Florida Rural Infrastructure Fund
Statewide Application Webinar

February 9, 2023
Agenda

• Introductions
• RIF Fiscal Year (FY) 2022-2023 Program Overview
• RIF FY 2022-2023 Appropriation and Funding Categories
• RIF Grant Project Types
• RIF Statewide Funding Application Overview
• RIF Statewide Funding 2 CFR 200 – Uniform administrative requirements and regulatory compliance
• Questions
Rural Infrastructure Fund Overview

• Reimbursement grant program administered by DEO’s Bureau of Small Cities and Rural Communities.

• Provides funding assistance for the planning, preparing, and financing of infrastructure projects in rural communities, which will encourage job creation, capital investment, and the strengthening and diversification of rural economies.
RIF FY 2022-2023 Funding Categories

- In 2022, the Legislature appropriated a total of $30 million for the RIF program.
  - $25 million – RIF Statewide Funding from the federal State and Local Fiscal Recovery Funds (SLFRF).
    - Eligible uses of funds include planning and construction of necessary improvements to wastewater, public water, broadband Internet infrastructure, and stormwater.
    - Includes federal regulatory requirements not applicable to Florida Panhandle Specific Appropriation.
  - $5 million – Florida Panhandle Specific Appropriation from state funds.
    - Eligible applicants include Calhoun, Gadsden, Holmes, Jackson, Liberty, and Washington counties.
    - Eligible uses of funds include improvements/upgrades to public infrastructure that will enhance job creation and capital investment opportunities.
RIF FY 2022-2023 Available Funds

FY 2022-2023 RIF Application Cycle

• Closed August 31, 2022.
• Awards totaling $12,024,080 to 17 communities have been announced.
• $18 million unawarded from FY 2022-2023 RIF Statewide Funds
RIF Statewide Funding Grant
Project Types
Total Project Participation Grants

• Awards facilitate and maximize use of state, federal, local, and private resources.

• Awards up to 50 percent of the total infrastructure project costs related to specific job-creation or job-retention opportunities.

• A Participating Party (job creator) is required.
  ▪ Application must include a Participating Party letter documenting the number of new/retained jobs and amount of capital investment to be provided.

• Application should clearly demonstrate the need of the infrastructure project in attracting job creation and capital investment.

• All project funding sources must be secured prior to receiving a subgrant award.
Total Project Participation (Continued)

Eligible uses of funds include necessary improvements to public water, wastewater, stormwater, or broadband Internet infrastructure for:

- Industrial or commercial sites
- Upgrades to or development of public tourism infrastructure.
- Improvements to access and availability of broadband internet service; requirements include:
  - Internet service and access must be conducted through partnership(s) with one or more dealers registered with Department of Revenue as a provider of communications services in Florida; and
  - Partnership(s) must be established through a competitive selection process that is publicly noticed.
- Improvements to inadequate infrastructure that has resulted in regulatory action.
Planning And Preparation Grants

• Funds may be used for water, wastewater, stormwater, and broadband Internet infrastructure feasibility studies, design and engineering activities, or other planning and preparation activities to facilitate a timely response and induce the location or expansion of specific job creating opportunities.

• Grant application criteria includes the extent to which administrative and consultant expenses are minimized.

• Maximum grant amount or award total:
  ▪ $50,000 for an employment project with a business committed to create at least 100 jobs;
  ▪ $150,000 for an employment project with a business committed to create at least 300 jobs; and
  ▪ $300,000 for a project in a Rural Area of Opportunity (RAO).
RIF Statewide Funding Application Overview
RIF Application Cycle

- Application cycle opens January 27, 2023, and closes March 13, 2023, at 5 p.m., Eastern Time.

- Application form is available for download at www.FloridaJobs.org/RIF

- Electronic submission:
  - Electronic submission instructions are available at www.FloridaJobs.org/RIF.

- Mail to:
  Florida Department of Economic Opportunity
  Bureau of Small Cities and Rural Communities
  Rural Infrastructure Program
  107 East Madison Street, MSC 400
  Tallahassee, FL 32399-6508

- Mailed or electronic applications must be received by 5 p.m., Eastern Time, on March 13, 2023.
Units of local government within a RAO:
  ▪ Northwest RAO
  ▪ South Central RAO
  ▪ North Central RAO

Rural county or community, as defined by section 288.0656, Florida Statutes.

Rural Economic Development Initiative (REDI) Eligible Counties and Communities List is available at www.FloridaJobs.org/RIF.
Program Application Review Factors

• RIF grant applications should clearly demonstrate the economic benefit of the project and its long-term viability.

• Evaluation of applications will include, but is not limited to:
  ▪ The applicant’s capacity to administer the funds;
  ▪ The project’s potential for enhanced job creation or capital investment;
  ▪ Whether the project is located in a community development corporation (CDC) service area;
  ▪ The unemployment rate of the county in which the project is located;
  ▪ The poverty rate of the community; and
  ▪ Whether infrastructure improvements are “necessary,” if applicable.
RIF Statewide Funding
2 CFR 200 – Uniform Administrative Requirements
Procurement

If RIF funds are used, the procurement is reviewed for compliance with:

- 2 CFR 200.317-200.327 (the General Procurement Standards);
- Section 287.055, FS (for engineers);

A separate procurement is needed for each service on each RIF subgrant.

If RIF funds are not used to pay for professional services, DEO does not review the procurement.
Procurement Types (2 CFR 200.320)

• Micro-purchases

• Small purchases

• Competitive bids

• Competitive negotiations:
  ▪ Use when qualifications are a primary consideration.
  ▪ Price must be an evaluation factor, unless the Consultants Competitive Negotiation Act applies.

• Non-competitive
Public Notice

• Request for Proposals must be publicized and identify all evaluation factors and their relative importance.

• Proposals must be solicited from an adequate number of qualified offerors.

• Any response to publicized Requests for Proposals must be considered to the extent practical.

• There must be a written method for conducting technical evaluations of the proposals received and making selections.
Consultants Competitive Negotiation Act

Section 287.055, Florida Statutes

• Engineers and architects (and some others).
  ▪ “Design-build” contracts covered.
  ▪ “Construction manager” contracts covered.

• No price information before negotiations.

• Cannot reconsider a firm after ending final negotiations.

• Conduct “detailed cost analysis.”
Procurement Review

• Procedures that undermine competition will not be approved.

• Public notice must comply with regulations.

• Evaluation criteria must have been available to all bidders.

• Evaluators should be trained before they score proposals.

• Must use published criteria for evaluation.

• DEO cannot approve procurements until issues have been corrected.
Procurement Review (Continued)

• **Evaluation factors:**
  - Are they relevant?
  - Are they measureable?
  - Price must be a factor, unless *section 287.055, Florida Statutes*, applies (engineering and architectural).

• **Ranking procedure:**
  - Raw scores.
  - Raw scores converted to ranking points.
  - Some other system.

• Can the procedure be manipulated?
Procurement Review (Continued)

• Elected officials’ role vs. evaluation committee:
  ▪ Elected officials cannot change rankings made by an evaluation committee.
  ▪ Elected officials can be on the committee.
  ▪ An evaluation committee can be used to “short list” the top three to five proposals.

• Ranking establishes the order of consideration:
  ▪ Must first negotiate price with top-ranked firm.
  ▪ If negotiations cannot arrive at a price agreement, move on to the next highest ranked firm.
If the Procurement does not comply:

- DEO will implement corrective actions to bring the procurement into compliance; or

- Local funds (leverage) may be used to pay for the service.
Price of Cost Analysis

• A price or cost analysis must be conducted for each procurement.
  ▪ Price analysis is done if price was an evaluation factor.
  ▪ Price analysis is the “bottom line” and needs other prices for comparison.
  ▪ Cost analysis is used when no prices were obtained, including single/sole source procurement.
  ▪ Cost analysis includes labor hours and cost, indirect cost, expenses, and profit.
  ▪ Cost analysis should be performed by someone qualified to do so.
Regulatory Compliance

- Audits – recipients expending $750,000 or more from all federal sources within a fiscal year are required to have a Single Audit conducted for that fiscal year.

- Civil rights – recipients must comply with applicable statues and regulations prohibiting discrimination

- Environmental review – pursuant to U.S. Department of Treasury SLFRF guidance, applicable federal environmental laws and regulations will apply.

Regulatory Compliance (Continued)

• Labor Standards – recipients will be required to comply with federal labor standards:
  • Contract Work Hours and Safety Standards Act of 1962, as amended (40 U.S.C. 3701-3708);
  • Federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201-219); and

• SAM.gov Registration – each applicant must obtain a Unique Entity Identifier from the federal System for Award Management (SAM) prior to receiving a subgrant agreement from DEO.
Regulatory Compliance (Continued)

- Conflict of Interest
  - The following local government individuals cannot participate in the RFP selection, award, or administration of a contract:
    - Employees, officers, or agents.
    - Member(s) of immediate family.
    - Partners, people employed or “about to be employed.”
    - No waiver possible.
  - Disclose conflict and step aside.
  - If a conflict of interest is discovered after the fact, DEO will disallow all costs incurred to date relative to the conflict.
Thank You!

Visit the RIF program webpage for additional details and resources:

www.FloridaJobs.org/RIF

DEO RIF Program
Main Line: 850-717-8405
Email: RIF@DEO.MyFlorida.com