



# CDBG-DR Multifamily Affordable Housing Program Manual

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# 1. Version History

Version Number	Change Date	Summary of Changes
1.0		Original version

## 2. Program Overview

### 2.1 Introduction

In alignment with Sarasota County’s comprehensive approach to resilient recovery from Hurricane Ian, Sarasota County is launching the Resilient SRQ Multifamily Affordable Housing (MAH) Program, funded by the Community Development Block Grant–Disaster Recovery (CDBG-DR), to support in replacing rental housing units that were damaged or lost from Hurricane Ian and creating new multifamily affordable rental housing to stabilize the housing stock to mitigate disruption for future disasters. Mitigation measures will be incorporated for projects awarded under this program.

Sarasota County will award CDBG-DR funds to non-profits/non-profit developers, for-profit developers, public housing authorities, Sarasota County municipalities, and community-based development organizations to support the rehabilitation, reconstruction, and new construction of multi-family affordable housing projects.

CDBG-DR grants are allocated to States and local jurisdictions by the U.S. Department of Housing and Urban Development (HUD) and are intended to address “unmet needs” not satisfied by other federal or local recovery resources.

The purpose of this program manual is to provide the overall objectives and process that Sarasota County will award CDBG-DR funds.

Circumstances may arise that require exceptions to the established policies. In such cases, the Board of County Commissioners or designee has the authority to make exceptions to the policies outlined in this Program Manual. The County is committed to upholding the principles and objectives of the policies outlined in this manual, while also providing the flexibility needed to address unique or unforeseen circumstances in a manner that serves the best interest of the community.

### 2.2 Program Description

The MAH Program is a grant that provides funding for unmet rental housing needs, particularly for individuals who have been displaced from rental houses, apartments, and mobile homes or have become homeless due to the disaster. In order to ensure an efficient and coordinated distribution of funds for MAH projects, Sarasota County will administer the grant award process and review and allocate funds for MAH projects awarded by Sarasota County. Projects awarded are to be undertaken by those described in Section 2.5.3 Eligible Applicants.

### 2.3 Program Objectives

The MAH program is designed to promote sound, sustainable long-term multifamily affordable rental housing. Approved projects will require construction standards that support long term sustainability and resilience against future disasters.

## 2.4 Funding Sources

The U.S. Department of Housing and Urban Development (HUD) announced that Sarasota County will receive \$201,535,000 in funding to support long-term recovery efforts following impacts from Hurricane Ian in 2022 through the Continuing Appropriations Act, 2023 (Pub. L. 117–180, Division A) approved September 30, 2022, and the Department of Housing and Urban Development Appropriations Act, 2023 (Pub. L. 117–328, Division L, Title II) approved December 29, 2022, for major disasters occurring in 2022. Community Development Block Grant – Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted.

HUD has allocated \$201,535,000 in CDBG-DR funds to Sarasota County in response to Hurricane Ian, DR-4673-FL, through the publication of the Federal Register, 88 Fed. Reg. 32,046 (May 18, 2023) <https://www.govinfo.gov/content/pkg/FR-2023-05-18/pdf/2023-10598.pdf>. This allocation was made available through Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.)

## 2.5 CDBG-DR Eligibility Criteria

### 2.5.1 HUD Criteria

HUD criteria for this program has two main components: meeting a national objective and being an eligible activity. This program aims to replace the rental housing units that were lost from the impacts of Hurricane Ian and provide additional affordable housing. The minimum required eligibility criteria are outlined below.

### 2.5.2 National Objectives

Each project funded through this program must meet HUD’s National Objective as follows:

- Benefit to Low- and Moderate-Income Persons, Low Mod Housing Activities (LMH)

The LMH objective includes activities undertaken which improve or provide permanent residential structures that will be occupied by low/moderate income households. In order to meet the housing LMI national objective, assisted multi-family housing structures must be at least 51 percent occupied by LMI households.

### 2.5.3 Eligible Applicants

CDBG-DR funds can be awarded to the following groups:

- Non-profits/non-profit developers;
- For-profit developers;
- Public housing authorities;
- Sarasota County municipalities; and
- Community-based development organizations

### 2.5.4 Eligible Activities

Eligible activities must be undertaken in Sarasota County, Florida. Housing activities eligible within this project may include the following:

- Rehabilitation, reconstruction, and new construction of affordable multifamily housing projects

For the purposes of CDBG-DR funds, multifamily housing is defined as five or more units per structure.

## 3. Application and Selection Process

### 3.1 Administrative Framework

Sarasota County will be responsible for collecting, reviewing, and approving all MAH Program applications. Eligible applicants who are awarded funds are subrecipients of the Sarasota County CDBG-DR grant and are responsible for the implementation and timely completion of the projects. Subrecipients must adhere to the federal, state, and local requirements applicable to these grant funds. Sarasota County will provide training and technical assistance to applicants awarded projects. Throughout the project, Sarasota County will monitor approved projects and provide oversight to maintain compliance and ensure their successful completion.

### 3.2 Application Process

Eligible Applicants can submit applications for proposed projects during the established application window as specified on the [Resilient SRQ](http://www.scgov.net/ResilientSRQ) webpage ([www.scgov.net/ResilientSRQ](http://www.scgov.net/ResilientSRQ)). Resilient SRQ County staff will conduct a comprehensive assessment of the proposals, carefully considering the feasibility, cost-effectiveness, and sustainability of each project. The County will evaluate proposed projects submitted by applicants based on criteria specified in Section 3.4 of this Program Manual. County staff will present the potential projects to the Sarasota County Board of County Commissioners, who will review the project evaluation recommendations during a public meeting. The Board of County Commissioners will make the final project selection. Throughout the process, transparency and accountability will be maintained by providing regular updates to the public through the [Resilient SRQ](http://www.scgov.net/ResilientSRQ) ([www.scgov.net/ResilientSRQ](http://www.scgov.net/ResilientSRQ)) webpage and notifying applicants and community members.

#### 3.2.1 Outreach and Program Promotion

Sarasota County will release a public notice announcing the program and funds available, and a request for applications through the following platforms:

- Social media
- Website
- Press release to local news sources
- Other public channels

Sarasota County will conduct information sessions to provide an overview of the MAH program goals and objectives and the application and scoring process. Staff will remain available to answer questions throughout the process and potential applicants will have an opportunity to ask questions and/or discuss issues specific to their project and the application process.

Throughout the application cycle, technical assistance also is available by sending inquiries to [resilientsrq@scgov.net](mailto:resilientsrq@scgov.net). Resilient SRQ Staff will respond to all inquiries in a timely manner.

#### 3.2.2 Application Window

Applications opened March 20, 2024 12:00 PM EST and will close on May 1, 2024 5:00 PM EST. Any change to the dates and time will be reflected on the [Resilient SRQ](http://www.scgov.net/ResilientSRQ) website. Applications must be completed and submitted before the deadline to be considered for funding.

### 3.3.2 Disadvantaged Communities

The application includes questions that help ensure vulnerable populations and underserved communities are not negatively impacted by the proposed project. Applications must address the extent to which the project benefits such populations and underserved communities.

### 3.2.3 Permanent Supportive Housing

Permanent Supportive Housing is permanent housing in which housing assistance (e.g., long-term leasing or rental assistance) and supportive services are provided to assist households with at least one member (adult or child) with a disability in achieving housing stability. Applicants are encouraged to provide supportive services to qualified tenants for the entire duration of their residence.

### 3.2.4 Clarifications

The County reserves the right to clarify or request additional information at any time from applicants. Applicants shall respond within the timeframe specified in the County's request to remain eligible for Resilient SRQ funding.

## 3.3 Summary of Application Requirements

### 3.3.1 Application Submission Requirements

Applicants will complete a detailed application that will include questions regarding information about the project including project details, financial resources and planned use of CDBG-DR funds, project impact, number of affordable units, period of affordability, mitigation measures, and dedicated project resources to ensure compliance with federal, state, and local regulations.

### 3.3.3 Minimum and Maximum Awards

There are no minimum or maximum awards under this program.

## 3.4 Scoring Criteria

Once a project is presumed eligible, the project will be reviewed by Resilient SRQ staff, and a recommended score will be provided to the Board of County Commissioners for final determination on projects to be selected for award. Applications will be reviewed, and scores will be recommended in accordance with the table below.

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### Minimum Eligibility Criteria

Applicants must meet **ALL** of the minimum eligibility criteria listed below to be considered for CDBG-DR funding.

1. Project proposes more than five rental units and a minimum of 51 percent of the units are affordable in accordance with the annual HOME Investment Partnerships Program or below as described in [24 CFR 92.252](#).
2. Applicant agrees to a minimum affordability period of at least 20 years.
3. Project is located in Sarasota County.
4. Project is an eligible CDBG-DR activity (rehabilitation, reconstruction, and new construction of affordable multifamily housing projects).
5. Applicant has secured or taken adequate steps to secure underwriting.
6. Project includes mitigation measures.

### Scoring Criteria

Criteria Category	Description	Points Available
Financial Plan	<ul style="list-style-type: none"> <li>• Applicant has not demonstrated reasonable steps to secure adequate funding for project – <b>0 pts OR</b></li> <li>• Applicant has demonstrated reasonable steps to secure adequate funding for project – <b>5 pts OR</b></li> <li>• All funds needed to complete this project have been accounted for with exception of funds requested from Resilient SRQ - <b>15 pts</b></li> </ul>	0, 5, or 15
Leverage of Funding	<ul style="list-style-type: none"> <li>• CDBG-DR funding would cover 81-100% percent of project costs - <b>0 pts OR</b></li> <li>• CDBG-DR funding would cover 61-80% percent of project costs -<b>5 pts OR</b></li> <li>• CDBG-DR funding would cover 41%-60% percent of project costs - <b>10 pts OR</b></li> <li>• CDBG-DR funding would cover 21%-40% percent of project costs - <b>15 pts OR</b></li> <li>• CDBG-DR funding would cover 1-20% percent of project costs -<b>20 pts</b></li> </ul>	0, 5, 10, 15 or 20
Project Readiness	<p>Level of planning that remains and demonstrated ability to complete the project within five years.</p> <ul style="list-style-type: none"> <li>• Potential site is identified but not acquired – <b>0 pts OR</b></li> <li>• Site is acquired but not zoned for the proposed project use – <b>15 pts OR</b></li> <li>• Site is acquired and zoned for the proposed project use– <b>20 pts</b></li> </ul>	0, 15, or 20
Project Impact	Project demonstrates a reasonable cost-benefit analysis that is proportional to the number of units proposed and requested amount.	0-15
Number of Affordable Units	<p>Percentage of proposed units that are affordable.</p> <ul style="list-style-type: none"> <li>• 51% affordable units – <b>0 pts OR</b></li> <li>• 51.01% - 70% affordable units – <b>5 pts OR</b></li> <li>• 70.01% - 90% affordable units – <b>10 pts</b></li> </ul>	0, 5, or 10
Period of Affordability	<ul style="list-style-type: none"> <li>• 20 year period of affordability- <b>0 pts OR</b></li> <li>• 21-29 year period of affordability- <b>5 pts OR</b></li> <li>• 30-39 year period of affordability- <b>10 pts OR</b></li> <li>• 40 + year period of affordability- <b>15 pts</b></li> </ul>	0, 5, 10, or 15
Pre-Award Assessment	Resources and experience to successfully complete the project and maintain compliance with federal, local, and state regulations.	0-15
<b>Total Maximum Points Available</b>		<b>110</b>

### 3.5 Notice of Award

Sarasota County may fund all or a portion of the total requested funding. All applications and recommended scores will be provided to the Board of County Commissioners for their review and final selection of projects. Once award amounts are determined, Sarasota County will notify all applicants on final determination award. Projects selected for award by the County Commission will be required to execute a subrecipient agreement. A draft of the subrecipient agreement will be made available on the [Resilient SRQ](#) website. Execution of a grant is contingent upon both parties' agreement regarding the terms and conditions, including but not limited to, the project scope, budget (e.g., State, and federal construction and financial rules and regulations), and timeliness. Awards will be considered final upon execution of the subrecipient agreement between Sarasota County and the Applicant.

### 3.6 Negotiation

Sarasota County reserves the right to negotiate funding amounts and payment schedules with awarded applicants. On a case-by-case basis, negotiations may be appropriate for, but not limited to, situations such as the demand exceeding the amount of funds available, the existence of project readiness issues, and discrete project components meeting program objectives or grant requirements, such as the LMI benefit.

## 4. Grant Management

### 4.1 Subrecipient Environmental Reviews

It will be the responsibility of Sarasota County to orchestrate Environmental Reviews. In the event an environmental review concludes site conditions are deemed unacceptable, the award will be rescinded. "Unacceptable" sites include, without limitation, those containing an immitigable environmental factor that may adversely affect the health and safety of the residents.

NOTE: There can be no choice-limiting actions on the project until environmental clearance is received, and a Notice to Proceed is issued. The concept of prohibiting "choice-limiting" actions is to prevent the developer from investing in a project before all necessary environmental clearances are obtained. Market studies, environmental studies, plan development, engineering or design costs, inspections and tests are not considered "choice-limiting" actions.

"Choice-limiting actions" are defined as any activity that would have an adverse environmental impact or limit the choice of reasonable alternatives, such as acquisition, construction, demolition of buildings, or rehabilitation or reconstruction of buildings.

Per 24 CFR Part 58.22, failure to comply with the prohibition against committing funds or taking physical action (using either HUD funds or non-HUD funds) before the completion of the environmental review process could result in loss of HUD assistance, cancellation of the project, reimbursement by the developer/owner to HUD for the amount expended, or suspension of the disbursement of funds for the affected activity.

### 4.2 Subrecipient Agreements

The Subrecipient Agreement will outline the conditions of the CDBG-DR funding for the approved project. The subrecipient agreement terms may include, but not limited to:

- Project Name
- Award amount

- Scope of Services
- Performance Monitoring & Reporting
- Period of performance and term
- Affordability period
- Budget
- Payment
- Resale and Recapture of Funds
- Program Requirement & Award Conditions
  - Tie-back to disaster, if applicable
  - Eligible Activity and National Objective
  - Environmental Review (24 CFR, Part 58)
  - Evidence of commitment of leverage funds
  - Approved Procurement Policy
    - Conflict of Interest
  - Fraud, Waste, & Abuse Policy
  - Anti-Displacement and Relocation Plan
  - Construction Standards
  - Cross-Cutting Compliance
    - Fair Housing and Civil Rights Law
    - Labor Standards
    - Section 3
- Termination
- Land Use Restriction Agreement
- Other requirements

### 4.3 Subrecipient Agreement Amendments

The County reserves the right to amend Subrecipient Agreements at any time. Subrecipients may request an amendment to extend period of performance, amend budgets, change the scope of work, or update project milestones. The County will review the amendment request and determine if the amendment is warranted. Subrecipients are encouraged to submit the request to amend as soon as the need is identified. Requests to amend the Subrecipient Agreement must be submitted within a reasonable timeframe.

### 4.4 Payment Method and Process

Funding will be provided to Subrecipients on a cost reimbursement basis based on actual expenditure and at intervals as defined in the Subrecipient Agreement.

#### 4.4.1 Payment Conditions

The subrecipient must complete all conditions specified in the subrecipient agreement before requesting payment. Upon execution of the subrecipient agreement, the subrecipient may proceed with implementation of the project. Conditions may include but not limited to the following:

- Requirements outlined in the Subrecipient Agreement
- Procurement documentation
- Contracts documentation
- Insurance and bonding documentation
- Compliance documentation on federal cross-cutting requirements

#### 4.4.2 Supporting Documentation

Subrecipients must verify all costs before submitting invoices to the County for reimbursement and provide all required reporting and supporting documentation (e.g., detailed invoices, purchase order, proof of services, and paid itemized receipt) requested by the County. At a minimum, the supporting documentation should include:

- Vendor name and contact information
- Invoice number
- Invoice date
- Date of service
- Services performed
- Amount due

Additional documentation may be requested at any time before payments can be made.

#### 4.4.3 Payment Requests

The subrecipient is responsible for billing the County for invoiced costs, the County will review the invoices to ensure all required information is included to pay the subrecipient. Payment requests must be submitted no more than monthly. Before submitting a payment request, the Subrecipient must verify the invoices are accurate and complete, the activities and costs were incurred during the period of performance, and all required supporting documentation is included in the payment request. Payment requests that do not include the required information or supporting documentation will be rejected and returned to the subrecipient to collect the necessary information and resubmit.

#### 4.4.4 Payment Monitoring and Reconciliation

The County will monitor payment requests and reconcile any issues that may arise as a result. The quality assurance/quality control process will involve the following:

- Documentation reviews and data collection during the payment review process.
- Program monitoring to ensure that activities are within program guidelines.
- Program expenditure and payment request review for eligibility based on applicable laws, CDBG-DR requirements, and CDBG regulations.
- Follow-ups regarding identified compliance issues, initiation of corrective actions, and implementation of program controls, as necessary.

### 4.5 Eligible and Ineligible Costs

#### 4.5.1 Eligible Costs

Beyond eligible activities described in this Program Manual, the program will make use of 2 CFR Part 200, Subpart E (Cost Principles), to understand what costs can be incurred through the CDBG-DR grant. Each cost should adhere to accounting principles, be necessary and reasonable for the performance of the grant award, be consistent with policies and procedures, and be adequately documented.

In accordance with [FR II.B.1](#), [42 U.S.C. 5305\(a\)](#) and [24 CFR 570.207\(b\)\(3\)](#) are waived to the extent necessary to permit new housing construction, subject to the following alternative requirement. When a Subrecipient carries out a new housing construction activity, [24 CFR 570.202](#) shall apply and shall be read to extend to new construction in addition to rehabilitation assistance. Private individuals and entities must remain compliant with federal accessibility requirements as well as with the applicable site selection requirements of [24 CFR 1.4\(b\)\(3\)](#) and [8.4\(b\)\(5\)](#).

#### 4.5.2 Ineligible Costs

Ineligible activities are defined in 24 CFR 570.207, these include, but are not limited to, clearance, site assemblage, provision of site improvements and provision of certain housing pre-construction costs set forth in § 570.206(g); political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

#### 4.6 Duplication of Benefits (DOB) Review

Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act prohibits any person, business, or other entity from receiving duplicative financial assistance for the same disaster recovery purpose from multiple sources of federal and other support (42 United States Code [U.S.C.] 5155(a) and (c)). Duplication occurs when a beneficiary receives assistance from multiple sources for a cumulative amount that exceeds the total need for a particular disaster recovery purpose. The amount of the duplication is the amount of assistance provided in excess of need.

In accordance with CDBG-DR regulations, the program's subrecipients are required to disclose all other benefits (e.g., cash, in-kind, grants, loans) received, or which will be received for the proposed project to ensure that federal funds do not duplicate funds received from other sources. The subrecipient is required to notify the County immediately, in writing, in the event any additional benefits from those already received after the CDBG-DR award. The County will determine whether the funds received are duplicative. If the funds received are deemed duplicative, the subrecipient is required to return the funds to the County. Typical sources of duplicated benefits can include, but are not limited to, the following:

- HOME Investment Partnerships Program (HOME)
- State Housing Initiatives Partnership (SHIP)
- 4% Low-Income Housing Tax Credit (LIHTC)
- 9% Low-Income Housing Tax Credit (LIHTC)
- Federal Emergency Management Agency (FEMA) Public Assistance
- FEMA Hazard Mitigation Grant Program
- FEMA National Flood Insurance Program
- FEMA Increased Cost of Compliance Benefits
- U.S. Army Corps of Engineers
- Commercial insurance
- Insurance and personal property replacement
- Forced mortgage payoffs
- Philanthropic cash assistance
- Some subsidized loans

## 4.7 Cost Reasonableness Evaluation

Projects funded under this program must be considered necessary and reasonable. Costs are considered reasonable if, in their nature and amount, they do not exceed that which would be incurred by a prudent person in the conduct of competitive business. Analytical techniques and procedures may be used to ensure that final costs are fair and reasonable, such as a cost analysis detailing the individual cost elements of projects to certify elements such as necessity, pricing, and consistency.

## 4.8 Program Income

Sarasota County does not anticipate any program income generated by the CDBG-DR program. If program income is generated, Sarasota County will account for and manage utilizing separate account established within financial reporting systems and controls already established. County will follow requirements as provided under 88 FR 32046.

“Program income” is defined as gross income generated from the use of CDBG-DR funds, except as provided in III.E.1.b. under 88 FR 32046 and received by a subrecipient. Income received before or after grant closeout that generated program income, is considered CDBG-DR funds and subject to the requirements in the Consolidated Notice and the Action Plan.

## 4.9 Resale or Recapture of Funds

The Subrecipient may be required to repay all or a portion of the funds awarded for events that may include, but not limited to:

- Subrecipient does not comply with the terms of the executed subrecipient agreement
- Subrecipient sells, transfers, refinances or forecloses the property listed in the executed subrecipient agreement prior to satisfying the agreed upon affordability period or fails to comply with the minimum required occupancy of 51% to LMI households or as specified in the executed subrecipient agreement
- DOB is determined at any time
- Subrecipient does not complete the project within the time specified in the executed subrecipient agreement

The County will monitor compliance with the deed restrictions on an annual basis, and failure to comply with will result in the recovery of awarded CDBG-DR funds.

## 4.10 Timely Expenditures and Project Completion

The County expects to complete program activities as quickly as possible to address the unmet housing need. The County is required by HUD to disburse CDBG-DR funding allocated through this program to be disbursed within 6 years from grant agreement execution unless HUD grants an extension. However, the awarded project must be completed within the period of performance as specified in the subrecipient agreement unless an executed amendment to the subrecipient agreement allows for additional time.

## 4.11 Records

Subrecipients must retain all CDBG-DR records for a minimum of five (5) years after closeout of the subrecipient agreement. In addition, subrecipients must provide access the County, HUD, the Comptroller General of the United States, or other authorized governmental agencies to any pertinent records for purposes of monitoring and to make audits, examinations, excerpts, and transcripts (2 CFR 200.337).

Consistent with applicable state and local laws regarding privacy and obligations of confidentiality, subrecipients must also provide citizens with reasonable access to records on the past use of CDBG-DR funds (24 CFR 570.508 and 2 CFR 200.338).

## 4.12 Reporting

The County will report to HUD on a quarterly basis, however subrecipients will be required to provide a monthly performance report that details the activities completed in the previous month. These reports will be aggregated and used to provide HUD with a report on grant progress. The reports will include, at a minimum:

- Narrative of the activities completed during the quarter.
- Financial metrics that demonstrate costs incurred to date and projected future spending.
- Documentation showing total number of beneficiaries served or accomplishments completed.
- Section 3 reporting on total labor hours and target labor hours.
- Data in accordance with Federal Funding Accountability and Transparency Act (FFATA) guidelines

In addition to those listed above, the subrecipient shall also include mitigation measures and resilience performance metrics as described in the subsections below in their monthly performance report.

### 4.12.1 Mitigation Measures

Mitigation measures help ensure that communities are more resilient to the impacts of recurring natural disasters and climate change. Examples of mitigation measure include:

- Incorporating resilient construction standards
- Using resilient building materials and technology
- Elevating structures above the Base Flood Elevation (BFE)
- Integration of open space or use of nature to manage flooding

When determining which mitigation measures to incorporate, subrecipients should design and construct structures to withstand existing and future climate impacts expected to occur over the service life of the project.

### 4.12.2 Resilience Performance Metrics

Before carrying out CDBG-DR funded activities to construct, reconstruct, or rehabilitate residential or non-residential structures, Subrecipients must establish resilience performance metrics for the activity.

The process for developing resilience performance metrics includes:

1. An estimate of the projected risk to the completed activity from natural hazards, including those hazards that are influenced by climate change (e.g., high winds destroying newly built homes),
2. Identification of the mitigation measures that will address the projected risks (e.g., using building materials that are able to withstand high winds), and
3. An assessment of the benefit of the mitigation measures through verifiable data (e.g., 10 newly built homes will withstand high winds up to 100 mph).

In Disaster Recovery Grant Reporting (DRGR) system, HUD has published specific measures for mitigation activities such as the number of residential units constructed, number of residents protected from future flooding, and units with solar panels. Examples of other resilience performance metrics include:

- Number of acres no longer vulnerable to flood events
- Number of floodplain design standards updated
- Number of properties with access above 100 year or 500-year flood level
- Number of multi-family units constructed or reconstructed
- Number of residents protected from future flooding

### 4.13 Monitoring and Compliance

The County is required to provide oversight and monitoring of its Subrecipients and internal county departments. Oversight will include ongoing generic reviews, and monitoring will include targeted area-focused reviews of administrative, financial, performance, reporting, and compliance with applicable federal crosscutting requirements. The objective of the oversight and monitoring activities is to facilitate the achievement of performance goals while ensuring that subaward funds are used for authorized purposes in compliance with Federal statutes, regulations, and the terms and conditions of the subaward.

The Subrecipient shall ensure that all records and files pertaining to the project, as well as any additional information requested by the County, is made available at the monitoring visit or at the time specified by the County. The County may request a visit to the project site as part of the monitoring visit.

The County will notify Subrecipients of monitoring events in advance. In response to Subrecipient monitoring, the County will provide technical assistance to mitigate identified risks and to address concerns and findings. Monitoring will be conducted based on risk. At a minimum, Subrecipients will be monitored at least once annually. The County will determine the frequency of monitoring with each Subrecipient and reserves the right to change the frequency at any time at the County's discretion. The County will use monitoring checklists to ensure consistency and to provide a detailed record.

Each monitoring will address project-specific issues and may be carried out through a combination of desk review, remote monitoring, and/or on-site monitoring. The primary goals of monitoring are to:

1. Review activity eligibility and achievement of national objective;
2. Evaluate conformance to the subrecipient agreement;
3. Ensure compliance with CDBG-DR program and all other applicable federal, state, and County requirements, including, but not limited to appropriate insurance coverage, assessment management processes, procurement procedures, conflicts of interest disclosures, and fair housing and civil rights compliance;
4. Review and ensure accuracy and completeness of record keeping and financial management systems;
5. Evaluate organizational, program and project performance, as well as on-going project viability (financial health, management capacity, etc.);
6. Design any corrective actions necessary to improve or reinforce performance; and
7. Identify the technical assistance needs of CDBG-DR Subrecipients.

Upon completion of a monitoring, the County will provide a monitoring letter to each Subrecipient outlining the results of the monitoring. If corrective actions are needed as a result of findings or concerns, a corrective action plan will be included with the letter. The Subrecipient will be provided the opportunity to respond to the monitoring results, and County staff will work collaboratively with the Subrecipient to resolve any findings or concerns.



## 5. CDBG-DR Requirements

### 5.1 Cross-Cutting Requirements

#### 5.1.1 Environmental Review and Historic Preservation

Environmental and historic preservation compliance reviews must be completed before any work can begin on a project following CDBG-DR award. CDBG-DR appropriation acts prohibit HUD from waiving these requirements. The County will work with the Subrecipient to ensure completion of the reviews.

#### 5.1.2 URA, Section 104(d), and Related Relocation Requirements

CDBG-DR funding is subject to the URA, section 104(d), and to the CDBG program regulatory requirements at 24 CFR 570.606. Some of those Federal requirements are subject to waivers and/or alternative requirements for disaster recovery purposes and are described further in Section 6 of this Program Manual.

#### 5.1.3 Davis Bacon Requirements

Under Section 110(a) of the Housing and Community Development Act of 1974 (HCDA), laborers and mechanics employed by contractors and subcontractors on construction work “financed in whole or in part” with CDBG assistance must be paid not less than wages determined to be prevailing on similar construction work in the locality by the Secretary of Labor in accordance with the Davis Bacon Act (40 U.S.C. 3141 et seq.). Davis- Bacon prevailing wage requirements do not apply in the following situations:

- Construction work prime contracts of \$2,000 or less,
- Bona fide volunteers where procedures and requirements of 24 CFR § 70 are met
- Force account work
- Non-construction activities like storm debris removal
- Demolition that is not followed by construction
- Equipment installation costs so long as they do not exceed 13% of the total equipment cost
- Rehabilitation, reconstruction, and demolition of residential property containing fewer than eight units.

#### 5.1.4 Section 3 of the Housing and Urban Development Act of 1968

Subrecipients shall direct employment, training, and contracting opportunities to low-income individuals and the businesses that employ these persons within their community. These opportunities are, to the greatest extent feasible, required to be given to low- and very low-income persons and business concerns, particularly those who are recipients of government assistance for housing or residents of the community in which the federal funds are spent. Where feasible, subrecipients should give priority for contracting opportunities and training to Section 3 workers residing within the service area or the neighborhood of the project, and participants in YouthBuild programs.

### 5.2 Other Federal Requirements

In addition to cross-cutting requirements, Subrecipients are required to comply with additional federal requirements as follows:

#### 5.2.1 Procurement Requirements

Subrecipients must adopt a procurement policy (or amend the current policy) and comply with the federal procurement requirements of 2 CFR 200.318-327. The County will work with the Subrecipient to review

the procurement prior to being advertised, amended, awarded, and the resulting agreement to ensure compliance with the requirements specified herein.

Key procurement requirements:

- Any cost charged to the grant must meet three standards of necessary, reasonable, and allowable.
- All procurements must demonstrate compliance with “free and open” competition requirements.
- All procurements must have an independent cost estimate (ICE) in advance of award, and preferably in advance of procurement. Selecting the lowest bidder in the absence of an independent cost estimate does not meet HUD or 2 CFR Part 200 procurement requirements.
- Any contracts or procurement actions that exceed the micro-purchase threshold (as defined by 2 CFR 200.67) are required to be posted on the Subrecipient’s website.
- Requirements for procurement of professional services at 2 CFR 20.59 apply.
- Contract preferences are for firm fixed price contracts, except for professional services contracts that can be time and materials (T&M) contracts. Timesheet documentation is required for all time and materials T&M contracts.
- Goods and services contracts must include:
  - The period of performance or date of completion and the contract amount.
  - Performance requirements and liquidated damages into each procured contract.
- Contracts that will trigger labor standards reporting (Davis Bacon) should specify this in the procurement and include a wage determination. Contract documents should specify reporting requirements. SAM documentation for general contractors and sub-contractors should be in file.
- Contracts triggering Section 3 reporting of labor hours in three categories (total labor hours, Section 3 labor hours, Targeted Section 3 labor hours) should include these requirements in both procurement and contract documents.

### 5.2.2 Contractor Standards

Subrecipients must ensure that any contractor that is performing work on the project complies with the Contract Work Hours and Safety Standards Act (CWHSSA) and the Copeland Anti-Kickback Act (the Copeland Act). CWHSSA requires that for any federally assisted construction contract over \$100,000 subject to Davis-Bacon and Related Acts wage standards where the Federal Government is not a direct party, contractors and subcontractors must pay laborers and mechanics, including watchmen and guards, employed in the performance of covered contracts one-and-a-half times their normal hourly rate for any hours worked in excess of 40 hours weekly, based on a work week of 7 consecutive days.

The Copeland Act applies to contractors and subcontractors that perform work on contracts for the construction, prosecution, repair, or completion of public buildings, public works, or works that are financed in whole or in part by loans or grants from the Federal Government. The Act prohibits any person from inducing a worker on a federally funded project to give up any part of the compensation to which the worker is entitled. No payroll deductions are permitted that are not specifically listed in the Copeland Act unless the contractor has obtained written permission from the employee as specified in 29 CFR 3.5 for otherwise permissible payroll deductions.

### 5.2.3 Construction Regulations

All structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 100-year floodplain or equivalent FEMA data source, that receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above

the 1 percent annual chance floodplain elevation (base flood elevation). Structures that are elevated will meet federal accessibility standards.

Mixed-use structures with no dwelling units and no residents below 2 feet above base flood elevation must be elevated or floodproofed in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or a successor standard up to at least 2 feet above base flood elevation.

#### 5.2.4 Green Building Standards

All CDBG-DR-funded projects must identify an industry-recognized green building standard and a minimum energy efficiency standard.

HUD requires all rehabilitation, reconstruction, and new construction to be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigating the impact of future disasters. Wherever feasible, the County follows best practices, such as those provided by the U.S. Department of Energy, Guidelines for Home Energy Professionals, including Standard Work Specifications for Home Energy Upgrades. For CDBG-DR-funded projects, HUD requires green building standards for replacement and new construction of residential housing. All rehabilitation projects will follow the policies and procedures specified in the HUD Community Planning and Development (CPD) Green Building Retrofit Checklist, to the extent applicable, for rehabilitation other than the rehabilitation of substantially damaged residential buildings. The HUD checklist can be accessed here: [HUD CPD Green Building Retrofit Checklist](#).

All rehabilitation, reconstruction, or new construction must meet an industry-recognized standard that has achieved certification under the Green and Resilient Building Standards and additionally, all such covered construction must achieve a minimum efficiency standard.

The following are examples of achieving the Green and Resilient Building Standard.

- Enterprise Green Communities
- LEED (New Construction, Homes, Midrise, Existing Building Operations and Maintenance, or Neighborhood Development)
- ICC- 700 National Green Building Standards
- EPA Indoor AirPlus
- Any other equivalent comprehensive green building standard program acceptable to HUD

The following are examples of meeting the minimum energy efficiency standard:

- Energy STAR (Certified Homes or Multifamily High-Risk)
- DOE Zero Energy Ready Home
- EarthCraft House, EarthCraft Multifamily
- Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS)
- International Passive House Association
- Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label)
- Earth Advantage New Homes
- Any other equivalent energy efficiency standard acceptable to HUD

### 5.25 Lead Safe Housing Rule

Projects that involve damage or disturbance of painted or coated surfaces, as well as development or improvement of existing structures, may involve some level of lead impact regardless of the type, age, or location of the property. Testing, reduction, abatement, and clearance of lead-based paint in accordance with 24 CFR Part 35 must be completed by qualified professionals. The Subrecipient shall provide information pamphlets to tenants and shall follow the disclosure requirements in 24 CFR Part 35. Exemptions for inspection are provided [24 CFR 35.115](#). For more information visit: [Lead-Based Paint](#)

### 5.2.6 Flood Insurance Requirements

The Subrecipient shall comply with the requirements of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001). The Subrecipient shall assure that for activities located in an area identified by FEMA as having special flood hazards, that flood insurance under the National Flood Insurance Program (NFIP) is obtained and maintained in the amount and duration prescribed by FEMA's NFIP as a condition of financial assistance for acquisition or construction purposes (including rehabilitation).

### 5.2.7 Conflict of Interest

Except for the use of CDBG-DR funds to pay salaries and other related administrative or personnel costs, the general rule is that no persons who exercise or have 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 to gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-DR-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-DR -assisted activity, or with respect to the proceeds of the CDBG-DR-assisted activity, either for themselves or those with who they have family or business ties, during their tenure or for one year thereafter.

### 5.2.8 Fair Housing and Equal Opportunity

Through the use of CDBG-DR funding, no person should be excluded, denied benefits, or subjected to discrimination on the basis of their race, color, national origin, sex, disability, or age. The County and its 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. The County and the Subrecipients must administer and fund programs that are in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601–3619), and implementing regulations, and will affirmatively further fair housing.

Complaints alleging violation of fair housing laws can be made to HUD's office of Fair Housing and Equal Opportunity for Region 4 (phone: 800-440-8091 or email: [complaintsoffice04@hud.gov](mailto:complaintsoffice04@hud.gov))

### 5.2.9 Equal Employment Opportunity Act of 1972

An Equal Employment Opportunity clause as described under 41 CFR 60-1.4(b) must be included in all contracts that meet the definition of a "federally assisted construction contract".

Compliance with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR Chapter 60). (All construction contracts awarded in excess of \$10,000 by Subrecipients and/or beneficiary of funds and their contractors or sub grantees.)

### 5.2.10 Prevention of Fraud, Waste and Abuse

The County will follow the policies outlined in the Prevention of Fraud, Waste, and Abuse policy. The policy can be found on the [Resilient SRQ](#) website.

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

The Subrecipient shall comply with Section 504 of the Rehabilitation Act of 1973, as amended. Federal laws define a person with a disability as “any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment.”

The Subrecipient shall comply with federal regulations 28 CFR Part 36, Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities, and 24 CFR Part 8, Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities of Housing and Urban Development.

To comply with Section 504, the project shall designate and maintain:

- Minimum of 5 % of the total dwelling units, but not fewer than one unit, to be accessible for individuals with mobility impairments.
- Additional 2 % of the total units, but not fewer than one unit, must be accessible for persons with hearing or vision impairments. All of the accessible units must be equally distributed among different unit sizes and development types and must be disbursed on all accessible routes throughout the development, for example accessible units must be on the ground floor in a multi-story development if there is no elevator.

The County requires the following features in housing units awarded any CDBG-DR funds under this Program:

- Primary entrance door shall have a threshold with no more than a ½- inch rise;
- All door handles on primary entrance door and interior doors must have lever handles;
- • Lever handles on all bathroom faucets and kitchen sink faucets;
- Ability to install horizontal grab bars to support at least 250 lbs.
- Mid-point on light switches and thermostats shall not be more than 48 inches above finished floor level; and
- Cabinet drawer handles and cabinet door handles in bathroom and kitchen shall be lever or D-pull type that operate easily using a single closed fist.

In addition to the features listed above, elderly-only (62+) units must include these additional features:

- At least 15% of the units must have accessible showers (no curb); and
- Grab bars in shower/tub

### 5.2.12 Americans with Disabilities Act (ADA)

This Act provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. The ADA also states that discrimination includes the failure to design and construct facilities (built for first occupancy after January 26, 1993) that are accessible to, and usable by, persons with disabilities. The ADA also requires the removal of architectural and communication barriers that are structural in nature in existing facilities. Removal must be readily achievable, easily accomplishable, and able to be carried out without much difficulty or expense.

### 5.2.13 Residential Anti Displacement and Relocation Assistance Plan (RARAP)

Subrecipients must adopt the Sarasota County RARAP or adopt a RARAP that meets the requirements established by Sarasota County. Subrecipients must also provide the following benefits to households or businesses that they displace:

- Relocation advisory services;
- A minimum of 90-day notice to vacate;
- Reimbursement for moving expenses; and
- Payments for added cost of renting or purchasing comparable replacement housing.

Additional information and instructions can be found in Sarasota County's RARAP.

### 5.3 Other Requirements

The County is committed to the goals of increasing housing opportunities for persons with Limited English Proficiency (LEP), low-income residents, and underrepresented racial and ethnic groups. Subrecipients must include in their affirmative marketing plans steps that will be taken to reach those least likely to apply and individuals with LEP.

## 6. Consolidated Notice Waivers and Alternative Requirements

This section will outline the waivers and amendments provided in the Federal Register as it pertains to Housing Activities and Related Floodplain Issues.

### 6.1 Alternative Requirements

#### 6.1.1 New housing construction waiver and alternative requirement

[42 U.S.C. 5305\(a\)](#) and [24 CFR 570.207\(b\)\(3\)](#) are waived to the extent necessary to permit new housing construction, subject to the following alternative requirement. When a CDBG–DR grantee carries out a new housing construction activity, [24 CFR 570.202](#) shall apply and shall be read to extend to new construction in addition to rehabilitation assistance. Private individuals and entities must remain compliant with federal accessibility requirements as well as with the applicable site selection requirements of [24 CFR 1.4\(b\)\(3\)](#) and [8.4\(b\)\(5\)](#).

#### 6.1.2 Construction standards for new construction, reconstruction, and rehabilitation

If the project includes carrying out activities to construct, reconstruct, or rehabilitate residential structures with CDBG–DR funds as part of activities eligible under [42 U.S.C. 5305\(a\)](#) (including activities authorized by waiver and alternative requirement), the Subrecipient shall comply with the required applicable construction standards as specified in this Program Manual . For purposes of the Consolidated Notice, the terms “substantial damage” and “substantial improvement” shall be as defined in [44 CFR 59.1](#) unless otherwise noted.

#### 6.1.3 Green and resilient building standard for new construction and reconstruction of housing

The Subrecipient shall ensure Green and Resilient Building Standards, as defined in this section, for: (i) all new construction and reconstruction (i.e., demolishing a housing unit and rebuilding it on the same lot in substantially the same manner) of residential buildings and (ii) all rehabilitation activities of substantially damaged residential buildings, including changes to structural elements such as flooring systems, columns, or load-bearing interior or exterior walls.

The Green and Resilient Building Standard requires that all construction covered by the paragraph above and assisted with CDBG–DR funds meet an industry-recognized standard that has achieved certification under:

- Enterprise Green Communities;
- LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development);
- ICC–700 National Green Building Standard (NGBS) Green or NGBS Green+ Resilience;
- Living Building Challenge; or
- Any other equivalent comprehensive green building program acceptable to HUD.

Additionally, all such covered construction must achieve a minimum energy efficiency standard, such as

- ENERGY STAR (Certified Homes or Multifamily High-Rise);
- DOE Zero Energy Ready Home;
- EarthCraft House, EarthCraft Multifamily;
- Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS);
- International Passive House Association;
- Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label);
- Earth Advantage New Homes; or
- Any other equivalent energy efficiency standard acceptable to HUD.

The executed Subrecipient agreement shall include which of these Green and Resilient Building Standards will be used for the project.

#### 6.1.4 Standards for rehabilitation of non-substantially damaged residential buildings

For rehabilitation other than the rehabilitation of substantially damaged residential buildings described in section 6.1.3. above, Subrecipients must follow the guidelines specified in the HUD [CPD Green Building Retrofit Checklist](#).

Subrecipients must apply these guidelines to the extent applicable for the rehabilitation work undertaken, for example, the use of mold resistant products when replacing surfaces such as drywall. Products and appliances replaced as part of the rehabilitation work, must be ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program (FEMP)-designated products or appliances.

#### 6.1.5 Elevation standards for new construction, reconstruction, and rehabilitation of substantial damage, or rehabilitation resulting in substantial improvements

All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the one percent annual chance (or 100-year) floodplain, that receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the one percent annual chance floodplain elevation (base flood elevation). Mixed-use structures with no dwelling units and no residents below two feet above base flood elevation, must be elevated or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above base flood elevation.

All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) at least three feet above the 100-year floodplain elevation. Critical Actions are defined as “any activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property.” For example, Critical Actions include hospitals, nursing homes, emergency shelters, police stations, fire stations, and principal utility lines.

In addition to other requirements in this section, Subrecipients must comply with applicable state, local, and tribal codes and standards for floodplain management, including elevation, setbacks, and cumulative substantial damage requirements. Subrecipients using CDBG–DR funds as the non-Federal match in a FEMA-funded project may apply the alternative requirement for the elevation of structures described in Section III.F.6. Structures of 88 FR 32046 that are elevated must meet federal accessibility standards.

#### 6.1.6 Broadband infrastructure in housing

Any substantial rehabilitation, as defined by 24 CFR 5.100, reconstruction, or new construction of a building with more than four rental units must include installation of broadband infrastructure, except where the grantee documents that: (i) the location of the new construction or substantial rehabilitation makes installation of broadband infrastructure infeasible; (ii) the cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity, or in an undue financial burden; or (iii) the structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

#### 6.1.7 Applicable affordability periods for new construction of affordable rental housing

To meet the low- and moderate-income housing national objective, rental housing assisted with CDBG–DR funds must be rented to low- and moderate-income (LMI) households at affordable rents, as defined by HUD HOME rent limits at the time of final acceptance of the project. The Subrecipient shall guarantee that the affordability period for affordable rent to the units that will be occupied by LMI persons be for a minimum of 20 years.

## 7. Financial Management

### 7.1 Overview

Subrecipients must maintain a financial management system that meets the requirements found in 2 CFR Part 200 and the applicable subrecipient agreement. In general, these requirements specify that a Subrecipient:

1. Provides effective internal control over the accountability for all funds, property, and other assets; adequately safeguards these assets and confirms the assets are used for authorized purposes.
2. Identifies the source and application of funds for CDBG-DR-funded activities.
3. Establishes procedures to verify cost reasonableness, cost allowability, allocable costs, applicable credits, and the composition of costs as either direct or indirect, as noted in 2 CFR Part 200, Subpart E- Cost Principles.
4. Ensures that the CDBG-DR funds used do not violate any applicable restrictions or prohibitions.
5. Permits the accurate, complete, and timely disclosure of financial results.



6. Minimizes the time elapsed between transfer of funds from the County and payment by the Subrecipient.
7. Establishes written procedures for determining the allowability of costs in accordance with Subpart E - Cost Principles and the terms and conditions of the Subrecipient agreement.

## 7.2 Procedure

Sarasota County will provide a CDBG-DR System of Record that will serve as the repository for project documentation, including monitoring and compliance. The System of Record will enable Sarasota County to review document files and conduct Duplication of Benefits, Verification of Benefits and related verifications required to comply with CDBG-DR regulations. Subrecipient are required to assemble and review all compliance documentation and upload it to the System of Record in an orderly manner. Sarasota County will provide training to Subrecipients on how to manage their CDBG-DR programs and projects with the system of record.

## 8. Closeout

### 8.1 Closeout Procedure and Documents

When executing closeout procedures, the Subrecipient will be required to provide closeout documents to the County. The Subrecipient can request final funds when the project meets the following conditions:

- All eligible activities are completed and meet a national objective.
- All funds are expended in full, or the remaining funds are intended to be returned to HUD.
- All reporting requirements as required (e.g., Quarterly Performance Reports, HUD Monthly Status Reports, HUD Contract Reports, other internal reporting) are completed and submitted.
- Any special conditions of the program are met.
- All audit and monitoring issues are resolved.

The County will work with Subrecipients to collect all closeout documentation for their files to support HUD requirements for close-out. A final closeout file review will be required to ensure that all documentation required in each step of the process is completed and is compliant. Subrecipients are required to submit documentation, including but not limited to the following:

- Documentation reporting the grant accomplishments and expenditures of each project to the residents of the jurisdiction, including that the HUD national objective was met
- Documentation that funds were expended in full or certification of the return of the remaining funds
- Documentation describing the resolution of any outstanding audit or monitoring issues
- Duplication of benefits verification form
- Certification of completion from an engineer
- Flood insurance documentation, where applicable
- Final inspection and documentation

A final DOB review will be completed by the Subrecipient and verified by Sarasota County as part of the closeout process.

## 9. Appendix

### 9.1 Abbreviations and Definitions

**Acquisition** – The acquiring of real property, in whole or in part, by the recipient, or other public or private non-profit entity through purchase, long-term lease, donation, or otherwise for any public purpose, subject to the limitation of 24 CFR 570.207. Real property includes air rights, water rights, rights-of-way, easements, and other interests therein (24 CFR 570.201).

**Allocable Costs** – Costs assigned to a Community Development Block Grant-Disaster Recovery eligible activity with a methodology for clear determination of where to attribute costs.

**Allowable Costs** – Costs deemed allowable under the Community Development Block Grant-Disaster Recovery rules and regulations and 2 CFR 200 Subpart E.

**Americans with Disabilities Act (ADA)** – Effective July 20, 1990, a federal law which prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. It also mandates the establishment of TDD/telephone relay services.

**CFR:** Code of Federal Regulations

**Community Development Block Grant (CDBG)** – Supports community development activities to build stronger and more resilient communities. To support community development, activities are identified through an ongoing process. Activities may address needs such as infrastructure, economic development projects, public facilities installation, community centers, housing rehabilitation, public services, clearance/acquisition, microenterprise assistance, code enforcement, homeowner assistance, etc.

**Community Development Block Grant-Disaster Recovery (CDBG-DR)** – The Community Development Block Grant Disaster Recovery Program, administered by the U.S. Department of Housing and Urban Development, as authorized under Title I of the Housing and Community Development Act of 1974, as amended. These funds are provided as a last resort to help cities, counties, and states to recover from Presidentially declared disasters.

**Consolidated Notice** – The U.S. Department of Housing and Urban Development’s Community Development Block Grant-Disaster Recovery Consolidated Notice, Appendix B of Federal Register Vol. 88, No. 96. The Consolidated Notice governs all Office of Long-Term Resiliency Community Development Block Grant-Disaster Recovery grants beginning with 2020 disasters and includes amended requirements from previous Federal Register Notices and Community Planning and Development Notices that have regulated Community Development Block Grant-Disaster Recovery funds in the past. The Consolidated

Notice includes waivers and alternative requirements, relevant regulatory requirements, the grant award process, criteria for action plan approval, and eligible disaster recovery activities.

**Cost Reimbursement** – Payment made to the subrecipient after a request for funds has been submitted along with proper supporting documentation and has been approved by Sarasota County. In Community Development Block Grant-Disaster Recovery subrecipient agreements, the subrecipients are required to pay in advance for all completed work that is associated with the deliverables set forth in the subrecipient agreement and is reimbursed based on the invoice and supporting documentation submitted to the Sarasota County.

**Davis-Bacon and Related Acts (DBRA)** – Federal law requiring contractors and subcontractors performing on federally funded or assisted contracts for the construction, alteration, or repair of public buildings or public works to pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.

**Direct Cost** – Any project cost or project delivery cost that is identified specifically with completing an activity or product such as materials and labor. Costs identified specifically within a contract are direct costs of that contract. Administrative expenses are not generally considered direct costs.

**Disability** – Federal nondiscrimination laws define a person with a disability to include any (1) individual with a physical or mental impairment that substantially limits one or more major life activities; (2) individual with a record of such impairment; or (3) individual who is regarded as having such an impairment consistent with federal law under The Social Security Act, as amended, 42 U.S.C. §423(d), The Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §12102(1) -(3), and in accordance with the U.S. Department of Housing and Urban Development regulations at 24 CFR 5.403 and 891.505.

**Disaster Recovery Grant Reporting (DRGR) System** – The U.S Department of Housing and Urban Development’s web-based reporting and grants management system.

**DRGR:** Disaster Recovery and Grant Reporting System developed by HUD. It is primarily used by grantees to access grant funds and report performance accomplishments for grant-funded activities.

**Duplication of Benefits (DOB)** – When a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose within the same time period, and the total assistance received for that purpose is more than the total need for assistance.

**Elderly**—A person at least 62 years of age [24 CFR § 5.100].

**Federal Register (FR)** – 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

**FFATA:** Federal Funding Accountability and Transparency Act

**Force Account Work** - The use of a subrecipients own labor force to carry out a capital project. Force account work may consist of design, construction, refurbishment, inspection, and construction management activities, if eligible for reimbursement under the grant. Incremental labor costs from flagging protection, service diversions, or other activities directly related to the capital grant may also be defined as force account work. Documentation can include a force account plan for the work accomplished or planned, or any other documentation that reflects that in-house labor forces were "budgeted" to accomplish the work.

**Grantee** – As used in this document, the grantee is Sarasota County, Florida as recipient of Community Development Block Grant-Disaster Recovery funds from the U.S. Department of Housing and Urban Development.

**Green Building Standards** – All rehabilitation that meets the definition of substantial improvement, reconstruction, or new construction must meet an industry-recognized standard that has achieved certification under at least one of the following programs: (1) ENERGY STAR (Certified Homes or Multifamily High-Rise), (2) EPA Indoor Air Plus (Energy Star a prerequisite), (3) LEED (New Construction, Homes, Midrise, Existing Buildings Operations, and Maintenance, or Neighborhood Development), or (4) ICC–700 National Green Building Standard.

**HCDA:** Housing and Community Development Act of 1974, as amended

**HUD:** The United States Department of Housing and Urban Development

**Indirect Cost** – Any expense not directly identified with a cost objective, such as a specific project, facility, or function. Indirect costs include administration, personnel, and security costs.

**Low Moderate Housing (LMH)** –At least 51 percent of the units are occupied by Low-to-Moderate Income households.

**LMI-** Low to moderate income persons.

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

**Project/Program/Activity** – The housing, infrastructure, economic development, or planning endeavor undertaken by Sarasota County, the subgrantee and/or subrecipient using Community Development Block Grant-Disaster Recovery funds.

**Quarterly Performance Report (QPR)** – The Community Development Block Grant-Disaster Recovery Quarterly Performance Report that is required to be uploaded quarterly in the Disaster Recovery Grant Reporting system for the U.S. Department of Housing and Urban Development’s review of Sarasota County’s disaster recovery programs.

**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, the Responsible Entity should conduct an independent cost estimate to establish cost reasonableness as outlined in 2 CFR Part 200.

**Subsidized Loans** – Loans, including forgivable loans, other than private loans. Both Small Business Administration and Federal Emergency Management Agency provide subsidized loans for disaster recovery.

**Section 3** – Section 3 of the Housing and Urban Development Act of 1968, as amended, and the implementing regulations at 24 CFR Part 135 and 24 CFR Part 75, as applicable, relating to employment and other economic opportunities for low and very low-income persons.

**Special Flood Hazard Area (SFHA)** – Areas where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced, and the mandatory purchase of flood insurance applies.

**Subcontract** – 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** – 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 Housing and Urban Development 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.

**Subrecipient** –Eligible applicants under this program that is provided Community Development Block Grant-Disaster Recovery funds from Sarasota County to perform agreed upon eligible disaster recovery activities documented in a Subrecipient Agreement.

**Subrecipient Agreement** – An agreement between the Sarasota County and the subrecipient for the subrecipient to undertake activities using Community Development Block Grant- Disaster Recovery funds.

**Uniform Relocation Assistance and Real Property Acquisition Act (URA) of 1970, as amended** – A federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The URA's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects pursuant to 49 CFR Part 24 and applicable waivers provided in the

U.S. Department of Housing and Urban Development's Community Development Block Grant-Disaster Recovery Consolidated Notice, Appendix B of Federal Register Vol. 87, No. 23.

**Waiver** – A revision to the standard Community Development Block Grant-Disaster Recovery regulations, requirements, and activities, granted by the U.S. Department of Housing and Urban Development.