REBUILD FLORIDA TECHNICAL ASSISTANCE GRANT PROGRAM FOR HURRICANE MICHAEL GUIDELINES

This document provides the guidelines for implementation of the Rebuild Florida Technical Assistance Grant Program for Hurricane Michael administered by the Florida Department of Economic Opportunity (DEO) and its contractor. This program is funded by the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) allocation as described in Public Laws 115-56 and 115-123.

VERSION 1.0
November 9, 2020
<table>
<thead>
<tr>
<th>Change Date</th>
<th>Version Number</th>
<th>Summary of Change</th>
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VERSION POLICY

Version history is tracked in the table above, with notes regarding version changes. The dates of each publication are also tracked in this table.

Substantive changes in this document that reflect a policy change will result in the issuance of a new primary version number with a publish date clearly noted. For example, a change in eligibility criteria to the program would warrant issuance from Version 1.0 to Version 2.0.

Non-substantive changes such as minor wording and editing or clarification of existing policy that do not affect interpretation or applicability of the policy will be included in minor version updates denoted by a sequential number increase behind the primary version number (i.e., Version 2.1, Version 2.2, etc.).
Part 1 – Definitions and Acronyms

**Activity/Project/Program** - The housing, infrastructure, economic development, or planning endeavor undertaken by the subgrantee.

**AP** – CDBG-DR Action Plan

**Appraisal** - A written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.

**Bid** - An offer by a company, firm or individual to provide goods or services submitted in response to solicitation for those goods or services.

**Business concern** - a business entity formed in accordance with state law, and which is licensed under state, county or municipal law engaging in the type of business activity for which it was formed. A business concern that provides economic opportunities for low-and very low-income persons.

**CDBG-DR** - The Community Development Block Grant-Disaster Recovery program.


**Concern** - An issue identified in the Department of Economic Opportunity’s monitoring report sent to the subgrantee and/or subrecipient that, if not addressed or corrected, may result in a finding in a future monitoring report.

**Corrective Action** - Required steps to be taken to resolve findings and/or concerns identified in internal and external audits and monitoring reports

**Deficiency** - An inadequacy based on a federal or state statutory, regulatory or program requirement.

**DEO** - Florida Department of Economic Opportunity.

**DR** – Disaster Recovery

**DRGR** – Disaster Recovery Grant Reporting System, HUD’s web-based reporting and grants management system.

**ERR** – Environmental Review Record – The environmental file and documents associated with the activities to be undertaken with CDBG funds.

**Federal Register** – The official journal of the federal government of the United States that contains government agency rules, proposed rules, and public notices issued by federal administrative agencies.

**FEMA** – Federal Emergency Management Agency.
**Finding(s)** – A specific issue of noncompliance with federal or state regulatory requirements, including the CDBG-DR subrecipient/subgrant agreement provisions, which is identified in both internal and external audit and monitoring reports produced by the Department of Economic Opportunity sent to the subrecipient/subgrantee.

**FLAIR** – Florida Accounting Information Resource system is the state of Florida’s official statewide accounting system managed by the Department of Financial Services.

**Grantee** – As used in this manual, the State of Florida, DEO’s Office of Disaster Recovery as recipient of disaster recovery CDBG funds from the U.S. Department of Housing and Urban Development.

**HRRP** - Housing Repair and Replacement Program managed by the DEO Office of Disaster Recovery.

**HUD** – U.S. Department of Housing and Urban Development

**Low- to Moderate-Income (LMI) Household** – Means a household whose annual income does not exceed 80 percent of the median income for the area as most recently determined by HUD.

**Low- to Moderate-Income Resident/Person/Individual** – Means a person whose annual income does not exceed 80 percent of the median income for the area as most recently determined by HUD.

**Necessary Costs** – CDBG-DR funding will fill a necessary gap to address an unmet need that cannot be filled by another funding source. This is demonstrated by conducting a duplication of benefits analysis calculation for each activity.

**New Hires** – Full-time employees for permanent, temporary or seasonal employment opportunities.

**Office of Disaster Recovery (ODR)** – The Florida Department of Economic Opportunity’s long-term disaster recovery office.

**Private Loans** – A loan that is not provided by or guaranteed by a governmental entity, and that requires the CDBG–DR applicant (the borrower) to repay the full amount of the loan (principal and interest) under typical commercial lending terms, e.g., the loan is not forgivable.

**Program Income** – Gross income received by the subgrantee and/or subrecipient directly generated from the use of Disaster Recovery CDBG funds. [Revenue that is received by a state, unit of general local government or subrecipient as defined at 24 CFR 570.500.]

**Project Cost** – Direct costs of undertaking a CDBG-DR project and which can be tied to a final cost objective and eligible activity. The project costs can count towards meeting the overall LMI benefit requirements.

**Project Delivery Cost** – Costs used specifically to meet the requirements to complete a particular project, especially as it applies to meeting CDBG requirements.

**Project/Program/Activity** – The housing, infrastructure, economic development, or planning endeavor undertaken by DEO, the subgrantee and/or subrecipient using CDBG-DR funds.
QPR - The CDBG-DR Quarterly Performance Report that is required to be uploaded quarterly in the DRGR system for HUD’s review of Florida’s disaster recovery programs.

Rebuild Florida - A disaster recovery program created by the Department of Economic Opportunity (DEO) to help Florida’s long-term recovery efforts from hurricanes that have impacted the citizens of Florida.

Reasonable Costs – Costs that do not exceed what a prudent person would incur under similar circumstances as demonstrated by the market price for comparable goods and services. For contracted work, you should conduct an independent cost estimate to establish cost reasonableness.

Real Property – Land, including all the natural resources and permanent buildings on it. Real property includes air rights, water rights, rights-of-way, easements, and other interests therein. (24CFR 570.201)

SBA – Small Business Administration, a federal agency.


Section 3 Resident – A public housing resident or an individual residing in a metropolitan area or a non-metropolitan county who meets the definition of a low-income or very low-income person.

Section 3 Business or Business Concern – As related to Section 3 of the HUD Act of 1968, as amended:

- A business that is 51 percent or more owned by Section 3 residents; or
- Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents, or
- 25 percent of subcontracts committed to Section 3 businesses.

Section 3 Covered Contracts – A contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project.

Section 3 Covered Non-Construction Project – A project associated with the Section 3 Covered Project such as maintenance contracts, re-painting, routine maintenance, HVAC servicing, and professional services (architectural, engineering, legal services, accounting, marketing, etc.)

Section 3 Covered Project – The construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction such as roads, sewers and community centers, and buildings or improvements (regardless of ownership) assisted with housing or community development assistance.

Service Area – Means the total geographic area to be directly or indirectly served by a subgrant project that addresses the Low- and Moderate-Income National Objective, where at least 51 percent of the residents are low- and moderate-income persons. A service area must include all, and only those, beneficiaries who are reasonably served or would be reasonably served by the activity.
Subcontract – As used in this manual, any contract as defined above as a “Contract” entered into by a subcontractor to furnish supplies or services for performance of a prime contract, or another subcontract. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders.

Subcontractor – As used in this manual, any supplier, distributor, vendor, or firm that furnishes supplies or services to or for a subrecipient. As related to Section 3 of the of the HUD Act of 1968, as amended, any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor’s obligation for the performance of work generated by the expenditure of Section 3 covered assistance or arising in connection with a Section 3 covered project.

Subgrantee – As used in this manual, a recipient that demonstrated its abilities to carry out competitive applications due to their expertise related to goals of the program. For example, Florida Housing Finance Corporation.

Subrecipient – A competitively-selected recipient, usually a local government, that is provided CDBG-DR funds from DEO, to agreed-upon eligible disaster recovery activities documented in a Subrecipient Agreement.

Subgrant Agreement – An agreement between DEO and the subgrantee to undertake the activities the subgrantee will undertake using CDBG-DR funds.

Subrecipient Agreement – An agreement between DEO and the subrecipient to undertake the activities the subrecipient agreement will undertake using CDBG-DR funds.

TA – Technical Assistance

TAGP – Technical Assistance Grant Program

URA – Uniform Relocation Assistance and Real Property Acquisition Policies Act.

Vendor – An entity competitively selected to provide clearly-specified goods or services meeting the procurement requirements at 24 CFR 85.36, 2 CFR 200, Section 287.055, Florida Statutes, and Rule 73-23.0051(3), Florida Administrative Code. In accordance with 24 CFR 85.36(c), such procurement actions must be conducted in a manner that provides for free and open competition.

Waiver – A revision to the standard CDBG-DR regulations, requirements, and activities, granted by HUD.
Part 2 – Program Overviews

2.1 Program Purpose
The Florida Department of Economic Opportunity (DEO) recognizes the need to provide technical assistance to fiscally constrained counties in the Hurricane Michael impacted areas. The goal of the Technical Assistance (TA) Program is to provide expertise to the HUD and State-designated Most Impacted and Distressed (MID) areas and fiscally constrained counties through Management Consulting Services in the tasks outlined below:

- Application development; including
- Project identification
- Project cost determination; and
- Scope of work preparation

The TA Program provides technical assistants to eligible applicants of the following Hurricane Michael, CDBG-DR funded programs:

- Housing activities relating to the Voluntary Home Buyout Program
- Economic Revitalization activities – Hometown Revitalization Program
- Infrastructure activities – General Infrastructure Repair Program; and
- Use of CDBG-DR as HMGP Match Program.

2.2 Program Process
Figure 1 displays the sequence of events once an eligible entity applies for the Rebuild Florida Technical Assistance Grant Program.

First, an applicant, such as a unit of local government or municipality that is a HUD or State-designated MID Area and is within a Fiscally Constrained County submits an application to receive Technical Assistance with developing an application for a Rebuild Florida program.

After successfully completing an application, Rebuild Florida’s team will review the application and determine its eligibility. If the application is deemed eligible by Rebuild Florida staff, the application will be sent to the Technical Assistance vendor for further review.
The Technical Assistance vendor will coordinate with the applicant and develop a Scope of Work which will provide the activities to be completed by the vendor and will also prepare a cost estimate for proposed services.

DEO will review and authorize the vendor to move forward with providing technical assistance services to the applicant.

NOTE: Receiving assistance through the Rebuild Florida Technical Assistance Grant Program does not mean the application developed during this process will be automatically awarded by DEO.

2.3 Eligible Activities
The TA Program provides technical assistants to applicants of the following Hurricane Michael, CDBG-DR funded programs:

- Housing activities relating to the Voluntary Home Buyout Program
- Economic Revitalization activities – Hometown Revitalization Program
- Infrastructure activities – General Infrastructure Repair Program; and
- Use of CDBG-DR as HMGP Match Program.

2.4 Program Requirements
1. Activities must meet the National Objectives as outlined in Part 2.9.
2. At least 80% of funds must be spent in HUD-identified Most Impacted and Distressed (MID) areas. The remaining 20% can be spent on state-identified MID areas that were declared disaster areas eligible for both individual and public assistance.
3. Entities applying for funding through the CDBG-DR program must submit an application that meets the criteria outlined in these Program Guidelines.
4. All CDBG-DR projects must comply with all applicable federal, state and local requirements.

2.5 Application for Program Services and Benefits
An initial application for Technical Assistance will be provided on the DEO Office of Disaster Recovery (ODR) website to all HUD and State-designated MID counties that are also classified as Fiscally Constrained Counties. Once an application is received by DEO, the ODR staff will verify the applicant is from one of the eligible counties. Upon DEO approval, the Management Consultant will be assigned to assist the eligible county with the one or more of the services outlined in the section above.

The Management Consultant selected by the State of Florida to provide TA will submit to DEO the scope of work being provided to the county along with their cost estimate of work. Upon DEO approval, the consultant will begin working with the county to provide the requested TA. DEO-funded TA provided will not exceed $1,000,000.

2.6 Eligible Areas
DEO wants to encourage and aid eligible applicants to participate in long-term disaster recovery programs for Hurricane Michael. The State of Florida is making technical assistance available to applicants located in an area identified as a HUD or state MID and classified as a Fiscally Constrained County (identified in Figure 2).
2.7 Allocation
A total of $1,000,000 has been set aside for the Technical Assistance Grant Program. This program has a maximum award amount of $100,000.

2.8 Application and Assistance Timeline
The application cycle opened October 5, 2020 and will remain open until funds have been exhausted.

DEO’s user-friendly electronic application and instructions are available on The Rebuild Florida Hurricane Michael Technical Assistance Grant Program webpage.

Before beginning the application, ensure that you have the following information:
• Full contact information for the entity for which you are submitting the request
• The Federal Employer Identification Number (FEIN) of the entity for which you are submitting the request
• Contact email addresses for any co-applicant entities that will be included in the application
• A brief description of the Technical Assistance that you are requesting

DEO hosted a webinar to provide an overview of the Guidelines, specific to the application process. The webinar included a live question and answer period. This webinar is available on the Rebuild Florida website.

2.9 National Objectives
All projects supported by HUD Community Development Block Grant (CDBG) assistance must meet one of the CDBG’s three National Objectives:

1. Benefiting low-and-moderate income (LMI) persons;
2. Meeting an urgent need; or
3. Aiding in the prevention or elimination of slums or blight.

DEO’s TAGP is focused on aiding eligible units of local government in the application process for Rebuild Florida’s General Infrastructure Repair, Voluntary Home Buyout and Hometown Revitalization programs, as well as provide technical assistance to applicants seeking to use CDBG-DR funds as a match for HMGP. Eligible applicants must be fiscally constrained units of local government that were identified as one of the Most Impacted and Distressed (MID) Areas following Hurricane Michael.

2.10 Program Management
DEO is the agency responsible for the administration of disaster recovery funds allocated to in Florida. The CDBG-DR program is funded by HUD under Public Laws 115-56 and 115-123. DEO has contracted with a technical assistance vendor who will assist eligible applicants for Hurricane Michael in the development of their applications, as well as identifying and determining cost, and writing the scope of work for projects.

2.11 Equal Opportunity
Federal policies ensure that no person be excluded, denied benefits or subjected to discrimination on the basis of race, color, national origin, sex, disability or age under any program funded in whole or in part by CDBG-DR funds. DEO and subrecipients may not discriminate in any of the following areas: deciding who will be admitted, or have access, to any CDBG-DR funded program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

DEO requires any entity receiving assistance through CDBG-DR grant to comply with all application requirements.

Any person who believes he or she, or any specific class of individuals, has been subjected to unlawful discrimination may file a complaint regarding the alleged discrimination with:

Office for Civil Rights
Florida Department of Economic Opportunity
Further information about eligibility for filing an equal opportunity complaint, time limits, instructions, and procedures may be found at:


2.12 Conflict of Interest

State officials and employees, DEO employees, subrecipients, contractors and consultants who exercise functions with respect to CDBG-DR activities or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, are prohibited from receiving any benefit from the activity either for themselves or for those with whom they have family or business ties, during their tenure.

For purposes of this section, “family” is defined to include parents (including mother-in-law and father-in-law), grandparents, siblings (including sister-in-law and brother-in-law) and children of an official covered under the conflict of interest regulations at 24 CFR 570.489(h).

Per 24 CFR 570.489(h)(2) – Conflicts prohibited: Except for eligible administrative or personnel costs, the general rule is that no one who exercises or has exercised any functions or responsibilities with respect to CDBG-DR activities assisted under this subpart or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

Per 24 CFR 570.489(h)(4) – An exception to the conflict of interest provision may be granted after it is determined that such an exception will serve to further the purpose of the Act and the effective and efficient administration of the program or project of the state or unit of general local government as appropriate. An exception may also be granted should it be determined that all of the concerns generated by the potential conflict of interest have been adequately and publicly addressed and that an exception would serve to further the purposes of Title I of the Housing and Community Development Act of 1974 and the effective and efficient administration of the program. No participant will enter into a conflict of interest until a request for an exception has been granted by DEO.
2.13 Anti-Fraud and Compliance Policies

HUD requires policies to prevent fraud, waste and abuse. DEO is committed to aggressively detecting and eradicating fraud, waste, and abuse to ensure that DEO administered programs provide services to customers effectively and efficiently and that taxpayer funds are protected. Each employee, customer and partner has a role and responsibility to ensure that program and service delivery is in compliance with local, state and federal laws and policies and that any incidents are reported immediately for investigation and resolution.

DEO has established procedures for verifying the accuracy of information provided by subrecipients and participants. The program will investigate all allegations regarding eligibility, disbursement of funds or any other allegations of fraud or noncompliance. As appropriate, the DEO will assist federal, state and local agencies in investigations.

Instances of suspected fraud, waste and abuse should be reported by contacting Constituent Management Services staff, submitting information via the Report Fraud, Waste or Abuse online form (http://floridajobs.org/rebuildflorida/report; or by sending an e-mail to: cdbg-drantifraudwasteabuse@deo.myflorida.com

All suspected cases of fraud will be taken seriously, and fraud complaints will be reported to ODR’s Compliance and Reporting Manager and DEO’s Office of the Inspector General at OIG@deo.myflorida.com. If DEO’s OIG determines that it is appropriate, it will coordinate its investigation with agencies such as the Florida Office of the Inspector General, the Florida Office of the Attorney General, or the Florida Department of Business and Professional Regulation.

All substantiated cases of fraud, waste, or abuse of government funds will be forwarded to the United States Department of Housing and Urban Development (HUD), Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov) and DEO’s HUD Community Planning and Development (CPD) Representative.

2.14 Files, Records and Reports

DEO and the applicable TA vendor will maintain accurate files and records on projects and DEO will retain all pertinent documentation for the grant between HUD and DEO. Compliance will be maintained in accordance with the reporting requirements as outlined in the Office of Disaster Recovery Comprehensive Policies and Procedures Manual at www.floridajobs.org/CDBG-DR.

All official records on project activities are maintained for a five-year period beyond the date of grant closeout.

2.15 Public Records

The Office of Disaster Recovery’s Constituent Services Manager will act as a Public Record Division Liaison and is the primary contact for all public record requests regarding the Office of Disaster Recovery/Rebuild Florida Program. The Office of Disaster Recovery’s Public Record Division Liaison will coordinate with the respective managers of each program to determine (1) what is and what is not a responsive record; and (2) where to find all responsive records.

Pursuant to Article 1, Section 24, Florida Constitution, and Chapter 119, Florida Statutes, DEO is subject to Florida’s public records laws. Accordingly, unless an exemption exists, all records produced or received
pursuant to law or in connection with the official business of DEO can be requested and provided for inspection. Applicants participating in the TAGP are also subject to Florida’s public records laws. All public records requests made to DEO will be processed in accordance with DEO Administrative Policy 1.06, Processing Public Records Requests. Public records held by applicants may be requested by contacting the relevant applicant.

Detailed guidance on public records requests can be found in the following resources:

Florida Government in the Sunshine Manual:

Florida Public Records Law, Chapter 119, Florida Statutes:

2.16 Section 3
The Housing and Urban Development Act of 1968, Section 3, mandates that recipients of CDBG-DR funding provide, to the greatest extent possible, training, employment, contracting and other economic opportunities to low and very low-income persons or business concerns that provide economic opportunities to LMI persons.

The Section 3 numerical goals are minimum targets that must be reached for HUD to consider a recipient in compliance. If an entity fails to fully meet the Section 3 numerical goals, it must adequately document the efforts taken to meet the numerical goals. The minimum numerical goal for employment is 30% of the aggregate number of new hires must be Section 3 residents, annually; i.e., three out of 10 new employees needed to complete a Section 3 covered project / activity must be Section 3 residents. The minimum goals for contracting are:

- 10% of the total dollar amount of all Section 3 covered contracts for building trades work for maintenance, repair, modernization or development of public or Indian housing or building trades work arising in connection with housing rehabilitation, housing construction and other public construction, must be awarded to Section 3 businesses; and
- 3% of the total dollar amount of all non-construction Section 3 covered contracts must be awarded to Section 3 businesses

2.17 Program Income
This program will not create program income.
Part 3 Applicant Information

DEO will use a vendor model to deliver the TAGP. This program is not a direct grant program. No funds will be paid directly to program applicants.

3.1 Eligibility
Entities that are eligible to apply include:

• Units of General Local Government (UGLG)

Eligible applicants must be fiscally constrained units of local government that were identified as one of the Most Impacted and Distressed (MID) Areas following Hurricane Michael. The following counties and municipalities may apply for assistance through the TAGP individually or in partnership with another eligible entity:

• Calhoun
• Franklin
• Gadsden
• Gulf
• Holmes
• Jackson
• Liberty
• Taylor
• Wakulla
• Washington

3.2 Request for Applications
The application cycle opened October 5, 2020 and will remain open until funds have been exhausted.

DEO’s user-friendly electronic application and instructions are available on The Rebuild Florida website’s Hurricane Michael Technical Assistance Grant Program page. This registration will remain open until all funds for the TAGP have been exhausted.

3.3 Application Process
Applications for assistance through the Technical Assistance Grant Program will be processed through the Rebuild Florida website. The application template is included in Appendix A.

3.4 Application Requirements
In order to receive assistance through the TAGP, applicants must be:

1. Located in an area identified as a HUD or state MID and
2. Classified as a Fiscally Constrained County (identified in Figure 2).

A list of eligible Counties is included in 3.1, Eligibility.

3.5 Applicant Review Process Responsiveness
During the application review process, applicants are required to respond in a timely manner to DEO or its Technical Assistance vendor’s requests for information/materials to complete the evaluation process. Any request for additional information will include a definitive due date for return of requested information. If the applicant needs an extension, a clarification or assistance, the applicant may make its request within the allotted response timeframe. If an applicant fails to provide the requested information/materials or fails to ask for an extension or assistance, the applicant’s response will be closed and disqualified.
Appendices

Appendix A – Application Form

Rebuild Florida Technical Assistance Grant Program for Hurricane Michael

Welcome to the Florida Department of Economic Opportunity's (DEO) application for the Rebuild Florida Technical Assistance Grant Program for Hurricane Michael-impacted communities. Please note that this application is intended for units of local government, not for individuals or homeowners. If you require assistance completing this application, please contact the DEO Office of Disaster Recovery at CDBG-DR@deo.myflorida.com.

Name of entity applying for Technical Assistance grant

FEIN# of entity applying for Technical Assistance grant

First Name of primary contact person

Last Name of primary contact person

DUNS# (if applicable)

Email Address
Phone Number

County (more than one county may be selected if applicable)

- Calhoun
- Gadsden
- Gulf
- Franklin
- Holmes
- Jackson
- Liberty
- Taylor
- Washington
- Wakulla

Street Address

City

State

Zip Code

Entity is applying with a co-applicant

- Yes
- No