

# **INFRASTRUCTURE GRANT PROGRAM (IGP)**



## **GUIDELINES**

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**GUIDELINES OF THE  
HARDEE COUNTY  
ECONOMIC DEVELOPMENT AUTHORITY  
(INDEPENDENT BOARD)**

**INFRASTRUCTURE GRANT PROGRAM (IGP)**

- I. PURPOSE**
- II. DEFINITIONS**
- III. GENERAL REQUIREMENTS**
- IV. APPLICATION REQUIREMENTS & PROCESSING**
- V. EVALUATION CRITERIA**
- VI. GRANT ADMINISTRATION**
- VII. COMPLIANCE RESPONSIBILITIES**

**I. PURPOSE.** The Hardee County Economic Development Authority Independent Board (Authority), pursuant to Section 211.3103(3)(b)3 F.S., is authorized to establish the Infrastructure Grant Program to provide grants to qualified for-profit and not-for-profit entities to fund projects that provide economic development opportunities, private sector job creation or infrastructure within the geographic boundaries of Hardee County. The purpose of this part is to set forth procedures to govern the program.

**II. DEFINITIONS.** The terms used in this part are defined as follows:

- 1. "APPLICANT" means a local government entity (Board of County Commissioners, municipalities, authorities [i.e. water, airport, etc.]), non-profit business or for-profit businesses.
- 2. "APPLICATION" means a formal request for EDA funds by an applicant consisting of a complete project application form with all required documentation.
- 3. "APPLICATION SUBMISSION PERIOD" means the formally announced period of time provided by the EDA for the submission of applications by local entities, non-profit businesses and for-profit businesses.
- 4. "AUTHORITY" means the Hardee County Economic Development Authority.
- 5. "BUSINESS ENTITY" means an economic unit that controls resources, incurs obligations, and engages in business activities in one or more locations.

6. "CASH" means money paid by a grantee to purchase goods and services from private and independent sources for accomplishment of an EDA project. In-kind service costs are not cash.
7. "CAPITAL IMPROVEMENT PLAN" means that portion of an applicant's adopted local comprehensive plan which indicates a schedule of capital improvement projects, including estimated costs and target dates for completion.
8. "CLERK" means the clerk of the court serving in the capacity of chief financial officer of the county.
9. "COMMISSION" means the Board of County Commissioners of Hardee County.
10. "COUNTY" means Hardee County.
11. "DEVELOPMENT" means the act of physically improving an area, facility, resource or site to increase its ability or capacity to serve economic development, private sector job creation or infrastructure purposes.
12. "EVALUATION CRITERIA" means the standards used to evaluate EDA applications.
13. "ESTIMATED PROGRAM FUNDS" means the amount of EDA funds estimated to be available for the subsequent fiscal year by the Authority.
14. "FACILITY" means a component of a capital improvement project.
15. "FISCAL YEAR" means the County fiscal year, October 1 – September 30.
16. "FUNDING CYCLE" means the interval of time between the start of an EDA application submission period and appropriation of project funds by the Authority.
17. "GRANT" means program funds authorized by the Authority for release to a grantee for implementation of an approved project.
18. "GRANT AWARD AGREEMENT" means an executed contract between the Authority and a grantee setting forth mutual obligations and reimbursement schedules regarding an approved EDA project.
19. "GRANTEE" means a local governmental entity, non-profit business or for profit-business receiving EDA funds pursuant to an approved EDA application.
20. "IN-KIND SERVICE COSTS" means in-house expenses incurred by a grantee for labor and materials and grantee-owned and maintained equipment for accomplishment of an approved EDA project. Volunteer labor, inmate labor, or donated materials are ineligible program expenses.
21. "INFRASTRUCTURE" means storm water systems; telecommunications facilities; roads or other remedies to transportation impediments; nature based

tourism facilities; additions to the distribution facilities of existing natural gas utilities, existing electric utilities, or existing water or wastewater utilities, or other physical requirements necessary to facilitate tourism, trade and economic development activities in the community dedicated for public use.

22. "LAND VALUE" means the assessed fair market value of land used by a grantee as match to EDA funds.
23. "LOCAL GOVERNMENT COMPREHENSIVE PLAN" means a plan adopted pursuant to Chapter 163, Florida Statutes.
24. "LOCAL GOVERNMENTAL ENTITY" means a county government, municipality (incorporated city, town or village), or an independent special district of the State of Florida with legal responsibility.
25. "MATCH" means the provision of cash, in-kind service costs or land value in the ratio required by these guidelines to be added to EDA funds by the grantee for the project cost.
26. "NEEDS" means a deficiency in or a necessity to carry out a predetermined level of service.
27. "NEW CONSTRUCTION" means building of new facilities not previously in existence.
28. "PRIORITY LIST" means a list that contains all eligible applications which will meet or exceed the minimum ranking as identified in the "Criteria for the Purpose of Ranking Projects" summary included in the application packet.
29. "PROGRAM" means the EDA grant-in-aid program.
30. "PROGRAM AMOUNT" means the amount of EDA funds received for severance tax.
31. "PROJECT" means the planned undertaking in which all actions or activities have a clear-cut identity and a well-defined objective that has been planned to the point of definite implementation for which EDA funds will be used.
32. "PROJECT COMPLETION" means the project is available for use of operational use for infrastructure projects. Project must be designated complete prior to release of final reimbursement.
33. "PROJECT COMPLETION DATE" means the date specified in a Grant Award Agreement by which a grantee shall complete an approved EDA project and incur all grant and if applicable, match related expenses. Private sector job creation projects, employee retention requirements shall be met.
34. "PROJECT COST" means the total of an EDA grant award and required match.

35. "PROJECT ELEMENT" means an identified facility within a project.
36. "PROJECT PERIOD" means the period of time set forth in a Grant Award Agreement during which eligible project costs may be incurred and charged to the grant.
37. "PROJECT SITE" means the specific area, and boundaries thereof, as shown by a survey and a legal description, for which EDA funds are used.
38. "REAL PROPERTY" means land and improvements attached or affixed to the land.
39. "RENOVATION" means repair, replacement, or restoration of like facilities to an improved state of condition of which allows job retention and or private sector job creation.
40. "SITE CRITERIA" means criteria related to the site shall be established by the Authority prior to any solicitation for grant applications.
41. "STAFF" means BCC staff as designated by the County Manager.
42. "SUPPORT FACILITY" means a facility which could not stand alone, or which would have little or no public value without the primary facility. Examples of support facilities are: parking lots, restrooms, bathhouses, combined restroom-concession stand buildings, access roads, walkways, landscaping as required by Hardee County LDR, security lighting and fencing, and interpretive signs.
43. "PRIVATE SECTOR JOBS" means any job in which goods and services are produced by individuals and companies and is not controlled by the state or local government.
44. "PUBLIC SECTOR JOBS" means any job controlled by the state or local government. Includes nationalized industries, national, state, and local government services, and public corporations.

**III. GENERAL REQUIREMENTS.** The following constitutes the general procedures for the program:

(1) EDA APPLICATION CATEGORIES. Infrastructure applicants must demonstrate a direct relationship between the infrastructure funding request and tourism, trade and economic development "activity". Infrastructure applications seeking funding to rehabilitate existing public infrastructure without direct connectivity to job creation are not favored. The EDA recognizes four types of infrastructure application categories:

1. Public Infrastructure necessary for the immediate or facilitation of the creation of jobs, with or without the use of "performance based mortgage instrument".
2. Private infrastructure necessary for the immediate, direct creation of jobs, with or without use of "performance based mortgage instrument", as each application may require to adequately protect the public investment.

3. Joint infrastructure between a governmental entity and a private sector employment or infrastructure entity.

4. Those so defined by a two-thirds majority of the Authority members (declaration). This 2/3 majority vote shall require that action be taken at a meeting at which a majority of the members is present.

Note: a **performance based mortgage** shall be created between the entities above, where appropriate, without EDA oversight. The sponsoring government entity shall be the grantee. The grantee is responsible for the creation, implementation and disposition of such instruments.

(2) DISTRIBUTION OF PROGRAM FUNDS. EDA funds are distributed as reimbursement grants by the Authority on a project-by-project basis to applicants eligible under these guidelines. The Authority's performance and obligation to award program grants are contingent upon an annual appropriation as announced in the Florida Administrative Weekly for the subsequent fiscal year.

(3) APPLICATION SUBMISSION PERIOD. The Authority shall accept program applications only during the application submission period. Applications must be postmarked on or before the last day of the application submission period. The Authority shall publicize the dates of the application submission period and other pertinent application information specified in these guidelines in the Florida Administrative Weekly.

(4) GRANT AWARD. The Authority shall rank applications to the extent of estimated available program funds based on criteria relating to administrative capacity, public benefit, economic benefits and public use.

(5) PROGRAM AMOUNT ALLOCATION. For each funding cycle, the Authority shall divide the estimated available program amount into four categories: Joint Application, Job Creation Application, Economic Development Application, and EDA Infrastructure.

(6) RECOMMENDED APPLICATION PRIORITY LIST. The program amount assigned to each fund as established by the Authority shall be divided into four categories: Joint Application, Job Creation Application, Economic Development Application, and EDA Infrastructure. Applications shall be ranked according to criteria summary sheet. The application satisfying the most criteria will receive the highest priority. The remaining applications will be arranged in descending order according to their assigned criteria. Applications criteria below the minimum, established by the Authority shall not be placed on the priority list. The priority list shall include recommendations for distribution of available program funds. In the event there are insufficient applications to account for all program funds assigned to a category or fund, the remaining funds shall then be allocated to the other categories or funds.

(7) BREACH OF CONTRACT. The Authority shall deny or suspend program eligibility to any applicant or grantee against which the Authority has an unsettled financial claim and/or dispute of attainment of program requirements.

**IV. APPLICATION REQUIREMENTS and PROCESSING.** The Authority shall approve applications for program grants in order of ranking until all program funds are depleted under the following standards and criteria:

(1) **ELIGIBLE APPLICANTS.** A local government entity (Board of County Commissioners, municipalities, authorities [i.e. water, airport, etc.]), non-profit business or for-profit businesses may submit EDA applications during the application submission period.

(2) **PROJECT ELIGIBILITY.**

(a) Joint Application, Job Creation Application, Economic Development Application, and EDA Infrastructure: EDA grants shall only be awarded to grantees for projects that are for the sole purpose of providing infrastructure or private sector job creation.

(b) Eligible Site: The site of an EDA development project shall be owned by the applicant, or shall be under lease to the applicant for a period of time sufficient to satisfy the dedication period by the submission period deadline. The Authority shall make exceptions when the applicant demonstrates that: 1) it is in the public interest and it complies with all other parts of these guidelines. Other forms of real property interest will be considered if the applicant provides clear and explicit documentation showing that it has the sole ability to control, manage, and dedicate the property for the required period of time. Site control verification must be received by the execution of the Grant Award Agreement.

(c) Number of Applications: An applicant may submit more than one application for grant assistance. An application grant project must be limited to a single site or group of sites in which all the properties have the same owner or owners.

(d) Active Projects: A grantee with an open EDA project by the closing date of an application submission period can be eligible to submit additional applications.

(e) Duplicate Projects: An applicant shall not submit the same application, in whole or in part in concurrent or overlapping funding cycles.

(3) **COMPLETENESS/ELIGIBILITY DETERMINATION.** Following closure of an application submission period, Authority staff will review and determine the completeness of each application based on the following:

(a) Applications received by the application submission deadline will be reviewed and evaluated by the governing body of the County and each municipality in the County, the nonprofit corporation and the Authority based on the materials submitted. Applicants will be notified of the timely receipt and status of their application(s).

(b) No additional information shall be accepted after the application submission deadline, unless specifically requested by Authority staff for clarification of information provided in the application received by the published application submission deadline.

(c) Ineligibility: An application, in whole or in part, may be declared ineligible by the Authority pursuant to Paragraphs IV (2)(a-e). The Authority may determine that a project site or facility is not viable or practical if the projects fail to adequately meet the Authority's evaluation criteria.

(4) APPLICATION EVALUATION. Each eligible application shall be evaluated on the basis of the information provided in the application and in accordance with this part.

(5) UNFUNDED AND INELIGIBLE APPLICATIONS. Any unfunded or ineligible application shall remain on file in accordance with Public Records retention requirements.

(6) APPLICATION FORM. The EDA Program Application Form is available from the County Manager's Office at 412 W. Orange Street, Room 103, Wauchula, FL 33873.

**V. EVALUATION CRITERIA.** A priority listing of all project applications, including consideration of the information received from the County, the municipalities, the nonprofit corporation, if any, and the public, by ranking each project relative to the others and shall establish funding levels and any appropriate special conditions for each individual project. The priority listing shall be assigned to each eligible application after an evaluation according to the application criteria which follows:

(1) GENERAL CRITERIA.

(a) Sufficient administrative capability to administer the grant.

(b) The public good or public benefit generated by the project.

(c) The direct private investment stimulated by the project.

(d) The use of County matching Funds on the project.

(e) Geographic and demographic diversity in the disbursement of grant awards.

(f) Compatibility with countywide economic development and infrastructure priorities.

(g) Financial capacity to carry the project costs until reimbursement is received.

(h) Professional and technical service availability to carry out the project.

(2) Other factors that shall be considered include the following:

(a) The long term economic benefit of the project or activity to the applicant community.

(b) The expected time frame for such economic benefit to be realized and the attendant risks related to the likelihood of such realization.



(c) The additional economic benefit and/or private sector jobs created or retained which may occur as a result of other capital investment(s) that may be facilitated by the completion of the project.

(d) The importance of the grant to the completion, execution and/or implementation of the project.

**VI. GRANT ADMINISTRATION.** The following constitutes procedures for administration of program grants:

(1) **GRANT AWARD AGREEMENT.** After the Authority appropriates grant funds, the Authority and grantee shall enter into a Grant Award Agreement which sets forth the responsibilities and duties of each regarding administration of the approved project. The Grant Award Agreement shall contain terms and conditions particular to each project. Grant Award Agreements are not transferable.

(2) **PAYMENT BASIS.** Grantees shall be paid program funds by the Authority subject to the following conditions:

(a) **Project Costs.** Payment of project costs shall be reimbursed quarterly as provided for in these guidelines and in the Grant Award Agreement. Project costs may be reimbursed more frequently than quarterly upon determination by the Authority and inclusion in the Grant Award Agreement. Costs shall be incurred between the effective date of, and the project completion date identified in, the Grant Award Agreement except for pre-agreement costs. Costs for appraisals, appraisal review, surveys (boundary and topographic), title searches, and project signs are eligible project expenses. If the total cost of the project exceeds the grant amount and the required match, the grantee must pay the excess cost.

(b) **Cost Limits.** Project planning expenses, such as architectural and engineering fees, permitting fees, project inspection, and other similar fees, are eligible project costs provided that such costs do not exceed fifteen percent of the project cost.

(c) **Retention.** The Authority shall retain ten percent of the grant until the grantee completes the project and the Authority approves the completion documentation set forth in these guidelines. This retention requirement may be waived by the EDA in the Grant Award Agreement.

(3) **ACCOUNTABILITY.** The following procedures shall govern the accountability of program funds:

(a) **Accounting System.** Each grantee shall maintain an accounting system which meets generally accepted accounting principles and shall maintain financial records to properly account for all program and matching funds.

(4) **REVERTED PROJECT FUNDS.** EDA funds remaining after termination of a grant award or grantee completion of project shall revert to the Authority. If any funds awarded during a funding cycle are not accepted by the grantee or become available

before termination of the fiscal year for which they were appropriated, the Authority may authorize the funds be carried forward for use by any succeeding cycle/year.

(5) **INFRASTRUCTURE PROJECTS.** The following constitutes the specific procedures for administration of infrastructure projects:

(a) **Grant Period.** The grantee will have up to three years from the start of the fiscal year in which funds are appropriated to complete the project. If the project is not completed within three years from the start of the fiscal year in which funds are appropriated, the contract shall be terminated and the project funds shall be reverted to the Authority, unless the Authority authorizes an amendment to extend the project agreement.

(b) **Commencement Documentation.** Prior to commencement of project construction, the grantee shall submit for approval the documentation described in the Commencement/Reimbursement Documentation Form available from the County Manager's Office at 412 W. Orange Street, Room 103, Wauchula, FL 33873.

(c) **Completion Documentation.** Upon completion of the project and prior to release of the final payment, the grantee shall submit all documentation described in the Project Completion Documentation Form available from the County Manager's Office at 412 W. Orange Street, Room 103, Wauchula, FL 33873.

(d) **Inspections.** The Authority shall have the right to perform an on-site inspection of the project site to ensure compliance with the Grant Award Agreement prior to release of the final grant payment.

**VII. COMPLIANCE RESPONSIBILITIES.** The following constitutes the general requirements for program compliance:

(1) **SITE DEDICATION.** Land owned or under site control by the grantee, which is developed for infrastructure with EDA funds, shall be dedicated for public use.

(2) **MANAGEMENT OF PROJECT SITES.** Grantees shall ensure by site inspections that facilities on project sites developed with EDA funds are being constructed, operated and maintained. All project sites shall be open for inspection at reasonable times and shall be managed in a safe and attractive manner.

(3) **NON-COMPLIANCE.** The Authority shall terminate a Grant Award Agreement for non-compliance by a grantee with the terms stated in the Grant Award Agreement or these guidelines. If grantee fails to comply with the provisions of this part or the Grant Award Agreement, the Authority shall declare the grantee ineligible for further participation in EDA until such time as compliance has been obtained.

(4) **POST COMPLETION INSPECTIONS.** Authority staff shall have the right to perform an on-site inspection of completed program sites to ensure compliance with program requirements as stated in these guidelines.

Creation: Senate Bill 3110, House Bill 1303, and House Bill 1627

Specific Authority: 211.3101(3)(b)3 FS  
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