

# RFA REGISTRATION

You **MUST** register using this form in order to receive notice of any addenda to these documents. Please fax the completed form to the Procurement Division as soon as possible. It is the vendor's responsibility to verify if addenda have been issued.

RFA Number and Title: 19-523 Public Facilities Improvement FY 2019-2020

Description: The Polk County Housing and Neighborhood Development Office is accepting applications for program year (PY) 2019 - 2020 for Community Development Block Grant (CDBG) Public Facility Improvement programs.

Receiving Period: Prior to 2:00 p.m., Wednesday, May 1, 2019

Bid Opening: Wednesday, May 1, 2019, at 2:00 p.m. or as soon as possible thereafter.

This form is for RFA registration only. Please scroll down for additional information.

Special Instructions: A **MANDATORY** Technical Assistance Workshop for all interested applicants will be held on Tuesday, April 9, 2019, 9:00 a.m. in room 413 of the Polk County Administration Building located at 330 W. Church Street, Bartow, Florida 33830. Applications **will not** be accepted from agencies that do not have a representative present at the technical assistance workshop.

Questions regarding this RFA must be in writing and must be sent to Michael Guerrero, Procurement Analyst, via email at [MichaelGuerrero@polk-county.net](mailto:MichaelGuerrero@polk-county.net) or via fax at (863) 534-6789. All questions must be received by April 17, 2019, 4:00 p.m.

## RFA REGISTRATION

**FAX THIS FORM BACK IMMEDIATELY IF YOU ARE INTERESTED IN SUBMITTING  
FAX: (863) 534-6789**

Carefully complete this form and mail or fax it to the Procurement Division. You should submit one form for each bid that you are registering for. This will assist in receiving addendums for this RFA.

Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

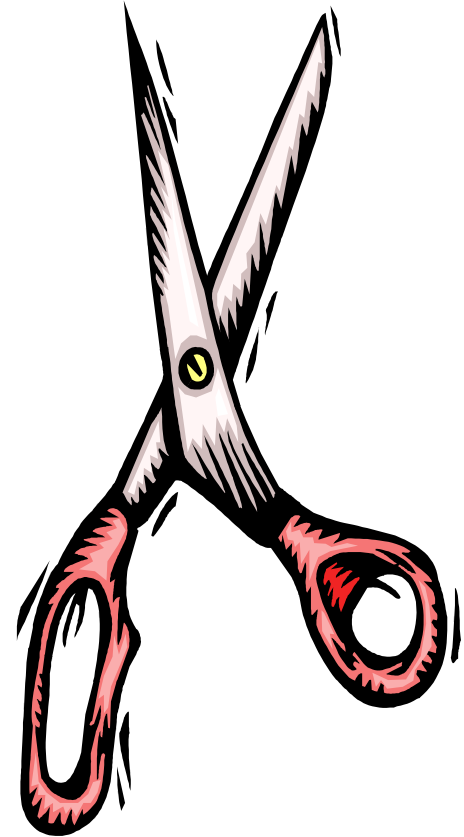
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

1/11/17

Cut along the outer border and affix this label to your sealed envelope to identify it as a "Sealed RFA". Be sure to include the name of the company submitting the RFA where requested.

<p><b>SEALED RFA • DO NOT OPEN</b></p> <p>SEALED RFA NO.: <u>19-523</u></p> <p>RFA TITLE: <u>Public Facilities Improvement Funding FY 2019-2020</u></p> <p>DUE DATE/TIME: <u>Wednesday May 1, 2019, prior to 2:00 p.m.</u></p> <p>SUBMITTED BY: _____ (Name of Company)</p> <p>DELIVER TO: PROCUREMENT DIVISION 330 West Church Street, Room 150 Bartow, Florida 33830</p>
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# POLK COUNTY

Social Services Division  
Housing and Neighborhood Development Section  
Issued by  
Polk County Procurement Division  
Fran McAskill, Director

## REQUEST FOR APPLICATIONS 19-523 PUBLIC FACILITIES IMPROVEMENT FY 2019 - 2020

Sealed applications will be received in the Procurement Division, **Wednesday, May 1, 2019, prior to 2:00 p.m.**

Attached are important instructions and specifications regarding responses to this Request for Applications (the "RFA"). The failure of a responding applicant ("Applicant") to follow these instructions could result in Applicant disqualification from consideration for a contract to be awarded pursuant to this RFA.

This document is issued by Polk County (the "County") which is the sole distributor of this RFA and all addenda and changes to the RFA documents. The County shall record its responses to inquiries and provide any supplemental instructions or additional documents pertaining to this RFA in the form of written addenda to the RFA. The County shall post all such addenda, together with any other information pertaining to this RFA, on the County's website at <https://www.polk-county.net/procurement/procurement-bids>. It is the sole responsibility of each Applicant to review the website prior to submitting a responsive application ("Application") to this RFA to ensure that that the Applicant has obtained all available instructions, addenda, changes, supporting documents, and any other information pertaining to this RFA.

The County is not responsible for any solicitations issued through subscriber, publications, or other sources not connected with the County and the Applicant should not rely on such sources for information regarding the RFA solicitation.

**Questions regarding this RFA must be in writing and must be sent to Michael Guerrero, via email at [MichaelGuerrero@polk-county.net](mailto:MichaelGuerrero@polk-county.net) or faxed to (863) 534-6789. All questions must be received by Wednesday, April 17, 2019, 4:00 p.m.**

***Applicants and any prospective Applicants shall not contact, communicate with or discuss any matter relating in any way to this RFA with any member of the Polk County Board of County Commissioners, Citizens Advisory Committee (CAC) or any employee of Polk County other than the County Procurement Director or the individual designated above. This prohibition begins with the issuance of the Request for Applications and ends upon completion of the appeal period. Any such communication initiated by an Applicant or prospective applicant shall be grounds for disqualifying the offender from consideration for a contract to be awarded pursuant to this RFA and for contracts to be awarded pursuant to RFAs or the County may issue in the future.***

An Applicant's responsive Application to this RFA may be mailed, express mailed, or hand delivered to:

**Polk County Procurement Division  
330 West Church Street, Room 150  
Bartow, Florida 33830  
863-534-6757**

**REQUEST FOR PUBLIC FACILITIES IMPROVEMENT  
APPLICATIONS  
RFA# 19-523  
Community Development Block Grant (CDBG) CFDA# 14.218  
FY 2019-2020**



**POLK COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF  
FLORIDA  
HOUSING AND NEIGHBORHOOD DEVELOPMENT**

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## PROGRAM DESCRIPTION

Polk County is seeking applications from area organizations for eligible Public Facilities and Improvements activities under the Community Development Block Grant (CDBG) Program. Subrecipients and Nonprofit organizations are recommended for funding after a competitive application process that includes evaluation and review from County staff and the Community Development Citizen's Advisory Committee (CAC). The funding recommendations will be submitted to the Polk County Board of County Commissioners (BoCC) for approval as part of the Annual Action Plan. The Action Plan will be submitted to U.S. Department of Urban and Housing Development (HUD). Funding is contingent upon HUD approval and availability of funds. Approved agencies will enter in a contractual agreement with Polk County BoCC for implementation of their Public Facilities and Improvements project (s). Payments will be made on a **reimbursement basis**.

Under the CDBG Program Public Facilities category governmental agencies and non-profit agencies, including faith-based organizations may apply for funding from the CDBG Program if their building provides a public service to low- and moderate-income citizens. Services include but not limited to: child care, health care, recreation, education, homeless persons, senior citizens.

Applicants may apply to fund **one project** under this Public Facilities Improvement grant.

**Note:** Incomplete applications and applications deemed ineligible according to CDBG program regulations **will not** be forwarded to the Community Development Citizen's Advisory Committee for funding consideration.

### **Emphasis on Outcome Measurement**

Measuring program effectiveness is a priority at national, state, and local levels. CDBG funds are part of the framework for measuring outcomes as outlined in the Five Year Consolidated Plan and the One Year Action Plan. Grantees, nonprofits and subrecipients are required to collect specific data relating to program activities.

The table below provides categories of outcomes and objectives of the grant program(s). Applicants will complete this matrix as part of the application (Attachment 3B) as required. Please note that most Public Facilities and Improvement projects provide availability/accessibility to a suitable living environment or maintain a suitable living environment.

In addition, Applicants are required to complete outcome and project data forms (Attachment 3A) to provide specifics on the proposed number of persons/households that will be served by the proposed project and impact to Polk County.

## COMMUNITY DEVELOPMENT PRIORITY NEEDS

CDBG Public Facilities Improvement funds will be used to support area organizations for eligible Public Facilities and Improvements activities under the Community Development Block Grant (CDBG) Program.

**Polk County has placed priority on public facilities and improvement projects defined as Neighborhood Improvement projects and Homeless prevention programs that target or serve: low and moderate income people in a specific area (area benefit) or a limited clientele (presumed benefit) such as abused children, battered spouses, elderly persons, adults meeting the Bureau of the Census' Population Report's definition of "severely disabled" (current for the time period of this review), homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers. Listed below are sample CDBG Eligibility Activity Codes.**

Community Development Activity
Public Facilities and Improvements (General) 570.201(c)
Senior Centers
Handicapped Centers (not operating costs)
Homeless Facilities
Youth Centers
Neighborhood Facilities
Parks, Recreational Facilities
Child Care Centers

### CDBG FUNDED (CFDA# 14.218) PUBLIC FACILITIES IMPROVEMENTS

**Description:** Polk County has set aside a portion of its CDBG funds for public facilities improvements in order to meet critical needs in the community. Funds are intended to assist agencies that support low income people in an area or people part of a special group designated by HUD such as the homeless or elderly to name two examples.

One of the first steps in selecting Public Facilities and Improvements projects is to identify whether potential projects are eligible for CDBG funding. Rehabilitation of public facilities and improvements are eligible activities.

Examples of public facilities include, but are not limited to, centers for seniors, persons with disabilities, youth, and child care centers, community centers, homeless shelters, housing for people with special needs, and health clinics.

**Duration:** FY 2019-2020, October 1, 2019 – September 30, 2020. CDBG has a one-year expenditure deadline.

**Eligible Organizations:** Non-profit organizations with adequate staffing, financial capacity, and track record for implementing successful programs, necessary expertise



in income qualification (for applicable programs) and overall project management. Organizations must comply with all grant requirements.

**Funding:** Maximum funding requests \$25,000 to \$150,000 per agency. Agencies may request one grant funded project. Project selections are subject to adjustments based on the number of qualified applicants and available funding.

**Note:** Incomplete applications and applications deemed ineligible according to CDBG program regulations **will not** be forwarded to the Community Development Citizen's Advisory Committee for funding consideration.

**Clients Served: Benefit to low and moderate income persons on an area-wide basis, where the service area is 51% or more of the clients served are 80% and below of the Area Median Income (AMI).**

Emphasis and priority is placed on Public Facilities Improvements requests that target the following populations or offer the following services: Disabled populations, Prevent child abuse and neglect, Homeless populations, Assist victims of domestic violence, Youth Services, Senior services, Health services, Employment skills training/or employment opportunities for low and moderate income persons.

**Areas Served:** Funds may be used in low and moderate income areas of Unincorporated Polk County and within the eligible areas of Municipal Partnership Cities. Polk County has partnership agreements with the following: Auburndale, Bartow, Dundee, Eagle Lake, Hillcrest Heights, Lake Alfred, and Winter Haven.

The physical location of your organization's central office does not impact the eligibility of your project. The location of your clients served will impact the eligibility of your project. All eligible clients must be in either unincorporated Polk County or in the Municipal Partnership Cities. CDBG funds **cannot** be used in cities where there is no municipal partnership agreement unless they are used for special limited clientele populations (see note below)

**Note:** Services for limited clientele such as homeless populations, disabled adults, or victims of domestic violence are not subject to location limitations. Programs serving these clients may be used countywide because of the special needs they meet.

CDBG projects must benefit low and moderate income persons, provide accessibility or promote sustainability to foster a sustainable living environment.

Eligible Costs:

CDBG funds for public facilities and improvement projects may be used to pay for all costs associated with an eligible project as long as they are procured according to 2 CFR 200.320. Eligible costs include but are not limited to: rehabilitation, site assessments, professional services (architectural, engineering, surveyors, etc.), permits, fees, hookups, site assessments, environmental assessments, site cleanup, testing & inspection, and abatement.

## Eligible Professional Services Costs

Non-profit organizations receiving public facilities and improvement projects funding are required to obtain an architect or an engineer to assist with project. The cost is reimbursable under CDBG for all non-profits. Professional services must be procured according to 2 CFR 200.317 through 200.326.

## Supplemental Conditions

All resulting awards are subject to the attached Federal Clauses (Attachment "A") in accordance with 2 CFR Chapter 11 Part 200 Appendix II.

## Eligible Activities

Activities such as rehabilitation or installation of public facilities and improvements are eligible activities under CDBG and can be carried out by subrecipients, or other nonprofit organizations. Public facilities may only be owned by these types of entities. Some examples include, but are not limited to:

- \*Energy improvements;
- \*Removal of architectural barriers;
- \*Facilities improvements for persons with special needs such as facilities for the homeless or domestic violence shelters, nursing homes, or group homes for the disabled.

## GENERAL INFORMATION

### PLEASE READ THROUGH THE ENTIRE INSTRUCTION SECTION BEFORE COMPLETING YOUR APPLICATION

Interested parties are invited to submit two (2) originals marked "ORIGINAL" in a sealed envelope to the Procurement Division. Please make sure that two (2) originals are unbound and secured with a binder clip or rubber band. The envelopes should be labeled "**RFA PUBLIC FACILITIES IMPROVEMENT CDBG FUNDING**" and marked with the respondents name and address. The proposal may be mailed or delivered to:

**Polk County Procurement Division  
330 West Church Street, Room 150  
PO Box 9005, Drawer AS05  
Bartow, FL 33831-9005**

The submittal shall be received by the County <b>only</b> at the above address prior to <b>2:00 p.m., Wednesday, May 1, 2019.</b>
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The delivery of the submittal on the above date and prior to the specified time is solely the responsibility of the respondent.

The submittal may be withdrawn either by written notice to the Procurement Director or in person, if properly identified, at any time prior to the above submittal deadline.

**Questions regarding this RFA must be in writing and must be sent to Michael Guerrero, Procurement Analyst, via email at [MichaelGuerrero@polk-county.net](mailto:MichaelGuerrero@polk-county.net) or via fax at (863) 534-6789. All questions must be received by Wednesday, April 17, 2019, by 4:00 p.m.**

A **mandatory** technical assistance workshop for all interested applicants will be held on Tuesday, April 9, 2019, 9:00 a.m. in room 413 of the Polk County Administration Building located at 330 W. Church Street, Bartow, Florida 33830. Applications will **not** be accepted from agencies that do not have a representative present at the mandatory technical assistance workshop. Additional individual technical assistance will be available from Thursday, April 18, 2019 to Friday, April 19, 2019 at 4:00 p.m. An appointment must be scheduled for individual technical assistance.

The Federal government stresses accountability and achievement of measurable outcomes to meet identified needs in use of its funds by grantees and subrecipients. We strongly recommend that applicants review Federal regulations regarding administration of the CDBG programs, reporting, and procurement practices. A reference copy of the form that will be used to rank competing proposals is provided.

#### **There are three application requirements that must be met:**

1. Complete the Application Coversheet and assemble the required listed documents.
2. Develop the Application Narrative using the requirements and instructions.

3. Fill out the Attachments: implementation schedule, budget summary, evaluation strategy and certification forms.

## EVALUATION CRITERIA

The evaluation criteria identified in the Instructions will be used to rank each Proposal submitted. Each criterion element will be rated separately. Proposals may receive up to the maximum points allowed based on the response to each criterion element. A detailed description of each criterion is included in this Request for Applications.

<b>ALL APPLICATIONS WILL BE EVALUATED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:</b>		
<b>Maximum Points</b>		
Criteria I	Organizational Capacity	20
Criteria II	Project Description	20
Criteria III	Approach	20
Criteria IV	Outcomes	20
Criteria V	Budget Justification and Leverage of Funds	<u>20</u>
<b>TOTAL POINTS</b>		<b>100</b>

# APPLICATION COVER SHEET

## Public Facilities Improvement RFA

Advertised in the Ledger	Technical Assistance Workshop	Workshop Location	Additional Technical Assistance Thursday, April 18 to Friday April 19, 2019 until 4:00 p.m.	Application Deadline by 2:00 p.m.
Monday April 1, 2019	Tuesday April 9, 2019  9:00 a.m. – 11:00 a.m.	Polk County Administration Building Room 413  330 West Church Street  Bartow, FL 33830	April 18 to 19 Technical Assistance Appointments	Wednesday May 1, 2019  Due to Procurement Office

### General Information

*(Please refer to the instructions for assistance in completing the application)*

CDBG funds may be used by public or private nonprofit entities for public facility improvements (except for buildings for the general conduct of government).

Locality/Organization Name	Authorized Official Name/Title		
Address	Telephone	Fax	
City, State, Zip	Organization Website		
Contact Person Name/Title	DUNS Number		
Contact Person Email	Federal Tax ID #		
Project Title	Location of the Project (Attach maps)		
Address:			
Total Project Cost	Total CDBG Funds Requested (Minimum \$25,000 - Maximum \$150,000)		
Project Description ( <b>Briefly</b> describe the use of CDBG for the project – <b>Limit to 100 characters</b> )			
Serving 100% of clientele that meet one of the following presumed benefit categories			
Abused Children	<input type="checkbox"/>	Illiterate Adults	<input type="checkbox"/>
Battered Spouses	<input type="checkbox"/>	Migrant Farm Workers	<input type="checkbox"/>
Elderly Persons (62+)	<input type="checkbox"/>	Person with AIDS	<input type="checkbox"/>
		Homeless Persons	<input type="checkbox"/>
		Severely Disabled Adults	<input type="checkbox"/>

Name of Authorized Representative: \_\_\_\_\_

Signature of Authorized Representative: \_\_\_\_\_

Title of Authorized Representative: \_\_\_\_\_

### CHECKLIST OF REQUIRED DOCUMENTS

- Articles of Incorporation and Organization's Bylaws
- State and Federal tax exemption determination letters
- List of Board of Directors
- Agency authorization to receive funds if awarded (e.g. authorization statement in narrative, authorization letter, agency resolution. Sample form is provided in the appendix )
- Identification of authorized representative (please list on proposal coversheet)
- Organizational chart
- Resume of program administrator
- Job descriptions of positions for which salaries and benefits are requested
- Financial statement and most recent audit (**Provide 2 Copies-place each copy in a separate sealed envelope marked Financial Statement**)
- Certificate of Insurance (Liability Insurance)
- Copies of required licenses and permits
- Qualifications of parties performing evaluations
- Attachments- Implementation schedule, budget summary, evaluation strategy, and certification forms.

Note: If an agency chooses to create their own budget summary form, it must contain the same elements as the budget form provided in the RFA.

## APPLICATION NARRATIVE CONTENT

This is the most critical section of the application because agencies must describe and justify their proposal to the Citizens Advisory Committee and the Board of County Commissioners. It is important to make logical connections between the needs of the persons served by your program and your plans to meet those needs. It is also important to understand and evaluate the limitations, as well as, the strengths of your proposed project. Applicants must convince the decision makers that the project will achieve the expected outcomes of the applicable program description more effectively than competing projects. **Note:** Incomplete applications and applications deemed ineligible according to CDBG program regulations will not be forwarded to the Community Development Citizen Advisory Committee for funding consideration

Proposals must include required documents and address the following elements:

### A. ORGANIZATIONAL CAPACITY (20 points maximum)

Provide the following narrative and information describing your organizational capacity:

1. Provide information to justify your agency's capacity to conduct this project. Describe management and fiscal staff resources (include consultants and volunteers, if applicable) with skills, experience and/or appropriate credentials to administer and conduct an accountable and responsible project. Identify any staff positions that will be in place for the project. Discuss facilities, equipment, materials, and other physical resources applicable to the project. If a license is required, provide a copy of the license or evidence that the applicant can meet license requirements prior to the award of funds.
2. Provide evidence/documentation of an acceptable and accountable financial management system that minimizes any opportunity for fraud, waste, or mismanagement. Describe project's fiscal management system, which should include, (but not be limited to) established (written) fiscal procedures. These should explain agency's cash handling procedures, accounts payable, bank reconciliations, purchase orders, designated payment approval and check signing authority; type of accounting records (manual or automated), description of accounting and payroll services (internal and/or external); ability to identify/track CDBG and other Federal funds; recording of clients assisted; separation of fiscal responsibilities; and adequacy of staff positions involved in fiscal and programmatic reporting.
3. Provide documentation/information that confirms successful past project performance, or success in initiating, maintaining, and completing similar projects, or projects of a similar magnitude (timeline, units, resources dedicated to project etc.). Give a brief overview of other types of services/ activities offered by your agency. Provide a recent project performance evaluation report for this project or similar projects.

4. Complete Checklist for Required Agency Documentation and attach the following documents:

- Articles of Incorporation and Organization's Bylaws
- State and Federal tax exemption determination letters
- List of Board of Directors
- Agency authorization to receive funds if awarded (e.g. authorization statement in RFA narrative, authorization letter, agency resolution. Sample form is provided in Appendix )
- Identification of authorized official ( please list on application coversheet)
- Organizational chart
- Resume of program administrator
- Job descriptions of positions for which salaries and benefits are requested
- Financial statement and most recent audit (**Provide 2 Copies-place each copy in a separate sealed envelope marked Financial Statement**)
- Certificate of Insurance (indicate type of insurance)
- Copies of required licenses and permits
- Qualifications of parties performing evaluations

- Attachments- Implementation schedule, budget summary, evaluation strategy, and certification forms.

Note: If an agency chooses to create their own budget summary form, it must contain the same elements as the budget form provided in the RFA

**B. PROJECT DESCRIPTION (20 points maximum)**

This section describes the problem statement, need or the severity of a problem that will be addressed by the service to be provided. Please make sure your statement addresses the following: What are the consequences if the request is not funded? Be sure to substantiate statements with evidence when possible and relate to specific objectives of the CDBG Programs.

1. Describe how the proposed services will address the need or alleviate the problem identified in the problem statement. Provide evidence of the effectiveness of the approach, be specific.
2. Explain how this project benefits low and moderate income households within the program objectives of the CDBG program.

**C. APPROACH (20 points maximum)**

The Application shall describe how the project will be implemented, operated, and administered within the time period of October 1, 2019, to September 30, 2020.

1. Describe your work plan and timeline for implementation including milestones to meet program and budget goals from initiation to completion. Make sure to include required implementation schedule.



2. Please provide a project schedule and time line, by month, including projected permitting, mobilization, construction and percent completion. (Note-No funds can be spent until the environmental review is complete and funding agreement is fully executed. Funds will not be available until after October 1, 2019).

**D. OUTCOMES (20 points maximum)**

1. The application will identify and describe one or more measurable project outcomes that are consistent with the identified need, or goals and objectives, and project approach. Indicate how the outcome will have a significant impact on the population and/or the community affected by the unmet need. Outcomes must address an identified public facilities and improvements priority, and state the number of low-income households/persons (please specify which) that will benefit, e.g., the number of clients served at the facility.
2. Complete a separate (**Evaluation Strategy Form with Outcome and Project Data**) for each proposed project outcome. (NOTE: One or more of the proposed project outcomes should be achievable within the fiscal year for which the Applicant is requesting funding). Please complete required objective and outcome category matrix.

**E. BUDGET JUSTIFICATION AND LEVERAGE OF FUNDS (20 points maximum)**

1. Complete: **Project Budget Summary**. Please note that “Total Project Budget” means the total cost of conducting that project in Polk County. “Budget Request” should reflect the portion of the total budget to be funded with CDBG funds.
2. Explain and justify **each proposed budget line item** and why CDBG funds are required. If the project is asking for management and general overhead expenses, please explain the purpose in the narrative.
3. Identify how the project will be leveraged with other programs and funds and the amount/percentage of leverage for each CDBG dollar. If the project is currently being funded by a resource other than CDBG, explain why CDBG funds are needed. Identify fundraising activities, other sources of funding expected for the program. (NOTE: Cash resources include donations, grants, contracts and awards. Non-cash resources include volunteers, in-kind contributions and goods, supplies and service donations).

# APPLICATION SCORING CRITERIA

All criterion elements will be rated from 0 to 5.

## A. ORGANIZATIONAL CAPACITY (20 points maximum)

The application will demonstrate the applicant’s administrative and financial ability to implement and manage the project. This includes organizational structure, record keeping and reporting, and an understanding of compliance and applicable Federal requirements.

CRITERION ELEMENT	Points Per Element
<b>A</b> The proposed project demonstrates management and fiscal staff resources (to include consultants) with skills, experience and/or appropriate credentials to administer and conduct an accountable and responsible project. Project must have access to facilities, equipment, materials and other physical resources to effectively conduct project.	<b>0-5</b>
<b>B</b> The Application provides evidence/documentation of an acceptable and accountable management and financial system that minimizes any opportunity for fraud, waste or mismanagement. Staff duties are diversified. The organization enforces the CDBG conflict of interest policy. The Board consists of experienced community representatives.	<b>0-5</b>
<b>C</b> The Application describes project’s fiscal management system, including but not limited to established (written) fiscal procedures. This should explain cash handling procedures, accounts payable, bank reconciliations, purchase orders, designated payment approval and check signing authority; type of accounting records (manual or automated), description of accounting and payroll services (internal and/or external); ability to identify/track CDBG or other federal funds; recording of program income, if any; recording of clients assisted; separation of fiscal responsibilities; and adequacy of staff positions involved in fiscal and programmatic reporting]. The organization can operate on a <u>reimbursement</u> basis.	<b>0-5</b>
<b>D</b> The Application provides confirmed evidence of successful past project performance or success in initiating, maintaining, and completing similar projects or projects of a similar magnitude. The organization has consistently met its program goals.	<b>0-5</b>

## B. PROJECT DESCRIPTION (20 points maximum)

The Application identifies a problem statement, describes need, and relates it to the identified public service needs for the 2019-2020 Annual Action Plan.

	CRITERION ELEMENT	Points Per Element
A	Application provides problem statement; documents severity of the problem; and clearly describes the need, affected population.	0-5
B	Application describes how the identified need relates to the objectives of the CDBG program and identified public facilities improvement priorities.	0-5
C	The Application adequately explains the need, goal(s) and objective(s) selected for the proposed project and how it will help in the agency's program goals. The narrative establishes a strong case for the award.	0-5
D	Application states how CDBG funds will be used to provide public facilities and improvements to be accomplished during the entire project period. Application has required implementation form.	0-5

## C. APPROACH (20 points maximum)

Application describes what the project will do, how it will be implemented, operated and administered within a realistic time period, and how targeted clients will be notified and will access services.

	CRITERION ELEMENT	Points Per Element
A	Application lists and describes the project that will address the identified need, goal, or objective and specifies the population, number of people being served.	0-5
B	Applicant demonstrates the ability to fulfill its pre-contract obligations in a timely manner, including but not limited to: environmental requirements, land use issues if applicable, and other committed funding sources, etc.	0-5
C	Application clearly describes a reasonable work plan for how the program will be implemented, operated and administered and provides a realistic timeline and milestones to completion of project activities.	0-5
D	The organization proposes a comprehensive approach in dealing with the identified need or problem. The application provides an explanation on how these collaborations facilitate achieving milestones and program goals.	0-5

## D. OUTCOMES (20 points maximum)

Application clearly identifies and describes one or more measurable project outcomes that are consistent with the priority need and project approach, and that the outcome will have **significant impact** on the population and/or the community affected by the need.

	CRITERION ELEMENT	Points Per Element
<b>A</b>	Application clearly identifies and describes (one or more) measurable project outcomes that are consistent with project approach and identified need, goal, or objective. Outcomes must address a CDBG goal and objective.	<b>0-5</b>
<b>B</b>	Application outcomes are reasonable for the scope of the project and can be accomplished in the contract period.	<b>0-5</b>
<b>C</b>	Application describes measurement of outcomes and methods to measure them that can be implemented on contract initiation. Application Indicates how outcome will impact the population and/or community affected by the unmet need.	<b>0-5</b>
<b>D</b>	The project is “shovel ready” so organization can begin expending funds within three months of receiving their award letter and complete the project within one year of the date of the contract.	<b>0-5</b>

## E. BUDGET JUSTIFICATION AND LEVERAGE OF FUNDS (20 points maximum)

Applicant presents a clear and reasonable project budget and identifies additional resources other than CDBG funds that can help support the proposed project. (Resources may include volunteers, in-kind contributions, cash donations, goods, supplies and services, donations, grants, and/or contracts.)

	CRITERION ELEMENT	Points Per Element
<b>A</b>	Application includes proposed budget clearly describes all costs for the project.	<b>0-5</b>
<b>B</b>	Proposed budget is realistic for the project, and the narrative explains and justifies each proposed budget line item and why CDBG public facilities and improvement funds are required. If the project is currently funded by a resource other than CDBG, the application explains why CDBG funds are needed.	<b>0-5</b>
<b>C</b>	Application narrative and budget include and give details of additional resources that will support and leverage funding for the project, and state commitment status. The proposed budget includes financial resources, including in-kind contributions to leverage the proposed project’s costs. The organization provides compelling evidence for the funding but can continue to provide services without the availability of CDBG funds.	<b>0-5</b>
<b>D</b>	The organization has a good track record in managing previous CDBG or other federal or local grants, meeting proposed goals, and has demonstrated timely use of funds.	<b>0-5</b>

## EVALUATION OF APPLICATIONS

The Community Development Citizen’s Advisory Committee will review applications that are received. Each Selection Committee member shall score each Application on the following evaluation criteria:

	Maximum Points
➤ Organization Capacity	20 points
➤ Project Description	20 points
➤ Approach	20 points
➤ Outcomes	20 points
➤ Budget Justification & Leverage of Funds	<u>20 points</u>
Total Points Available	100

Each Community Development Citizen’s Advisory Committee member shall determine which of the following descriptions applies to each of the foregoing application evaluation criteria:

- **EXCELLENT (5):** *Of the highest or finest quality; exceptional; superior; superb; exquisite; peerless.*  
 Applicant provided information for a given criteria that satisfied the requirements and described specifically how and what will be accomplished in such a manner that exhibited an *exceptional* and *superior* degree of understanding, skill, and competency, both qualitatively and quantitatively. The facts included in the narrative description (including all supporting documentation, diagrams, drawings, charts and schedules, etc.) demonstrated the Applicant’s ability to perform and deliver far beyond expectation.
- **VERY GOOD (4):** *To a high degree; better than or above competent and/or skillful.*  
 Applicant provided information for a given criteria that satisfied the requirements and described specifically how and what will be accomplished in such a manner that exhibited a *very high degree* of understanding, skill and competency, both qualitatively and quantitatively. The facts included in the narrative description (including all supporting documentation, diagrams, drawings, charts and schedules, etc.) demonstrated the Applicant’s ability to perform and deliver beyond expectation.
- **GOOD (3):** *Having positive or desirable qualities; competent; skilled; above average.*  
 Applicant provided information for a given criteria that satisfied the requirements and described specifically how and what will be accomplished in such a manner that exhibited a *skillful* and *above average* degree of understanding, skill and competency, both qualitatively and quantitatively. The facts included in the narrative description (including all supporting documentation, diagrams, drawings, charts and schedules, etc.) demonstrated the Applicant’s ability to perform and deliver at the expected level.

- **FAIR (2):** *Average; moderate; mediocre; adequate; sufficient; satisfactory; standard.*  
 Applicant provided information for a given criteria that satisfied the requirements and described *sufficiently* how and what will be accomplished in a manner that exhibited an *adequate* and *average* degree of understanding, skill and competency, both qualitatively and quantitatively. The facts included in the narrative description (including all supporting documentation, diagrams, drawings, charts and schedules, etc.) demonstrated the Applicant's ability to perform and deliver at a level slightly below expectation.
- **POOR (1):** *Inadequate; lacking; inferior in quality; of little or less merit; substandard; marginal.*  
 Applicant provided information for a given criteria that did not satisfy the requirements and described in an *inadequate* manner how and what will be accomplished. The information provided simply reiterated a requirement, contained inaccurate statements or references, lacked adequate information, or was of *inferior* quality. The facts included in the narrative description (including all supporting documentation, diagrams, drawings, charts and schedules, etc.) demonstrated the Applicant's ability to perform and deliver at a *substandard* and *inferior* level.
- **UNACCEPTABLE (0):**  
 Applicant failed to provide any information for a given criteria, provided information that could not be understood, or did not provide the information for a given category as requested.

When all Community Development Citizen's Advisory Committee members have completed their Applicant evaluations, the individual Selection Committee members' total scores for each applicant will be added together to produce a final score for each Applicant.



## BUDGET SUMMARY SHEET (Attachment 2)

### PROPOSED USE OF FUNDS

		Total Project Costs	CDBG Funds Requested	Other Funds and/or In-kind Contributions	Sources of Other Funds and In- kind Contributions
<b>I.</b>	Environmental Review, Reports or Studies				
	<i>Subtotal Environmental Review Costs</i>				
<b>II.</b>	<b>Construction Costs</b>				
	Site Improvements				
	Construction				
	Construction Contingency				
	Sales Tax (if applicable)				
	Permits				
	Other Construction Costs				
	<i>Subtotal Construction Costs</i>				
<b>III.</b>	<b>Professional Fees</b>				
	Architect/Engineer/Surveyor				
	Hazardous Materials Survey				
	Appraisal				
	Legal				
	Other Professional Fees				
	<i>Subtotal Professional Fees</i>				
<b>IV.</b>	<b>Other Development Costs</b>				
	Relocation Costs				
	Financing Costs				
	Other				
	<i>Subtotal Other Development Costs</i>				
<b>I.</b>	<b>Environmental Review Costs</b>				
<b>II.</b>	<b>Construction Costs</b>				
<b>III.</b>	<b>Professional Fees</b>				
<b>IV.</b>	<b>Other Development Costs</b>				
	<b>TOTAL COSTS:</b>				

**NOTE:** "Total Project Budget" means the total cost of conducting the project Polk County (CDBG funds requested included). CDBG budget request should reflect the portion of the total budget to be funded by Polk County.



# EVALUATION STRATEGY

(Attachment 3A)

## OUTCOME(s) AND PROJECT DATA

(Please complete a separate form for each proposed project outcome.) (Outcome # \_\_\_\_\_ of \_\_\_\_\_)

<b>ORGANIZATION:</b>		
<b>PROJECT:</b>		
<b>ACTIVITY/SERVICE PROVIDED:</b>		
<b>WHAT IS THE IMPACT OF THE NEED/PROBLEM ON THE POLK COUNTY COMMUNITY:</b>		
<b>OUTCOME TO BE ACHIEVED (<u>not output</u>):</b>		
<b>PERFORMANCE MEASURE:</b>		
<b>PROGRAM ACCOMPLISHMENT:</b>		
Target population: Identify the number of persons to be served <b><u>ANNUALLY BY THE IDENTIFIED OUTCOME</u></b>	Currently Served (Fiscal Year 2018-2019)	Anticipated to be Served (Fiscal Year 2019-2020)
Low-income Households [50% or less of Area Median Income (AMI)]		
Moderate-income Households (50 to 80% of AMI)		
Elderly Persons		
Persons with Disabilities		
Homeless Families and Individuals		
Special Population Groups: (identify below)		
Youth		
Victims of Domestic Violence		
<b>TOTAL:</b>		

# EVALUATION STRATEGY

(Attachment 3 B)

## CDBG Program Objective and Outcome Categories

Using the table below, please check which category best describes the U. S. Department of Housing and Urban Development (HUD) defined outcome and objective that the proposed project or program will meet. Only select one.

Outcomes → Objectives ↓	Availability/ Accessibility	Affordability	Sustainability
<b>Suitable Living Environment</b>	<input type="checkbox"/> Enhance Suitable Living environment through new/improved accessibility	<input type="checkbox"/> Enhance Suitable Living environment through new/improved affordability	<input type="checkbox"/> Enhance Suitable Living environment through new/improved sustainability
<b>Decent Housing</b>	<input type="checkbox"/> Create decent housing with new/improved availability	<input type="checkbox"/> Create decent housing with new/improved affordability	<input type="checkbox"/> Create decent housing with new/improved sustainability
<b>Economic Opportunity</b>	<input type="checkbox"/> Provide economic opportunity through new/improved accessibility	<input type="checkbox"/> Provide economic opportunity through new/improved affordability	<input type="checkbox"/> Provide economic opportunity through new/improved sustainability

**Please Note: most Public Facilities Improvement Projects will provide either availability/accessibility for a suitable living environment.**

## Conflict of Interest Certification

I hereby attest that no conflict of interest, as defined in Title 24 Code of Federal Regulations Part 570 below, exists within our agency regarding this application for funding.

\_\_\_\_\_  
Agency Board Chair

\_\_\_\_\_  
Date

[CITE: 24CFR570.611]

[Page 150-151]

### TITLE 24--HOUSING AND URBAN DEVELOPMENT

#### CHAPTER V--OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### PART 570\_ COMMUNITY DEVELOPMENT BLOCK GRANTS--Table of Contents

#### Subpart K\_ Other Program Requirements

#### Sec. 570.611 Conflict of interest.

(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section 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. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.

(c) Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

[60 FR 56916, Nov. 9, 1995]

## Sample Agency Authorization

I HEREBY CERTIFY that I am the duly elected and qualified \_\_\_\_\_ (Board Chairman or CEO), a Florida non-profit corporation ("Corporation"), and as such I am the keeper of the records of the Corporation and duly and properly authorized to certify to the official acts of the Corporation;

BE IT RESOLVED, that \_\_\_\_\_, as \_\_\_\_\_ of the Corporation ("Designee"), is hereby authorized for and on behalf of the Corporation, to execute and deliver all documents concerning the CDBG or ESG to Polk County, Florida; that the Designee is authorized to take any and all action deemed expedient, in Designee's sole and absolute discretion, to perform all actions necessary to effectuate the grant, all in form and content acceptable to Designee, in Designee's sole and absolute discretion;

RESOLVED FURTHER, that the signature of the Designee shall be conclusive evidence of his or her authority to act on behalf of and in the name of the Corporation as provided herein; and

RESOLVED FURTHER, that all prior action taken by any officer of this Corporation in furtherance of the above described activity is hereby approved and ratified

I further certify:

This Corporation is in good standing with all license, income and franchise taxes paid; No proceeding for the dissolution or liquidation of this Corporation is in effect.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

## Ranking Sheet

<b>ORGANIZATIONAL CAPACITY (Maximum 20 Points)</b>		<b>Points Per Element</b>	<b>Score</b>
<b>A</b>	The proposed project demonstrates management and fiscal staff resources (to include consultants) with skills, experience and/or appropriate credentials to administer and conduct an accountable and responsible project. Project must have access to facilities, equipment, materials and other physical resources to effectively conduct project.	<b>0-5</b>	
<b>B</b>	The Application provides evidence/documentation of an acceptable and accountable management and financial system that minimizes any opportunity for fraud, waste or mismanagement. Staff duties are diversified. The organization enforces the CDBG conflict of interest policy. The Board consists of experienced community representatives.	<b>0-5</b>	
<b>C</b>	The Application describes project's fiscal management system, including but not limited to established (written) fiscal procedures. This should explain cash handling procedures, accounts payable, bank reconciliations, purchase orders, designated payment approval and check signing authority; type of accounting records (manual or automated), description of accounting and payroll services (internal and/or external); ability to identify/track CDBG/other federal funds; recording of program income, if any; recording of clients assisted; separation of fiscal responsibilities; and adequacy of staff positions involved in fiscal and programmatic reporting]. The organization can operate on a <b>reimbursement</b> basis.	<b>0-5</b>	
<b>D</b>	The Application provides confirmed evidence of successful past project performance or success in initiating, maintaining, and completing similar projects or projects of a similar magnitude. The organization has consistently met its program goals.	<b>0-5</b>	
<b>PROJECT DESCRIPTION (Maximum 20 Points)</b>		<b>Points Per Element</b>	<b>Score</b>
<b>A</b>	Application provides problem statement; documents severity of the problem; and clearly describes the need, affected population.	<b>0-5</b>	
<b>B</b>	Application describes how the identified need relates to the objectives of the CDBG program and identified public facilities improvement priorities.	<b>0-5</b>	
<b>C</b>	The Application adequately explains the need, goal(s) and objective(s) selected for the proposed project and how it will help in achieving CDBG program goals. The narrative establishes a strong case for the award.	<b>0-5</b>	
<b>D</b>	Application states how CDBG funds will be used to provide public facilities and improvements to be accomplished during the entire project period. Application has required implementation form.	<b>0-5</b>	

### Ranking Sheet (Continued)

<b>APPROACH (Maximum 20 points)</b>		<b>Points Per Element</b>	<b>Score</b>
<b>A</b>	Application lists and describes the project that will address the identified need, goal, or objective and specifies the population and number of people being served.	<b>0-5</b>	
<b>B</b>	Applicant demonstrates the ability to fulfill its pre-contract obligations in a timely manner, including but not limited to: environmental requirements, land use issues, and other committed funding sources, etc.	<b>0-5</b>	
<b>C</b>	Application clearly describes a reasonable work plan for how the program will be implemented, operated and administered and provides a realistic timeline and milestones to completion of project activities.	<b>0-5</b>	
<b>D</b>	The organization proposes a comprehensive approach in dealing with the identified need or problem. The application provides an explanation on how these collaborations facilitate achieving milestones and program goals.	<b>0-5</b>	
<b>OUTCOMES (Maximum 20 points)</b>		<b>Points Per Element</b>	<b>Score</b>
<b>A</b>	Application clearly identifies and describes (one or more) measurable project outcomes that are consistent with project approach and identified need, goal, or objective. Outcomes must address a CDBG goal/objective.	<b>0-5</b>	
<b>B</b>	Proposed outcomes are reasonable for the scope of the project and can be accomplished in the contract period.	<b>0-5</b>	
<b>C</b>	Application describes measurement of outcomes and methods to measure them that can be implemented on contract initiation. Application indicates how outcome will impact the population and/or community affected by the unmet need.	<b>0-5</b>	
<b>D</b>	The project is "shovel ready" so the organization can begin expending funds within three months of receiving their award letter and completed the project within one year of the date of the contract.	<b>0-5</b>	
<b>BUDGET JUSTIFICATION AND LEVERAGE (Maximum 20 points)</b>		<b>Points Per Element</b>	<b>Score</b>
<b>A</b>	Application includes proposed budget and clearly describes all costs for the project.	<b>0-5</b>	
<b>B</b>	Proposed budget is realistic for the project, and the narrative explains and justifies each proposed budget line item and why CDBG funds are required. If the project is currently funded by a resource other than CDBG, the proposal explains why CDBG funds are needed.	<b>0-5</b>	
<b>C</b>	Application narrative and budget include and give details of additional resources that will support and leverage funding for the project, and state commitment status. The proposed budget includes financial resources, including in-kind contributions to leverage the proposed project's costs. The organization provides compelling evidence for the funding but can continue to provide services without the availability of CDBG funds.	<b>0-5</b>	
<b>D</b>	The organization has a good track record in managing previous CDBG or other federal or local grants, meeting proposed goals, and has demonstrated timely use of funds.	<b>0-5</b>	
<b>TOTAL SCORE (Maximum 100 Points)</b>			

## **GENERAL CONDITIONS**

### **CONTACT**

After the issuance of any Request for Applications, prospective Applicants shall not contact, communicate with or discuss any matter relating in any way to the Request for Applications with the Board of County Commissioners, Citizens Advisory Committee or any employee of Polk County other than the Procurement Director or as directed in the cover page of the Request for Applications. This prohibition begins with the issuance of any Request for Applications and ends upon completion of the appeal period. Such communications initiated by an Applicant **shall** be grounds for disqualifying the offending Applicant from consideration for award of this RFA and for contracts to be awarded pursuant to RFAs or the County may issue in the future.

### **ADDENDA**

The County may record its responses to inquiries and any supplemental instructions to this RFA in the form of written addenda. The addenda will be posted on the County's website at [www.polk-county.net](http://www.polk-county.net) "View Current Bid Opportunities." The Applicants shall check the website to ensure that all available information has been received before submitting an Allocation. Any oral explanation given before the RFA opening will not be binding. All inquiries shall be in writing and addressed to Michael Guerrero, Procurement Analyst, via email at [MichaelGuerrero@polk-county.net](mailto:MichaelGuerrero@polk-county.net) or via fax at (863) 534-6789.

### **NOTICE REGARDING FUNDING AVAILABILITY**

Final budget/funding recommendations are subject to funding availability, there is no guarantee that all requests submitted will be funded. Available funds can only support a limited number of projects. In addition Polk County reserves the right to accept or reject applications, which in its judgment, serves the best interests of low and moderate income persons in Polk County. All agencies who are awarded funding will be subject to federal and local laws, regulations and program guidelines.

### **APPEALS**

An applicant may request to receive information requesting the reason why the proposed project was not recommended for funding or request technical assistance for future applications. Applicants may appeal the CAC's recommendations; however, they may not appeal the following:

1. Proposed activity is ineligible under the program guidelines
2. Applicant failed to meet federal eligibility requirements and Polk County eligibility requirements for the grant
3. Applicant failed to submit application on time.
4. Applicant failed to have representation at mandatory training workshop
5. Submittal of an incomplete application (missing narrative, documentation, or explanation of why documentation isn't available)
6. Applicant is dissatisfied with amount of recommended award.

To appeal a recommendation, an applicant must provide a written notice of their request to the Housing and Neighborhood Development Manager within three days of the notification of CAC recommendation for funding.

### **REQUESTS FOR TECHNICAL ASSISTANCE TO IMPROVE FUTURE APPLICATIONS**

After notification of the CAC's recommendations for funding or after receipt of denial letter after the BoCC meeting, applicants may request technical assistance and feedback from HND staff to understand why their agencies received the scores and rankings they received. HND staff may provide the CAC ranking sheets and other information to assist the applicant. The applicant may request a meeting with CDBG staff and/or the HND manager.

It is important to note while an active application solicitation cycle is in progress, applicants must adhere to the process, meaning after notification of an RFA and the mandatory technical assistance workshop has occurred, HND staff does not discuss the content of the agencies applications with applicants. All questions or concerns must be submitted in writing to procurement. All questions submitted to procurement will be answered and any clarifications will be posted on the Procurement website as application addenda.



## SUPPLEMENTAL CONDITIONS-FEDERAL CLAUSES

The following conditions are supplemental to the General Terms and Conditions. Where there is conflict, these Supplemental Conditions prevail unless the General Terms and Conditions are stricter.

### 1. **Equal Employment Opportunity**. *(Applicable to construction contracts only)*

During the performance of this Contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract/Purchase Order or with any of the said rules, regulations, or orders, this contract/Purchase Order may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions,

including sanctions for noncompliance: Provided, however, That in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States.

## **2. Contract Work Hours and Safety Standards Act.**

(1) Overtime requirements. Neither the Contractor, nor any subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1) of this section the Contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1) of this section.

(3) Withholding for unpaid wages and liquidated damages. The (write in the name of the Federal agency or the loan or grant recipient) shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2) of this section.

(4) Subcontracts. The Contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1) through (4) of this section.

## **3. Clean Air Act and the Federal Water Pollution Control Act.**

### Clean Air Act

(1) The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.

(2) The Contractor agrees to report each violation to the County and understands and agrees that the County will, in turn, report each violation as required to assure notification to the Florida Division of Emergency Management, Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.

(3) The Contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by FEMA.

#### Federal Water Pollution Control Act

(1) The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.

(2) The Contractor agrees to report each violation to the County and understands and agrees that the County will, in turn, report each violation as required to assure notification to the Florida Division of Emergency Management, Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.

(3) The Contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by FEMA.

#### **4. Debarment and Suspension. (Exhibit "A")**

(1) This Contract/Purchase Order is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the Contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).

(2) The Contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

(3) This certification is a material representation of fact relied upon by Polk County. If it is later determined that the Contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Florida Division of Management and the County, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

(4) The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract or purchase order that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

#### **5. Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352 (as amended)**

Contractors who apply or bid for an award of \$100,000 or more shall file the required certification (attached hereto as Exhibit "B"). 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 shall 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 recipient.

**6. Procurement of Recovered Materials.**

(1) In the performance of this Contract/Purchase Order, the Contractor shall make maximum use of products containing recovered materials that are EPA- designated items unless the product cannot be acquired—

(i) Competitively within a timeframe providing for compliance with the contract performance schedule;

(ii) Meeting contract performance requirements; or

(iii) At a reasonable price.

(2) Information about this requirement, along with the list of EPA-designate items, is available at EPA's Comprehensive Procurement Guidelines web site, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.”

**7. Access to Records.** The following access to records requirements apply to this Purchase Order:

(1) The Contractor agrees to provide the Florida Division of Emergency Management, Polk County, the FEMA Administrator, the Comptroller General of the United States, or any of their authorized representatives access to any books, documents, papers, and records of the Contractor which are directly pertinent to this Purchase Order for the purposes of making audits, examinations, excerpts, and transcriptions.

(2) The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

(3) The Contractor agrees to provide the FEMA Administrator or his authorized representatives access to construction or other work sites pertaining to the work being completed under the Purchase Order.”

**8. DHS Seal, Logo, and Flags.** The Contractor shall not use the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials without specific FEMA pre- approval.

**9. Compliance with Federal Law, Regulations, and Executive Orders.** This is an acknowledgement that FEMA financial assistance will be used to fund the Purchase Order only. The Contractor will comply will all applicable federal law, regulations, executive orders, FEMA policies, procedures, and directives.

**10. No Obligation by Federal Government.** The Federal Government is not a party to this Purchase Order and is not subject to any obligations or liabilities to the non-Federal entity, contractor, or any other party pertaining to any matter resulting from this Purchase Order.

**11. Program Fraud and False or Fraudulent Statements or Related Acts.**

The Contractor acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for False Claims and Statements) applies to the Contractor's actions pertaining to this Purchase Order.

**EXHIBIT "A"**

**CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION, PROPOSED  
DEBARMENT, AND OTHER RESPONSIBILITY MATTERS**

**For all awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs and activities, the Offeror must complete and sign the following:**

The Offeror certifies, to the best of its knowledge and belief, that-

(1) This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).

(2) The contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

(3) This certification is a material representation of fact relied upon by Polk County, a political subdivision of the State of Florida (the "County"). If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Florida Division Emergency Management, the County, and the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

(4) The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

SIGNATURE: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

**EXHIBIT "B"**  
**APPENDIX A, 44 C.F.R. PART 18 – CERTIFICATION REGARDING LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned \_\_\_\_\_ certifies, to the best of his or her knowledge, that:  
(Contractor)

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form- LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor, \_\_\_\_\_, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 *et seq.*, apply to this certification and disclosure, if any.

\_\_\_\_\_  
Signature of Contractor's Authorized Official

\_\_\_\_\_  
Name and Title of Contractor's Authorized Official

\_\_\_\_\_  
Date