



# CDBG-CV SMALL CITIES PROGRAM GUIDELINES

## **Summary**

The Small Cities Community Development Block Grant – Coronavirus (CDBG-CV) Program is designed to help a non-entitlement municipality or county **prepare for, prevent, or respond to the health and economic impacts of COVID-19**. The activities must be critical to their locality and primarily for the benefit of low- and moderate-income residents. This document outlines program guidance by which subgrantees may apply for and implement CDBG-CV funded projects and programs to support the response, recovery, or prevention of the coronavirus (COVID-19).

## **Background**

Under the State of Florida's CDBG Program, the state awards grants to smaller units of general local government that develop and preserve decent affordable housing to provide services to the most vulnerable in our communities, and to create and retain jobs.

Pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the U.S. Department of Housing and Urban Development (HUD) allocated additional Community Development Block Grant Coronavirus (CDBG-CV) funds to the state of Florida to address issues related to the impacts of coronavirus (COVID-19).

CDBG-CV funds were provided by HUD in three allocations to states and entitlement subgrantees. DEO has received a total of \$100 million in CDBG-CV funding.

## **Eligible Applicants**

### ***Eligible Applicants***

Eligible applicants include all Florida counties, cities and towns except for direct HUD entitlement communities. Visit the [CDBG-CV Small Cities Program Eligible Communities List](#) to see a list of local governments that HUD has identified as being eligible to apply for Small Cities CDBG-CV funding.

Individual threshold requirements and other documents, as appropriate, are necessary for each applicant/subrecipient as outlined in the application. Each application will be limited to one activity. All activities utilizing CDBG-CV funds must meet a national objective of the CDBG program. Information on meeting a national objective can be found below under the Meeting the Low- and Moderate-Income National Objective section.

### ***Subrecipients***

Activities may either be carried out directly by the local government or by a nonprofit/s as a subrecipient of the subgrantee. The nonprofit must not be on the federal debarment list and must demonstrate to DEO and the subgrantee that they have the capacity to carry out the activity and meet all requirements of the [DEO State and Small Cities CDBG Program](#). Local governments are expected to conduct a risk analysis to review the financial and administrative capacity of any subrecipients who will be carrying out activities on behalf of the local government. Executed agreements that bind the subrecipient to the requirements and policies of CDBG-CV will be required.

## **Duplication of Benefits Requirement**

Federal law requires DEO to conduct a duplication of benefits review for each CDBG-CV eligible activity. A duplication of benefits occurs when assistance is provided to a person or entity (i.e., beneficiary or local government) to address losses and that person or entity (i.e., beneficiary or local government) receives assistance for the same costs and/or losses from other funding sources. The funding sources not only includes CARES Act sources, but also other federal, state, philanthropic, and local government sources.

For a list of other likely federal sources and guidance, see the [HUD CDBG-CV Duplication of Benefits Quick Guide](#), the [HUD Memo: CDBG Coronavirus Response Grantee Resources Related to Preventing Duplication of Benefits](#), and the [CARES Act Programs through SBA, FEMA, IRS, Treasury, USDA, and HHS for CDBG Grantee Awareness for Duplication of Benefits](#) documents.

DEO will recapture all funds associated with a duplication of benefits. To alleviate issues, applicants must develop and maintain adequate procedures to prevent a duplication of benefits. Procedures must include a requirement of repayment of any duplicative assistance by persons/entities receiving CDBG-CV funds and a method to assess whether CDBG-CV funds will duplicate financial assistance that is already received or likely to be received by acting reasonably. A copy of the duplication of benefits procedures must accompany the CDBG-CV application.

A copy of the DEO CDBG-CV Duplication of Benefits Policy and Checklist can be found on the [CDBG-CV Coronavirus Relief Funding](#) webpage.

## **Meeting the Low- and Moderate-Income National Objective**

Each activity must meet one of the following national objectives for the program: benefit low- and moderate-income (LMI) persons, prevent or eliminate of slums or blight, or address community development needs with particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available. A need is considered urgent if it poses a serious and immediate threat to the health or welfare of the community and has arisen in the past 18 months.

A minimum of 70% of all CDBG-CV funds must be used for activities that meet the low- and moderate-income national objectives.

### ***LMI Area Benefit***

An LMI area benefit activity is an activity that benefits all the residents of an area that is primarily residential. To qualify as addressing the national objective of benefit to LMI persons on an area basis, an activity must meet the identified needs of LMI persons residing in an area where at least 51 percent of the residents are LMI persons. The benefits of this type of activity are available to all residents in the area regardless of income.

### ***LMI Limited Clientele***

An LMI limited clientele activity is one that provides benefits to a specific group of persons rather than everyone in a defined service area. It may benefit particular persons without regard to the area in which they reside, or it may be an activity that provides benefit on an area basis but only to a specific group of persons who reside in the area. In either case, at least 51 percent of the beneficiaries of the activity must be LMI persons.

### ***LMI Housing***

An LMI housing activity is one that provides benefits to a low- and moderate-income household that is qualified based on data about household size and income. This information must be documented and verified. For such activities to qualify under the low- to moderate-income benefit national objective, it must result in housing that will be occupied by low- and moderate-income households upon completion. The housing can be either owner- or renter-occupied and can be either one family or multi-unit structures.

### **LMI Jobs**

An LMI jobs activity is one that creates or retains permanent jobs, at least 51 percent of which, on a full time equivalent (FTE) basis, are either held by low- or moderate-income persons or considered to be available to low- or moderate-income persons.

### **Slum and Blight – Area Basis**

The focus of activities under this national objective is a change in the physical environment of a deteriorating area. This category covers activities that aid in the prevention or elimination of slums or blight in a designated area. *DEO does not anticipate the use of the Slum/Blight National Objective for CDBG-CV activities.*

### **Slum and Blight – Spot Basis**

The focus of activities under this national objective is a change in the physical environment of a deteriorating area. These are activities that eliminate specific conditions of blight or physical decay on a spot basis and are not located in a slum or blighted area. *DEO does not anticipate the use of the Slum/Blight National Objective for CDBG-CV activities.*

### **Urgent Need**

To comply with the national objective of meeting community development needs with a particular urgency, an activity must be designed to alleviate existing conditions which the local government certifies and the state determines:

- Pose a serious and immediate threat to the health or welfare of the community;
- Are of recent origin or recently became urgent;
- The state grant recipient is unable to finance the activity on its own; and
- Other sources of funding are not available to carry out the activity, as certified by both the state and the grant recipient.

In light of the severity of coronavirus and the urgency of the nation in addressing its impacts, pursuant to 24 CFR 570.483(d), a local government may document that the activity was designed to alleviate existing conditions utilizing the same records to show that grant funds were used to prevent, prepare for, and respond to coronavirus, as required by the CARES Act.

The local government may certify that the activity is designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community within 18 months following a date determined by one of the following three methods:

- Referral to the [U.S. Department of Health and Human Services issued press release declaring a public health emergency for the entire United States](#). The declaration was retroactive to January 27, 2020;
- Referral to the [President's declaration of the ongoing Coronavirus Disease 2019 \(COVID-19\) pandemic](#) as an emergency of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 32 5121-5207 (the "Stafford Act"). (The President subsequently approved additional major disaster declarations for states); or
- Referral to the effective date of a subgrantee's own local or state emergency declaration.

More detailed information on meeting a national objective can be found in the [Guide to Eligible Activities and National Objectives for State CDBG Program](#) on the [DEO Downloads and Information for Applicants](#) webpage.

## **Eligible Activities**

Funds may be used ONLY to cover costs associated with preparing for, responding to, or recovering from the COVID-19 pandemic. All activities must be based on needs substantiated by the local government applicant. Applicants must demonstrate coordination with state and/or local health authorities before undertaking any activity to support state or local pandemic response. Applicants may use **Community Development Block Grant Coronavirus (CDBG-CV)** funds for public services, public facilities, and special economic development activities. The charts below outline examples of eligible projects.

<b>Buildings and Improvements, Including Public Facilities</b>	
Acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements.	Rehabilitate a facility for testing, diagnosis or treatment.
	Reconstruction of roads/sidewalks (expansion) to allow for social distancing.
	Acquire and rehabilitate, or construct, a group living facility that may be used to centralize patients undergoing treatment.
	Installation of wiring, fiber optic cables, and permanently affixed equipment such as receivers for areas to receive broadband/internet access.
Rehabilitation of buildings and improvements	Rehabilitate a senior center, community center or homeless shelter by replacing the HVAC system and/or installing air purification system.
	Acquisition and/or rehabilitation of a building to expand capacity of homeless shelters to accommodate social distancing and isolation.
	Installation of wifi routers/extenders in affordable housing buildings for LMI residents.
<b>Assistance to Businesses, including Special Economic Development Assistance</b>	
Provision of assistance to private, for-profit entities, when appropriate to carry out an economic development project.	Provide loans to support new businesses or business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease.
Provision of assistance to microenterprises.	Provide technical assistance, grants and other financial assistance to establish, stabilize and expand microenterprises that provide medical, food delivery, cleaning, and other services to support home health and quarantine.

Public Services	
Provision of assistance to primarily Low-and-Moderate Income persons.	Carry out job training to expand the pool of health care workers and technicians that are available to treat disease within a community.
	Provide testing, diagnosis or other services at a fixed or mobile location.
	Provide equipment, supplies, and materials necessary to carry-out a public service (e.g., childcare for working parents with distance learning school kids).
	Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.
	Installation of wiring, fiber optic cables, and permanently affixed equipment such as receivers for families to receive broadband/internet access.

Planning	
Planning Only Grants	Gather data and develop non-project specific emergency infectious disease response plans.
Project Planning	Planning activities in conjunction with another eligible activity (e.g., preliminary engineering with sidewalk project, economic impact study with business assistance program).

### **Citizen Participation**

When national, state, and/or local health authorities recommend social distancing and limiting public gatherings for public health reasons, in-person public hearings are not possible. Local governments may amend the Citizen Participation Plan to meet public hearing requirements with virtual public hearings. Additionally, the virtual hearings must provide reasonable notification and access for citizens in accordance with the subgrantee’s certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses. Subgrantees must record and retain documentation of all virtual hearings, outreach efforts, and public comments.

#### ***Public Hearings***

To meet the minimum requirements for citizen participation during the application phase, the applicant must hold **two public hearings** to obtain citizens' comments prior to its final application submission to DEO. Both hearings must be advertised as described in the applicant’s Citizen Participation Plan. The timing of the hearing notices must follow CDBG-CV regulatory requirements. CDBG-CV public hearings may be held no less than five (5) days after the date of publication.

1. The first public hearing should be held at the beginning of the application process, **prior to submission of the pre-application**. The notice should provide enough information about the available funding and allowable activities to allow citizens to be able to provide input.

2. The second public hearing notice shall not be published any sooner than one day after the first public hearing has been held and must contain a description of the proposed activities to be carried out, including the amount of the funding request and total cost of the activities. The second public hearing must be conducted **prior to submission of the final application**.
3. Local governments that do not submit a pre-application for DEO review will be required to complete both public hearings prior to submission of the final application. Notices for the hearings must follow the guidance in number 1 and 2 above.

A publisher's affidavit of the notices, minutes of the hearings signed by the local government clerk and sign-in sheets (or equivalent) must be submitted to DEO as a part of the pre-application and application.

More information is available on the [DEO Downloads and Information for Applicants](#).

### **Technical Assistance**

DEO staff are available to provide support through the pre-application, application, and implementation phases. Applicants are strongly encouraged to attend all scheduled webinars and trainings provided by DEO. Applicants can also find current information on the [DEO Community Development Block Grant – Coronavirus Relief Funding](#) webpage.

Questions regarding the CDBG-CV Small Cities Program can be directed to CDBG Program Managers or by emailing [CDBG-CV@deo.myflorida.com](mailto:CDBG-CV@deo.myflorida.com).

### **Minimum and Maximum Grant Awards**

Subgrantees may apply for a minimum of \$200,000 and a maximum of \$5 million. The final grant amount is per the discretion of DEO and will be determined as part of the evaluation and approval process. CDBG-CV funds will not count toward the annual funding limits in other CDBG-CV programs or other CDBG program areas (Downtown Revitalization, Neighborhood Revitalization, Housing and Economic Development).

### **Compliance Requirements**

The local government is responsible for conforming with all federal and state regulations governing the CDBG program. CDBG-CV Small Cities Program applicants must comply with federal regulations and certify that, if funded, they will comply with all applicable laws and requirements in the CDBG-CV Small Cities Program. Please refer to Appendix A CDBG-CV Program – State and Federal Statutes, Regulations, and Policies Contract Attachment below for specific details. If you have questions about the documentation needed, please contact a DEO CDBG-CV Program Grants Manager for assistance.

It is important that applicants understand the commitment they will be undertaking with a CDBG grant. The following list is intended to provide the local government and its subrecipients with a brief list of basic federal and state administrative requirements for compliance areas that must be addressed.

#### ***Conflict of Interest***

Per 24 CFR Part 570.489 (h) and Florida Statutes, Section 112.3143, the following people or their immediate family members shall not have any direct or indirect financial interest in any contract, subcontract, or the proceeds thereof for work to be performed in connection with the grant during their tenure or for one year thereafter: 1) employees or agents of the recipient who exercise any function or responsibility for the CDBG project and 2) officials of the recipient including members of the governing body. The applicant will be asked to determine if a potential conflict exists. Questions regarding this item are in the program application. Please note that sub-recipients must comply with these regulations as well. Consult with DEO staff regarding conflict of interest questions or Florida Community Development Block Grant Program Regulations.

**Citizen Participation** (Important Note: Please see Citizen Participation above.)

Applicants must certify in the application that they are following all citizen participation requirements and providing for access to information and participation in all stages of the project. This includes proper advertising of public hearings, and timely access to meetings, information, and records related to the project.

Examples of actions applicants may take to ensure adequate citizen participation in the application stage include meeting with community groups and leaders prior to public hearings, holding informational meetings for those citizens whose homes will be affected by the project, and distributing notices of meetings and public hearings directly to them. Applicants may also choose to distribute public hearing notices to local community action agencies, legal services offices, and other public and private organizations.

**Program Income**

Program income generated after closeout of a CDBG-CV funded activity must be returned to DEO. Program income generated prior to closeout must be returned to DEO unless the program income is used to fund additional units of CDBG activities. DEO or the state may require remittance of all or a portion of any balance of a recipient's program income at the end of a program year.

**Audits/Compliance**

**CDBG-CV** subgrantees (and/or their subrecipients) expending \$750,000 or more (all federal sources) in a fiscal year are **required** to have a Single Audit per [2 CFR 200 Subpart F](#).

**Costs Associated with Preparation of the CDBG-CV Application**

Applicants that receive CDBG-CV funding may charge the cost of application preparation to the project budget if procurement procedures consistent with 24 CFR 200.318 are followed.

**Procurement**

The subgrantee must follow the procurement requirements specified in [2 CFR, Part 200.317-200.326 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#). The procurement procedures must reflect all applicable state and local laws, should promote free and open competition, and describe efforts to encourage minority and female-owned businesses to submit bids/proposals. Subgrantees must contract for the procurement of goods, services, and construction projects including design services.

**Equal Opportunity**

Applicants are required to ensure that **CDBG-CV** aided projects comply with equal opportunity and nondiscrimination laws and that people in protected categories are not excluded from project participation.

Applicants are required to take into consideration equal opportunity and non-discrimination laws in designing **CDBG-CV** programs to ensure that people in protected categories are not excluded from participation, denied the benefit of, or subjected to discrimination under any program or activity funded in whole or in part with **CDBG-CV** funds.

**Fair Housing**

Recipients of **CDBG-CV** funds will be required to comply with fair housing and non-discrimination laws and regulations. For each year that a **CDBG-CV** project is active, a recipient must describe the actions it will take to affirmatively further fair housing.

### ***Language Access Plan (LAP)***

As recipients of CDBG-CV funds, subgrantees have an obligation to reduce language barriers that can preclude meaningful access by Limited English Proficient (LEP) persons to important government programs, services, and activities. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and its implementing regulations require that recipients take responsible steps to ensure meaningful access by LEP persons. Applicants will be required to conduct a Four Factor Analysis using the template provided

by DEO. Jurisdictions that meet the minimum thresholds based on the Four Factor Analysis will be required to submit a Language Access Plan. The plan will address the LAP policy, translation of required vital documents, and requirements for citizen participation. Examples of applying the four-factor analysis to HUD-specific programs are located on the HUD Limited English Proficiency (LEP) Frequently Asked Questions webpage. Applicants can find a template for the Four Factor Analysis on the [CDBG-CV Coronavirus Relief Funding](#) webpage.

### ***Economic Opportunity (Section 3)***

Section 3 of the Housing and Urban Development Act of 1968, as amended, contains requirements governing programs providing direct financial assistance to public recipients and related contractors (or subcontractors).

Subgrantees must describe a strategy whereby opportunities in employment and procurement arising out of a **CDBG-CV** assisted project are identified and made available to low-income residents and businesses within the **CDBG-CV** assisted area to the greatest extent feasible. This strategy must include (1) identification of training and technical assistance resources to prepare low-income residents for employment and procurement opportunities; (2) attempts to reach the numerical targets for new hires set forth in the Section 3 regulation, which applies to recipients receiving \$200,000 or more in non-administrative line items expended for construction contracts of at least \$100,000 per contract; and (3) education of low-income residents within the **CDBG-CV** assisted area about the components and opportunities of the program.

### ***Environmental Review***

Recipients of **CDBG-CV** funds are required to comply with the requirements of the National Environmental Policy Act of 1969 (NEPA) found at [24 CFR Part 58](#) and [Florida Executive Order 19-12](#) and complete the appropriate Environmental Review Record (ERR). Information on environmental review processes and forms can be found on the [CDBG Environmental Review Process](#) website.

Questions concerning the environmental review process should be directed to [CDBG-CV@deo.myflorida.com](mailto:CDBG-CV@deo.myflorida.com).

### ***Section 504 of the Rehabilitation Act of 1973***

The local government applicant must complete a Self-Evaluation Plan and Transition Plan (if required) as required by Section 504 to ensure that it does not discriminate by reason of a person's disability.

Recipients of **CDBG-CV** funds are required to comply with the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and the HUD implementing regulations at 24 CFR, Parts 8 and 9. The requirements of Section 504 apply to any recipient of federal **CDBG-CV** funds for any program or activity carried out directly or through another recipient, successor, assignee, or transferee.

The Grant Agreement will require recipients to complete the Section 504 Survey and Transition Plan (if applicable) covering policies, practices, and physical accessibility and notify affected persons that it does not discriminate on the basis of handicap. (The latter notification action is a requirement if the recipient has 15 or more employees.) This plan will not satisfy all the requirements of the Americans with Disabilities Act, but it will meet the minimum requirements for a **CDBG-CV** assisted project.

### ***Residential Anti-Displacement and Relocation Assistance Plan***

A plan for residential anti-displacement and relocation must be documented or submitted with the application. All occupied and vacant occupiable low- and moderate-income dwelling units demolished or

converted to a use other than as low- or moderate-income housing must be replaced within three years of the beginning of the demolition or rehabilitation related to the conversion.

Once **CDBG-CV** funds are awarded, recipients must have a plan to minimize residential displacement and to provide relocation assistance to displaced residents in a timely manner. Compliance with the plan must be documented, including the information made public and the means used to make it public.

The plan must include a description of the activity, a location map, a time schedule, dwelling data on target and replacement homes, funding sources, a schedule for replacement or relocation, and the basis for concluding that replacement dwellings will remain low- or moderate-income for at least 10 years. A guide form for developing the plan should be obtained from DEO once an award is received.

### ***Americans with Disabilities Act (ADA)***

State and local governments are required to comply with the provisions of Title I of the Americans with Disabilities Act (ADA), which protects qualified individuals with disabilities from discrimination in all state and local government programs and activities including employment.

Governments with 25 or more employees were subject to the law after July 26, 1992, and governments with 15 or more employees after July 26, 1994. If a government is not covered by Title I of the Act, Section 504 of the Rehabilitation Act of 1973 applies. All governments receiving federal financial assistance will continue to be covered by Section 504.

### ***Lead-Based Paint Hazards***

Projects involving rehabilitation of residential structures require compliance with the federal Lead-Based Paint Hazard Reduction Act of 1992. While residential structures are not likely to be involved with most **CDBG-CV** projects, local government subgrantees are advised to determine state and county health requirements if there is any rehabilitation or demolition of structures that are likely to have lead-based paint present.

### ***Reporting***

DEO requests copies of all published press articles, TV coverage, scheduled ribbon cuttings, and other events and milestones. Periodic photographs should document project stages, training, events and successes.

A [Quarterly Progress Report \(Form SC-65\)](#) is due at the close of each quarter. A final Administrative Closeout Report (Form SC-62) will be required prior to grant closeout.

### ***Monitoring***

DEO will monitor the project through mechanisms including the review of quarterly reports received from the grant recipient, phone/email/letter correspondence, and desk and/or on-site monitoring visits.

DEO staff will notify the subgrantee before on-site monitoring visits and the monitoring forms are located on the [DEO Downloads for Recipients](#) webpage.

### ***Financial Management Requirements***

DEO will monitor the subgrantee to determine compliance with the financial management requirements. The review will determine if records are maintained in compliance with [2 CFR, Part 200-Uniform Administrative Requirements, Cost Principles, And Audit Requirements For Federal Awards](#) and other CDBG-CV requirements. This monitoring is performed through desktop audit and/or on-site monitoring visits. Typically, ledgers, invoices, canceled checks, bank statements, and requisitions are reviewed to see that the subgrantee has an adequate system of financial management. DEO staff may also make specific requests to review information or documentation relating to financial management of a grant.

## ***SAM.gov Registration***

The Federal Funding Accountability and Transparency Act (FFATA) of 2006 mandates specific reporting requirements for recipients of federal funds. DEO is required by FFATA to submit information to the Office of Management and Budget (OMB) through an electronic Sub Award Reporting System (FSRS) on all grant awards greater than \$25,000 which are awarded on or after October 1, 2010.

In July 2012, the General Services Administration (GSA) combined the Central Contractor Registration (CCR/Fed Reg), Online Representations & Certifications Application (ORCA) and the Excluded Parties List System (EPLS) into one main contractor database. This database was named System for Award Management or better known as the SAM registration.

Since DEO is required to report information as a part of FFATA for grants awarded after October 1, 2010, the [www.SAM.gov](http://www.SAM.gov) registration will be required prior to submission of a **CDBG-CV** application.

## ***Other Requirements and Attachments***

Recipients will also be required to comply with any subsequent requirements issued by HUD and/or DEO. Consult the Required Attachments section in the CDBG-CV Small Cities pre-application and application documents. Please note that if key items are not submitted with the application, it will be returned to the local government.

## **Evaluation Criteria**

Applications shall be awarded points based on the following factors. The final scoring methodology will be available on the CDBG-CV website prior to the opening of the application cycle and is subject to change before final publication.

### **I. Readiness to Proceed**

Points will be awarded on the basis of documentation and information provided, showing that the resources needed to manage the proposed activity are available and ready, and that the commitment for operation and maintenance, where applicable, has been certified. Maximum points will be given to activities that are ready to move forward quickly. Typically, this means that the design and engineering work (if applicable) is underway or has been completed.

### **II. Low- to Moderate-Income (LMI) Impact**

Points will be awarded to projects that will have an impact on low- to moderate-income persons in communities. Projects that will be serving presumed LMI beneficiaries, such as seniors or homeless, will receive higher points.

### **III. COVID-19 Economic Impact to the Community**

Points will also be awarded utilizing a DEO formula based on unemployment data for communities with the greatest economic need and impact related to COVID-19.

### **IV. Experience, Past Performance and Organizational Capacity**

The experience of the applicant, including the length of time in business and experience in undertaking programs/projects of similar complexity as the one for which funds are being requested will be evaluated. In addition, the capability, and skills of administrative and program staff to carry out the program.

### **V. Need and Justification**

The project will be evaluated based on need and how well the project outcome(s) address the need(s) identified.

### **VI. Cost Reasonableness and Feasibility of Project**

The project will be evaluated in terms of cost reasonableness and feasibility.

### **Timeframe**

Timelines for CDBG-CV applications may be structured up to an 18-month project, depending on the project activities. The expectation is that these projects/programs will start no sooner than summer 2021. [Federal Register FR-6218-N-01](#) stipulates that a minimum of 80% of all CDBG-CV funds be expended and claimed within three years of DEO contract execution with HUD, effectively September 29, 2023.

### **Match Requirement**

There is no match requirement for the CDBG-CV Small Cities Program.

## Appendix A

### CDBG-CV Program – State and Federal Statutes, Regulations, and Policies Contract Attachment

The Recipient agrees to, and, by signing this Agreement, certifies that, it will comply with the requirements of 24 C.F.R. part 570, subpart I, and § 570.200(j) and § 570.606 (HUD regulations concerning State Community Development Block Grant Programs). The Recipient also agrees to use funds available under this Agreement to supplement rather than supplant funds otherwise available. The Recipient further agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided under this Agreement, including, but not limited to the following:

1. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. part 200);
2. Florida Small Cities Community Development Block Grant Program Act (§§ 290.0401-290.048, F.S.);
3. Florida Small Cities Community Development Block Grant Program rules (chapter 73C-23, F.A.C.);
4. Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. §§ 5301-5321);
5. Rules and Procedures for Efficient Federal-State Funds Transfers (31 C.F.R. part 205);
6. Community Planning Act (§ 163.3164, F.S.);
7. Florida Small and Minority Business Assistance Act (§§ 288.703-288.706, F.S.);
8. CDBG Technical Memoranda (<https://www.hudexchange.info/programs/cdbg/cdbg-memoranda/>);
9. Applicable HUD Community Planning and Development Notices (<https://www.hudexchange.info/programs/cpd-notices/>);
10. Single Audit Act Amendments of 1996 (31 U.S.C. §§ 7501-7507);
11. Environmental Review Procedures for Entities Assuming HUD Responsibilities (24 C.F.R. part 58);
12. Environmental Criteria and Standards (24 C.F.R. part 51);
13. Flood Disaster Protection Act of 1973, as amended (42 U.S.C. §§ 4001-4129), Floodplain Management and Protection of Wetlands (24 C.F.R. part 55), and Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands);
14. National Environmental Policy Act of 1969, as amended (42 U.S.C. §§ 4321-4370h), and other provisions of law which further the purpose of this act;
15. National Historic Preservation Act of 1966, as amended (54 U.S.C. §§ 300301-320303), Protection of Historic Properties (36 C.F.R. part 800), and other provisions of law which further the purpose of this act;
16. Archaeological and Historic Preservation Act of 1974 and Reservoir Salvage Act of 1960, as amended (54 U.S.C. §§ 312501-312508);
17. Coastal Zone Protection Act of 1985 (§§ 161.52-161.58, F.S.);
18. Safe Drinking Water Act of 1974, as amended (42 U.S.C. §§ 1400-1465);
19. Federal Water Pollution Control Act of 1972, as amended (33 U.S.C. §§ 1251-1387);
20. Davis–Bacon Act of 1931, as amended (40 U.S.C. §§ 3141-3148), and Labor Standards Provisions of 29 C.F.R. part 5;
21. Contract Work Hours and Safety Standards Act of 1962, as amended (40 U.S.C. §§ 3701-3708);
22. Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1975 (42 U.S.C. §§ 6901-6992k);
23. Architectural Barriers Act of 1968 (42 U.S.C. §§ 4151-4157) and the Uniform Accessibility Standards, as applicable;
24. Federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. §§ 201-219);

25. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. §§ 4601-4655), and the applicable rules for Federal and Federally-Assisted Programs at 49 C.F.R. part 24;
26. Copeland “Anti-Kickback” Act (18 U.S.C. § 874);
27. Hatch Act of 1939, as amended (5 U.S.C. §§ 1501-1508);
28. Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4821-4846); the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. §§ 4851–4856); and the applicable implementing regulations at 24 C.F.R. part 35 and 24 C.F.R. part 570, subparts A, B, J, K, and R;
29. Section 102 of HUD Reform Act of 1989 (42 U.S.C. § 3545) and HUD Reform Act regulations at 24 C.F.R. part 4; 30. False Claims Act (31 U.S.C. §§ 3729-3733);
31. Comprehensive Procurement Guideline for Products Containing Recovered Materials (40 C.F.R. part 247);
32. Clean Air Act (42 U.S.C. §§ 7401-7671q.), and National Primary and Secondary Ambient Air Quality Standards (40 C.F.R. part 50); and
33. Whistleblower Protection enacted by Section 828 of P.L. 112-239 and permanently extended under P.L. 114-261.