



**COMMUNITY AND VETERANS SERVICES DEPARTMENT  
COMMUNITY DEVELOPMENT DIVISION**

**PROGRAMMATIC PROCEDURES – Program Year 2025/26**

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**COMMUNITY DEVELOPMENT PROGRAM**  
**PROGRAMMATIC PROCEDURES – Program Year 2025/26**

- Who:** Grants are awarded and administered through the U.S. Department of Housing and Urban Development (HUD) to cities and counties which are either 1) “entitlement” (population over 50,000 for cities and 200,000 for counties) or 2) participate in the competitive State program (if under these population thresholds needed for entitlement status).
- Why:** Congress has determined that communities face critical social, economic, and environmental issues caused by population growth, urban concentration, and insufficient public and private investment and reinvestment in housing, infrastructure, and social services.
- What:** Federal grants to cities and counties to administer “eligible” activities. In order to be funded by HUD-Entitlement funds, each activity must:
1. Meet one of the program’s broad National Objectives;
  2. Be included in the list of Eligible Activities;
  3. Advance the Goals and Priority Needs identified in the County’s 5-Year Consolidated Plan.
- When:** The County must submit the Annual Action Plan by August 15 of each year.
- How much:** Approximately \$2 million per year in HUD-entitlement grants.

**HUD-Entitlement Programs include:**

- **Community Development Block Grant (CDBG)** authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq.; 24 CFR Part 570
- **HOME Investments Partnership Program (HOME)** authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act (NAHA), 42 U.S.C. 12721 et seq.; 24 CFR Part 92.
- **Emergency Solution Grant (ESG)** authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11371 et seq.; 24 CFR Part 576.
- Other special allocations received originated from each of these programs

These Program Policies establish the framework for operating the Community Development Program. They guide decision-making, ensure consistency, and provide participants with a clear understanding of how the County administers HUD funds.

Information included in this document is derived from the following sources:

- Federal requirements that impact local policies and procedures;

- Laws and Regulations: The rules and regulations governing the activities of the HUD-entitlement programs include the Laws as enacted by Congress and the Regulations created by HUD to achieve the result prescribed by the Laws.
- CPD Notices: A CPD Notice is a document issued, in this case by the office of Community Planning and Development, to clarify or further inform about the implementation of grant rules.
- HUD Resource Library & Training Material: Guidebooks, resources, reports and training material provided by HUD to assist management and implementation of the Community Development Program.
- HUD FAQs: HUD published Frequently Ask Questions.
- Growth, demographic shifts, and community needs identified by the local program;
- Knowledge gained from managing the program since 2002.

These Program Policies align with the Consolidated Plan, which identifies needs, establishes objectives, and provides the basis for allocating HUD funds among program activities.

## **COMMUNITY DEVELOPMENT PROGRAM**

### **Definitions**

**Annual Action Plan:** Annual plan that provides a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.

**Administrative Cap:** A maximum percentage of the entitlement grant plus program income that is received during the program year that may be spent on planning, general management, oversight, and general administration costs (CDBG – 20%; HOME – 10%, and ESG – 7.5%).

**Analysis of Impediments to Fair Housing (also known as the AI Plan):** An analysis of fair housing that will assist a community to take meaningful actions to combat discrimination, end segregation, and foster inclusive communities.

**CDBG:** The Community Development Block Grant program is a flexible program that provides communities with resources to address a wide range of unique community development needs. Beginning in 1974, the CDBG program is one of the longest continuously run programs at HUD. The CDBG program provides annual grants on a formula basis to over 1,200 general units of local government and States.

**Recipient:** Local governments are known as grantees or recipients, and also referred to as units of general local government (UGLG) or responsible entity (RE). Under the Entitlement Program, Manatee County receives funding directly from HUD.

**Community Development Review Committee (Review Committee):** A committee of County Staff and non-applicant agencies that reviews, evaluates, and makes recommendations to the Board of County Commissioners on applications submitted by agencies seeking Community Development funding;

**CFR:** The Code of Federal Regulations is the codification of the general and permanent rules and regulations (sometimes called administrative law) published in the Federal Register by the executive departments and agencies of the federal government of the United States. The CFR is divided into 50 titles that represent broad areas subject to federal regulation.

**Citizen Participation Plan:** A plan prepared by Manatee County in accordance with 24 CFR 91 which describes how Manatee County will include and encourage citizen participation, especially by low and moderate income citizens.

**Conflict of Interest:** When an individual or organization is involved in multiple interests, one of which could corrupt or be perceived as corrupting the fair and objective allocation of funds or procurement of goods and services.

**Consolidated Annual Performance and Evaluation Report (CAPER):** An annual

report prepared by Manatee County and submitted to HUD in accordance with 24 CFR Part 91, on the objectives, activities, and budget set forth in the Annual Action Plan and the progress on the three-to five-year consolidated plan.

**Consolidated Plan (also known as the Strategic Plan):** The Consolidated Plan is a five (5) year plan prepared by the grantee (Manatee County) in accordance with 24 CFR Part 91, and describes needs, resources, priorities and proposed activities to be undertaken with respect to Community Development program. An approved Consolidated Plan is one which has been approved by HUD.

**Davis-Bacon Act:** The Act is triggered when construction work over \$2,000 is financed in whole or in part with CDBG funds, or construction/rehabilitation of housing includes 8 or more units assisted with CDBG funds, or 12 or more units assisted with HOME funds. It requires that workers receive no less than the prevailing wages being paid for similar work in the same area.

**ESG:** The Emergency Solutions Grants program is designed to assist people with quickly regaining stability in permanent housing after experiencing a housing crisis and/or homelessness, as well as to support shelter and outreach operations to individuals experiencing homelessness.

**Extremely Low-Income Household/Family:** Low and moderate income (LMI) means family or household annual income less than the Section 8 Very Low Income limit (30% of the area median income) as established by HUD.

**Funding Cycle:** The time period associated with Manatee County's allocation of projected funds for the upcoming program year(s). The funding cycle is most commonly an annual cycle that runs concurrently with Manatee County's fiscal year of October 1 to September 30.

**Grantee:** See **Recipient**. Each entitlement community, or grantee, administers its local Community Development program in accordance with program requirements.

**HEROS:** The HUD Environmental Review Online System is an online system for developing, documenting, and managing environmental reviews under 24 CFR Part 58.

**HOME:** The HOME Investment Partnerships Program provides grants to expand affordable housing opportunities for low-income households through housing development, rehabilitation, rental assistance and downpayment assistance.

**Household:** All the persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any groups of related or unrelated persons who share living arrangements.

**HUD:** Entitlement funds are provided by the U.S. Department of Housing and Urban Development (HUD). HUD established the regulations and requirements for the program

and has oversight responsibilities for the use of funds.

**Integrated Disbursement and Information System (IDIS):** Online information system and database used by HUD to track Community Development projects, activities, submission of Consolidated Plans and Annual Action Plans, perform drawdowns and receipts, and track grantee's overall program performance.

**Land Use Restriction Agreement (LURA):** Agreement between an owner/developer/non-profit agency and a government entity that documents the restrictions/requirements in use placed upon a property to receive investments from local funds/incentives.

**Low- and Moderate Income:** Low- and moderate income (also referred to in this manual as LMI) means family or household annual income less than the Section 8 Low income Limit, generally 80 percent of the area median income, or a person within such household, as established by HUD. A minimum of 70% of all households receiving services using HUD-entitlement funding must have a low-moderate income.

**Low-Income Household/Family:** A household/family having an income equal to or less than the Section 8 Very Low Income limit (50% of the area median income) as established by HUD.

**Neighorly:** An online grants management system adopted by Manatee County to manage the CDBG Application process, and managing the subrecipients, including request for payment and reporting.

**Moderate Income Household/Family:** A household/family having an income equal to or less than the Section 8 Low Income limit (80% of area median income) established by HUD, but greater than the Section 8 Very Low Income limit (50% of the area median income) established by HUD.

**SAGE:** The Sage HMIS Reporting Repository (Sage) is a web-based reporting system used by recipients of funding through HUD's Office of Special Needs Assistance Programs (SNAPS). This system is used by Manatee County and subrecipients to report information on clients served by the ESG grant, as well as to submit the ESG CAPER portion to HUD.

**Section 3:** A provision of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) that is regulated by the provisions of 24 CFR 75. Section 3 regulations ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.

**Strategic Plan:** See Consolidated Plan

**Subrecipient:** An entity that assists the grantee (Manatee County) to implement and administer its program. Subrecipients are generally nonprofit organizations that assist the recipient to undertake one or more activities on behalf of the grantee, such as a home rehabilitation. Subrecipients are also referred to as subgrantees.

## **COMMUNITY DEVELOPMENT PROGRAM**

### **Administrative Guidelines**

Manatee County is an entitlement jurisdiction for the federal formula grants through the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) programs. The intent of these grant funds is to provide decent housing, a suitable living environment, and expand economic opportunities, primarily for low and moderate-income persons.

Basic requirements for local entitlement programs are set forth in the specific Program Regulations. Federal regulations provide broad flexibility in how local entitlement programs are managed. Local community needs, resources, and priorities and procedures for administering these programs are approved by the Board of County Commissioners (BOCC) as part of the County's five-year Consolidated Plan for Housing and Community Development.

Annually, the BOCC approves the Annual Action Plan, which outlines objectives, anticipated outcomes, and planned activities for the upcoming year that will advance the Goals of the five-year consolidated Plan. Although both the Consolidated Plan and the Annual Action Plan describe the performance standards and procedures County staff use to evaluate and monitor activities and ensure compliance with HUD requirements, it is necessary to outline and document programmatic policies and procedures.

While both plans establish performance standards and procedures for compliance with HUD requirements, this document provides concise administrative guidelines and policies to govern day-to-day program management in compliance with federal regulations and applicable County guideline and practices.

### **Background**

#### **1. U.S. Department of Housing and Urban Development**

The mission of the U.S. Department of Housing and Urban Development (HUD) is "to create strong, sustainable, inclusive communities and quality, affordable homes for all." HUD's vision is: "To improve lives and strengthen communities to deliver on America's dreams."

HUD's Five-Year (2022-26) Strategic Plan with Focus Areas can be read at: <https://www.hud.gov/HUD-FY22-26-Strategic-Plan-Focus-Areas>

Area 1: Support Underserved Communities

Area 2: Ensure Access to and Increase the Production of Affordable Housing

Area 3: Promote Homeownership

Area 4: Advancing (Advance) Sustainable Communities

#### **2. Office of Community Planning and Development**

The Office of Community Planning and Development (CPD) of the U.S. Department of



Housing and Urban Development seeks to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment, and expanded economic opportunities for low- and moderate-income persons. These goals come out of the mission of HUD to “create strong, sustainable, inclusive communities and quality, affordable homes for all.” The primary means towards this end is the development of partnerships between all levels of government and the private sector, including for-profit and non-profit organizations.

Consistent with these objectives, the Office of Community Planning and Development has is guided by the following principles developed a set of underlying principles that are used in carrying out its mission.

- a. Community building begins with job creation, employment, and creation of safe, decent and affordable housing.
- b. Planning and execution of community development initiatives must be bottom-up and community-driven.
- c. Complex problems require coordinated, comprehensive, and sustainable solutions.
- d. Government operations must be streamlined to be made more efficient and effective.
- e. Citizen participation in is enhanced through communication and better access to information.

CPD encourages empowerment of local residents, supports the creation of community-based organizations, and strengthens the capacity of existing organizations to increase production and program impact. Housing and community development are integrated elements of a comprehensive community development strategy.

### **3. Manatee County Community Development Program**

Manatee County administers HUD entitlement programs to address a wide range of community development needs. The County’s goal is to provide decent housing, a suitable living environment, and expanded economic opportunities, with a focus on low- and moderate-income residents.

Manatee County is a participating jurisdiction in three HUD Community Planning and Development entitlement programs.

- a. The Community Development Block Grant (CDBG) program supports public services and improvements that benefit low- and moderate-income individuals, families and neighborhoods. Federal regulations governing the CDBG program are in Title 24 of the Code of Federal Regulations Part 570 (24 CFR 570).
- b. The HOME Investment Partnership (HOME) program supports to strengthens public-private partnerships and to expand the supply of decent, safe, sanitary, and affordable housing, with an emphasis on rental housing, for very low-income and low-income households Federal regulations governing the HOME program are in Title 24 of the Code of Federal Regulations Part 92 (24 CFR 92).

- c. The Emergency Solutions Grant (ESG) program supports the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re-housing assistance. Federal regulations governing the ESG program are in Title 24 of the Code of Federal Regulations Part 576 (24 CFR 576).

## **COMMUNITY DEVELOPMENT PROGRAM**

### **Staff Duties & Responsibilities**

The following Community and Veterans Services Department (CVS) staff members are responsible for the operation and implementation of the Community Development Program.

#### **Department Director**

- Identified as the authorized designee of the County Administrator per each Resolution adopting the Annual Action Plans.
- Serves as the Certifying Officer for Manatee County for all environmental reviews, agreement executions, and other official documents as the Designee of the County Administrator.
- Serves as the IDIS Administrator.
- Provides department-level oversight of all personnel, including approval of travel, purchases, training, etc., and administrative guidance and support to the Community Development Division.

#### **Community Development Project Manager**

- Responsible for managing the creation and monitoring of the Consolidated Plan, Annual Action Plan, Consolidated Annual Performance and Evaluation Report, and Analysis of Impediments to Fair Housing Plan
- Responsible for the creation and submission of required information under:
  - IDIS system
  - SAGE reporting
  - FFATA reporting
  - MBE/WBE reporting
  - Davis-Bacon Semi Annual reports and other related federal requirements.
- Responsible for the administration and implementation of policies/procedures of the Community Development program.
- Coordinates all HUD-entitlement funded projects and ensures proper procedures are followed.
  - Oversees and provides division-level approval of activities and specific project guidelines as needed.
  - Responsible for the day-to-day management of the Community Development program and related activities (excluding specific Housing Program-related matters).
  - Provides oversight in the management of subrecipient organizations.
- Responsible for HUD-funded project compliance with 24 CFR Part 58:
  - Ensures all projects have the appropriate level of Environmental Review completed in the HUD Environmental Review Online System (HEROS).
  - Prepares Environmental Assessment for required projects
- Ensures construction projects follow the appropriate Federal Requirements:
  - Appropriate procurement standards and bidding;
  - Section 3 Reporting

- Davis-Bacon Wage Standards and Labor requirements;
  - Build America, Buy America Act;
  - Ensure timely completion of projects.
- Oversees Community Development-funded projects that are processed through other Manatee County Departments, including Property Management, Sports and Leisure, Natural Resources, and Public Works Departments
- Provides fiscal oversight for program expenditures and preparations for HUD performance and timeliness tests.
  - Responsible for funding activities and generating receipts of Program Income in the IDIS system.
  - Sets up project funding within the Neighborly system.

### **Housing & Community Development Coordinator**

- Oversee division-level approval of Housing Program activities and policies.
- Administers and implements HUD-funded Housing Program policies and procedures.
- Manages day-to-day HUD-funded Housing Program activities, including:
  - Housing Rehabilitation and Replacement
  - Downpayment Assistance
  - Homebuyer Education
  - Special assistance to Community Housing Development Organizations (CHDOs)
- Provides oversight of contractors, CHDOs, and fiscal management of program expenditures
- Manages data entry, reporting, and closure of Housing Program activities in HEROS and IDIS
- Serves as a liaison between HUD-Entitlement Programs and projects receiving County Affordable Housing Designations and Incentives.

### **Homeless Project Manager**

- Provides strategic planning and administrative oversight of the development and implementation of Manatee County's homeless empowerment initiatives and the services associated with them;
- Ensures the programs and resources across the *Continuum of Care* (CoC) and departments align with the County's goals of addressing homelessness.
- Oversees day-to-day management of HUD-funded Homeless Services projects under the Emergency Solutions Grant (ESG) and HOME-American Rescue Plan (HOME-ARP), including fiscal oversight of related expenditures.
- Manages the creation, data entry, and closure of activities in HEROS, IDIS, and SAGE.
- Acts as liaison between HUD-Entitlement Programs and County Homeless Services initiatives, including Homeless Task Force and "People Assisting the Homeless (PATH)" community-wide meeting.
- Represents Manatee County on the Continuum of Care Lead Agency's Leadership Council and Strategic Planning Committee.

### **Senior Housing and Community Development Technician**

- Assists in the coordination and management of HUD-entitlement funded projects and ensures proper procedures are followed.
- Provides day-to-day management, monitoring, invoice reviews, and communication with subrecipient organizations and contractors.
- Assists in the implementation of the annual Community Development Application process.
- Completes the Environmental Reviews under 24 Part 58 for Exempt or Categorically Excluded projects.
- Completes UEID, debarment, and exclusion checks of subrecipients, contractors, and subcontractors.
- Serves as the Labor Standards reviewer for all construction projects subject to Davis Bacon Wages and Section 3 reporting.
- Assists with public outreach, Legal Notice publications, and posting of plans and studies during public consultations.

### **Compliance Services Team**

Monitoring is conducted after notification of “Ready to Monitor” in Neighborly by the Community Development Manager or Senior Housing and Community Development Technician.

- Responsible for performing the long-term monitoring of Community Development programs and projects for performance and required usage, including CDBG, ESG, HOME, HOME-ARP, and CDBG-CV funded projects
- Attend pre-award conferences
- Conduct a mid-year timeliness test
- Conducts semi-annual agency performance review
- Facilitates external audit processes
- Completes on-site compliance monitoring
- Public Facility long-term use compliance monitoring
- Ensuring timely submission of all required reports
- Process Land Use Restriction Agreements (LURA) as appropriate

### **Fiscal Services**

Fiscal Analyst oversees the following tasks/processes:

- Preparing Purchase Orders
- Processing Payment requests for Subrecipients and Project expenditures
- Receiving and depositing Program Income checks
- Preparing Payoff requests
- Reconciliation of IDIS and IFAS
- Enters requisitions and purchase orders for the RFP, IFB and subrecipient agreements.

Fiscal Services Manager provides day-to-day oversight of all fiscal matters, including:

- Manages the internal accounting system (Financial Enterprise)

- Approves requisitions in Financial Enterprise
- Prepares the following reports:
  - Federal Cash on Hand Reports
  - Match Report (for HOME & ESG)
- Prepares IDIS drawdowns
- Prepares and manages the Budget Amendment process
- Submits account key creation requests to accounting

**Manatee County Clerk of Court**

The Grant Accountant prepares the Single Audit and approves the IDIS drawdowns.

**COMMUNITY DEVELOPMENT PROGRAM**  
**Activity Identification and Selection**

**Subrecipient Application and Award Process**

**Method of Distribution**

Manatee County allocates HUD Entitlement funding through an annual competitive application process. Manatee County CVS - Community Development Division issues an annual Notice of Funding Availability (NOFA) with guidelines for completing applications. All eligible proposals submitted are considered for funding within the context of the broad goals and objectives established in the Consolidated Plan (Strategic Plan). Funding recommendations are made by a review committee consisting of County Staff and community members in response to the NOFA process that is largely driven by the capacity of service providers and developers that make up the delivery system in Manatee County.

Priority consideration is given to projects that demonstrate and meets:

- The degree to which the project or program addresses the priorities and objectives defined in the Consolidated Plan.
- Low- and Moderate-income populations identified to be served
- The overall readiness of the project,
- Efficiency of the program,
- Past performance.

The Board of County Commissioners receives funding recommendations from the review committee and makes the final allocation decision.

**Board of County Commissioners Participation**

Since Congress appropriates all HUD program funds annually, the Board of County Commissioners will act to submit an Annual Action Plan for Community Development funds annually and determine, based on the amount of HUD Entitlement funds available to the County and the recommendations of the Review Committee, the use of funds each year.

Manatee County CVS - Community Development Division seeks approval and direction from the Board of County Commissioners concerning the process, priorities and uses of HUD Entitlement funds through the adoption of the 5-Year Consolidated Plan and the Annual Action Plan for each year. All Board of County Commissioners actions will be conditional upon the availability of funds.

**Grant Application Process**

Staff develops a Notice of Funding Availability (NOFA) annually to solicit proposals for funding. Agencies interested in applying for funding are required to complete an online

application in the Neighborly participant portal by the required deadlines for consideration. In order to ensure maximum participation, flyers with the funding availability announcement, information on requirements, and the orientation are e-mailed to all agencies that expressed an interest in applying during the previous year and to those who have applied for funding in the past two years. Current grant subrecipients, partner agencies, and housing and social service providers are also emailed the funding announcement and the time, date, and location of the application workshop. In addition, notices are placed in the local newspaper, and the announcement is posted on the County website, informing the public of the opportunity to apply and the application workshop. In addition, staff provide an assistance workshop on the application process and preparation.

All organizations requesting funds must submit an application that provides a specific proposal for a program or project. Applicants shall apply for funds during the open Application Period using Neighborly, the online grants management system adopted by Manatee County. All applicants will provide information detailing the project description, statement of need, program delivery, applicant background and experience, organization capacity, coordination, leverage, and agency/program finances. Capital applicants must also submit supplemental information outlining the construction/acquisition of the project. The applicant must submit a clear and concise narrative description of the proposed project or activity, which includes quantifiable goals and objectives, methods of approach and an implementation schedule.

### **Grant Application Release and Schedule**

The Manatee County Board of County Commissioners directs the distribution method, as a competitive application process, for Community Development funds in the 5-Year Consolidated Plan. Manatee County uses an annual competitive application process to allocate CDBG, HOME and ESG funding to eligible activities.

The schedule and process by which funding recommendations will be developed for the Board of County Commissioner's consideration is determined annually by Community Development Staff based upon the following general timeline:

January	Guidelines & Application Prepared Notice of Funding Availability Announcement
February/March	Application Workshop/Training Application Period Opens
April	Applications Period Closes
April/May	Review Period – Ranking/Recommendations compiled by review committee
June	Recommendations presented to Board of County Commissioners and adoption of funding recommendations
July	Comment Period Open for DRAFT Annual Action Plan
August	Comment Period Close & Public Hearing to Approve Annual Action Plan



August 15	Action Plan submitted to HUD field office
September	Subrecipient Orientation Environmental Reviews Completed Contracts Prepared
October 1	Beginning of Program Year
November	Subrecipient Contracts executed (upon execution of HUD Grant Agreement only and retroactive to October 1)

### **Grant Application Workshop**

An online application system is used to ensure consistency, and to save applicant, committee and staff time, and streamline the application process overall.

An Application Workshop is held for all prospective applicants each year. Any agency interested in applying for available Community Development / HUD Entitlement funding is invited to attend a Grant Application Workshop. The workshop is advertised in the local paper and on the County website. The purpose of the workshop is to explain the program, the allocation process and to answer any questions relating to funding requirements, criteria and priorities. During the workshop, instruction is provided on Community Development funding requirements, the application process, review process, time frames for the allocation process, public hearing dates, Board of County Commissioners decisions, and contract term dates. CVS staff are present and answer questions on program guidelines, applicant and activity eligibility requirements, the National Objectives for the programs, local objectives and priority activities in the County's Consolidated Plan, and application requirements.

Staff is available for technical assistance during the application period until the deadline date for submission.

Applications that are received on or before the application deadline and that meet the HUD Entitlement funding eligibility criteria and application guidelines are presented to the Board of County Commissioners with the recommendation from the review committee.

### **Neighorly Application**

Agencies who wish to apply for funding are required to register and create an account in the online Neighorly participant portal. Registering allows applicants access to complete applications, as funding is available, and upload documents required for the application process.

Manatee County CVS, in coordination with Neighorly, facilitates Community Development-funded projects through the Neighorly web-based portal, including receiving applications as funding becomes available. Sub-recipients interested in Community Development funding are required to perform the following in the Neighorly Participant portal <https://portal.neighorlysoftware.com/manateecountyfl/participant>:

- Register an account
- Complete applications for funding
- Monthly and Quarterly Reporting as required in accordance with the contract or agreement
- Submit requests for payment
- Upload any documentation as required for the Application process, Reporting or Payment requests

### **Threshold/Cursory Review of Applications by Staff**

CVS staff conducts a cursory review of the applications after submission to ensure that the applications are complete, meet the threshold requirements, and contain all the information required as stated by the application guidance. This includes a review of the proposed program/project, whether or not it qualifies for funding under the U.S. Department of Housing and Urban Development regulations, as well as the County's Consolidated Plan. Staff also reviews applicant information to confirm the organization's eligibility, financial capacity, management strength, and operational ability.

### **Community Development Review Committee (Review Committee)**

The review committee consists of members from County staff and non-applicant agencies that service similar low-income populations. Members shall read and abide by guidelines concerning conflicts of interest as defined in this manual. Members are selected on an annual basis based upon interest, specialty expertise, and representation of the community. The committee is charged with the review and recommendation of applications to the Board of County Commissioners.

### **Application Review**

CVS staff will present to the Review Committee an overview of the National Objectives, as well as the local criteria and priorities established by the Board of County Commissioners through the adoption of the 5-Year Consolidated Plan. These local objectives reflect Manatee County's strategic priorities for community development. All proposed Community Development-funded activities must meet at least one of HUD's National Objectives and align with one or more of the County's local objectives. In addition, County staff will provide the Review Committee with key funding information, including the total amount of grant funds available, along with specific caps for eligible categories such as public services and capital improvement projects.

Members of the committee shall review applications thoroughly and fairly, and shall evaluate the proposals on the basis of information provided in the application and according to the evaluation criteria. Members should refrain from independent investigation of particular programs or agencies. Members may ask County staff for additional information, which, if available and pertinent, will be provided to all members.

Committee members shall be provided with information from Community Development and CVS staff of previous grant subrecipients to ascertain how well an agency is fulfilling goals and objectives set forth for the program. Staff will provide results of performance reports to the committee, which may include, but will not be limited to the following:

- a. The amount of Community Development or other CVS funding received by an applicant organization from the County in current or past years, if any;
- b. The extent to which applicants have collaborated with other agencies or community organizations to deliver and/or expand services;
- c. The extent to which a proposed program complements or expands upon existing services provided by other agencies or organizations, or duplicates existing services without demonstration of additional unmet needs;
- d. The extent to which previously-funded organizations have met program objectives, satisfied contract obligations, and expended allocated funds in an efficient, appropriate and timely manner;
- e. How closely the proposed project meets National Objectives and local priorities and objectives in the Consolidated Plan;
- f. Whether the applicant organization is new or has significantly expanded its services.

When making funding recommendations, reports on the past performance of existing subrecipients may be provided to the Board of County Commissioners. These reports will always be provided if a subrecipient has failed to meet the terms of its current contract. Should credible information be provided to Staff concerning a program's current performance and staff determines the information directly impacts either current funding or proposed funding, staff is obligated to report such information to all Review Committee Members and/or Board of County Commissioners.

### **Review Committee Scoring and Ranking of Applications**

Members shall individually score applications on the basis of objectives, criteria, priorities, and information provided in the application as outlined in the Application Guidelines.

Members shall not give particular proposals unusually low or high scores in an attempt to influence unfairly the overall ranking by the committee.

Any request for clarification of an application or for additional information on an applicant organization shall be directed to CVS staff. Such request for clarification or information if available and appropriate will be conveyed to all members.

Members shall not be influenced by information that is not publicly available concerning the operation, management or staff of applicant agencies or organizations when rating the application. However, should credible information be provided to Staff concerning a program's current performance and CVS staff determines the information directly impacts either current funding or proposed funding, staff is obligated to report such information to all Review Committee Members.

Committee members shall judge applications solely on the merits of the application and the objective criteria. Members should not be influenced by their personal convictions or viewpoints. If a member feels that she/he cannot judge an application fairly and impartially, conflict of interest provisions as discussed in this manual shall apply.

### **Rating Criteria**

The criteria and scoring mechanism will be developed and published in the annual Application Guidelines and will be considered in developing a recommendation for applicant funding. The ranking and scoring criteria will include, but not be limited to, the following items:

- Percentage of LMI Persons Served
- Collaboration/Partnership with other organization
- Leveraging of Other funds
- Agency as Service Providers
- Application Narrative and Budget
- Project Goals and Benchmarks
- Individual scores that fall outside an acceptable interval of tolerance (+ or - 10% points) will be discussed.

The total ratings for each proposal will be averaged in order to ensure the most equitable evaluation of each application.

### **Review Committee Funding Recommendations**

After rating each applicant, the members suggest funding amounts (if any) for each applicant. The Committee deliberates and final recommendations are approved by majority vote.

In years when the HUD entitlement amount is unknown, funding estimates will be based on the prior year's allocation. The amount of funds awarded may be adjusted as per Board of County Commissioners approved contingency plan. This plan is utilized when the grant funds differ from the estimate, additional funds become available, or changes in projects become necessary. The plan ensures the County does not exceed the fifteen percent public services cap.

Funding recommendations and contingency plan (if needed) are submitted to the Board of County Commissioners for approval and inclusion in the DRAFT Annual Action Plan.

### **Conflict of Interest Declarations**

Before discussion of applicant organizations and agencies, Review Committee members and staff shall declare relationships, if any, with applicant organizations or persons associated with the applicants.

This may include:

- a. Serving as a Board member of, or volunteer in, an applicant agency or organization;
- b. Membership or participant in activities of an applicant agency or organization;
- c. Direct contributor to an applicant agency or program;
- d. Beneficiary of the activities or services of an applicant agency or program; and/or
- e. Any connection with the applicant that would constitute or that could be perceived to constitute a conflict of interest.

When the member has a perceived or real conflict of interest with an applicant organization, the member shall refrain from ranking the application and any discussion of the merits of the application.

Members shall also declare any personal interest in an organization that is in direct competition with an applicant organization that may cause them to rank the application other than strictly on the merits of the application. Committee members who have been involved with the preparation of an application shall withdraw from consideration of that application.

### **Public Participation and Board of County Commissioner Action**

Responsibility for the appropriation of all County HUD Entitlement funds rests with the Board of County Commissioners, but HUD regulations require a certain level of public participation. Public participation is accomplished through a series of public meetings, public hearings and opportunity for public comment on the Annual Action Plan prior to the submission of the plan to HUD. The County shall follow its Citizen Participation Plan as set forth in the Consolidated Plan and Annual Action Plan.

- a. The Board of County Commissioners shall hold a Board meeting in approximately June at which time the Review Committee recommendations shall be presented to the Board of County Commissioners to make the allocation decision. Following the allocation decision, the DRAFT Annual Action Plan shall be completed and opened for Public Comment. A public hearing during a Board of County Commissioners meeting shall be held in approximately July/August. Applicants, as well as other members of the public, will have the opportunity to address the Board of County Commissioners according to established procedures for public hearings. The hearing will be announced at least 30 calendar days in advance through publication in the local newspaper.
- b. The Board of County Commissioners shall take action to accept, modify, or reject the previously approved allocation decision based upon recommendations at this public hearing.

**COMMUNITY DEVELOPMENT PROGRAM**  
**Community Development Calendar**

**Typical Program Year**  
**Beginning October 1<sup>st</sup> Ending September 30<sup>th</sup>**

October 1	Begin Program Year
October-December	Upon HUD Grant Agreements execution from prior year - All signed Subrecipient Agreements due
October- December	Release of Funds expected & Grant Agreements received from HUD
August-December	Finalize Environmental Reviews from prior year, Prepare/Publish NOI/RROF and request Release of Funds from HUD – if necessary
October/November	Prepare draft CAPER
Mid November	Legal Notice Ad runs in newspaper – Spanish and English
Mid November	Draft CAPER posted for public review
November/December	DRAFT CAPER Comment period (15 calendar days)
December	BOCC report and public hearing –CAPER public hearing item, upon scheduling availability
December	Update CAPER with any public comments and finalize
<b>December 30</b>	<b><i>Deadline for CAPER submission to HUD</i></b>
January/February	Community Meetings to solicit public input for Action Plan
February	Update/revise grant funding applications
February	Publish Paper NOFA/notice of Grant Application Workshop
March	Complete Timeliness Test and Review of Overall Program Performance
March	Schedule Subrecipient Monitoring Visits
March	Start drafting Annual Action Plan

March	Hold Grant Application Workshop & Open Application
March	Invite potential individuals to participate in Review Committee, subject to Conflict of Interest with applicants
April	Grant Applications due (30 days after Application Open)
April	Applications reviewed for completeness/get copied for review committee
April/May	Review Committee meets. Applications are distributed. Review instruction is provided. Review Committee meets to discuss/rank applications
May	Briefings with BOCC on activities recommended for funding, scheduled upon availability
May	Staff finalizes recommendation list for funding and presents activities to be included in the Annual Action Plan.
May	Notify Applicants of funding recommendations
June	Begin preparing Environmental Review/Project determinations made
June/July	Advertise Notice of Public Hearing and Public Review period for draft Action Plan in local paper
June/July	Draft Annual Action posted for public review (30-day comment period)
July/August	Hold Public Hearing on draft Action Plan/Proposed Budget before BOCC. Approval of final Action Plan by BOCC, scheduled upon availability
August	Notify Applicants of award or denial
August-September	Meet with proposed Subrecipients to finalize Action Plan activities and negotiate agreements
<b>August 15</b>	<b><i>Deadline for Annual Action Plan Submission to HUD</i></b>
September	Subrecipient Training for next Program Year
September	All Subrecipient Agreements written and ready for agency signature upon Annual Action Plan approval by HUD, Environmental Clearance, and execution of HUD Grant

Agreement

September 30th

Program Year ends



**COMMUNITY DEVELOPMENT PROGRAM**  
**MANATEE COUNTY'S**  
**2023-2028 CONSOLIDATED PLAN STRATEGIC PRIORITIES & OBJECTIVES**

Local Priorities and Goals/Objectives are established through the development of the Consolidated Plan that is adopted by resolution by the Board of County Commissioners.

**Overall Priorities**

As part of the 2022 development of the Strategic Plan, staff worked with the Board of County Commissioners (BOCC) to establish several overall priorities based on the information gathered through public input and consultation. With BOCC approval, five priorities were adopted to guide Consolidated Plan activities over the current five-year term. This process will be repeated upon expiration of the term.

**Priority 1:** Improve availability and accessibility of affordable housing to persons of low and moderate income throughout the County.

**Priority 2:** Expand the accessibility and coordination of social services to Manatee County low and moderate-income and special needs populations.

**Priority 3:** Support programs that create economic opportunities for low and moderate-income persons or within the designated low and moderate-income areas.

**Priority 4:** Enhance the living environment of persons of low and moderate income and special needs populations through public improvement activities.

**Priority 5:** Improve public safety conditions for Manatee County citizens in low and moderate-income areas.

**Goals and Priority Needs**

**Goal 1 - Increase access to affordable housing**

1. Increase the supply of affordable housing units.
2. Preserve, maintain, and improve existing affordable housing stock for low and moderate-income and special needs households.
3. Provide rental and utility assistance to low and moderate-income and special needs households.
4. Assist low and moderate-income and special needs households to become homeowners.
5. Provide Fair Housing outreach and education.

**Goal 2 - Reduce homelessness in Manatee County**

1. Provide outreach and supportive services to individuals experiencing homelessness

2. Provide short-term and medium-term housing assistance to at risk populations.
3. Expand the capacity of homeless shelters to prevent individuals from living in places not meant for habitation.
4. Expand supply of transitional and permanent supportive housing to at risk populations.

**Goal 3 – Support health care and wellbeing activities for special needs populations**

1. Provide elderly independent living support services.
2. Provide access to health and dental care activities for underinsured individuals.
3. Support substance abuse and mental health activities for low and moderate-income and at risk populations.

**Goal 4 – Provide access to community supportive services and economic development opportunities.**

1. Support programs for youth education, recreation, wellbeing and protection.
2. Enhance access to job readiness and skills training programs for low- and moderate-income individuals, at-risk youth and individuals exiting the judicial system.
3. Support programs that provide social services and transportation to special needs populations including, but not limited to, frail/elderly, at-risk youth and individuals exiting the judicial system, disabled, persons living with HIV/AIDS, severe mental illness, and persons with substance abuse.

**Goal 5 – Expand Community Development Strategies**

1. Improve infrastructure conditions and living environments within designated low and moderate-income areas
2. Improve existing or develop new public facilities that service low and moderate-income areas or special needs populations or benefit low and moderate-income persons.
3. Improve public safety and emergency preparedness within designated low and moderate-income areas.
4. Support local businesses in low and moderate-income areas.
5. Support the preservation or restoration of structures of historical significance.
6. Eliminate blight within designated low and moderate-income areas.

**Goal 6 – Program Administration**

1. Provide effective Administration of State/Federal Programs
2. Implement Various Planning Studies
3. Public Health and Infrastructure Preparedness and Resiliency

**COMMUNITY DEVELOPMENT PROGRAM**  
**Subrecipient & Project Management**

**SUBRECIPIENT AGREEMENTS**

**Subrecipient Agreements**

The Subrecipient Agreement between the Agency and Manatee County is a binding document that addresses the programmatic and fiscal responsibilities for the fiscal year. The Agreement includes information regarding the services the Agency is proposing to provide, the budget within which these services will be provided, and the staffing required to complete the work.

Before disbursing any HUD Entitlement funds to a subrecipient, the County shall sign a written agreement with the subrecipient. Written agreements and contracts remain in effect for the length of time that the subrecipient has control over any HUD Entitlement funds, including program income. However, subrecipient agreements are reviewed and updated periodically to ensure the agreements are current with regulations and requirements. This process also allows an opportunity to revisit and clarify problem areas or issues. Any updates to the Subrecipient Agreement are reviewed by the County Attorney's Office through the electronic system: Request for Legal Services (RLS) as prescribed by County policy.

**Board of Directors**

The Board of Directors is the legal entity for the organization according to law, and as such, assumes all legal responsibility for the operations of the organization. It is the entity with which the Manatee County Board of County Commissioners is entering into a legally binding agreement regarding the HUD Entitlement funding.

**Agreement Structure**

The Subrecipient Agreement has been structured using Exhibits. The document begins with a legal preamble and then is broken into Exhibits A-E.

*Exhibit A – Subrecipient's Projects and Services:* Describes the services provided under the agreement. The "scope of service" is delineated showing who will be served, in what area of the County, what services will be provided, who will provide the services, and any other requirements related to their specific program.

*Exhibit B -- Payments:* Describes the amount of funding awarded to the agency, a line item budget for the services provided, and how to request reimbursement from the County.

*Exhibit C – Time for Performance:* Describes the levels of accomplishments expected in the Agreement. Provides the number of persons anticipated being served, the period of

time allowed to serve clients, and the reporting requirements.

*Exhibit D – General Conditions:* Provides unique provisions related to their specific activity. Typically, the provisions are related to HUD regulations specific to the type of activity undertaken.

*Exhibit E – Additional Grant Requirements:* These are the “boilerplate” regulations and laws that are required by HUD to be in every subrecipient agreement. They cover broad federal regulations that may or may not pertain to their funded activity. These provisions are not subject to negotiation by the agency or the County.

## **COMMUNITY DEVELOPMENT PROGRAM**

### **Subrecipient Agency Responsibilities**

#### **Conflict of Interest**

Each agency must have a “Conflict of Interest Policy” that applies to the employees, as well as the Board of Directors of the agency. Disclosure of any possible conflict of interest should be made public and in written form. Staff and Board members must refrain from voting on or persuading other members where a potential conflict is present. Board members should also disclose any conflict or potential conflict of interest before discussion by the Board.

The policy for all HUD Grant-funded agencies must adhere to federal requirements. Federal guidelines state that *“Except for the use of grant funds to pay for salaries or other related administrative or personnel costs, the general standard is that no employee, agent, or officer of the subrecipient, who exercises decision-making responsibility with respect to grant funds and activities, is allowed to obtain a financial interest in or benefit from grant activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds of the activities”*. Specific provisions include that:

- This requirement applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee, designated public agency, or subrecipient; and to their immediate family members and business partner(s).
- The requirement applies for such persons during their tenure and for a period of one year after leaving the grantee or subrecipient organization.
- It is applicable to the procurement of supplies, equipment, construction, and services; acquisition and disposition of real property; provision of assistance to individuals, businesses, and other private entities for all eligible activities; and provision of loans to individuals, businesses, and other private entities.

#### **Client Complaint Policy**

The Client Complaint Policy should specifically detail the process used in the event of a client complaint. The policy should be made accessible to clients. The client should be encouraged to submit the complaint in writing. A reasonable deadline (ten to fifteen days) for review should be established for agency response to the complaint. If the complaint cannot be resolved to the client’s satisfaction initially, the policy should identify an appeal process.

Some agencies provide a “resolution board” or sub-committee of the Board of Directors to hear and resolve complaints. A full Board of Directors’ review should be the final step, if necessary, at the agency level.

#### **Drug Free Workplace**

Federally funded agencies must provide certification that they provide a drug free workplace. This can be done simply by publishing a statement notifying employees that unlawful manufacturing, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. The certification should further state the actions taken if employees violate the provision.

### **Financial Management**

When a non-profit organization contracts with the County, the organization agrees to administer funds according to Generally Accepted Accounting Principles and to comply with the provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth in 2 CFR 200, as amended by 24 CFR 570.502. The agency further agrees to incorporate sound financial management practices. Those practices should include written accounting procedures for approving and recording transactions, provision of reliable, complete, and current information and separation of duties. The agency should have a clear set of standards for determining the reasonableness, eligibility, and the manner for allocating costs.

Financial records include the chart of accounts, a manual on accounting procedures, accounting journals and ledgers, supporting documents (invoices, cancelled checks, etc.), procurement files, bank records, financial reports, and audit files.

### **Audits**

All agencies applying for Community Development funds from the County are required to submit an audit with their application. Providing an independent audit with a grant application ensures the County of the viability of the organization.

Financial audits are designed to provide an independent opinion on whether an agency's financial statements present in a fair manner actual operating results in accordance with accepted standards, and whether the agency has complied with specific financial requirements in terms of systems and procedures.

The audit provides comparative data from previous years and allows analysis of annual revenues and expenditures. The audit provides a significant amount of information to the agency, the Board of Directors, and to grantors when soliciting contributions.

Many financial audits provide expenditure categories by programs. This information allows the Board to recognize when a program is not cost effective, to flag areas where expenses are exceeding revenues and can be used as a planning tool when evaluating programs.

Agencies receiving more than \$750,000 in federal assistance are required to prepare an audit per Federal Regulations 2 CFR 200. Audits must be submitted to the Community

and Veterans Services Department as soon as they are available.

### **Budget**

An agency's budget is a projection of anticipated revenues and expenses for the upcoming year. The revenue projections are usually broken out by source (e.g., government grants, United Way contributions, foundations, fundraising). Anticipated expenditures can be identified in several categories with Administration separated from Service Delivery Costs. The expenditures may also be broken out even further by programs.

The budget in Subrecipient Agreements will describe all the agreed-upon costs eligible for reimbursement from Community Development funds. Generally, budget line-item changes are allowable up to the maximum project cost approved by the Board of County Commissioners at the Community and Veterans Services Department Director's discretion. Community Development funds are primarily used for direct costs associated with carrying out projects, which include a negotiated per-hourly rate for all staff time involved in the project, costs for direct financial assistance to clients, materials, and services. It is the policy of the Community Development Division not to fund indirect costs associated with an Agency. At the Community and Veterans Services Department Director's discretion, indirect costs may be allowable if in compliance with the HUD-entitlement rules.

### **Insurance**

Subrecipient shall provide Workers' Compensation Insurance coverage for all its employees involved in the performance of the HUD Entitlement grant-funded activity.

Subrecipient agrees to indemnify and hold Manatee County harmless from any and all claims arising as the result of performance of this Agreement by Subrecipient within the limitations of Section 768.28 Florida Statutes.

### **Travel Policy**

Travel policies should describe when a staff person or contractual employee can expect mileage reimbursement for use of personal vehicles. The policy should also identify the procedure for using agency owned vehicles. Mileage reimbursement should be requested by the employee and approved by a supervisor prior to payment. The amount reimbursed for this grant shall be no more than agency reimbursement rate for all agency employees, with the overall maximum allowable rate being the federal mileage reimbursement rate.

The Subrecipient shall obtain written approval from the County for any travel outside the metropolitan area with funds provided under the Subrecipient Agreement and only when such expenses are identified as a necessary element for implementation of the project as outlined in the scope of work and budget of the Subrecipient Agreement.

## **Personnel Rules**

Personnel rules and regulations must meet federal, state, and local laws regarding Equal Employment Opportunity, Civil Rights Act, Americans with Disabilities Act, and hiring practices. These documents must be reviewed and approved by the agency's Board of Directors and submitted to the Community and Veterans Services Department upon request. Items typically found in personnel rules include, but not limited to, the following:

- Hiring practices
  - Probation period
  - Evaluation process
  - Salary increases, merit and/or cost of living
- Job descriptions with salary ranges and minimum qualifications
- Consultants and contractual agreements
- Fringe benefits
  - Vacation days
  - Sick and/or personal leave time
  - Holiday schedule
  - Health, dental, and/or life insurance
  - Other fringes (e.g., childcare, "cafeteria package", etc.)
- Conference and training policy
- Sexual harassment prevention policy (should include employees and Board)
- HIV/AIDS policy
- Employee complaint policy

Subrecipient will, in all solicitations or advertisements for employees placed by or on behalf of the Subrecipient, state that it is an Equal Opportunity or Affirmative Action employer.

## **Political/Lobbying Restrictions**

Subrecipient agrees that no federal funds have been paid or will be paid directly or indirectly to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the HUD-Entitlement funding awarded to the Subrecipient.

Subrecipient agrees that no federal funds provided, nor personnel paid with such funds under this Agreement, shall in any way be used to engage in political activities prohibited by 31 U.S.C. § 1352 (Anti-Lobbying Restrictions) or Chapter 15 of Title 5, United States Code.

## **Access to Records**

Subrecipient shall furnish and cause each of its own subcontractors to furnish all



information and reports required hereunder and will permit access to its books, records and accounts by Manatee County, HUD or its agent, or its authorized representatives for monitoring, auditing, or investigative purposes to ascertain compliance with federal regulations, including 2 CFR 200, and the terms of this agreement.

Subrecipient shall require that an acknowledgment and release be signed by clients receiving services (and by parent or guardian for minor children) for records maintained by the Subrecipient that may be required by the County for monitoring and evaluation. These records may be subject to disclosure under Chapter 119, Florida Statutes (Public Records Law).

### **HUD Acknowledgement**

Subrecipient shall include the following acknowledgment in all press releases, promotional materials, advertising, or publicity for activities funded under this Agreement: “Funded in part by the Manatee County Community Development grant, received from the U.S. Department of Housing and Urban Development.”

### **Outreach**

Subrecipient will conduct outreach using multiple methods (e.g., flyers, social media, public service announcements, networking with local agencies, or open houses) to inform the low- and moderate-income (LMI) individuals and households of the availability of the services offered by the grant-funded activity.

**COMMUNITY DEVELOPMENT PROGRAM**  
**MEMORANDUM OF UNDERSTANDING (MOU)**

**Memorandum Of Understanding**

The Memorandum of Understanding (MOU) is between the County Department responsible for the project and Community and Veterans Services Department, Community Development Division. It is a binding document addressing programmatic and fiscal responsibilities for the fiscal year. The MOU includes information regarding proposed services, budget, and staffing required to complete the work.

**Memorandum Of Understanding Structure**

The MOU structure is more flexible than the subrecipient agreement. County Departments use the MOU to carry-out projects through the Purchasing Division of the Financial Management Department. A department liaison works with Community Development staff to ensure federal compliance with procurement and other project requirements.

## **MOU DEPARTMENT RESPONSIBILITIES**

### **Conflict of Interest**

The department in which a Memorandum of Understanding is entered into must follow the County's "Conflict of Interest Policy" as it applies to all employees, as well as the Board of County Commissioners. Disclosure of any possible conflict of interest should be made public and in written form. Staff and Board members must refrain from voting on or persuading other individuals where a potential conflict is present. Board members should also disclose any conflict or potential conflict of interest before discussion by the Board.

The policy for all HUD Grant-funded agencies must adhere to federal requirements. Federal guidelines state that *"Except for the use of grant funds to pay for salaries or other related administrative or personnel costs, the general standard is that no employee, agent, or officer of the subrecipient, who exercises decision-making responsibility with respect to grant funds and activities, is allowed to obtain a financial interest in or benefit from grant activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds of the activities"*. Specific provisions include that:

- This requirement applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee, designated public agency, or subrecipient; and to their immediate family members and business partner(s).
- The requirement applies for such persons during their tenure and for a period of one year after leaving the grantee or subrecipient organization.
- It is applicable to the procurement of supplies, equipment, construction, and services; acquisition and disposition of real property; provision of assistance to individuals, businesses, and other private entities for all eligible activities; and provision of loans to individuals, businesses, and other private entities.

### **Client Complaint Policy**

The Department in which a Memorandum of Understanding is entered into with must follow the County's Client/Citizen Complaint Policy. In the event of a client/citizen complaint, a detailed report containing the nature of the complaint and how the complaint will be resolved, will be sent to the Community and Veterans Services Department so the project file may be documented. The policy should be made accessible to clients/citizens. The client/citizens should be encouraged to submit the complaint in writing. A reasonable deadline (ten to fifteen days) for review should be established for departmental response to the complaint. If the complaint cannot be resolved to the client's/citizens satisfaction initially, the policy should identify an appeal process.

### **Drug Free Workplace**

Federally funded Departments must follow a Drug Free Workplace policy. This policy has

been outlined by the County with each employee agreeing to the requirements of this policy. The County has this document on file and if needed shall be made available for auditing and/or monitoring purposes. This document contains guidelines that are established in the event of employee violation in order to establish personnel action ranging from treatment in a substance abuse assistance program to grounds for termination.

### **Financial Management**

The responsible County Department agrees to administer funds according to Generally Accepted Accounting Principles and to comply with the provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth in 2 CFR 200, as amended by 24 CFR 570.502. The responsible County Department further agrees to incorporate sound financial management practices. Those practices should include written accounting procedures for approving and recording transactions, provision of reliable, complete, and current information and separation of duties. The Department should have a clear set of standards for determining the reasonableness, eligibility, and the manner for allocating costs.

The responsible County Department shall process all financial transactions through the fiscal division of the Community and Veterans Services Department.

### **Budget**

The Department shall provide a line-item budget for each project. The project budget will be presented at the time of entering into a Memorandum of Understanding. Any changes that occur to the project budget shall be presented and approved by Community and Veterans Services staff.

The Department shall present for approval any and all change orders that may occur to a project, regardless of whether the change order reduces or enlarges the project scope and/or budget.

### **Personnel Rules**

Manatee County Personnel Policy, Rules and Procedures will be applicable under MOUs.

### **Political/Lobbying Restrictions**

The Department agrees that no federal funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the HUD-Entitlement funding awarded to the Department.

The Department agrees that no funds provided, nor personnel employed under this

Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V United States Code.

### **Access to Records**

The Department shall furnish and cause each of its own subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by Manatee County, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

The Department shall require that an acknowledgment and release be signed by clients receiving services (and by parent or guardian for minor children) for such Departmental records which may be required by the County for purposes of monitoring and evaluating services that may be public records under Chapter 119, Florida Statutes.

### **HUD Acknowledgement**

The Department shall include the words "Funded in part by the Manatee County Community Development program received from the U.S. Department of Housing and Urban Development" in press releases, promotional materials, advertising or publicity about the project funded under this Agreement.

## **COMMUNITY DEVELOPMENT PROGRAM** **PROCUREMENT PROCEDURES**

\*\* All procurement transactions shall be conducted in a manner to provide open and free competition and compliance with 2 CFR 200. \*\*

All entities receiving federal grants must establish procurement policies that meet the requirements in 2 CFR 200.317 through 200.300. County contracts must follow county procurement requirements and federal procurement requirements. A written bid process should be in place for all equipment purchases and contractual agreements. When federal funds are used to purchase materials or services, copies of written quotes must be on file for review.

Community Development projects in excess of \$100,000.00 will be subject to competitive sealed bidding as described under 2 CFR 200.320(b)(1). Whenever other methods are used, confirmation from CVS and, as appropriate, the County Purchasing Department will be obtained.

Projects or specific procured components under \$100,000.00 may be obtained following Competitive Proposals procedures delineated under 2 CFR 200.320(b)(2), with prior approval from CVS.

Regardless of the procurement method, no less than two (2) competitive proposals should be solicited and documentation provided that supports the action taken. The lowest responsive, responsible bidder should be awarded the bid when purchasing supplies and equipment. If the lowest bidder is not selected, written justification must be provided.

Non-competitive negotiations may be utilized only under very limited circumstances. Sole source items or emergency situations may warrant a non-competitive negotiation.

Written procurement standards should also detail the authority for purchases, the amount which can be approved per individual, and at what level the Board of Directors must review and approve the purchase and/or contract.

Agencies must establish written procedures for the procurement of supplies, property, equipment and other services. These procedures shall provide for avoidance of purchasing unnecessary items.

The Agency shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved.

The Agency shall ensure that Section 3 businesses, small businesses, minority-owned firms, and women's business enterprises are used to the fullest extent practicable.

The Agency is the responsible authority regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of an award or other agreement. This includes disputes, claims, protests of award, source of evaluation, or other matters.

Cost analysis is the review and evaluation of each element of cost to determine reasonableness and allowability. Some form of cost or price analysis shall be made and documented in the procurement files in connection with every procurement action. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted or market prices.

Agencies shall, upon request, make available for Manatee County the procurement documents, such as documentation of quotes, requests for proposals or invitations for bids.

Prior to awarding the bid the apparent winner will be verified to not be debarred from participating in a federally assisted project through the System of Award Management (SAM) and Office of Inspector General (OIG).

The Agency shall comply with the following standards:

**For Purchases of Supplies, Services and Small Equipment:**

\$1 - \$1,000 - Micro-purchases (2 CFR 200.320(a)(1)): Such items may be awarded without soliciting competitive price or rate quotations if staff or subrecipient considers the price reasonable based on research, experience, purchase history, or other information; and maintains documents to support its conclusion. Purchase cards may be used as a method of payment for micro-purchases.

\$1,000 - \$5,000 - Micro-purchases (2 CFR 200.320(a)(1)): Three price quotes must be obtained, and the source selected or approved by the agency director or his/her designee. The quotes may be verbal or written. Notation of the price quotes will be required. Quotes shall be documented by a brief statement signed by the employee receiving or observing the quotation with a brief description of the goods or services, the source and the date. Prices from advertisements, the internet, e-mail communications, catalogs, faxes or other communication media will be acceptable.

Over \$5,000 - Small purchases (2 CFR 200.320(a)(2)): Three written price quotes must be obtained via mail, fax or e-mail. The written price quotes shall be obtained pursuant to written request of quotations. The source selected or approved by the agency director or his/her designee shall be made after obtaining the three written quotes. The written request for quotes shall clearly state the Agency's requirements, and basis for selection of a source. If applicable, the matter of terms, delivery, pricing and other options may be considered. In the absence of a sufficient number of responses, the file will include a description of the steps taken to secure competition and with the approval of the agency director or his/her designee, the purchase may be made.

## **Procurement of Equipment**

Equipment acquired by an Agency with Community Development funds are subject to the following:

- The Agency shall not use equipment to provide services to non-Federal outside organizations for a fee that is less than private companies charge for equivalent services.
- The Agency shall use the equipment in the project or program for which it was acquired if needed, whether or not the project or program continues to be supported by federal funds. When the equipment is no longer needed for the original project or program, the Agency shall use the equipment in connection with its other federally sponsored activities.
- Equipment records shall be maintained accurately and shall include a description of the equipment; serial and model number or other identification number; source of equipment; acquisition date and cost; location and condition of equipment; ultimate disposition data, including date of disposal and sales price or the method used to determine current fair market value where an Agency compensates Manatee County for its share.
- A physical inventory of equipment shall be taken, by the Agency, and the results reconciled with the equipment records at least once every two years. The Agency shall verify the existence, current utilization, and continued need for the equipment. The Agency shall create an equipment inventory list and submit to the County as report. The County shall reconcile the current equipment list with the master equipment list that is compiled in the manner described above. At the time of reconciliation, the two lists are noted for any items that had been damaged, destroyed, etc.
- A control system shall be in effect to ensure adequate safeguards to prevent loss, damage, or theft of the equipment.
- Adequate maintenance procedures shall be implemented to keep the equipment in good condition.
- Where the Agency is authorized or required to sell the equipment, proper sales procedures shall be established which provide for competition to the extent practicable and result in the highest possible return.
- Equipment Disposition - If the purpose of the grant has been achieved and the program or task is no longer needed, the subrecipient may sell the equipment. The sale of the equipment is based on the useful life of the equipment, being factored out by straight -line depreciation, in order to determine a fair market value. If the equipment has a current per unit fair market value of less than \$5,000 the equipment may be sold without any further financial obligation to the County. If the current per unit fair market value exceeds \$5,000 the County will be reimbursed according to either the current fair market value or the sales proceeds, being calculated the following way. The County reimbursement amount shall equal the current fair market value or sales proceeds multiplied by the County's share of the equipment. For example, if a piece of equipment is sold for \$1,500.00 and the



County originally provided 35% of the funding for the piece of equipment, the amount due for reimbursement to the County shall be ( $\$1,500.00 \times .35 = \$525.00$ ).

## **COMMUNITY DEVELOPMENT PROGRAM** **CONSTRUCTION PROCUREMENT/REGULATIONS**

### **Construction Bidding Process**

An Invitation for Bid (IFB), or sealed bid, is the required method for all construction projects in excess of \$100,000.00. Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement.

The Agency must document the basis for contractor selection or justification for lack of competition when competitive bids or offers are not obtained.

**No “Cost plus Percentage” allowed:** Federal standards under 2 CFR 200.324(d) prohibit the use of “cost plus percentage” methods for procuring contractors. Manatee County and subrecipients may use “time and material” type contracts only after it is documented that sealed bid methods are not suitable. Contract methods under “time and material” must include a ceiling price that the developer/contractor exceeds at its own risk. As prescribed by 2 CFR 200.318(j)(1-2)), the cost is the sum of the actual materials, direct labor hours, general administration, and profit.

***Public Notice:*** Public Notice for the IFB shall be given not less than five (5) business days prior to the date set forth in the notice for the opening of bids. Such notice may be given by mail, the internet or by publication in a newspaper of general circulation. The notice shall include place, date, time and method for obtaining bid information and the planned date of bid opening.

***Bid Opening:*** Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids or any addenda to the IFB. The amount of each bid and other relevant information shall be recorded.

***Bid Evaluation:*** Bids shall be evaluated based on the requirements set forth in the IFB, which may include criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. The criteria that will affect the bid price shall be quantitatively measurable. The IFB shall include any additional criteria that shall be used in the evaluation of an invitation for bids and the relative importance of such criteria as it relates to the price criteria. No criteria may be used in bid evaluation that were not set forth in the IFB.

***Withdrawal of Bids; Cancellation of Awards:*** Bidders may be allowed to withdraw bids if mistakes are discovered before bid opening by written notice. After the bid opening or award of bid, but before a contract is signed, a low bidder alleging a material mistake of fact may be permitted to withdraw his bid if the mistake is clearly evident or the bidder submits evidence which clearly and convincingly demonstrates that a mistake was made.

***Tie Bids:*** Whenever two or more bids that are equal with respect to price, quality, and

service are received, a bid received from a local business shall be given preference in award. If both bids, or neither bid, are received from a local business, the award shall be determined by a chance drawing conducted by the Agency director and open to the public.

*Debarment:* Prior to awarding the bid the apparent winner will be verified to not be debarred from participate in a federally assisted project through the System of Award Management (SAM) and Office of Inspector General (OIG).

### Bonding Requirements

Manatee County will require bonds (or other methods of bid and construction guarantees) for construction projects over \$250,000 in order to ensure that the Federal and local interests are adequately protected, as prescribed by 2 CFR 200.326.

A bid guarantee from each bidder equal to 5 percent of the bid price firm commitment in the form of a bid bond, certified check, or other negotiable instrument provided at the time of the bid as assurance that the bidder is prepared to execute a contract within the time specified for the bid amount (2 CFR 200.326(a)).

A performance bond from the (sub)contractor must be for 100 percent of the contract price to secure the contractor's fulfillment of all obligations under the contract (2 CFR 200.326(b)).

### Davis Bacon and Related Acts

*Davis-Bacon Act:* All contractors and subcontractors will be paid the prevailing wage for their particular classification (e.g. carpenter, ironworker, etc.). Wage rates are set periodically by the U. S. Department of Labor on both State and Federal levels. Prior to requesting bids or proposals from contractors a wage determination must be requested from Manatee County. All construction projects over \$2,000 in federal funding are subject to Davis Bacon regulations. Housing-related projects under 8 units supported by CDBG and under 12 units supported by HOME funds are exempt from Davis-Bacon.

*Contract Work Hours and Safety Standards Act (CWHSSA):* For each hour over 40 within a work week, contractors must pay 1½ times the basic hourly rate for the position classification. Also, working conditions are defined as to what is unsanitary, dangerous, and hazardous. If the working conditions meet any or all these definitions, laborers are not required to operate within these conditions.

*Copeland Anti-Kickback Act:* All laborers must be paid at least weekly with no strings attached. Prevailing wage must be paid according to the position classification and laborers must not be required to have payroll deductions other than those permitted by the Department of Labor. A compliance statement must be attached to each weekly payroll and submitted to the designated labor standards officer for the project. All construction contracts must contain the following prohibition:

“No contractor or subcontractor shall induce, by any means, any person employed in such publicly-funded construction, reconstruction, or repair to give up any part of the compensation to which he is otherwise entitled except by authorized payroll deductions.”

*Executive Order 11246:* Prohibits discrimination against employees and applicants from being retained or hired because of their race, color, religion, sex, or national origin. Language regarding this Executive Order must be included in all construction contracts that are over \$10,000.

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

To the greatest extent feasible, the Subrecipient will make employment opportunities and contract awards available to persons of low-income, particularly the persons residing within the service or project area. Section 3 language and a plan should be included with the bid process and contract documents.

### **MBE/WBE & DBE**

A good faith effort must be made to offer opportunities to participate in contract and procurement opportunities for services, supplies, equipment, and construction by Minority owned Business Enterprise, Woman-owned Business Enterprise, and can be known as Disadvantaged Business Enterprise.

### **Environmental Release of Funds**

All Community Development HUD-funded projects require an Environmental Review under 24 CFR Part 58. Most construction projects, excluding those that are rehabilitating an existing structure, typically require an Environmental Assessment. An Environmental Assessment is a detailed look at how the proposed project will or will not affect the environment. This includes traditional environmental issues such as wetlands and endangered species, but also includes community/social issues such as educational facilities, emergency services, and open space.

HUD will release the funding for the project by issuing an Authority to Use Grant Funds (AUGF) once an Environmental Assessment has been completed and a Finding Of No Significant Impact (FONSI) has been determined. Manatee County has the responsibility to complete this process. However, the Subrecipient must be aware that no funds, CDBG or other, may be committed or expended prior to release of funds by HUD.

## **COMMUNITY DEVELOPMENT PROGRAM REPORTS**

### **Agency Reporting in Neighborly Participant Portal**

For subrecipients, reporting is required to be completed in the Neighborly participant portal. This reporting takes place on a monthly and/or quarterly basis as outlined in the agreement for the program. Reporting is to be completed as required with each request for payment. Reports are reviewed by staff for accuracy, and data is required to be in alignment with the payment request documentation being submitted.

### **Monthly Progress Reports**

The Monthly Progress Reports provide information to Manatee County on the progress of the funded activity. It requires the agency to report on services provided, any obstacles or challenges met, any efforts to overcome, identified obstacles or challenges, and marketing efforts to low- and moderate-income persons. The subrecipient is required to report demographic information to Manatee County regarding the persons served and their respective income, ethnicity, race, other demographic categories if applicable, and if living in a target area designated by the Consolidated Plan. Additional reporting criteria established by HUD are determined by the IDIS Matrix Code assigned to the specific project based on its eligibility. Any HUD-specific reporting criteria will be outlined in the specific subrecipient agreement. This report fulfills reporting obligations to the US Department of Housing and Urban Development. **THIS REPORT MUST BE SUBMITTED MONTHLY – EVEN IF THERE IS NO EXPENDITURE OF FUNDS OR NO ACTIVITY.**

*Failure to submit monthly reports in a timely manner will result in Manatee County staff being unable to provide adequate information about performance to the appropriate governing bodies. It can also result in funds being withheld until reports are received.*

### **Quarterly Results First Report**

The Quarterly Report provides information to Manatee County regarding the progress toward meeting the Goals and Outcomes identified in the Subrecipient Agreement. Agencies are required to submit the Quarterly Report in the manner prescribed by the County.

## **COMMUNITY DEVELOPMENT PROGRAM** **INVOICING AND PAYMENTS**

### **Agency Submitting Payment Requests in Neighborly Participant Portal**

For subrecipients, requests for payment is required to be completed in the Neighborly participant portal. This payment request takes place on a monthly basis as outlined in the agreement for the program. Reporting is to be completed as required with each request for payment. Reports are reviewed by staff for accuracy and data is required to be in alignment with the payment request documentation being submitted.

### **Request for Payment**

The Request for Payment form (Exhibit B1 as provided under Appendix A) is for services rendered under the Agreement. The payment request must be signed by the Agency Director or his/her designee and submitted to the Community and Veterans Services Department. The request for payment will be reviewed for mathematical correctness, budget compliance, eligible expenses, agreement compliance, and programmatic compliance by the Community Development staff and Fiscal Division staff. After the review is completed and approved, the payment request is forwarded to the Manatee Clerk of the Circuit Court Finance Department by the Fiscal staff for processing.

All agency agreements contain a line-item budget. The agency staff will have the responsibility of ensuring that the “Request for Payment” is reviewed for completeness and accuracy in accordance with the provisions of the contract. The following information should be helpful with processing the Request for Payment.

- All payment requests must be submitted no later than the 15<sup>th</sup> of every month along with the associated report(s) in Neighborly identifying any difficulties meeting the contractual requirements and actual expenses incurred for the budget line items.
- The Request for Payment form (Exhibit B1) should be completed with each payment request.
- The Agency shall submit request for payment with copies of supporting documentation attached.
- Payment requests will be submitted in accordance to draw/payment schedule.
- Any amendment to budgeted line items must be requested as prescribed in the Subrecipient Agreement in writing by the Agency and approved by Manatee County before the amendment will be made.

### **Supporting Documentation**

Disbursement of all funds shall be by Community and Veterans Services for actual costs incurred by vendors procured by the Agency. The Agency shall provide Community and Veterans Services a copy of all invoices and other documents related to a request for payment.

Requests for payment shall include adequate documentation of expenses, releases of liens from any construction contractors and a written statement from the Agency accepting work for which payment is requested. Only materials and supplies actually used for the performance of this Project may be charged as direct costs. (Per applicable federal regulations, 24 CFR 570 and 2 CFR 200).

For construction projects, all payments shall neither be made nor processed by the Community and Veterans Services Department until all Federal labor standards documentation has been approved and all reporting requirements have been fulfilled on time.

The final payment for any construction work shall not be made by Community and Veterans Services until the Project has been completed in accordance with the requirements of the Agreement, a Certificate of Occupancy issued where required, and a final inspection report has been issued by Community and Veterans Services confirming compliance with this provision and confirming that the Agency has met the requirements of the Subrecipient Agreement.

Community and Veterans Services may disapprove requests for payment which are not consistent with the terms of the Agreement.

**Examples of Supporting Documentation:**

**Professional Service Fees (staffing hours)** – log listing the service provided, address of the beneficiary, and hours of service provided by staff. The hourly service log should be signed by the employee and approved by the supervising official,

**Professional Service Fees (service delivery)** – log listing the unit of service provided and associated beneficiary served.

**Direct Costs** - Automatic Clearing House (ACH) check receipt, Electronic Funds Transfer (EFT) detailed transaction report, or cancelled check.

**Salaries** - Automatic Clearing House (ACH) check receipt, Electronic Funds Transfer (EFT) detailed transaction report, or cancelled payroll check. Copies of time sheets will also be required.

**Fringe Benefits** - This includes such items as employer taxes, worker's compensation, health insurance, life insurance, etc. Copy of the invoice or statement and cancelled checks or EFT's along with an itemized report listing the detailed transactions shall be submitted. (Only information on employees paid by Community Development funds must be provided. Information on other employees may be blacked out for privacy.)

**Travel** - A travel log listing the origin and destination of travel; rate of reimbursement for the Community Development funded employee and the miles traveled for each trip shall be maintained by the Agency. The travel log should be signed by the employee and

approved by the supervising official. A copy of the cancelled check must also be provided for the mileage reimbursement. The maximum rate paid for mileage reimbursement will be the federal reimbursement rate.

***Office/Operating Supplies*** – A copy of the invoice, statement or receipt along with a copy of the cancelled check or EFT shall be submitted. The receipt, statement or invoice must provide sufficient detail to determine exactly what was purchased.



## **COMMUNITY DEVELOPMENT PROGRAM** **DRAWDOWN PROCESS**

The drawdown process is the formal request for reimbursement from the U.S. Department of Housing and Urban Development (HUD) through the Integrated Disbursement and Information System (IDIS). The drawdown takes place once an eligible expense has been incurred, properly documented, and paid by Manatee County.

### **Verification of Paid Expenses**

Before initiating the drawdown in IDIS, the Fiscal Team must verify that all invoices or expenditure records associated with the drawdown request have been paid in full. Proof of payment must be on the Neighborly file. All documentation must match the amount, scope, and payee listed in the approved invoice package previously reviewed and approved by the Project Manager.

### **Generate Project-Level Expenditure Reports**

Drawdowns are typically performed once a month for payments that have been verified and posted in the respective Account Keys from prior months. A designated Fiscal staff member will generate the Project Detail Expenditure and Revenue Report, Transaction Listing in the Finance Enterprise system. These reports are then compared to determine the drawdown amounts for each activity.

### **Drawdown Summary Sheet and County Multi-Step Approval**

Amounts recognized in the prior step will be included in the standard Drawdown Summary form used by Fiscal/Clerk of Court, with the individual amount to be drawn, IDIS Activity #, Grant funds and Grant Year, and corresponding account key for future reconciliation. Once the Fiscal staff has completed this process and signed off on the drawdown draft, it will be submitted for approval by the Clerk of Court and the Community and Veterans Services Deputy Director. Once each department fully approves the Drawdown Summary, Fiscal staff will initiate the request in IDIS.

### **Drawdown Request in IDIS**

A designated Fiscal staff member will log into IDIS and initiate the drawdown process under the appropriate activity number and funding year. Fiscal staff must confirm that the drawdown voucher amount does not exceed the total activity budget and that cumulative disbursements remain within project limits.

### **Internal Review and Submission**

After the drawdown request is prepared in IDIS, the County's second-level reviewer within the Clerk's Office will conduct a quality assurance review. Once the review is complete and no discrepancies are identified, the reviewer approves the drawdown voucher and

submits the drawdown request for processing by HUD.

### **Funds Transfer and Reconciliation**

HUD typically releases funds within three (3) business days of the drawdown submission. Once the funds are received and deposited into the County's account, the Clerk will record the receipt in the County's financial system and reconcile the transaction with the drawdown voucher number from IDIS.

### **Receipt of Program Income**

#### Mortgage Payoff Process:

- Request Submission: When a mortgage payoff is requested, the Housing & Community Development (HCD) staff shall complete a Payoff Request Information Form and submit it to the Fiscal Management staff for processing.
- Payoff Information: Fiscal Management staff will provide the requestor with the total payoff amount, plus an additional \$10 for recording fees.
- Receipt and Deposit of Payment: Upon receipt of the payoff check(s), Fiscal Management staff will deposit the payoff check into the current fiscal year. Once the check has cleared, Fiscal Management staff will notify HCD staff of the cleared check and provide the \$10 recording check.
- Satisfaction and Release of Mortgage: HCD staff will prepare a Satisfaction and Release of Mortgage document, which shall be executed by the Community and Veterans Services Department Director or Deputy Director.

#### Budget Amendment and IDIS Receipt

Fiscal staff will complete the Budget Amendment procedures to make the funds fully available for expenditure in the grant accounts.

Once funds become available for expenditure, the Community Development Project Manager will generate Program Income Receipts in the IDIS system to report to HUD available program income in local grant accounts.

#### Program Income Receipt Schedule

The Community Development Project Manager will receive Program Income in IDIS at a minimum quarterly, following the schedule below:

- October 15
- January 15
- April 15
- August 15

## **COMMUNITY DEVELOPMENT PROGRAM** **RECORD KEEPING**

### **Records to Keep**

Subrecipients are required to maintain records related to the HUD-funded activity required by the Federal regulations that are pertinent to the activity assisted. These records include, but are not limited to:

- Records providing a full description of each activity undertaken;
- Records demonstrating that each activity undertaken meets one of the National Objectives of the Community Development program;
- Records required to determine the eligibility of activities, including income verification;
- Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with HUD-Entitlement assistance;
- Records documenting compliance with the fair housing and equal opportunity components of the Community Development program;
- Financial records as required by 2 CFR 200 or the specific program; and
- Other records necessary to document compliance

### **Client Records**

Subrecipient shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to, client name, address, family size, income level or other basis for determining eligibility, race, ethnicity, head of household status, and description of services provided.

### **Income Verification**

Family or household income must be determined for all activities, excluding those that benefit persons on an “area benefit” or on a “presumed benefit”. Most programs funded by HUD-Entitlement will be required to document and verify the income of the persons served through the agency’s program.

If the activity the agency is undertaking is a housing activity, then *household* income must be used. If the activity is NOT a housing activity, then *family* income must be used.

“Household Income” is defined as income from all adults(over 18 years of age) persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

“Family Income” is defined as income from all adult (over 18 years of age) persons living in the same household who are related by birth, marriage, or adoption.

The following procedures should be used when verifying and determining gross annual household or family income to determine eligibility within 80% of Area Median Income.

- Current income, projected 12 months into the future, must be verified and verification must be kept in each applicant's file. Once income is verified, the agency must formally determine if the family receives agency assistance.
- Once income has been verified and determined, assistance should be provided within six months. If not, income verification must be performed again.
- For a housing activity, income should be verified using the following methods in order of preference:
  - Written third-party verification completed by the employer or other income source, mailed directly to the agency. The agency should not allow applicants to hand-deliver verifications. The form should include information about overtime that will be offered to the applicant.

For applicants receiving income from the Social Service Administration (pensions, disability benefits, Social Security, or others), the agency should request that the applicant provide the most recent Social Security/ Disability Award Letter.

- For employees earning wages or salaries, a previous year's W-2 form or copies of current (meaning they were issued no more than 30 days prior to the application for assistance) paycheck stubs for a two-month period. For applicants receiving benefits through public agencies, a copy of the award letter is acceptable.
- If no other methods are available, the final option for verifying earned income is to contact the income source by telephone and document the conversation in the file. For unearned income, when no other alternative is possible, a photocopy of the regular benefit check may be used as verification..
- For a non-housing activity, income should be verified using the following methods in order of preference:
  - All those listed for a housing activity above; or
  - Obtain source income documentation from the beneficiary through an approved self-certification of income.

For the purpose of determining whether a family or household is low or moderate income, Manatee County has chosen the **HUD Part 5 - Annual Income - 24 CFR 5.609** definition of income.

### **Time Distribution Records**

Time distribution records are important for agencies whose funding comes from varying sources. For an agency that is multi-funded and has multi-activities, time distribution

records are important to cost allocation. Manatee County primarily uses unit pricing for Professional Services based upon an hourly rate to provide the service. The hourly rate is all inclusive of cost to provide the services; including wage, benefits, supplies, operations, etc.

For agencies that charge expenses for direct cost payroll:

In order to distribute fringe benefit costs and taxes to appropriate grants, time records should reflect the activity that time is spent on.

Time distribution records should be completed, compiled by all hourly staff, and signed. Prior to payment, the records should be reviewed and approved by a supervisor. Records should be collected and payroll should be provided in a consistent and timely fashion.

Personnel rules and regulations and/or job descriptions should reference how (time-off) hours are earned, used and logged. Compensatory and/or overtime should meet Internal Revenue Service and Fair Labor Standards Act rules. The method of tracking should also be clearly explained.

Those agencies whose staff is paid from a Community Development contract, time distribution records are required and will be reviewed by the Community and Veterans Services Department staff.

### **Record Retention**

Subrecipient shall retain all records pertinent to expenditures incurred and services provided under this Agreement for a period of three (3) years (or as determined by the specific grant) after the termination of all activities funded under this Agreement.

### **Performance Reviews/Monitoring (2 CFR 200.330 – 200-332)**

Manatee County is required by HUD to measure the outcomes of programs to document program effectiveness, increase service quality, and improve public accountability. Program results are directly linked to funding decisions and public support of programs.

### **Agency Performance Monitoring**

Agencies are monitored on their efforts to meet the target performance goals detailed in Exhibit A of the Subrecipient Agreement. Additionally, specific indicators are required for each activity based on HUD objectives and outcomes. Common HUD indicators include information such as the number of persons served, number of jobs created, number of housing units assisted, income levels of persons assisted, and race/ethnicity. Performance is reported by the agency both on a monthly and quarterly basis.

### **Programmatic and Fiscal Monitoring**

Manatee County is committed to providing essential services to low- and moderate-income individuals. The goal is to deliver effective programs while ensuring compliance with both HUD and County requirements. Monitoring is viewed as a means of technical assistance to guide agencies toward effective programs that meet low and moderate-income needs, and meet HUD's and Manatee County's goals.

Programmatic and fiscal monitoring is conducted through site visits, review of monthly and quarterly performance reports, review of reimbursement requests, and review of any other supplemental information submitted to the County. Community and Veterans Services Department staff will meet with agency directors, program staff, and fiscal staff to discuss and review all areas of the program. The review will focus primarily on agency goals and objectives, financial operations, accomplishments, program outcomes, technical assistance needs, and overall program compliance.

An official monitoring letter will be sent to the Executive Director soon after the site visit that identifies any findings and/or concerns discovered during the monitoring visit. The agency will be given a deadline (usually 30 days) to identify corrective action or provide a response. Any outstanding findings or concerns not rectified during the fiscal year could result in suspension of funding and/or the Agreement.

### **Monitoring Results**

Monitoring visits may result in one of three outcomes:

- **Compliant:** The agency is administering Community Development grant funds in a fair, consistent, and compliant manner. Positive practices will be acknowledged by County staff.
- **Concern:** The agency is operating within applicable laws and regulations; however, existing procedures may create potential risks for programmatic issues or future noncompliance. County staff will document the concern and recommend corrective measures.
- **Finding:** The agency is in violation of laws or regulations related to the administration of Community Development grant funds. Findings require immediate corrective action, and County staff will provide guidance to resolve the violation(s).

At the conclusion of the review staff will complete a monitoring report and schedule an exit interview with the agency. The report will outline the concerns and findings including the corrective action required to bring the agency back into compliance with the agreement. It will also note a deadline for compliance, typically thirty days from the date of the report. If there is no further action required the monitoring event will be closed once staff confirms agency compliance.

**COMMUNITY DEVELOPMENT PROGRAM**  
**Overall Guidance for Grant Administration**

**Citizen Participation and Subpart J 24 CFR 570.500- 570-513**

**Citizen Participation 24 CFR part 91. 105**

The Citizen Participation Plan sets forth the policies to be used for citizen participation and outlines the procedures to be used to encourage the participation of all Manatee County residents – especially residents who are low-income, minorities, non-English speaking, disabled, and persons with HIV/ AIDS. The Plan and any amendments are approved and adopted by the Board of County Commissioners.

Manatee County recognizes that citizen participation is a very important part of the consolidated planning process. The Manatee County Citizen Participation Plan is designed to create opportunities for citizens to be involved in the development of the Consolidated Plan, Annual Action Plans, the implementation of Substantial Amendments, Analysis of Impediments to Fair Housing, and the Consolidated Annual Performance and Evaluation Report (CAPER). These plans and documents are required in order to keep compliance with federal regulations related to the Community Development Block Grant (CDBG), HOME Investment Partnerships, and Emergency Solutions Grant (ESG) programs.

In accordance with 24 CFR Section 91.105, the Manatee County Citizen Participation Plan explains the opportunity all residents have to participate in the process of preparing the Consolidated Plan. The overall goal of the Consolidated Plan is to utilize federal, state and local funding in a coordinated manner to promote the development of viable communities. Viable communities are described as meeting the residents' needs regarding affordable and decent housing, a safe and suitable living environment, and adequate economic opportunities, particularly for low- and moderate-income persons.

**Applicability of Uniform Administrative Requirements 2 CFR part 200**

The County shall comply with 2 CFR part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards".

The County will ensure that all subrecipients (agencies and organizations that receive grant funds from the County) are in compliance with 2 CFR part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards".

In addition, subrecipients of HUD-entitlement funds shall submit an annual audit of the previous fiscal year's finances before any grant funds are disbursed. This is fulfilled through the submission of the agency audit during the application process.

### **Agreements with Subrecipients 2 CFR 200**

As previously described, the Subrecipient Agreement between the agency and Manatee County is a binding document that addresses the programmatic and fiscal responsibilities for the fiscal year.

#### **Agreement Provisions**

At a minimum, the written agreement with the subrecipient shall include provisions concerning the following:

1. Statement of work. The agreement shall include a description of the work to be performed, a schedule for completing the work, and a budget. These items shall be in sufficient detail to provide a sound basis for the County to effectively monitor performance under the agreement.
2. Records and reports. The County shall specify in the agreement the particular records the subrecipient must maintain and the particular reports the subrecipient must submit in order to assist the County in meeting its recordkeeping and reporting requirements.
3. Program income. The agreement shall include the program income requirements under its respective grant rule. The agreement shall also specify that, at the end of the program year, the grantee may require remittance of all, or part of any program income balances (including investments thereof) held by the subrecipient (except those needed for immediate cash needs, cash balances of a revolving loan fund, cash balances from a lump sum drawdown, or cash or investments held for section 108 security needs).
4. Uniform requirements. The agreement shall require the subrecipient to comply with applicable uniform requirements, as described in §570.502.
5. Other program requirements. The agreement shall require the subrecipient to carry out each activity in compliance with all Federal laws and regulations described in subpart K of these regulations, except that:
  - a. The subrecipient does not assume the recipient's (Manatee County's) environmental responsibilities under the provisions of 24 CFR part 58; and
  - b. The subrecipient does not assume the recipient's (Manatee County's) responsibility for initiating the review process under the provisions of 24 CFR part 52.
6. Suspension and termination. The agreement shall set forth remedies for noncompliance and provisions on termination in accordance with 2 CFR part 200, subpart D.
7. Reversion of assets. The agreement shall specify that upon its expiration the subrecipient shall transfer to the County any HUD-entitlement funds or program income on hand at the time of expiration and any accounts receivable attributable to the use of HUD-entitlement funds. It shall also include provisions designed to ensure that any real property under the subrecipient's control that was acquired or improved in whole or in part with HUD-entitlement funds (including funds provided to the subrecipient in the form of a loan) in excess of \$25,000 is either:



- a. Used to meet one of the national objectives until five years after expiration of the agreement, or for such longer period of time as determined to be appropriate by the County; or
- b. Not used in accordance with 24 CFR.503(7)(i), in which event the subrecipient shall pay to the County an amount equal to the current market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property. The payment is program income to the County. (No payment is required after the period of time specified in paragraph (7)(i) of this section.)

#### Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition, all contracts made by Manatee County under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon and Related Acts, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to

award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended - Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) Build America, Buy America Act (BABA), under Title IX of the Infrastructure Investment and Jobs Act: In accordance with BABA, all construction contracts awarded by the non-Federal entity in excess of \$250,000 must comply with domestic procurement requirements. This includes: a) Iron and Steel: All iron and steel used in the project must be produced in the United States. b) Manufactured Products: Manufactured products incorporated into the project must be produced in the United States, with at least 55% of the total component cost of the product attributed to U.S.-manufactured components. c) Construction Materials: All construction materials used must be produced in the United States, including but not limited to: a. Glass; b. Drywall; c. Lumber; d. Plastics and polymer-based products. Contractors that apply or bid must certify compliance with BABA requirements. If a waiver is necessary due to non-availability or excessive cost, the contractor must submit a waiver request in accordance with HUD's guidance. Failure to comply with BABA provisions may result in bid disqualification or contract termination.

## **COMMUNITY DEVELOPMENT PROGRAM**

### **Required Reports**

#### **1. Consolidated Plan**

The 5-year Consolidated Plan describes the community development priorities and multiyear goals for using CDBG, HOME, and ESG. Priorities and goals are based on an assessment of housing and community development needs, an analysis of housing and economic market conditions and available resources.

#### **2. Annual Action Plan**

The Consolidated Plan is carried out through Annual Action Plans. Action Plans provide a summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. The Annual Action Plan is required to be submitted to HUD no later than August 15th.

#### **3. CAPER (Consolidated Annual Performance and Evaluation Report)**

State and local governments that receive CDBG, Emergency Shelter Grants, Emergency Solutions Grants (ESG), HOME, and HOPWA funds report all activity occurring through the last day of the program year in the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER is required to be submitted to HUD within 90 days after the end of the annual program year.

#### **4. Equal employment opportunity reports**

Manatee County shall submit to HUD a report (HUD/EEO-4) on County employment containing data as of June 30, when requested by HUD.

#### **5. Minority business enterprise reports**

Manatee County shall submit to HUD, by April 30, a report on contracts and subcontract activity during the first half of the fiscal year and by October 31 a report on such activity during the second half of the year.

#### **6. Other reports**

Manatee County may be required to submit such other reports and information as HUD determines are necessary to carry out its responsibilities under the Act or other applicable laws.

##### **a. Davis-Bacon Semi-Annual Labor Standards Enforcement Report – Local Contracting Agencies**

Manatee County shall submit to HUD, by April 30, a report on Labor Standards Applicability and Enforcement action for contracts and subcontract activity during the first half of the fiscal year and by October 31 a report on such activity during the second half of the year.

##### **b. Cash on Hand Report – PR29**

Manatee County shall submit to HUD the Quarterly Cash on Hand report within IDIS within 30 days after the end of the reporting period. The Cash on Hand report documents both grant entitlement funds received, and program income paid

through the Integrated Disbursement and Information System (IDIS) drawdowns during the reporting period.

## **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

### **ELIGIBILITY REQUIREMENTS**

#### **1. CDBG National Objectives (24 CFR 570.208)**

All activities funded under the CDBG program must meet at least one of HUD's National Objectives:

1. Benefit to low-and moderate- (LMI) persons;
2. Prevent or eliminate slums or blight; or
3. Address an urgent community development need that poses a serious and immediate threat to the health and welfare of the community, and other financial resources are not available to meet such needs.

The first two are the program's traditional objectives. At least 70% of the funds (excluding planning and administration) must be used for projects that meet the "primary" objective of benefiting low and moderate-income persons.

#### **2. Eligible and Ineligible Activities**

##### **2.1 CDBG Eligible Activities (24 CFR 570.201 – 570.206)**

HUD has provided a listing of categories of eligible activities in the "Guide to National Objectives & Eligible Activities for Entitlement Communities" (or "Desk Guide"). The "Desk Guide" is available online at <http://www.hud.gov/offices/cpd/communitydevelopment/library/deskguid.cfm>

Eligible activities include but are not limited to:

- a. Acquisition of Real Property for a public purpose
- b.
- c. Disposition of real property acquired with CDBG funds;
- d. Public facilities and improvements. Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements. (Exceptions: buildings for the general conduct of government, and maintenance activities.) Clearance, demolition, and removal of buildings and improvements;
- e. Public services. Must be either a new service or a quantifiable increase in the level of service provided in the previous 12 months. The total of public service activities cannot exceed 15% of grant;
- f. Homeowner assistance to low and moderate-income households;
- g. Microenterprise assistance including training, technical assistance, support services, and certain financial support;
- h. Rehabilitation and Preservation activities including privately owned buildings; low-income public housing; publicly owned residential and non-residential buildings (except buildings for the general conduct of government); removal of architectural barriers for the elderly or disabled persons; code enforcement; historic preservation; renovation of closed school buildings. Assistance can

- include labor, materials, security devices, energy or water conservation improvements, tools, water/sewer connections, rehabilitation administration;
- i. Special economic development activities, including improvements, or other assistance to private for-profit businesses;
- j. Special Activities by Subrecipients (Community-Based Development Organizations: CBDO) for neighborhood revitalization, community economic development, or energy conservation projects;
- k. Planning and capacity-building activities including comprehensive plans, community development plans, and such others as housing, land use, economic development, recreation, energy, floodplain management, transportation, capital improvements, environmental studies. Implementation programs for these plans, as well as general needs assessments, goals, and progress evaluations are also eligible. (Note: Maximum of 20% of grant can be used for planning and administration); and
- l. Administrative costs include payment of reasonable cost related to the planning and execution of activities financed by CDBG, provision by CDBG information for citizens, certain fair housing and equal opportunity costs, preparation of applications for related federal or state programs, and certain administrative expenses to facilitate housing. (See “note” under U).

## **2.2 CDBG Ineligible Activities 24 CFR 570.207**

There are some activities specifically listed as ineligible for CDBG funds. Generally, the following types of activities are ineligible:

1. acquisition, construction, or reconstruction of buildings used for the general conduct of government (except that the removal of architectural barriers is allowed);
2. general government expense;
3. political activities;
4. purchase of equipment, with limited exception (see 24 CFR 570.207(b)(1));
5. operating and maintenance costs;
6. new housing construction (except as M or N above); and
7. certain income payments.

## **Program Income under the CDBG Program (24 CFR 570.500–504, 570.200(e)(g))**

**Program income** is defined as the gross income directly generated by the County or a subrecipient directly generated from the use of CDBG funds,

Program income includes, but is not limited to, the following:

1. Proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds;
2. Proceeds from the disposition of equipment purchased with CDBG funds;
3. Payments of principal and interest on loans made using CDBG funds;
4. Proceeds from the sale of loans made with CDBG funds;

5. Proceeds from sale of obligations secured by loans made with CDBG funds;

The receipt and expenditure of program income as defined in 24 CFR 570.500(a) will be recorded as part of the financial transactions of the County CDBG grant program.

Program income received before grant closeout may be retained by the County and the income is treated as additional CDBG funds subject to all applicable requirements governing the use of CDBG funds.

For the most part, CDBG program income has been from the repayment of down payment assistance and rehabilitation loans made to homeowners; repayment happens when the owner refinances the mortgage on the home or when the home is sold. The County reports CDBG program income at drawdowns of CDBG funds and applies program income to expenditures prior to requesting new funds from HUD.

## **FUNDING LIMITATIONS**

### ***Limitation on planning and administrative costs 24 CFR 570.200(g)***

The amount of CDBG funds obligated during each program year for planning plus administrative costs is limited to an amount no greater than 20 % of the sum of the grant made for that program year (if any) plus the program income received by the County and its subrecipients (if any) during that program year.

### ***Limitation on Public Service costs 24 CFR 570.200(e)***

The amount of CDBG funds used for public services cannot exceed 15 % of the entitlement grant made for that program year plus 15 percent of the program income received during the County's immediately preceding program year.

## **USE OF REAL PROPERTY (24 CFR 570.505)**

The standards described in this section apply to real property within Manatee County's control which was acquired or improved in whole or in part using CDBG funds in excess of \$25,000. These standards shall apply from the date CDBG funds are first spent for the property until five years after closeout of Manatee County's participation in the entitlement CDBG program or, with respect to subrecipients, until five years after the closeout of the grant from which the assistance to the property was provided or later as identified in the agreement.

1. Manatee County may not change the use or planned use of any such property (including the beneficiaries of such use) from that for which the acquisition or improvement was made unless the County provides affected citizens with reasonable notice of, and opportunity to comment on, any proposed change, and either:



- a. The new use of such property qualifies as meeting one of the national objectives and is not a building for the general conduct of government; or
  - b. If Manatee County determines, after consultation with affected citizens, that it is appropriate to change the use of the property to a use which does not qualify under paragraph (1)(a) of this section. The County may retain or dispose of the property for the changed use if the County's CDBG program is reimbursed in the amount of the current fair market value of the property, less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, and improvements to, the property.
2. Following the reimbursement of the CDBG program, the property will no longer be subject to any CDBG requirements.

### **LONG-TERM COMPLIANCE REQUIREMENTS**

Projects assisted with CDBG funds are required to meet use restrictions for a certain period of time after acquisition or construction completion in accordance with the following schedule:

<b>CDBG Assistance</b>	<b>Minimum Compliance Period</b>
More than \$25,000	5 years
Acquisition of real property	15 years

These compliance periods are the minimum set by the grant rule, and may be extended depending on the nature of the project and assistance provided by the County.

### **RECORD KEEPING REQUIREMENTS**

#### **Retention Period (4 CFR 570.502, 24 CFR 570.506; 2 CFR 200.334)**

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient.

Pursuant to 24 CFR 570.502(a)(7)(i) Manatee County shall maintain records for a period of:

- 4 years from the date of execution of the closeout agreement;
- 3 years after the revisions of assets provision or change of use provisions no longer apply to the activity;
- 3 years after the loan balances, receivable or contingent liability has been satisfied.

Pursuant to 24 CFR 570.502(a)(7)(ii) Subrecipients shall maintain all project records for a period of:

- 3 years after the activity is listed for the final time on the Consolidated Annual Performance and Evaluation Report;
- until the revisions of assets provision or change of use provisions no longer apply to the activity;
- until after the loan balances, receivable or contingent liability has been satisfied.

CVS shall establish and maintain sufficient records to enable HUD to determine whether the County has met the CDBG program requirements for activities administered under the CDBG program. At a minimum, the following records will be maintained:

1. Records providing a full description of each activity assisted (or being assisted) with CDBG funds, including its location (if the activity has a geographical), the amount of CDBG funds budgeted, obligated and expended for the activity, and the provision in **subpart C of 24 CFR 570** under which it is eligible.
2. Records demonstrating that each activity undertaken meets one of the criteria set forth in **24 CFR 570.208**. (Criteria for National Objectives) The County may substitute evidence in case of projects that only serve individuals who meet the criteria of "Presumed LMI Benefit". Such records shall include the following information:
  - a. For each activity determined benefit low and moderate income persons, documentation of income eligibility as outlined in 24 CFR 570.206(b)(1) – 24 CFR 570.206(b)(7) based upon the nature of the activity.
    - i. LMA – Low Moderate Area Benefit: An activity, the benefits of which are available to all the residents in a particular area, where at least 51 percent of the residents are low and moderate income persons.
    - ii. LMC – Low Moderate Clientele: An activity which benefits a limited clientele, at least 51 percent of whom are low- or moderate-income persons.
    - iii. LMH – Low Moderate Housing: An eligible activity carried out for the purpose of providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households.
    - iv. LMJ – Low Moderate Jobs: An activity designed to create or retain permanent jobs where at least 51 percent of the jobs, computed on a full time equivalent basis, involve the employment of low- and moderate-income persons.
  - b. For each activity determined to aid in the prevention or elimination of slums or blight:
    - v. Addressing one or more of the conditions which qualified an area as a slum or blighted area as approved by HUD; or
    - vi. Addressing specific conditions of blight or physical decay not located in a slum or blighted area and the specific conditions are detrimental to public health and safety.

- c. For each activity determined to meet a community development need having a particular urgency:
  - vii. Documentation concerning the nature and degree of seriousness of the condition requiring assistance;
  - viii. Evidence that the recipient certified that the CDBG activity was designed to address the urgent need;
  - ix. Information on the timing of the development of the serious condition; and
  - x. Evidence confirming that other financial resources to alleviate the need were not available.
- 3. Records that demonstrate that the County has made the determinations required as a condition of eligibility of certain activities, as prescribed in 570.201(f)-interim assistance, 570.201(i)(2) - emergency, 570.201(p) – technical assistance, 570.201(q) – higher education institutions, 570.202(b)(3) – rehabilitation loans, 570.206(f) - Submission of applications for federal programs, 570.209 – economic development, 570.210 – prohibition employee relocation, and 570.309 – restriction on location.
- 4. Where applicable, records which either demonstrate compliance with the requirements of 24 CFR 570.202(g) or 24 CFR 570.204(a)(5) - Broadband Infrastructure.
- 5. Records which demonstrate compliance with 24 CFR 570.503(b)(7) or 24 CFR 570.505 regarding any change of use of real property acquired or improved with CDBG assistance.
- 6. Records that demonstrate compliance with the citizen participation requirements prescribed in 24 CFR part 91, subpart B.
- 7. Records which demonstrate compliance with the requirements in 24 CFR 570.606 regarding acquisition, displacement, relocation, and replacement housing.
- 8. Fair housing and equal opportunity records containing documentation of the actions the participating jurisdiction has taken to affirmatively further fair housing pursuant to 24 CFR 5.151, 24 CFR 5.152, 24 CFR 91.225, 24 CFR 91.325, and 24 CFR 91.425.
- 9. Financial records, in accordance with the applicable requirements listed in 24 CFR 570.502, including source documentation for entities not subject to 2 CFR part 200. Manatee County shall maintain evidence to support how the CDBG funds provided to such entities are expended. Such documentation must include, to the extent applicable, invoices, schedules containing comparisons of budgeted amounts and actual expenditures, construction progress schedules signed by appropriate parties (e.g., general contractor and/or a project architect), and/or other documentation appropriate to the nature of the activity. Records pertaining to obligations, expenditures, and drawdowns must be able to relate financial transactions to either a specific origin year grant or to program income received during a specific program year.
- 10. Agreements and other records related to lump sum disbursements to private financial institutions for financing rehabilitation as prescribed in 24 CFR 570.513; and

11. Records required to be maintained in accordance with other applicable laws and regulations set forth in subpart K of 24 CFR.

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**  
**Other Program Requirements Subpart K 24 CFR 570.600-614**

This subpart sets forth certain additional program requirements which are determined to be applicable to CDBG grants provided as a matter of administrative discretion. The CDBG Staff shall incorporate the following additional program requirements as per 24 CFR 570.600 through 24 CFR 570.614 as applicable.

**Non-Discrimination (24 CFR 570.601, 570.602, 570.614)**

**1. Public Law 88-352 and Public Law 90-284: affirmatively furthering fair housing: Executive Order 11063 (24 CFR 570.601)**

- a) The following requirements apply according to sections 104(b) and 107 of the Act:
  - i) Public Law 88-352, which is title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), and implementing regulations in 24 CFR part 1 (prohibiting discrimination because of race, color, and national origin discrimination))
  - ii) Public Law 90-284, which is the Fair Housing Act (42 U.S.C. 3601-3620). In accordance with the Fair Housing Act, the Secretary requires that grantees administer all programs and activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act.
- b) Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1959-1963 Comp., p. 652; 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing), and implementing regulations in 24 CFR part 107, also apply (prohibiting discrimination because of race, color, religion (creed), sex or national origin in the sale, rental, leasing or other disposition of residential property and related facilities or in the use or occupancy thereof where such property or facilities are owned or operated by the Federal Government, or provided with Federal assistance by the Department of Housing and Urban Development and in the lending practices with respect to residential property and related facilities of lending institutions insofar as such practices relate to loans insured, guaranteed or purchased by the Department.

**2. Section 109 – Prohibitions Against Discrimination 24 CFR 570.602**

- a) The County and all subrecipients shall adhere to Section 109 of the Act that requires that no person in the United States shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance made available pursuant to the Act. Section 109 also directs that the prohibitions against discrimination on the basis of age under the Age Discrimination Act and the prohibitions against discrimination on the basis of disability under Section 504 shall apply to programs or activities receiving Federal financial assistance under Title I programs. The policies and procedures necessary to ensure enforcement of section 109 are codified in 24 CFR part 6.

### **3. Architectural Barriers Act and the Americans with Disabilities Act (24 CFR 570.614)**

- a) The Architectural Barriers Act of 1968 (42 U.S.C. 4151-4157) requires certain Federal and Federally funded buildings and other facilities to be designed, constructed, or altered in accordance with standards that ensure accessibility to, and use by, physically handicapped people. A building or facility designed, constructed, or altered with funds allocated or reallocated under this part after December 11, 1995, and that meets the definition of “residential structure” as defined in 24 CFR 40.2 or the definition of “building” as defined in 41 CFR 101-19.602(a) is subject to the requirements of the Architectural Barriers Act of 1968 (42 U.S.C. 4151-4157) and shall comply with the Uniform Federal Accessibility Standards (appendix A to 24 CFR part 40 for residential structures, and appendix A to 41 CFR part 101-19, subpart 101-19.6, for general type buildings).
- b) The Americans with Disabilities Act (42 U.S.C. 12131; 47 U.S.C. 155, 201, 218 and 225) (ADA) provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. It further provides that discrimination includes a failure to design and construct facilities for first occupancy no later than January 26, 1993, that are readily accessible to and usable by individuals with disabilities. Further, the ADA requires the removal of architectural barriers and communication barriers that are structural in nature in existing facilities, where such removal is readily achievable - that is, easily accomplishable and able to be carried out without much difficulty or expense.

### **Environmental Review 24 CFR part 58, 24 CFR 570.604 & 24 CFR 570.604**

The purpose of the environmental review process is to analyze the effect a CDBG-funded project may have on the people and the natural environmental features of a project area. An Environmental Review Record must be completed for each project requiring environmental review in order to meet the Environmental Review Requirements set forth at 24 CFR Part 58. All projects requiring environmental review will publish appropriate notices, submission of the Request for Release of Funds and Certification. An Authority to Use Grant Funds will be issued by HUD prior to commencing with project activities.

Contracts will not be executed with subrecipients and expenditures for County-managed projects will not be approved until environmental review is complete. Environmental review forms and documents must be signed by the appropriate staff and the designated official.

### **Displacement, relocation, acquisition and replacement housing (24 CFR 570.606)**

Consistent with HUD’s goals and objectives, Manatee County must ensure that all reasonable steps are taken to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of activities assisted under the HUD-entitlement funding.

If displacement occurs as a result of a project assisted with HUD-entitlement funding, Manatee County and its subrecipient will abide by the standards and the requirements for notices and relocation assistance under 49 CFR part 24 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) ([42 U.S.C. 4601-4655](#)).

**Labor Standards & Related Act Requirements 24 CFR 570.603, 24 CFR 570.607 & 24 CFR 570.609**

Whenever CDBG funds in excess of \$2,000 are allocated for construction projects, the subrecipient and any contractor(s) shall abide by requirements of Davis Bacon and Related Acts (DBRA) for prevailing wages and all construction with Section 3 requirements for economic opportunities for low and very low-income persons. The County shall provide appropriate guidance to both subrecipient and contractor regarding DBRA requirements, including wage determinations, and Section 3 requirements as applicable to all CDBG-funded projects.

- a) 24 CFR 570.603 Labor Standards: Except with respect to the rehabilitation or construction of residential property containing less than eight (8) units, all contractors engaged under contracts in excess of \$2,000.00 for construction, renovation, or repair work financed in whole or in part with CDBG assistance, shall comply with Federal of the regulations of the Department of Labor, under 29 CFR 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers.  
Subrecipients and contractors shall comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) and all other applicable Federal, state, and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of the construction project. The Subrecipient and contractors shall agree to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 et seq.) and its implementing regulations of the U.S. Department of Labor at 29 CFR 5.
- b) 24 CFR 570.609 Use of debarred, suspended or ineligible contractors or subrecipients: The requirements set forth in 24 CFR part 5 apply to this program.

Manatee County and subrecipients are prohibited from contracting with or making sub awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred.

When a non-federal entity enters into a covered transaction with an entity at a lower tier, the non-federal entity must verify that the entity and its principals, as defined in 2 CFR section 180.995 and agency adopting regulations, are not suspended or debarred or otherwise excluded from participating in the transaction. This verification may be accomplished by:

- checking the Excluded Parties List System (EPLS) available at <https://www.sam.gov/portal/public/SAM/>), or
  - collecting a certification from the entity
- c) 24 CFR 570.607 Employment and contracting opportunities: Section 3
- The Section 3 program requires that in projects receiving more than \$200,000 in federal assistance contractors and subrecipient have to provide to the greatest extent possible, job training, employment, and contract opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods.

### **Lead-Based Paint (24 CFR 570.608)**

All projects consisting of residential or child-occupied facilities constructed before 1978 shall be implemented in compliance with Lead Based Paint (LBP) requirements. Such compliance may include, but not exclude:

- Lead Disclosure Rule: Requires disclosure of known information on LBP and LBP hazards before the sale or lease of most pre-1978 housing
- Lead Safe Housing Rule: Applies to most pre-1978 “target housing” that is federally owned and/or receiving federal assistance
- EPA’s Renovation, Repair and Painting Rule: Requires firms performing renovation, repair, and painting projects (RRP) that disturb LBP in most pre-1978 homes, childcare, pre-schools, and child-occupied facilities to obtain firm certification and use certified renovators

### **Uniform administrative requirements, cost principles, and audit requirements for Federal awards (24 CR 570.610)**

The recipient, its agencies or instrumentalities, and subrecipients shall comply with 2 CFR part 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”, as set forth at 24 CFR 570.502.

### **Conflict of Interest 24 CFR 570.611, 2 CFR 200.317 & 200.318**

Conflict of interest arises when a real or seeming incompatibility between one’s private interests and one’s public or fiduciary duties occurs. Occasionally, members of the County and subrecipient staff serve as board members of organizations that receive CDBG funding.

The general rule is that no persons who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity,



or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

#### **Executive Order 12372 - Intergovernmental Review of Federal Programs (24 CFR 570.612)**

Executive Order 12372 applies to the CDBG Entitlement program when a grantee proposes to use funds for the planning or construction (reconstruction or installation) of water or sewer facilities. Such facilities include storm sewers as well as all sanitary sewers, but do not include water and sewer lines connecting a structure to the lines in the public right-of-way or easement. It is the responsibility of the grantee to initiate the Executive Order review process if it proposes to use its CDBG funds for activities subject to review.

#### **Eligibility restrictions for certain resident aliens (24 CFR 570.613)**

(a) **Restriction.** Certain newly legalized aliens, as described in 24 CFR part 49, are not eligible to apply for benefits under covered activities funded by the programs listed in paragraph (e) of this section. “Benefits” under this section means financial assistance, public services, jobs and access to new or rehabilitated housing and other facilities made available under covered activities funded by programs listed in paragraph (e) of this section. “Benefits” do not include relocation services and payments to which displacees are entitled by law.

(b) **Covered activities.** “Covered activities” under this section means activities meeting the requirements of 24 CFR 570.208(a) that either:

- (1) Have income eligibility requirements limiting the benefits exclusively to low and moderate income persons; or
- (2) Are targeted geographically or otherwise to primarily benefit low and moderate income persons (excluding activities serving the public at large, such as sewers, roads, sidewalks, and parks), and that provide benefits to persons on the basis of an application.

#### **Housing counseling (24 CFR 570.615)**

Housing counseling, as defined in 24 CFR 5.100, that is funded with or provided in connection with CDBG funds must be carried out in accordance with 24 CFR 5.111.

## **HOME Investment Partnership Program (HOME)** **Specific Requirements**

### **ELIGIBILITY**

#### ***Eligible Activities 24 CFR 92.205***

The HOME Program provides funds for the following types of projects to primarily assist low- and moderate-income persons:

- i. Administration and Planning
- ii. Rental Housing Activities
- iii. Tenant-Based Rental Assistance (TBRA)
- iv. Owner-occupied Housing Rehabilitation
- v. Homebuyer Activities
- vi. Special assistance to Community Housing Development Organizations (CHDOs)

Manatee County has primarily carried out HOME activities for Homeowner Down payment Assistance, and Owner-occupied Housing Rehabilitation/Replacement. These activities have been implemented in-house under the Community and Veterans Services Department – Community Development Division.

#### ***Ineligible Activities 24 CFR 92.214***

Generally, the following types of activities are ineligible for HOME funding:

- Project reserve accounts or operating subsidies. HOME funds may be used to provide initial operating deficit reserve per §92.206(d)(5)
- Tenant-based rental assistance for the special purposes of the existing section 8 program
- Non-federal matching contributions required under any other Federal program
- Assistance authorized under section 9 of the 1937 Act (Public Housing Capital and Operating Funds)
- Assistance to projects previously assisted with HOME funds during affordability period. Some exceptions apply.
- Acquisition of property owned by the participating jurisdiction. Some exceptions apply.

#### ***Eligible Project Costs 24 CFR 92.206***

HOME funds may be used to pay the following eligible costs:

- (a) Development hard costs. The actual cost of constructing or rehabilitating housing.
- (b) Certain Refinancing costs.
- (c) Acquisition costs.
- (d) Related soft costs. Other reasonable and necessary costs incurred by the owner or participating jurisdiction and associated with the financing, or development (or both) of new construction, rehabilitation or acquisition of housing assisted with

HOME funds.

- (e) Community housing development organization costs. Eligible costs of project-specific assistance are set forth in § 92.301.
- (f) Relocation costs.

***Limitation on planning and administrative costs 24 CFR 92.207***

The amount of HOME funds obligated during each program year for planning plus administrative costs is limited to 10% of the annual grant plus 10% of the program income received by the County and its subrecipients.

***Community Housing Development Organization (CHDO) 24 CFR 92.208, 24 CFR 92.300, 24 CFR 92.508(a)(5)***

Community Housing Development Organization (CHDO) means a private nonprofit organization that:

- a. Is organized under State or local laws;
- b. Has no part of its net earnings to the benefit of any member, founder, contributor, or individual;
- c. Is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization. A community housing development organization may be sponsored or created by a for-profit entity, but:
  - i. The for-profit entity may not be an entity whose primary purpose is the development or management of housing, such as a builder, developer, or real estate management firm.
  - ii. The for-profit entity may not have the right to appoint more than one-third of the membership of the organization's governing body. Board members appointed by the for-profit entity may not appoint the remaining two-thirds of the board members;
  - iii. The community housing development organization must be free to contract for goods and services from vendors of its own choosing; and
  - iv. The officers and employees of the for-profit entity may not be officers or employees of the community housing development organization.
- d. Has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 (26 CFR 1.501(c)(3)-1 or 1.501(c)(4)-1)), is classified as a subordinate of a central organization non-profit under section 905 of the Internal Revenue Code of 1986, or if the private nonprofit organization is an wholly owned entity that is disregarded as an entity separate from its owner for tax purposes (e.g., a single member limited liability company that is wholly owned by an organization that qualifies as tax-exempt), the owner organization has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 and meets the definition of "community housing development organization;"

- e. Is not a governmental entity (including the participating jurisdiction, other jurisdiction, Indian tribe, public housing authority, Indian housing authority, housing finance agency, or redevelopment authority) and is not controlled by a governmental entity. An organization that is created by a governmental entity may qualify as a community housing development organization; however, the governmental entity may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board members may be public officials or employees of governmental entity. Board members appointed by a governmental entity may not appoint the remaining two-thirds of the board members. The officers or employees of a governmental entity may not be officers or employees of a community housing development organization;
- f. Has standards of financial accountability that conform to 2 CFR 200.302, 'Financial Management' and 2 CFR 200.303, 'Internal Controls;'
- g. Has among its purposes the provision of decent housing that is affordable to low-income and moderate-income persons, as evidenced in its charter, articles of incorporation, resolutions or by-laws;
- h. Maintains accountability to low-income community residents by:
  - i. Maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representative of low-income neighborhood organizations. For urban areas, "community" may be a neighborhood or neighborhoods, city, county or metropolitan area; for rural areas, it may be a neighborhood or neighborhoods, town, village, county, or multi-county area (but not the entire State); and
  - ii. Providing a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of affordable housing;
- i. Has a demonstrated capacity for carrying out housing projects assisted with HOME funds. A designated organization undertaking development activities as a developer or sponsor must satisfy this requirement by having paid employees with housing development experience who will work on projects assisted with HOME funds. For its first year of funding as a community housing development organization, an organization may satisfy this requirement through a contract with a consultant who has housing development experience to train appropriate key staff of the organization. An organization that will own housing must demonstrate capacity to act as owner of a project and meet the requirements of § 92.300(a)(2). A nonprofit organization does not meet the test of demonstrated capacity based on any person who is a volunteer or whose services are donated by another organization; and
- j. Has a history of serving the community within which housing to be assisted with HOME funds is to be located. In general, an organization must be able to show one year of serving the community before HOME funds are

reserved for the organization. However, a newly created organization formed by local churches, service organizations or neighborhood organizations may meet this requirement by demonstrating that its parent organization has at least a year of serving the community.

In order to receive HOME funding under CHDO guidelines, an organization must:

- Submit a complete Qualification and Project/Program Application with up to date supporting documentation to the County each time they are seeking CHDO funding
- Receive certification approval from the County
- Demonstrate a history of serving the community
- Document that at least one-third of its governing board is composed of residents of low-income neighborhoods or elected representative of low-income neighborhood organizations.

15% CHDO Set-Aside - Within 24 months after the date that HUD notifies Manatee County of HUD's execution of the HOME Investment Partnerships Agreement, the County must reserve not less than 15 percent of the HOME allocation for investment only in housing to be owned, developed, or sponsored by community housing development organizations.

Basic Responsibilities: Under projects involving housing construction and rehabilitation, the CHDO agency is responsible for hiring and overseeing the developer that rehabilitates or constructs the housing. At minimum, the community housing development organization must hire or contract with an experienced project manager to oversee all aspects of the development, including obtaining zoning, securing non-HOME financing, selecting a developer or general contractor, overseeing the progress of the work and determining the reasonableness of costs.

Project Agreement: Each project agreement will delineate the specific affordability period, developer fee allowed the treatment of loan repayment as program income or CHDO proceed, payment schedule and specific HOME, federal and state regulations applicable.

Reporting Responsibilities: CHDOs are required to submit quarterly reports on project progress, bank statements when holding CHDO proceeds, necessary client/beneficiary data to inform reports to HUD, and any information required to determine program eligibility, in meeting national objectives, and financial records pertinent to the project.

County Inspection, Monitoring & Access to Records: The County has the right to inspect, monitor, and observe work and services performed by CHDO agencies at any and all reasonable times. In addition, the County has the right to audit the records of the CHDO agencies any time during the performance of projects and for a period of five years after final payment are issued.

Certified Audits: Pursuant to the requirements of OMB Circular A-133, CHDO agencies are required to provide the County with a certified audit of the agency's records

representing the Fiscal Year during which a HOME project becomes complete whenever the project amount is at or exceeds \$300,000 in HOME funds.

***Program Income 24 CFR 92.2, 24 CFR 92.503***

***Program income*** means gross income received by the participating jurisdiction, State recipient, or a subrecipient directly generated from the use of HOME funds or matching contributions. When program income is generated by housing that is only partially assisted with HOME funds or matching funds, the income shall be prorated to reflect the percentage of HOME funds used. Program income includes, but is not limited to, the following:

- a. Proceeds from the disposition by sale or long-term lease of real property acquired, rehabilitated, or constructed with HOME funds or matching contributions;
- b. Gross income from the use or rental of real property, owned by the participating jurisdiction, State recipient, or a subrecipient, that was acquired, rehabilitated, or constructed, with HOME funds or matching contributions, less costs incidental to generation of the income (Program income does not include gross income from the use, rental or sale of real property received by the project owner, developer, or sponsor, unless the funds are paid by the project owner, developer, or sponsor to the participating jurisdiction, subrecipient or State recipient);
- c. Payments of principal and interest on loans made using HOME funds or matching contributions;
- d. Proceeds from the sale of loans made with HOME funds or matching contributions;
- e. Proceeds from the sale of obligations secured by loans made with HOME funds or matching contributions;
- f. Interest earned on program income pending its disposition; and
- g. Any other interest or return on the investment permitted under § 92.205(b) of HOME funds or matching contributions.

The receipt and expenditure of program income as defined in 24 CFR 92.503 will be recorded as part of the financial transactions of the County HOME grant program.

Program income received before grant closeout may be retained by the County and the income is treated as additional HOME funds subject to all applicable requirements governing the use of HOME funds.

For the most part, HOME program income has been from the repayment of down payment assistance and rehabilitation loans made to homeowners; repayment happens when the owner refinances the mortgage on the home or when the home is sold. The County reports HOME program income at drawdowns of HOME funds and applies program income to expenditures prior to requesting new funds from HUD.

### ***Matching Requirements 24 CFR 92.218***

Manatee County must meet match contributions to housing that qualifies as affordable housing under the HOME program, throughout a fiscal year. The contributions must total not less than 25 percent of the funds drawn from the jurisdiction's HOME Investment Trust Fund Treasury account in that fiscal year.

Use of funds not included in match requirement calculation - HOME funds used for administrative and planning costs (pursuant to § 92.207); community housing development organization operating expenses (pursuant to § 92.208); capacity building (pursuant to § 92.300(b)) of community housing development organizations; and project specific assistance to community housing development organizations (pursuant to § 92.301) when the participating jurisdiction waives repayment under the provisions of § 92.301(a)(3) or § 92.301(b)(3) are not required to be matched.

Record Retention 24 CFR 92.508(c) - All records pertaining to each fiscal year of HOME funds must be retained for a period of at least five (5) years after the termination of all activities funded under the Agreement.

### **AFFORDABILITY / LONG-TERM COMPLIANCE REQUIREMENTS**

Units assisted with HOME funds are required to meet rental restrictions and occupancy requirements for a certain period of time after construction completion, following the Period of Affordability schedule:

<b>HOME Assistance per Unit or Buyer</b>	<b>Affordability Period</b>
Less than \$15,000	5 years
\$15,000 - \$40,000	10 years
More than \$40,000	15 years
New construction of Rental Housing	20 years
Refinancing of Rental Housing	15 years

These compliance restrictions are the minimum set by the grant rule, and may be extended depending on the nature of the project and assistance provided by the County.

**HOME Investment Partnership Program (HOME)**  
**Other Program Requirements Subpart H 24 CFR 92.350-359**

This subpart sets forth certain additional program requirements which are determined to be applicable to HOME grants provided as a matter of administrative discretion. CVS Staff shall incorporate the following additional program requirements as per 24 CFR 92.350 through 24 CFR 92.359 as applicable.

**Other Requirements and Non-Discrimination (24 CFR 92.350)**

**4. Section 109 – Prohibitions Against Discrimination**

- a) The County and all subrecipients shall adhere to Section 109 of the Act requires that no person in the United States shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance made available pursuant to the Act. Section 109 also directs that the prohibitions against discrimination on the basis of age under the Age Discrimination Act and the prohibitions against discrimination on the basis of disability under Section 504 shall apply to programs or activities receiving Federal financial assistance under Title I programs. The policies and procedures necessary to ensure enforcement of section 109 are codified in 24 CFR part 6.

**5. Architectural Barriers Act and the Americans with Disabilities Act**

- a) The Architectural Barriers Act of 1968 (42 U.S.C. 4151-4157) requires certain Federal and Federally funded buildings and other facilities to be designed, constructed, or altered in accordance with standards that ensure accessibility to, and use by, physically handicapped people. A building or facility designed, constructed, or altered with funds allocated or reallocated under this part after December 11, 1995, and that meets the definition of “residential structure” as defined in 24 CFR 40.2 or the definition of “building” as defined in 41 CFR 101-19.602(a) is subject to the requirements of the Architectural Barriers Act of 1968 (42 U.S.C. 4151-4157) and shall comply with the Uniform Federal Accessibility Standards (appendix A to 24 CFR part 40 for residential structures, and appendix A to 41 CFR part 101-19, subpart 101-19.6, for general type buildings).
- b) The Americans with Disabilities Act (42 U.S.C. 12131; 47 U.S.C. 155, 201, 218 and 225) (ADA) provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. It further provides that discrimination includes a failure to design and construct facilities for first occupancy no later than January 26, 1993, that are readily accessible to and usable by individuals with disabilities. Further, the ADA requires the removal of architectural barriers and communication barriers that are structural in nature in existing facilities, where such removal is



readily achievable - that is, easily accomplishable and able to be carried out without much difficulty or expense.

### **Affirmative marketing: minority outreach program 24 CFR 92.351**

Manatee County must adopt and follow affirmative marketing procedures and requirements for rental and homebuyer projects containing five or more HOME-assisted housing units. Affirmative marketing requirements and procedures also apply to all HOME-funded programs, including, but not limited to, tenant-based rental assistance and downpayment assistance programs. Affirmative marketing steps consist of actions to provide information and otherwise attract eligible persons in the housing market area to the available housing without regard to race, color, national origin, sex, religion, familial status, or disability. If participating jurisdiction's written agreement with the project owner permits the rental housing project to limit tenant eligibility or to have a tenant preference in accordance with § 92.253(d)(3), the participating jurisdiction must have affirmative marketing procedures and requirements that apply in the context of the limited/preferred tenant eligibility for the project.

The following requirements apply according to sections 104(b) and 107 of the Act:

- i) Public Law 88-352, which is title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), and implementing regulations in 24 CFR part 1 (prohibiting discrimination because of race, color, and national origin discrimination))
- ii) Public Law 90-284, which is the Fair Housing Act (42 U.S.C. 3601-3620). In accordance with the Fair Housing Act, the Secretary requires that grantees administer all programs and activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act.

Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1959-1963 Comp., p. 652; 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing), and implementing regulations in 24 CFR part 107, also apply (prohibiting discrimination because of race, color, religion (creed), sex or national origin in the sale, rental, leasing or other disposition of residential property and related facilities or in the use or occupancy thereof where such property or facilities are owned or operated by the Federal Government, or provided with Federal assistance by the Department of Housing and Urban Development and in the lending practices with respect to residential property and related facilities of lending institutions insofar as such practices relate to loans insured, guaranteed or purchased by the Department.

### **Environmental Review 24 CFR part 58, 24 CFR 92.352**

The purpose of the environmental review process is to analyze the effect a HOME-funded project may have on the people and the natural environmental features of a project area. An Environmental Review Record must be completed for each project requiring

environmental review in order to meet the Environmental Review Requirements set forth at 24 CFR Part 58. All projects requiring environmental review will publish appropriate notices, submission of the Request for Release of Funds and Certification. An Authority to Use Grant Funds will be issued by HUD prior to commencing with project activities.

Contracts will not be executed with subrecipients and expenditures for County-managed projects will not be approved until an environmental review is complete. Environmental review forms and documents must be signed by the appropriate staff and the designated official.

### **Displacement, relocation, acquisition and replacement housing (24 CFR 92.353)**

Consistent with HUD's goals and objectives, Manatee County must ensure that all reasonable steps are taken to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of activities assisted under the HUD-entitlement funding.

If displacement occurs as a result of a project assisted with HUD-entitlement funding, Manatee County and its subrecipient will abide by the standards and the requirements for notices and relocation assistance under 49 CFR part 24 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4601-4655).

### **Labor Standards & Related Act Requirements 24 CFR 92.354**

The County shall provide appropriate guidance to both subrecipient and contractor regarding DBRA requirements, including wage determinations, and Section 3 requirements as applicable to all HOME-funded projects.

- a) Every HOME-funded project for the construction (rehabilitation or new construction) of housing that includes 12 or more units assisted with HOME funds must contain a provision requiring the payment of not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act (40 U.S.C. 3141), to all laborers and mechanics employed in the development of any part of the housing. Such contracts must also be subject to the overtime provisions, as applicable, of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701)..

Subrecipients and contractors shall comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) and all other applicable Federal, state, and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of the construction project. The Subrecipient and contractors shall agree to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 et seq.) and its implementing regulations of the U.S. Department of Labor at 29 CFR 5.

- b) Use of debarred, suspended or ineligible contractors or subrecipients: The requirements set forth in 24 CFR part 5 apply to this program. The prohibitions at 2 CFR part 2424 on the use of debarred, suspended, or ineligible contractors and participants apply.

Manatee County and subrecipients are prohibited from contracting with or making sub awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred.

When a non-federal entity enters into a covered transaction with an entity at a lower tier, the non-federal entity must verify that the entity and its principals, as defined in 2 CFR section 180.995 and agency adopting regulations, are not suspended or debarred or otherwise excluded from participating in the transaction. This verification may be accomplished by:

- checking the Excluded Parties List System (EPLS) (Note: EPLS is no longer a separate system; however, the OMB guidance and agency implementing regulations still refer to it as EPLS) and available at <https://www.sam.gov/portal/public/SAM/>), or
- collecting a certification from the entity

c) Section 3 24 CFR 92.508(a)(7)(xi)

The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent possible, provide job training, employment, and contract opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods.

Section 3 business concern preference requirements means that, when all other things being equal, we are to provide preference to business concerns that meet Section 3 definition when we are contracting for services. In simple terms, a Section 3 business is owned by low income persons or employees a large number of low income persons that reside within Manatee County. If a business wants to receive Section 3 preference, they must provide the appropriate documentation that certifies them as a Section 3 business concern.

All Section 3 covered projects shall comply with Section 3 business concern preference.

### **Lead-Based Paint (24 CFR 92.355)**

All projects consisting of residential or child-occupied facilities constructed before 1978 shall be implemented in compliance with Lead Based Paint requirements. Such compliance may include, but not exclude:

- Lead Disclosure Rule: Requires disclosure of known information on LBP and LBP hazards before the sale or lease of most pre-1978 housing

- **Lead Safe Housing Rule:** Applies to most pre-1978 “target housing” that is federally owned and/or receiving federal assistance
- **EPA’s Renovation, Repair and Painting Rule:** Requires firms performing renovation, repair, and painting projects (RRP) that disturb LBP in most pre-1978 homes, childcare, pre-schools, and child-occupied facilities to obtain firm certification and use certified renovators

### **Conflict of Interest 24 CFR 92.356**

Conflict of interest arises when a real or seeming incompatibility between one's private interests and one's public or fiduciary duties occur. Occasionally members of the County and subrecipient staffs serve as board members of organizations that receive HOME funding.

The general rule is that no persons who exercise or have exercised any functions or responsibilities with respect to HOME activities assisted under this part, or who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a HOME-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a HOME-assisted activity, or with respect to the proceeds of the HOME-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

### **Violence Against Women Act (VAWA) Requirements (24 CFR 92.359)**

The Violence Against Women Act (VAWA) requirements set forth in 24 CFR part 5, subpart L, apply to all HOME tenant-based rental assistance and rental housing assisted with HOME funds.

## **Emergency Solutions Grant Program (ESG)** **Specific Requirements**

### **ESG Categories: Eligible Activities per Category**

The following section will outline allowable activities within each programmatic category of the Emergency Solutions Grant.

#### **ESG Program Components:**

- **Street Outreach**: The costs for providing essential services related to reaching out to unsheltered people experiencing homelessness, including those least likely to request assistance (24 CFR 576.101(a)).
- **Emergency Shelter**: The costs of providing essential services to people experiencing homelessness in emergency shelters, renovating buildings to be used as emergency shelters, and operating emergency shelters (24 CFR 576.102(a)).
- **Rapid Re-Housing**: The costs of moving people experiencing homelessness as quickly as possible into permanent housing, providing up to 24 months of rental assistance, and in helping people experiencing homelessness to achieve stability in that housing (24 CFR 576.104).
- **Homelessness Prevention**: The costs of providing relocation and stabilization services to prevent people currently at risk of homelessness from falling into homelessness (24 CFR 576.103).
- **Data Collection**: The costs of collecting and contributing data to the Homeless Management Information System (HMIS) (24 CFR 576.107).

In addition, ESG allows for recipients, subgrantees, and subrecipients to allocate funds to administrative activities. This section will also outline these requirements.

### **A. Street Outreach Activities**

#### **1.) General Categorical Overview**

Subgrantees may use ESG funds on street outreach activities, which is service delivery for the specific purpose of reaching out to unsheltered people; connecting them with emergency shelter, housing, or critical services; and providing urgent, non-facility-based care (24 CFR 576.101(a)).

#### **2.) Applicant and Participant Eligibility Criteria**

Subgrantees may use street outreach funds to service families and individuals who are considered to be “unsheltered homeless” (24 CFR 576.101(a)). To be considered unsheltered homeless individuals and families, must meet the criteria under Category 2a: Literally Homeless, found in Section V: Determining Applicant Homeless Category for Program Services of this manual, with the following exception:

- The family or individual must be living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport or camping ground.

In addition, subgrantees may use street outreach funds to provide urgent, non-facility-based care to unsheltered homeless people who are unable or unwilling to access emergency shelter, housing, or an appropriate health facility (24 CFR 576.101(a)).

### 3.) Allowable Costs and Activities: Essential Services

Eligible costs and requirements for essential services consist of the following:

Engagement Services (24 CFR 576.1011(a)(1))

Case Management (24 CFR 576.101(a)(2))

Emergency Health (24 CFR 576.101(a)(3)) Emergency Mental Health (24 CFR 576.101(a)(4)) Transportation (24 CFR 576.101(a)(5))

### 4.) Allowable Costs and Activities: Services for Special Populations

Services for special populations are essential services that have been tailored to address the special needs of homeless youth, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers, domestic violence shelters, and persons living with HIV/AIDS (24 CFR 576.101(a)(6)). Eligible costs include:

- Engagement
- Case Management
- Emergency Health Services
- Emergency Mental Health Services
- Transportation

## **B. Emergency Shelter Activities**

### 1.) General Categorical Overview

Subgrantees may use ESG funds on emergency shelter activities, which is the costs of the following (24 CFR 576.102(a)):

- Providing essential services to families and individuals who are experiencing homelessness and reside in emergency shelters;
- Renovating buildings to be used as emergency shelter; and
- Operating emergency shelters.

Emergency shelter means any appropriate facility that has the primary use of providing temporary or transitional shelter for the homeless in general or for specific populations of the homeless and the use of which does not require occupants to sign leases or occupancy agreements.

## 2.) Applicant and Participant Eligibility Categories

Subgrantees may provide emergency shelter service to individuals and families residing in emergency shelters (24 CFR 576/102(a)(1)). The ESG Program generally does not require applicants to meet any specific requirements or categorical definition of homelessness.

## 3.) Allowable Costs and Activities: Shelter Operations

- Shelter operations are costs to operate and maintain emergency shelters and provide other emergency lodging when appropriate.

## 4.) Allowable Costs and Activities: Shelter Services

Emergency shelter essential services are services to individuals and families in emergency shelters. Eligible uses for funds within the Emergency Shelter Essential Services category include:

- *Case Management*
- *Childcare Costs*
- *Education*
- *Employment Assistance and Job Training*
- *Outpatient Health*
- *Legal Services*
- *Life Skills Training*
- *Mental Health Services*
- *Substance Abuse Treatment*
- *Transportation*
- *Services for Special Populations*

## 5.) Allowable Costs and Activities: Rehabilitation, Conversion and Renovation

For costs of rehabilitation, conversion, or renovation to be eligible for payment with ESG funds, the building must be used for an emergency shelter for homeless families and individuals.

A government entity or private non-profit organization must own the emergency shelter building before and after the renovation or rehabilitation. Buildings renovated with ESG funds as a shelter for homeless individuals and families are required to function as a shelter for a minimum period, depending on the type of renovation and the value of the building.

ESG funds shall not be used for rehabilitation or renovation of structures that will be used for inherently religious activities. Sanctuaries, chapels, or other rooms used as a principal place of worship are ineligible for funded improvements paid by ESG.

ESG funds can pay for rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and religious

activities, the amount of ESG funds used must not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds.

## C. HMIS

### 1.) Allowable Costs and Activities

Subgrantees may use ESG funds to pay for the costs of contributing data to the HMIS designated by the Continuum of Care for the area (24 CFR 576.107(a)(1)). Specifically, HUD has identified the following as eligible costs under the HMIS component of the Emergency Solutions Grant (24 CFR 576.107(a)(1)(i)—(x)):

- Purchasing or leasing computer hardware;
- Purchasing software or software licenses;
- Purchasing or leasing equipment, including telephones, fax machines, and furniture;
- Obtaining technical support;
- Leasing office space;
- Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;
- Paying salaries for operating HMIS, including:
  - Completing data entry;
  - Monitoring and reviewing data quality;
  - Completing data analysis;
  - Reporting to the HMIS Lead;
  - Training staff on using the HMIS or comparable database; and
  - Implementing and complying with HMIS requirements;
- Costs of staff to travel to and attend HUD-sponsored and HUD-approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;
- Paying staff travel costs to conduct intake; and
- Paying participation fees charged by the HMIS Lead.

If the subgrantee or subrecipient is a Victim Services Provider (VSP) or a legal services provider, it can use ESG funds to establish and operate a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered in a comparable database must not be entered directly into or provided to an HMIS (24 CFR 576.107(a)(3)).

*Note: Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS (24 CFR 576.107(b)).*

### 2.) Travel Cost Policy



Travel costs may be an eligible HMIS/data collection expenditure, provided that the cost is adequately documented and support business purposes. Documentation that verifies the reservation only and not the completed travel is insufficient. Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration. Subgrantees must keep record of travel expenditures, which includes purpose, mileage, and payment. When reimbursing for meals, lodging, or travel, subgrantees and subrecipients must use one of the following rates:

- The U.S. General Services Administration per diem rates; or
- The travel rate as established in the subgrantee's policies and applied consistently to all volunteers and employees for actual and necessary expenses backed by receipts.

In the case of volunteers, the cost of meals without accompanying overnight stay and no official state business meeting is reportable as income. Any funds expended on the reimbursement of expenses for travel must be appropriately documented and cannot be provided through a cash or cash equivalent payment.

#### **D. Rapid Re-Housing**

##### **1.) General Categorical Overview**

Subgrantees may use ESG funds on rapid re-housing activities – which includes housing relocation and stabilization services, and short- and medium-term rental assistance – on unhoused individuals and families to move them as quickly as possible into permanent housing and achieve stability in that housing (24 CFR 576.104).

##### **2.) Applicant and Participant Eligibility Categories**

Subgrantees may use rapid re-housing funds to service families and individuals who meet the criteria under Category 2a: Literally Homeless found in Section V: Determining Applicant Homeless Category of this manual.

Individuals and families who meet Category 3: Domestic Violence Survivors, are also eligible for services, provided that they live in an emergency shelter or other place as described in Category 2a: Literally Homeless.

##### **3.) Allowable Costs and Activities: Housing Relocation and Stabilization Services**

The Emergency Solutions Grant Program's rapid re-housing category may be used to pay for Housing Relocation and Stabilization Services as outlined under Section VI (B): Housing Relocation and Stabilization Services in this manual (24 CFR 576.105). Individuals and families must

meet the rapid re-housing applicant and participant eligibility criteria in order to receive services under rapid re-housing.

*Note: Applicants not eligible for these services under Rapid Re-Housing may still be eligible for relocation and stabilization services under Homelessness Prevention.*

#### 4.) Allowable Costs and Activities: Short-Term and Medium-Term Rental Assistance

The Emergency Solutions Grant Program's rapid re-housing category may be used to pay for short-term and medium-term rental assistance as outlined under Section VI (C): Short-Term and Medium-Term Rental Assistance in this manual (24 CFR 576.105). Individuals and families must meet the rapid re-housing applicant and participant eligibility criteria in order to receive services under rapid re-housing.

*Note: Applicants not eligible for these services under Rapid Re-Housing may still be eligible for relocation and stabilization services under Homelessness Prevention.*

### **E. Homeless Prevention**

#### 1.) General Categorical Overview

Subgrantees may use ESG funds on homelessness prevention activities – which includes housing relocation and stabilization services, and short- and medium-term rental assistance – necessary to prevent an individual or family from moving into the following (24 CFR 576.103):

- An emergency shelter;
- A primary nighttime residence not designed or ordinarily used as a regular sleeping accommodation for human habitation; or
- A supervised shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels/motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals).

#### 2.) Applicant and Participant Eligibility Categories

Subgrantees may use rapid re-housing funds to service families and individuals who fall within the following categories:

- Category 1: At-Risk of Homelessness
- Category 2b: Imminent Risk of Homeless
- Category 2c: Homeless Under Other Federal Statutes, or
- Category 3: Domestic Violence Survivor

In addition, individuals and families qualifying for services and who fall under Category 2b – 2c and Category 3 must also have an annual income

below 30 percent of the area median income.

3.) Allowable Costs and Activities: Housing Relocation and Stabilization Services

The Emergency Solutions Grant Program's homelessness prevention category may be used to pay for Housing Relocation and Stabilization Services as outlined under Section VI (B): Housing Relocation and Stabilization Services in this manual (24 CFR 576.105). Individuals and families must meet the homelessness prevention applicant and participant eligibility in order to receive services under homelessness prevention.

*Note: Applicants not eligible for these services under homelessness prevention may still be eligible for relocation and stabilization services under rapid re-housing.*

4.) Allowable Costs and Activities: Short-Term and Medium-Term Rental Assistance

The Emergency Solutions Grant Program's homelessness prevention category may be used to pay for short-term and medium-term rental assistance as outlined under Section VI (C): Short-Term and Medium-Term Rental Assistance in this manual (24 CFR 576.105). Individuals and families must meet the homelessness prevention applicant and participant eligibility criteria in order to receive services under homelessness prevention.

*Note: Applicants not eligible for these services under homelessness prevention may still be eligible for short-term and medium-term rental assistance under rapid re-housing.*

## **F. Administration**

1.) Allowable Costs

Allowable administrative costs, including indirect cost allocations, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed to administration must be supported by actual costs. (24 CFR 576.108(a))

2.) Travel Cost Policy

Travel costs may be eligible admin expenditures, provided that the cost is adequately documented and support business purposes. Documentation that verifies the reservation only and not the completed travel is insufficient. Payment for travel expenses must be authorized in advance, in writing, unless the individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Reimbursement of travel expenses does not count as wages or remuneration.

Subgrantees must keep record of travel expenditures, which includes purpose, mileage, and payment. When reimbursing for meals, lodging, or travel, subgrantees and subrecipients must use one of the following rates:

- The U.S. General Services Administration per diem rates; or
- The travel rate as established in the subgrantee's policies and applied consistently to all volunteers and employees for actual and necessary expenses backed by receipts.

### 3.) Unallowable Expenses

Unallowable costs include, but are not limited to the following expenses:

- Late fees assessed due to a subgrantee or a subrecipient's failure to pay in a timely manner.
- Subgrantee/subrecipient facility mortgage payments.
- Lobbying.

## I. **Determining Homeless Status for Program Services**

### A. General Overview

An applicant's eligibility for services funded under the Emergency Solutions Grant Program generally depends on whether they meet the Program's categorical definition of either "homeless," "at-risk of homelessness," or whether they are fleeing or attempting to flee domestic violence (24 CFR 576.2).

## II. **Rapid Rehousing and Homelessness Prevention Services**

### A. Both the rapid re-housing and homelessness prevention programmatic categories can provide the following assistance:

- Housing Relocation and Stabilization Services
- Short-Term and Medium-Term Rental Assistance

While eligibility for assistance differs by programmatic category, the services provided area identical.

### B. Housing Relocation and Stabilization Services

#### 1.) Eligible Costs and Services

The Emergency Solutions Grant Program's Rapid Re-housing and Homelessness Prevention categories may be used to pay property owners, utility companies, and other third parties for the following costs (24 CFR 576.105(a)):

- Rental application fees
- Security deposits
- Last month's rent
- Utility deposit
- Utility payment

Moving costs

In addition to what is outlined above, the ESG Program can pay for the additional services as covered under (24 CFR 576.105(b)).

#### 2.) Housing Stability Case Management

ESG funds may be used to pay the cost of assessing, arranging, coordinating, and monitoring the delivery of individualized housing stabilization services to a program participant already in permanent housing (not to exceed 24 months) or to assist a program participant to overcome immediate barriers to obtaining housing (not to exceed 30 days).

### 3.) Refund of Security Deposits

Manatee County recommends that subgrantees and subrecipients develop a written policy regarding to whom the landlord and utility companies will refund security and utility deposit payments. Regardless of whether the subgrantee develops a written policy, they must be consistent on their refund practice. Any deposit funds returned to subgrantee is program income and must be documented as match.

### 4.) Ineligible Services

Subgrantees may not provide financial assistance to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period covered by the URA payments. Financial assistance refers to: rental application fees, security deposits and eligible fees, last month's rent, utility deposits and arrearages, utility payments and moving costs.

## C. Short-Term and Medium-Term Rental Assistance

Subgrantees may use ESG funds to provide up to 24 months of rental assistance to eligible participants during any three-year period (24 CFR 576.106(a)). Rental assistance can include payment of rent arrearages for tenant, short-term assistance, medium-term assistance, providing project-based housing, or any combination of this assistance (24 CFR 576.106(a)).

- Short-Term Assistance (24 CFR 576.106(a)(1));
- Medium-Term Assistance (24 CFR 576.106(a)(2));
- Payment of Rent Arrearages (24 CFR 576.106(a)(3));

Lease Break Fee 24 CFR 5.2005(e)

Any limits on rental assistance apply to the total assistance an individual receives, either as an individual or as part of a family (24 CFR 576.106(j)).

Rental Assistance can be either tenant-based or project-based (24 CFR 576.106(a)(4)). The following sections will go into greater detail on the requirements for both types of rental assistance.

### 1.) Tenant Based Rental Assistance

Tenant-based rental assistance generally allows program participants to select a housing unit in which to live and may move to another unit or

building and continue to receive rental assistance, provided that the participant continues to meet program requirements (24 CFR 576.106(h)(1)). However, subgrantees and subrecipients may require program participants to live within a particular area for the period in which the rental assistance is provided (24 CFR 576.106(h)(2)).

- The program participant moves out of the housing unit for which the program participant has a lease;
- The lease terminates and is not renewed;
- The program participant becomes ineligible to receive ESG rental assistance.

Subgrantees and subrecipients must terminate the rental assistance agreement with the property owner and may not provide further rental assistance payments under that agreement under the following circumstances (24 CFR 576.106(h)(3)):

## 2.) Project Based Rental Assistance

If the subgrantee or subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before they can identify an eligible program participant, the subgrantee or subrecipient may enter into a rental assistance agreement with owner to reserve and subsidize the unit (24 CFR 576.106(i)). This type of rental assistance is called project-based rental assistance.

**Waiver for Project-Based Rental Assistance:** A subgrantee and subrecipient must receive a HUD approved waiver to provide project-based assistance for a unit where the subgrantee and subrecipient has ownership interest. A waiver is also required to provide Homelessness Prevention rent assistance to a participant residing in a unit owned by the subgrantee and subrecipient. The waiver is necessary because the rental agreement must be between the subgrantee or subrecipient and housing owner and it is not possible for the subgrantee or subrecipient to create such an agreement with itself. Waiver requests must be submitted to OHCS for review and submission to HUD.

## 3.) General Rental Assistance Requirements and Restrictions

Regardless of whether the assistance is project-based or tenant-based, subgrantees and subrecipients must adhere to the following requirements and restrictions when providing either assistance under rapid re-housing or homelessness prevention:

- Rental Caps and Conditions (24 CFR 576.106(b))Use with Other Subsidies (24 CFR 576.106(c))
- Fair Market Rent (24 CFR 576.106(d))
- Rental Assistance Agreement (24 CFR 576.106(e))Late Payments (24 CFR 576.106(f))

- Lease (24 CFR 576.106(g))Uniform Relocation Assistance (URA) Payments

#### 4.) Rental Restrictions: Rent Reasonableness and Fair Market Rent

The ESG Program cannot pay for rental assistance unless the rent does not exceed the Fair Market Rent established by HUD and complies with HUD's standards of rent reasonableness (24 CFR 576.106(d)(1)). Additionally, HUD has specified how subgrantees and subrecipients should calculate rent for the purposes of this program (24 CFR 576.106(d)(2)).

The calculated gross rent (rent plus appropriate utility allowance) must:

- Be no greater than the Fair Market Rent set by HUD; and
- Fit within the limitations resulting from a rent reasonableness analysis.

If the gross rent for the unit exceeds either the rent reasonableness standard or FMR, the subgrantee and subrecipient is prohibited from using ESG funds for any portion of the rent, even if the household is willing and/or able to pay the difference (24 CFR 576.106(d)).

*Note: Fair Market Rent and rent reasonableness requirements do not apply when a program participant receives only financial assistance or services. This includes rental application fees, security deposits, utility payments/deposits/arrearages, moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.*

This section will go into greater detail rent reasonableness, fair market rent and the requirements for calculating rent.

##### i. Rent Reasonableness Determination

Subgrantee and subrecipient must determine whether the gross rent of a particular unit is a reasonable rent in comparison to rent for other comparable unassisted units.

To make this determination, subgrantee must consider the following (24 CFR 982.507(b)):

- The location, quality, size, unit type, and age of the contract unit; and
- Any amenities, housing services, maintenance, and utilities to be provided by the owner in accordance with the lease.

The unit's gross rent must be comparable to the rent reasonableness rent for the unit to be considered for rental assistance.

Subgrantees and subrecipients must make this determination at the

following times:

- Prior to the initial execution of the lease agreement (24 CFR 982.507(a)(1));
- Prior to any rent increases (24 CFR 982.507(a)(2)(i));
- If the published Fair Market Rent decreases by 10% 60 days before the contract anniversary (24 CFR 982.507(a)(2)(ii));
- If directed by HUD (24 CFR 982.507(a)(2)(iii)); or
- If directed by Manatee County.

- ii. Fair Market Rent (FMR) Requirements  
HUD establishes Fair Market Rents (FMRs) to determine rent ceilings for HUD-funded rental assistance programs and publishes the FMR schedule annually (24 CFR 888.202).

Gross rent for units in which ESG provides rental assistance must be the same or less than the FMR for that location. If subgrantee's and subrecipient's service area includes more than one county, subgrantee and subrecipient must use the appropriate FMR for the county in which the assisted rental unit is located. Subgrantees and subrecipients must copy and place the applicable FMR data in the client file to document the FMR for that participant's unit size and geographic area.

- iii. Rent Calculation Requirements

When calculating gross rent for the purposes of this Program, the rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under the lease (other than late fees and pet fees) and, if the tenant pay separately for utilities, the monthly allowance for utilities (excluding telephone), as established by the public housing authority for the area in which the housing is located (24 CFR 576.106(d)(2)).

Utility Allowance: The utility allowance is a projection of the cost of utilities the client will pay monthly while renting their unit. The local public housing authority maintains a utility allowance chart which considers the number of bedrooms and types of utilities in a unit (e.g.; gas, electric, water, sewer, and trash). Any utilities included in the rent payment must not also be included in the utility allowance calculation. Telephone, cable or satellite television service, and internet service are not counted as utility costs.

Once a housing unit is determined to meet the FMR and rent reasonableness requirements, program funds can be used to pay for the actual utility costs. The utility allowance calculation is only used to determine whether the unit meets the FMR standard.



iv. Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Requirements

- As mentioned, the ESG Program requires each program participant to have a legally binding, written lease for the rental unit that contains protections for victims of domestic violence, dating violence, sexual assault, or stalking (24 CFR 576.106(g)). In addition, rental assistance agreements between subgrantees/subrecipients and property owners must contain protections for victims of domestic violence, dating violence, sexual assault, or stalking (24 CFR 576.106(e)). Violence Against Women Act (VAWA) Notification of Occupancy Rights (24 CFR 5.2001 and 24 CFR 576.409(a)).

*Note: For complete description of definitions and requirements that apply to VAWA Final Rule, refer to [www.hud.gov/vawa](http://www.hud.gov/vawa).*

## **V. Program Match**

Manatee County requires subgrantees to make matching contributions in an amount that equals 100 percent of the total amount of ESG funds allocated by Manatee County.

### **1.) Source of Match**

Subgrantee can obtain matching contributions from any source (other than ESG), including any federal, state, local, and private sources. Subgrantee must ensure the laws governing any funds used as matching contributions do not prohibit the use of those funds as ESG match. Subgrantee must keep records of the source and use of contributions made to satisfy the match requirement in 24 CFR part 576.201.

All sources listed as match must meet the following criteria:

- Contributions used to match a previous ESG grant cannot not be used to match a subsequent ESG grant;
- The matching contribution must be made within the Program's performance period (or the expenditure period);
- Contributions that have been or will be counted as satisfying a match requirement of other federal funds cannot not be used as match for ESG funding;
- The matching funds must be used for ESG-eligible clients or activities.

Possible sources of match, other than federal, state or local grants include:

- Cash;
- The value or fair rental value of any donated material or building;
- The value or any lease on a building;
- Any salary paid to staff to carry out the program of the recipient; and
- The value or the time and services contributed by volunteers.

Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work by subgrantee. If subgrantee does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.

The value of any real property, equipment, goods, or services can be used as match provided the costs would be allowable if subgrantee had purchased them. Some non-cash contributions would be considered indirect costs if purchased by subgrantee; match for these contributions may be given only if subgrantee has established a special indirect cost rate for allocating the value of those contributions to individual projects or programs.

Costs paid by program income shall count as match if the costs are eligible ESG costs that supplement subgrantee's ESG program.

Subgrantee must keep records of the source and use of contributions made to satisfy the matching requirement. Records must indicate the fiscal year grant for which each matching contribution is counted, the allowable ESG activity that the matching sources are funding, and the method used to derive the value of non-cash contributions. To the extent feasible, volunteer services must be supported by the same methods that subgrantee uses to support the allocation of regular personnel costs.

### **III. HMIS Participation**

The Homeless Management Information System (HMIS) is a federally mandated data collection system used to record and analyze client, service, and housing data for individuals and families experiencing homelessness or at risk of homelessness. HMIS supports program management, evaluation, reporting, and compliance with HUD regulations. ESG subgrantees are required to actively participate in HMIS as a condition of funding, unless exempted under federal rules (e.g., Victim Service Providers).

#### **A. HMIS Participation Requirements (24 CFR 576.107)**

All ESG-funded programs must:

- Enter Client-Level Data
  - Collect and enter required data elements for all program participants in HMIS.
  - Ensure all entries are completed within three business days of intake or service delivery.
- Maintain Data Accuracy and Completeness
  - ESG subgrantees must achieve a minimum of 90% data quality standard for required fields, including but not limited to:
    - Client demographics
    - Housing status
    - Income and benefits
    - Services provided
    - Program exit outcomes
- Adhere to Timely Updates and Exit Data
  - Data must be updated regularly, especially after changes in income, housing status, or service engagement.
  - All clients must have documented exit dates and exit destinations in HMIS within three business days of program exit.
- Use Unique Identifiers
  - Each client must be assigned a unique HMIS identifier to prevent duplication and ensure longitudinal tracking of services across the CoC.
- Support Community Performance Monitoring
  - Participation in HMIS allows Manatee County and the Continuum of Care (CoC) to analyze system-wide performance, including:
    - Exits to permanent housing
    - Recidivism rates
    - Length of time homeless
    - Income and benefits growth

#### B. Privacy and Confidentiality Protocols

All ESG Subgrantees must:

- Comply with the HMIS Data and Technical Standards (24 CFR 580).
- Ensure data is protected under the HMIS Privacy and Security Standards, including:
  - Secure access controls (password protection, user agreements)
  - Annual staff training on data privacy and confidentiality
  - Policies and procedures for handling data breaches

#### Client Consent

- Informed consent must be obtained before entering client-level data into HMIS.
- Clients have the right to refuse consent for data sharing between providers; refusal does not affect their access to services.

C. Comparable Database Requirements for Victim Service Providers  
Victim Service Providers (VSPs), including domestic violence shelters and legal aid organizations, are prohibited from entering client data into HMIS. Instead, VSPs must:

- Use a comparable database that:
  - Collects the same data elements required by HUD;
  - Maintains client-level data over time (longitudinal tracking);
  - Meets all privacy, security, and data quality standards applicable to HMIS.

VSPs must also be able to produce aggregated, unduplicated reports to Manatee County and HUD upon request.

D. Training and Technical Assistance

To support full compliance, Manatee County requires:

- All ESG subgrantee staff with access to HMIS to complete initial and annual training on:
  - Data entry
  - Privacy and confidentiality
  - Coordinated entry procedures (as applicable)
- Subgrantees must designate a HMIS Lead User as a point of contact for data issues and compliance monitoring.
- Ongoing technical assistance will be provided by the local HMIS Lead Agency and/or Manatee County Community Development staff.

E. Monitoring and Compliance

Manatee County will review HMIS participation during subgrantee monitoring visits to ensure:

- Timely and complete data entry
- Data quality standards are met
- Privacy and consent documentation is on file
- Reports submitted to HUD (e.g. CAPER) are accurate and based on complete data

Failure to maintain HMIS compliance may result in corrective action, suspension of reimbursements, or contract termination.

#### **IV. Performance Reporting**

Manatee County requires all ESG subgrantees to participate in performance reporting that demonstrates effective service delivery, housing stability outcomes, and alignment with HUD system performance measures. This data informs funding decisions, compliance monitoring, and strategic planning for homelessness reduction across the County.

Key Performance Indicators:

ESG Subgrantees are expected to track and report on the following core performance metrics:

- Exits to Permanent Housing: The percentage of clients exiting to stable, long-term housing situations.
- Length of time Homeless: The average number of days a participant remains homeless prior to permanent housing placement.
- Recidivism Rates: The number and percentage of clients who return to homelessness within 12 months of program exit.

Income and Benefits Growth: The percentage of clients who increase earned income or access public benefits during participation.

Reporting Requirements:

To ensure transparency accuracy, and accountability, ESG subgrantees must adhere to the following reporting schedule and content standards:

- Monthly or Quarterly Reports
  - Program enrollment and exit numbers
  - Services delivered by type (e.g. case management, housing assistance)
  - Bed utilization rates (for emergency shelters)
  - Financial expenditures by budget category
  - Progress toward annual goals
- CoC-Wide Data Integration
  - Active participation in Coordinated Entry System (CES) data tracking
  - Submission of required data sets to the CoC's Performance & Evaluation Committee
  - Collaboration on system-level analysis to reduce homelessness
- Annual HUD Reporting
  - Timely submission of ESG program data to the County for inclusion in the Consolidated Performance and Evaluation Report (CAPER).
  - Participation in County-led data review and validation to ensure accuracy of the final CAPER submission.

Data Integrity and Verification:

- All reported outcomes must be supported by documentation in client files and reflected in HMIS or a comparable database.
- Subgrantees are subject to periodic performance reviews and on-site monitoring to verify outcomes and evaluate program effectiveness.
- Reports must be submitted in the format and schedule prescribed by the Manatee County Community Development Department.

## V. **SAGE Reporting**

SAGE (System for Award Management and Grantee Evaluation) is HUD's online portal used for the submission of required reports for the Emergency Solutions Grant (ESG) Program. It is primarily used to collect and submit the

Consolidated Annual Performance and Evaluation Report (CAPER) and, when applicable, other financial and performance data directly related to HUD funding oversight.

Manatee County, as the ESG recipient, is responsible for entering consolidated ESG data into SAGE. However, ESG subgrantees are required to provide timely and complete data to support the County's successful and compliant submission.

#### SAGE CAPER Reporting Requirements:

The CAPER is submitted annually through SAGE and must include aggregate program data pulled from the Homeless Management Information System (HMIS) or a comparable database.

#### Subgrantees must:

- Enter all client-level data into HMIS (or comparable database, for VSPs) in a timely and complete manner.
- Ensure data is accurate, deduplicated, and aligned with HUD's HMIS Data Standards.
- Coordinate with the HMIS Lead Agency or the County to verify that data exports are valid and complete before the SAGE submission window.
- Respond to data validation or correction requests from the County during CAPER preparation.

#### Key Data Points Used in SAGE:

The SAGE ESG-CAPER relies on data extracted from HMIS, including but not limited to:

- Client demographics
- Entry and exit dates
- Housing status at program entry and exit
- Income and benefit changes
- Services received (e.g. rental assistance, case management)
- Destination upon program exit

#### Victim Service Providers (VSPs) and Comparable Database Reporting:

VSPs are prohibited from entering client-level data into HMIS but must maintain an internal comparable database that mirrors HMIS data elements. VSPs must:

- Submit an Aggregate Data Report (ADR) annually to Manatee County for SAGE upload.
- Coordinate with County staff on data formatting, privacy protection, and aggregate reporting deadlines.
- Ensure that the comparable database is capable of generating unduplicated, aggregate-level reports that meet HUD specifications.

**Deadlines and Responsibilities:**

- Subgrantees must submit complete data to the County no later than the deadline established by the Manatee County Community Development Department.
- Manatee County will review, validate, and submit the full ESG-CAPER in SAGE by HUD's annual reporting deadline.
- Failure to provide accurate and timely data may result in delayed payments, monitoring findings, or future ineligibility for ESG funding.

**Technical Assistance and Access:**

- SAGE accounts are only required for ESG recipients (i.e., Manatee County), not for individual subgrantees.
- Subgrantees are encouraged to familiarize themselves with SAGE guidance to better understand how their data contributes to reporting and compliance.
- HUD resources, including CAPER instructions and SAGE walkthroughs, are available at: <https://www.hudexchange.info/programs/sage/>

**APPENDIX A****Attachment B1****MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REQUEST FOR PAYMENT**

SUBRECIPIENT: \_\_\_\_\_

PROGRAM NAME: \_\_\_\_\_

PAYMENT REQUEST FOR MONTH OF: \_\_\_\_\_

**SECTION 1: REQUEST FOR PAYMENT**

REQUEST THIS PERIOD	TOTAL FUNDING	REQUESTED YEAR-TO-DATE	BALANCE OF FUNDS
\$	\$	\$	\$

**SECTION 2: SUPPORTING DOCUMENTATION - Attach:**

- a. A completed Request for Payment form (Attachment B1).
- b. A summary detailing the support documentation of the payment request.
- c. An invoice on agency letterhead summarizing the payment request.
- d. Supporting documentation of the payment request.
- e. Proof of Payment for the prior payment request (on the second and subsequent payment requests).
- f. Partial Release of Lien for the amount of the prior payment request (on second and subsequent construction payment requests)
- g. Submitted Separately: Monthly Report and Results First Report.

PREPARED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

I attest that the information presented in this Request for Payment is true and accurate to the best of my knowledge.

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

(SUBMIT **1 ORIGINAL**- SCANNED OR ELECTRONIC SIGNATURE WITH **1 COPY**  
SUPPORTING DOCUMENTATION ATTACHED TO EACH)**Please Make Check Payable to** \_\_\_\_\_**Please Submit to:** \_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_**DO NOT WRITE BELOW THIS LINE**

CONTRACT MANAGER \_\_\_\_\_ PO# \_\_\_\_\_