Florida Small Cities Community Development Block Grant Program Application Workshop

April 6, 2023
SMALL CITIES CDBG Available Funds

FFY 2021 and FFY 2022 Small Cities CDBG Application Cycle

• Closed August 28, 2022

• Awards totaling 35.3 million to 48 communities announced on December 21, 2022

• $13 million unawarded from FFY 2022 CDBG Funds
AGENDA

- Introductions
- Bureau of Small Cities and Rural Communities Updates
- Completing and Submitting the Application Form
- Small Cities Community Development Block Grant Program Information
- Applicant Eligibility
- National Objectives and Eligible Activities
- Potential Application Rejection Issues
- Citizen Participation
- Fair Housing Requirements
- Defining Service Areas and Surveying Beneficiaries
- Procurement of Professional Services
- Readiness to Proceed Requirements
- Economic Development
Completing and Submitting Application Form
CDBG APPLICATION CYCLE

• Opened: March 20, 2023

• Closes: May 5, 2023

• Electronic submission:
  ▪ Email request to submit electronically to CDBG@DEO.MyFlorida.com no later than May 1, 2023
  ▪ DEO will reply with instructions for uploading application documents.

• Mail or ship to:
  Department of Economic Opportunity
  Florida Small Cities CDBG Program
  107 East Madison Street, MSC 400
  Tallahassee, FL 32399-6508

• Mailed, shipped or electronic applications must be received by 5:00 p.m., Eastern Time on May 5, 2023.
CDBG APPLICATION RESOURCES

• Visit www.FloridaJobs.org/CDBGApplicantInfo.
  ▪ FFY 2022 Eligible Communities Lists.
  ▪ Application form downloads and instructions.
  ▪ Census data links.
  ▪ Section 8 Income Limits.
  ▪ Sample Public Notices.
REQUIRED PARTS TO SUBMIT

- Neighborhood Revitalization – Cover and Parts Two, Seven, Eight and Nine.
- Housing Rehabilitation – Cover and Parts Two, Six, Eight, and Nine.
- Commercial Revitalization – Cover and Parts Two, Four, Eight, and Nine.
- Economic Development – Cover and Parts Two, Five, Eight, and Nine.
- Submit only the relevant appendices from Part Nine.
- If leverage is being claimed for points, Part Three must also be submitted.
STATE CLEARINGHOUSE REVIEW

• Applicants DO NOT need to send a copy of the application to the State Clearinghouse.

• After an applicant is notified that their application is being funded, they are to submit portions of the CDBG application to the Clearinghouse for review.
• The federal grant program is administered by the DEO Small Cities CDBG Program.

• The CDBG Program provides funding for housing and community development activities.

• The Program is governed by federal and state regulations:
  ▪ Section 290.044, Florida Statutes.
  ▪ Florida Administrative Code, Chapter 73C-23.
FFY 2022-2023 TIMELINE

- **Notice of Funding Availability:** February 17, 2023
- **Application Cycle Opened:** March 20, 2023
- **Application Cycle Closes:** May 5, 2023
- **Site visits/Completeness period:** July/August 2023
- **Award to Selected Subrecipients:** Fall 2023
SMALL CITIES CDBG FUNDING CATEGORIES

Commercial Revitalization

Economic Development

Housing Rehabilitation

Neighborhood Revitalization
SMALL CITIES CDBG PROJECTS


Housing Rehabilitation – Monticello: Housing brought into compliance with adopted housing codes.
Neighborhood Revitalization – Apopka: Construction of a new neighborhood community center.
Applicant Eligibility
CDBG APPLICANT ELIGIBILITY

Eligible Applicants

• Counties
  • Population in unincorporated area less than 200,000.

• Cities
  • Population less than 50,000.
    ▪ No special entitlement status.
    ▪ Have not opted to join entitlement program.

Ineligible Applicants

• Entitlement communities.

• Small communities that opt to participate in an Entitlement Program.

FFY 2022 Eligible Communities List is available at FloridaJobs.org/CDBGApplicantInfo.
WHAT AFFECTS ELIGIBILITY?

• An open housing rehabilitation, neighborhood revitalization, or commercial revitalization agreement:
  ▪ Open agreement = not administratively closed out.
  ▪ Not eligible for housing rehabilitation, neighborhood revitalization, or commercial revitalization.
  ▪ Eligible for economic development grant if current agreement activities are on schedule.

• Open economic development agreement:
  ▪ Eligible for a housing rehabilitation, neighborhood revitalization, or commercial revitalization if current agreement activities are on schedule.
FUNDING CEILINGS

Based on current U.S. Census Population Counties – populations in unincorporated areas only.

<table>
<thead>
<tr>
<th>LMI Population</th>
<th>Funding Ceiling</th>
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<tr>
<td>1 – 499</td>
<td>$600,000</td>
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<td>500 – 1,249</td>
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<td>1,250 – 3,999</td>
<td>$700,000</td>
</tr>
<tr>
<td>4,000 +</td>
<td>$750,000</td>
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Economic Development Grants:

- Maximum amount = $1,500,000.
- Criteria:
  - At least one full time equivalent (FTE) job must be created or retained for each $34,999 awarded.
  - 51 percent of FTEs must be available to LMI persons.
National Objectives and Eligible Activities
NATIONAL OBJECTIVES

Each CDBG-funded activity must meet one of the following National Objectives:

• Provide benefit to low- and moderate-income (LMI) persons.
  ▪ Indirect benefit activities (e.g. road paving).
    □ At least 51 percent of beneficiaries must be LMI.
  ▪ Direct benefit activities (e.g. Housing Rehabilitation).
    □ 100 percent of beneficiaries must be LMI.

• Prevent or eliminate slum or blight conditions.
  ▪ Commercial Revitalization projects only.
  ▪ Activities must address slum or blight.

• Address urgent community development needs that pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.
NATIONAL OBJECTIVE - LMI

• Indirect Benefit activities (e.g. road paving):
  ▪ At least 51 percent of beneficiaries must be LMI.

• Direct Benefit activities (e.g. housing rehabilitation):
  ▪ 100 percent of beneficiaries must be LMI.
Commercial Revitalization projects only.

- Activities address slum or blight:
  - On an area basis;
  - On a spot basis; or
  - Conform to [24 CFR 570.483(c)](https://cfpub.epa.gov/cfr/detail.cfm?ticid=100149) and [Section 163.340, Florida Statutes](https://www.fllegislative.gov/).
ELIGIBLE ACTIVITIES

Infrastructure Improvements:

• Water and sewer - Neighborhood Revitalization (NR), Commercial Revitalization (CR), and Economic Development (ED).

• Street and sidewalk paving (NR, CR, and ED).

• Flood and drainage (NR, CR, and ED).

• Parking lots (CR).

• Natural gas lines and rail spurs (ED).

• Fire protection (NR, CR, and ED).
ELIGIBLE ACTIVITIES (CONT.)

Public Facilities

• Community center (NR).
• Temporary shelters (NR).
• Parks and playgrounds (CR and NR).

Direct Benefit Activities

• Housing rehabilitation (HR).
• Temporary relocation (HR).
• Water or sewer hookups (HR and NR).
ELIGIBLE ACTIVITIES (CONT.)

Planning Only Grants

- Broadband Infrastructure Feasibility Study
- Water Utility Study
- Sewer Utility Study
- Master Utility Study

CDBG may be used for:

- Studies
- Analysis
- Data Gathering
- Identification of actions that will implement plans
- *Plan must include options and/or alternatives*
ELIGIBLE ACTIVITIES (CONT.)

Planning and capacity building activities do not include:

- Engineering
- Architectural
- Design costs related to a specific project (for example, detailed bid specifications and working drawings)
- Other costs of implementing plans

**Infrastructure Planning-only** grants or activities must comply with the requirements or the Low- to Moderate-Income National Objective.

**Planning-only** grants or activities can meet Low- to Moderate-Income National Objective if it can be shown that at least 51 percent of the persons who would benefit from implementation of the plan are low-to moderate-income persons.
INELIGIBLE ACTIVITIES

• General government expenses.
• Buildings for the general conduct of government.
• Political activities.
• Purchase of equipment (with exceptions for economic development projects’ fire protection).
• Operating and maintenance expenses.
• New housing (with exceptions).
• Income payments (excludes emergency grants).
RESOURCES

• Lists of eligible communities, special designations, census data, and scoring data are located on the DEO website.

• A list of eligible activities is included in the application form (located on the DEO website).

www.FloridaJobs.org/CDBGApplicantInfo
RESOURCES (CONT.)

• The HUD Guide to National Objectives and Eligible Activities (updated December 2014) is available at: [www.hudexchange.info/](http://www.hudexchange.info/)

Or

• To avoid having to download 19 individual files the guide is available at: [www.FloridaJobs.org/CDBGApplicantInfo](http://www.FloridaJobs.org/CDBGApplicantInfo)
Potential Application Rejection Issues
Applications are ineligible for funding if any of the following circumstances arise:

1) Application is not received by the application deadline at 5:00 p.m., Eastern Time on May 5, 2023.

2) Project does not meet a national objective.

3) Project is not an eligible activity.

4) Application is not consistent with the local government’s comprehensive plan.

5) Applicant has an open CDBG project.

6) Applicant is not in compliance with the citizen participation requirements.

7) Information provided in the application that affects eligibility or scoring is found to have been misrepresented.
OTHER POTENTIAL REJECTION ISSUES

Other potential rejection issues regarding surveying and service area boundaries include:

- Random Sample Survey Problems
- Service Area Improperly Drawn
- Homes Missing from Survey
Citizen Participation
LOCAL GOVERNMENT REQUIREMENTS

Each unit of general local government shall meet the following requirements:

1) Provide for and encourage citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas and areas in which CDBG funds are proposed to be used.

2) Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to the unit of local government's proposed and actual use of CDBG funds.

24 CFR 570.486
LOCAL GOVERNMENT REQUIREMENTS

3) Furnish citizens with information, including but not limited to:

i. The amount of CDBG funds expected to be made available for the current fiscal year (including the grant and anticipated program income);

ii. The range of activities that may be undertaken with the CDBG funds;

iii. The estimated amount of the CDBG funds proposed to be used for activities that will meet the national objective to benefit low- and moderate-income persons; and

iv. Whether or not the proposed CDBG activities are likely to result in displacement and a copy of the unit of general local government's anti-displacement and relocation plans required under 24 CFR 570.488.

24 CFR 570.486
Public Notices

• Public notices must be advertised in a newspaper of general circulation in the applicant’s jurisdiction with sufficient lead time to allow citizens to plan to participate in the hearings.

• Additional methods of informing the public of hearings are encouraged, such as social media, notices on the applicant’s website, public service announcements, and posters.

• Notices need to give enough information so the people who are affected by a proposed CDBG application know they are affected.
PUBLIC NOTICES AND HEARINGS

Public Hearings

• Must be properly noticed in accordance with subsection 73C-23.0031(27), FAC.

• Must be conducted by a member of the applicant’s governing body or a duly authorized representative.

• Must be accessible and at a convenient time for potential beneficiaries.

• Local governments are encouraged to offer virtual attendance as an additional option to encourage broad public participation

73C-23.0041(1)
Virtual/Conference-Call Public Hearings:

- Must provide reasonable notification and access for citizens.
- Must provide timely responses from local officials to all citizen questions/issues.
- Must provide public access to all questions and responses.
- Must take appropriate actions to encourage the participation of all residents, including the elderly, minorities, and non-English speaking persons, as well as persons with disabilities.
- Roll call for attendance should be taken at the beginning of the event. If a member of the public declines to identify him or herself, that is not to be considered an issue of concern.
If the public hearing for a project near Lanark Village is held in Apalachicola, on the same night as a local commission meeting in Lanark Village, could a citizen argue that the hearing was held at a time and place to discourage Lanark residents from participating?
FIRST PUBLIC HEARING

• Provide general information to residents on the availability of CDBG funding and the amount available.

• Discuss the types of activities that could be implemented with CDBG funds.

• Obtain the views of citizens on community development needs.

• The agenda for the first public hearing and the activities undertaken therein must be limited to the bulleted items reflected on this slide.
SECOND PUBLIC HEARING NOTICE

Second public hearing notice shall include:

1) A summary of the draft application to include:

   • The federal fiscal year for which an application is being considered;
   
   • A description of the activities that will be undertaken with CDBG funding;
   
   • A budget that lists the specific CDBG dollar amounts that will be allocated for each activity;
   
   • The National Objective that will be met by each activity, except administration and engineering; and
   
   • For Neighborhood Revitalization, Commercial Revitalization, and Economic Development projects, the locations of the proposed activities, including street names or road numbers (e.g., County Road 50).

   73C-23.0041(1)(c)
SECOND PUBLIC HEARING NOTICE (CONT.)

2) Information such as a website or email address where a copy of the draft application can be obtained and/or reviewed.

3) Information describing where written comments may be submitted and the deadline for submission.

4) The date, time, and location of the hearing. If the hearing may be attended virtually or via conference call, the notice should inform citizens that they can do so and include an appropriate link and/or conference call number.

[73C-23.0041(1)(c)]
Poor Language:
The City of Hibernation will construct a new elevated storage tank within the city limits.

Recommended/Descriptive Language:
The City of Hibernation will construct a new elevated storage tank next to Well #1 located on city property at High Road between 21st and 22nd Avenues.
Poor Language:
The locations of the street improvements will be identified on a map at the public hearing.

Recommended/Descriptive Language:
The locations of the street improvements include the following roads: Oak, Pine, and Maple Streets between Main Street and Third Avenue, and First and Second Avenues between Oak and Maple Streets.
SECOND PUBLIC HEARING

• The proposed application is discussed, including the planned activities, the specific location(s) of those activities, and the specific budget amounts for the activities.

• Citizens must be allowed to comment on the proposed application and their comments must be documented.

• The applicant should consider all public comments and modify the application, as appropriate.
HEARING DOCUMENTATION REQUIRED

- Include the following in the application:
  - Proof of publication – a copy of each hearing notice and affidavits from the newspaper.
  - Sign-in sheet or call-in log for the public hearing or copies of all speaker cards. Document who attended and who spoke during the public hearing.
  - Minutes from the public hearings. Include the names of everyone who spoke. If certified minutes are not available, include draft minutes and have certified minutes ready for a site visit review.
The Citizens Advisory Task Force (CATF) is no longer a mandatory part of the citizen participation process. It is voluntary and points are awarded in the application if the criteria is met.

The CATF must have at least five members appointed by the local governing board, must be at least 51 percent LMI, and at least 51 percent of the members must be in attendance at each CATF meeting (including virtually or by telephone conference call).

No more than one employee of the Applicant can serve on the CATF, and no elected officials of the Applicant can serve as members of the task force.

The CATF can hold more than one meeting.
• CATF meets before the first public hearing is conducted to receive 10 points.

• CATF meets before the notice for the second public hearing is published and before a draft application is finalized to receive five points.

• All CATF meetings must be properly noticed.

• Include meeting minutes, sign-in and/or roll call sheet, and documentation of the public notice in the application.
• The CATF meeting should not be dominated by local government staff and should allow for open discussion of all participants.

• The purpose of the CATF meeting is to discuss community needs and make recommendations prior to holding the drafting the application.

• Past CDBG applications, both successful and unsuccessful, should not be discussed at the meeting until all CATF members have had the opportunity to discuss what they see as the community’s current needs.
CONSEQUENCES

• Failure to meet any of the citizen participation requirements previously discussed will result in an application being rejected, as required by **section 290.0475(6), F.S.**
Fair Housing Requirements
FAIR HOUSING POINTS

An applicant can receive up to 10 points on their application for Funding if it completes the following:

1) Adopts a fair housing ordinance prior to the application cycle deadline: claim five points.

2) Conducts a fair housing workshop during the 12 months prior to the application cycle deadline: claim five points.
Defining Service Areas and Surveying Beneficiaries
OVERVIEW

Process to Define a Service Area and Survey Beneficiaries

1. Identify the Beneficiaries of the Proposed Activity.
2. Determine the Boundaries of the Service Area.
3. Plot the Beneficiaries and Proposed Activities on a Service Area Map.
4. Develop a Project Narrative.
5. Use Census Data or Conduct a Survey and Verify Compliance with a National Objective.
SERVICE AREA DEVELOPMENT

A service area is required for “indirect benefit” activities:

• Indirect benefit means “benefit to an area.”
• Work is on public property or an easement.
• Hookups are allowed if they are related to the indirect benefit activities.

Service area boundaries are based on the beneficiaries of the activity:

• “Work location” may be misleading for defining boundaries.
• At least 51 percent of the service area beneficiaries must be LMI.
SERVICE AREA DEVELOPMENT (CONT.)

Procedure

- Identify the location of the activity on a map.
- Identify the beneficiaries on a map.
- Draw the service area boundary.
Multiple activities may require multiple service areas when the beneficiaries are not identical for all activities.
MULTIPLE MAPS CAN BE SUBMITTED
The service area map is a visual representation of the project. The map:

- Shows activities, locations and beneficiaries.
- Must be consistent with the beneficiaries identified in the survey.
An improperly drawn service area map can:

- Affect eligibility and funding.
- Identify people who are not beneficiaries or exclude people who are beneficiaries.
  - If the LMI percentage of the service area is overstated, the activity could be ineligible for funding.
• An activity that is not included in the project narrative or the service area map is not a part of the project.

• The service area map governs the project if the project narrative is inconsistent with the map.
SERVICE AREA AND MAP ISSUES

• All Neighborhood Revitalization and Commercial Revitalization activities must be located in the service area(s).

Commercial Revitalization

 Normally, the entire jurisdiction is the service area.
 It is possible to justify a smaller service area (i.e. County CRA).

Housing Rehabilitation

 This service area is the boundary of the corporate limits. Housing is a direct benefit activity, so all beneficiaries must be LMI.
SURVEYING

• Establishes the LMI benefit in a service area.
• Establishes the number of beneficiaries for application scoring and data reporting:
   Very Low Income (VLI) = 30 percent Area Median Income (AMI).
   Low Income (LI) = 50 percent AMI.
   Moderate Income (MI) = 80 percent AMI.
   Over Income = Greater than 80 percent AMI.

Four Methods:
• Census Data
• Previous Survey
  *** Not allowable for FFY 2020 unless it complies with requirements of HUD Notice CPD-19-02.
• Small Service Area
• Random Sample
CENSUS DATA

• Use HUD American Community Survey 2015 Census Update data only if a service area corresponds exactly to entire block groups, tracts, or (for jurisdiction-wide activity) the jurisdiction’s boundary.

• If a service area is an entire census unit and a partial unit, the partial unit can be surveyed and the results can be added to census information.

• The 2011-2015 update of the HUD ACS Low- and Moderate-Income Survey Data can be accessed via GIS online at https://www.arcgis.com/home/item.html?id=ffd0597e8af24f88b501b7e7f326bedd.
• Data from Census tract 003 can be used, but the area in yellow would have to be surveyed.
SURVEY METHODS

If project area surveys are necessary, acceptable survey methods include:

• Mailouts;
• Telephone interviews;
• Web-based; and
• Any other method that complies with federal, state, and local government guidance or regulations.
SMALL SERVICE AREA SURVEY

- Required for service areas with less than 50 homes.
- All homes must be included in the survey.
- If a home cannot be surveyed, assume that it is over income.
- To determine the unsurveyed household size, use the average household size from all homes surveyed.
RANDOM SAMPLE SURVEY

- Random sample surveys must be conducted consistent with the requirements outlined in HUD Notices CPD-14-013 and CPD-19-02.

- A confidence level (referred to as Confidence Interval in HUD Notice CPD-19-02) of 95 percent is recommended; a confidence level lower than 90 percent is not allowable.

- The applicant must use the confidence interval (referred to as Margin of Error (MOE) in HUD Notice CPD-19-02) for the equivalent geography contained in the HUD ACS 2015 Low- to Moderate-Income census update. If the census update equivalent geography specifies an MOE of 10 percent or more, an MOE of 10 percent must be used.

• Obtain a non-repeating list of random numbers.

• The primary sample group is the first group of homes that equals the minimum sample needed.

• Document three attempts to survey each home* in the primary sample group.

• Use alternates, in order, using the same procedure.

• If the minimum sample size is not achieved, begin again.

• Option: To obtain the minimum sample, treat the unsurveyed houses as over income.
Resources:

• To determine the sample size for a 95 percent confidence level at the selected confidence interval, access: surveysystem.com/sscalc.htm.

• To determine the sample size for either a 90 or 95 percent confidence level at the selected confidence interval, access: www.surveymonkey.com/mp/sample-size-calculator/ or http://fluidsurveys.com/university/survey-sample-size-calculator/.

• To generate a sequence of random non-repeating numbers, access: www.random.org/sequences/.


• HUD Notice CPD-19-02 at files.hudexchange.info/resources/documents/Notice-CPD-1902-Low-and-Moderate-Income-Summary-Data-Updates.pdf
www.surveystem.com/sscalc.htm

This Sample Size Calculator is presented as a public service of Creative Research Systems survey software. You can use it to determine how many people you need to interview in order to get results that reflect the target population as precisely as needed. You can also find the level of precision you have in an existing sample.

Before using the sample size calculator, there are two terms that you need to know. These are: confidence interval and confidence level. If you are not familiar with these terms, click here. To learn more about the factors that affect the size of confidence intervals, click here.

Enter your choices in a calculator below to find the sample size you need or the confidence interval you have. Leave the Population box blank, if the population is very large or unknown.
Random Sequence Generator

This form allows you to generate randomized sequences of integers. The randomness comes from atmospheric noise, which for many purposes is better than the pseudo-random number algorithms typically used in computer programs.

Part 1: Sequence Boundaries

Smallest value [1] (limit -1,000,000,000)
Largest value [500] (limit +1,000,000,000)
Format in [10] column(s)

The length of the sequence (the largest minus the smallest value plus 1) can be no greater than 10,000.

Part 2: Go!

Be patient! It may take a little while to generate your sequence...

Get Sequence  Reset Form  Switch to Advanced Mode

Note: A randomized sequence does not contain duplicates (the numbers are like raffle tickets drawn from a hat). There is also the Integer Generator which generates the numbers independently of each other (like rolls of a die) and where each number can occur more than once.
## Random Sequence Generator

Here is your sequence:

```
418 141 31 125 213 203 357 449 371 140 479 330 228 448
389 277 17 135 6 322 163 239 123 167 355 480 172 216
293 378 107 416 191 295 209 115 476 180 97 431 310 8
352 323 221 32 479 437 484 289 56 286 450 157 390 387
427 285 337 257 290 23 1 328 225 424 335 119 119 370
464 93 13 104 318 444 252 495 402 120 396 384 193 468
130 306 127 481 122 304 411 420 380 367 366 477 76 377
269 112 73 372 360 48 426 455 475 146 329 365 155 100
237 89 461 223 305 383 379 30 436 236 486 246 498 297
50 151 200 189 105 429 266 496 94 57 309 77 341 443
240 316 61 9 90 761 67 54 353 178 101 98 118 37
435 420 108 130 241 47 352 432 137 201 421 110 359 185 454
393 96 217 364 419 204 497 75 18 83 40 248 114 53
441 186 492 36 471 338 347 27 307 376 196 132 116 400
439 232 12 408 91 149 312 292 485 170 398 331 84 19
434 58 139 205 465 456 381 129 439 265 215 287 131 199
41 219 327 459 324 103 64 210 276 321 82 284 406 272
499 244 264 303 302 206 106 211 46 451 344 87 275 63
255 268 311 472 270 39 29 109 342 62 37 152 296 453 78
343 121 263 405 207 490 425 162 231 462 188 487 229 69
414 285 15 173 473 291 348 133 124 35 192 399 489 142
353 460 273 212 298 159 500 184 11 470 60 268 267 467
187 2 202 33 326 258 317 88 42 102 80 150 346 446
66 198 247 24 374 208 428 332 256 356 270 362 340 168
457 5 71 44 299 315 143 144 313 148 169 233 34 382
395 224 199 457 152 386 29 1 222 251 413 241 147 160 166
450 43 226 243 407 81 282 179 394 175 294 145 59 72
259 74 138 153 279 301 45 25 480 52 369 158 242 445
494 391 218 388 194 363 430 128 368 452 401 55 156 165
334 442 375 260 70 478 403 136 234 358 458 345 412 152
278 373 99 245 325 417 190 227 447 440 113 85 482 230
254 249 68 95 423 283 336 171 21 253 86 410 274 238
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469 164 351 433 92 235 65 16 314 350
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**Timestamp:** 2018-06-05 16:26:25 UTC

**Note:** The numbers are generated left to right, i.e., across columns.
**HOUSEHOLD INCOME CERTIFICATION FORM**

---

**Section I**

- **Local Government:**
  - [ ] Do
  - [X] Don’t

- **Map Ref:**
  - [ ] Rev
  - [X] Don’t

- **Service Area:**
  - [ ] Rev
  - [X] Don’t

- **Description of Unit:**
  - [ ] Rev
  - [X] Don’t

- **Rent:**
  - [ ] Rev
  - [X] Don’t

- **Number of People in Household:**
  - [ ] Rev
  - [X] Don’t

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**Section II**

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<th>3. Total Number of People in Household</th>
<th>4. Total Household Income within this Income Range</th>
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**Note:** For households of more than 8 persons, insert the household size and the correct income range for each of the three income levels in the appropriate boxes in the bottom row. Income data is available from the following website: http://www.huduser.org/metro/data/us.html

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**Section III**

- **Female Head of Household:**
  - [ ] Rev
  - [X] Don’t

- **Handicapped:**
  - [ ] Rev
  - [X] Don’t

- **Eligible (99):**
  - [ ] Rev
  - [X] Don’t

- **Indicate race and ethnicity below:**
  - [ ] Rev
  - [X] Don’t

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**FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

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***Notes:***

- This form has two sides. Both sides must be completed.
- Form SC-49 is available on DEO’s website at www.floridajobs.org.
RANDOM SAMPLE SURVEY RESULTS

• Show project total moderate-income/low-income/very low-income over income beneficiaries from the sample (worksheet).

• Calculate LMI percent total for each service area.

• To determine the LMI benefit, subtract confidence interval from LMI percent in each service area.

• If the adjusted LMI percent is less than 51 percent, the service area does not qualify.

• If the service area qualifies, use the unadjusted low-moderate-income/very low-income percent to score the application.
Random Sample Survey – Example 1
Total Beneficiaries = 754
LMI Beneficiaries = 511
Confidence Interval = 5
LMI percent = 511 ÷ 754 = 67.77 - 5.0 = 62.77 percent
Service area is eligible for funding; use 67.77 percent in the application.

Random Sample Survey – Example 2
Total Beneficiaries = 754
LMI Beneficiaries = 411
Confidence Interval = 5
LMI percent = 411 ÷ 754 = 54.51 - 5.0 = 49.51 percent
Service area is not eligible for funding.
APPLICATION APPENDIX A

Required Maps

- For Neighborhood Revitalization, Commercial Revitalization, and Economic Development applications, include jurisdictional, service/project area, and flood maps.
- Color code the service area map showing all homes.
- Show all CDBG activities on service/project area maps.
- For Housing Rehabilitation applications, include only jurisdictional and flood maps.
In addition to the jurisdictional, service area, and flood maps, Neighborhood Revitalization and Commercial Revitalization applications must include:

- A description of how the beneficiary service area was established and what survey methodology was used.
- A copy of the randomly generated list of homes used for the survey, if applicable.
REJECTION ISSUES – SURVEYING

Random Sample Survey Problems:
• The primary sample was not randomly selected.
• Alternate houses were not randomly selected.
• Beneficiaries were left out or wrongly included in the surveyed service area.
Example of Service Area Improperly Drawn

• The application requests funds for upgrades to the city’s water treatment plant.

• City limits are shown as the service area border.
  - However, not all city residents are connected to the water system; or
  - Some homes located outside the city limits are served by the water system.

• The service area may have to be redrawn or additional homes added to or removed from the survey; the flaw could result in the rejection of the application.
Example of Homes Missing from Survey

- Unable to complete the minimum number of required surveys because:
  - Unable to contact household member; or
  - Household member refused to respond.
- In these cases, count all unsurveyed homes as “over income.” If the LMI population of the service area remains at 51 percent or above, the activity is fundable.
Multi-family housing units were not treated as individual households, so the number of beneficiaries in the service area was undercounted.

In this case, the LMI population is misrepresented and the funding request must be rejected per section 290.0475(7), Florida Statutes.
Procurement of Professional Services
INTRODUCTION

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

- 2 CFR 200.317-200.326 (the Super Circular);
- 24 CFR 75.3 (contracts ≥ $200K, Section 3);
- Section 287.055, FS (for engineers);
- 73C-23.0051, FAC; and
- Recipient’s CDBG procurement policy.

If CDBG funds are not used to pay for professional services, there is no review.
INTRODUCTION (CONT.)

• A separate procurement is needed for each service on each CDBG subgrant.

• The U.S. Department of Housing and Urban Development (HUD) issued a ruling that if inspection services were not listed in the request for proposal (RFP) for engineering services (procured before submitting the application to get “Readiness to Proceed” points), then the inspection services must be procured by a new RFP. DEO cannot approve a design firm for inspection services unless inspection services were listed in the RFP.
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 published in a nearby Metropolitan Statistical Area newspaper or at least three responsible and responsive proposals must be received.

• Request for Proposals must be published at least 12 days prior to the bid close date (not including the date of advertisement).

• Evaluation criteria must be provided; separate evaluation for separate services.

• Ads shall include a CDBG identifier (contract number or funding cycle).
CONSULTANTS COMPETITIVE NEGOTIATION ACT

Section 287.055, Florida Statutes

• Engineers and architects (and some others).
  ▪ “Design-build” contracts covered.
  ▪ “Construction manager” contracts covered.
  ▪ Administrative support services not 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.

• Train evaluators before they score proposals.

• Must use published criteria for evaluation.

• DEO cannot approve procurement until issues have been corrected.
PROCUREMENT REVIEW (CONT.)

• Evaluation factors:
  ▪ Are they relevant?
  ▪ Are they measurable?
  ▪ Price must be a factor (for administration), unless section 287.055, Florida Statutes, applies (engineering).

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

• Can the procedure be manipulated?
PROCUREMENT REVIEW (CONT.)

• 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 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.
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.
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.
Readiness to Proceed
Requirements
The application must have:

1. A letter from the engineer or architect who prepared the construction plans and specifications, addressed to the chief elected officer of the applicant, certifying the following:
   - That the signed, sealed, and dated plans and specifications are complete;
   - That the bid documentation, including plans and specifications, provided with the application contains all of the information that a contractor would need to bid on the project, except for the Davis-Bacon wage decision(s), the CDGB Supplemental Conditions, and the local government list of certified minority & women owned business enterprises;
READINESS TO PROCEED POINTS (CONT.)

- That applications have been submitted for all permits that are required to begin construction on the infrastructure activities included in the application;
- If the only permitting agency is the applicant local government, the engineer shall certify that the applicant is the only agency from which a permit is required; and
- If no permits are required for the project, the engineer shall certify to that effect.
2. A signed and sealed copy of the plans* and specifications, plus all necessary bid documents, except for:
   - the Davis-Bacon wage decision(s);
   - the local government’s list of minority/women business enterprises; and
   - the CDBG Supplemental Conditions.

*Electronic submission is available with scanned sealed plans or electronic seals.
3. Documentation that all required infrastructure permit applications were submitted to the appropriate agency or agencies, including:
   - Receipts from UPS or the U.S. Postal Service; or
   - Email or letter from permitting agency/agencies confirming the permit applications were received.
4. Some Deficiencies in Readiness to Proceed (RTP) submissions can be cured if documentation is provided no later than the end of the “completeness period” that:

- Verifies that the plans and specifications were completed prior to the application deadline.
- Verifies all required permit applications were submitted to the appropriate permitting agencies prior to the application deadline.

5. If not verified during the completeness period, RTP points claimed will be reduced to zero.
April 24, 2015

Mayor Harry Bear  
City of Hibernation  
200 Main Street  
Hibernation, FL 32999

Dear Mayor Bear:

Enclosed with this letter is a copy of the plans for the proposed CDBG project and a copy of the specifications book. Both were completed on April 23, 2015, and have been signed and sealed by the engineer assigned to the project.

A full set of bid documents are enclosed with this letter. Everything that is needed to publish a request for proposals is included in the package, except for a Davis-Bacon wage decision and the CDBG Supplemental Conditions for Construction Projects. The wage decision will have to be requested after the release of funds has
Dear Mayor Bear:

Enclosed with this letter is a copy of the plans for the proposed CDBG project and a copy of the specifications book. Both were completed on April 23, 2015 and have been signed and sealed by the engineer assigned to the project.

A full set of bid documents are enclosed with this letter. Everything that is needed to publish a request for proposals is included in the package, except for a Davis-Bacon wage decision and the CDBG Supplemental Conditions for Construction Projects. The wage decision will have to be requested after the release of funds has been issued. The CDBG Office does not need to review the CDBG Supplemental Conditions during the application process since it created them, but the document will have to be included in the bid documents before publication of the request for proposals.

We have applied to FDEP for a General Permit for Domestic Wastewater Collection/Transmission Systems. A copy of the letter acknowledging receipt of the permit application is enclosed. This is the only permit needed for the project.
We have applied to FDEP for a General Permit for Domestic Wastewater Collection/Transmission Systems. A copy of the letter acknowledging receipt of the permit application is enclosed. **This is the only permit needed for the project.**

If you have any questions regarding the attached documents, please call me at (352) 555-1212.

Sincerely,

Roger Joseph

Roger Joseph, P.E.
We have applied to FDEP for a General Permit for Domestic Wastewater Collection/Transmission Systems. A copy of the letter acknowledging receipt of the permit application is enclosed.

If you have any questions regarding the attached documents, please call me at (352) 555-1212.

Sincerely,

DEO CDBG grant managers are not engineers and do not know what specific permits are needed for each project. The letter must state which permits have been applied for and that they are the only ones needed in order to receive Readiness to Proceed points.
We have applied to FDEP for a General Permit for Domestic Wastewater Collection/Transmission Systems. A copy of the letter acknowledging receipt of the permit application is enclosed. **This is the only permit needed for the project.**

DEP letter says

Florida State Clearinghouse staff has received and reviewed the City’s CDBG-NR funding proposal under the following authorities: Presidential Executive Order 12372; § 403.061(42), *Florida Statutes*; the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended; and the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347, as amended.

Please note that any onsite or offsite improvements associated with the project that impact Florida Department of Transportation (FDOT) right-of-way will require the appropriate FDOT permits. Required permits may include utility, access management, drainage or other permits depending on the work planned. Please contact the FDOT’s District Three Maintenance Office in Marianna at (850) 482-9546 for additional information.

If another permit is needed after the application is received, scoring and funding could be affected.
If the only permits needed for the project are issued by the applicant, state so in the letter.

 proposals is included in the package, except for a Davis-Bacon wage decision and the CDBG Supplemental Conditions for Construction Projects.

The only permits needed for the park improvement project are building permits that will be issued by the City. The contractor selected for the project will have to apply for these permits. No permits are required from outside agencies.

If you have any questions regarding the attached documents, please call me at (352) 555-1212.

Sincerely,

FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY
• Eligible Activities:
  
  - Infrastructure;
  
  - Local government-owned buildings and loans to for-profit businesses and nonprofit entities (via eligible local governments).
Public Benefit Standards

- The cost per job must be under $35,000.
- For a $1,500,000 grant: $1,500,000 ÷ $34,999 = 42.86 (round up) = 43 jobs minimum).

National Objective

- Jobs are created and at least 51 percent of the jobs go to LMI persons. (43 jobs × .51 = 21.93 (round up) = 22 LMI jobs).
ECONOMIC DEVELOPMENT PROJECT REMINDERS

• Economic Development applications are competitive until the application cycle deadline. Remaining funds may be available for reservation on a first-received, first-reserved basis.

• The project location must be zoned appropriately at the time of application submission so that it is consistent with the comprehensive plan.

  Section 290.0475(4), F.S.
PROJECT REMINDERS (CONT.)

• An Economic Development project cannot be awarded if there is not a job creator.

• The job creator must be identified in the application as a participating party.

• Project must be located in a “Non-Entitlement” community.

• Underwriting analysis is required for startups and loans.
APPLICATION NARRATIVE CONTENT

Provide the following information:

• The roles of all parties whose actions or participation are necessary for the project’s success.

• The number and types of jobs to be created and/or retained.
• Additional development, spin-off jobs, and the need for additional goods and services, which are likely to be stimulated by the proposed project.

• The proposed CDBG and non-CDBG work and the estimated costs of all project activities.

• Any increases to the tax base that will occur, including property, sales, and other taxes.

• Anticipated training needs of LMI persons who may apply for the created jobs, and how and who will provide the training.

• That the cost per job to be created and/or retained by each participating party as a direct result of the CDBG-assisted activity will be less than $35,000 in CDBG funds.
1. Local government letter of commitment. (See application, Part Five – Economic Development Instructions).

2. Engineer’s project cost estimate and certification of minimum infrastructure.

3. Multi-jurisdictional activity information. Interlocal agreements must be included and contain certain language and provisions.
4. Documentation stating the applicant has committed leverage funds to project.

5. Comprehensive plan conformance and relevant excerpts.

   - Jurisdiction Map;
   - Project Area Map; and
   - Flood Plain Map.
THREE MAPS MUST BE INCLUDED

1: Jurisdiction Map.
2: Project Area Map – Use site plan if available.
3: Flood Plain Map.
1. Participating party letter of commitment:
   - Must include the commitments listed in Part Five - Economic Development Instructions of the application.
   - Becomes the participating party agreement.

2. Site control of the project area.

3. Financials for the previous two years:
   - Balance Sheet.
   - Income Statement.
4. Detailed cost estimate documentation for private investment activities.

5. Business plan outlining:
   - Business description;
   - Target market and marketing plan;
   - Competition;
   - Management plan;
   - Schedule; and
   - Critical risks.
TYPICAL PROCESS TIMELINE

• Application Review: Four weeks from receipt of application.

• Site Visit: Four to six weeks from receipt of application.

• Offer to Contract: Three to four weeks following the site visit.

• Offer to Contract Period: 60 days.

• Executed Agreement: One to two weeks.

• Total Process: 4.5 to 5.5 months.
Economic Development applications can lose their funding reservation if all documentation has not been provided as required:

- In the application.
- At site visit.
- During the 60-day *Offer to Contract* period (showing funding for all project costs available, signed CDBG contracts and executed Participating Party Agreement).
FINANCIAL CONSEQUENCE

The applicant will have to pay back subgrant funds if:

• Jobs are not created.

• The cost per job is more than $34,999.

• Less than 51 percent of all jobs created or retained were made available to LMI employees.
Thank You

If you have questions or comments about this presentation or need to discuss a future project, please contact our office.

Small Cities Community Development Block Grant Program
Main Line: 850-717-8405
Email: CDBG@DEO.MyFlorida.com