | 9. Program Name: | |

Part I: Employment and Training (** Include New Hires in columns E & F.)

| A Job Category | B Number of New Hires | C Number of New Hires that are Sec. 3 Residents | D % of Aggregate Number of Staff Hours of New Hires that are Sec. 3 Residents | E** % of Total Staff Hours for Section 3 Employees and Trainees | F** Number of Section 3 Employees and Trainees |
|---------------------------------------|-----------------------------|--|--|--|---|
| Professionals | | | | | |
| Technicians | | | | | |
| Office/Clerical | | | | | |
| Construction by Trade (List Trade) | | | | | |

24 CFR 135

- **Section 3 residents are:**
 - Public housing residents or
 - Persons who live in area where a HUD-assisted project is located and who have a low household income
- **Determining Income Levels**
 - Low income is defined as 80% or below the median income of that area
 - Very low income is defined as 50% or below the median income of that area

24 CFR 135

- **What is a Section 3 business concern?**
 - A business that:
 - 51% or more is owned by Section 3 residents
 - Employs Section 3 residents for at least 30% of its full-time, permanent staff or
 - Provides evidence of a commitment to subcontract to Section 3 business concerns, 25% or more of the dollar amount of the awarded contract

- **Applies to:**
 - **public and Indian Housing programs** that receive:
 - development assistance pursuant to Section 5 of the U.S. Housing Act of 1937;
 - operating assistance pursuant to Section 9 of the U.S. Housing Act of 1937; or
 - modernization grants pursuant to Section 14 of the U.S. Housing Act of 1937

- **Applies to:**
 - **recipients of housing and community development assistance**
 - **in excess of \$200,000** expended for:
 - housing rehabilitation (including reduction and abatement of lead-based paint hazards)
 - housing construction; or
 - other public construction projects; and to **contracts and subcontracts in excess of \$100,000** awarded in connection with the Section-3-covered activity

Direct Economic Opportunities to Section 3 Businesses and Employees

- Create Local Lists
- RFP's
- Assist Contractors
- Job Advertisements
- PSAs
- Signs (for Section 3, post signs on public housing authorities bulletin boards)

Administrative Closeout

Submit within 45 Days after termination
or at project completion

- Prior to submitting closeout
 - Clear monitoring findings
 - Address citizen complaints
 - Submit required reports
 - If necessary, submit request for amendment
 - Request all funds
 - Return unused funds
 - You can have no more than \$5,000 cash on hand.

- Prior to submitting closeout
 - Obtain necessary certifications
 - Perform final inspections
 - Review service area maps
 - Reconcile financial records

- Complete the closeout
 - Report on Accomplishments and Expenditures
 - Beneficiaries
 - National Objective
 - Units accomplished
 - Funds expended by activity
 - If applicable, include:
 - Maps
 - Property Register
 - Professional Certifications
- Proper signature

Q & A

Jacquelyn Dupree

Community Program Manager

Florida Small Cities CDBG, Disaster
Recovery & Neighborhood Stabilization
Programs

Web Resources

DCA CDBG Disaster Recovery Homepage

<http://www.floridacommunitydevelopment.org/cdbg/disasterrecovery.cfm>

Action Plan

<http://www.floridacommunitydevelopment.org/cdbg/Files/DisasterRecovery/AmendmentToActionPlan2008.pdf>

Notice of Funding Availability

<http://www.floridacommunitydevelopment.org/cdbg/Files/DisasterRecovery/NoticeOfFundingAvailability2008.pdf>