



# Rebuild Florida Infrastructure Repair Program

## PROGRAM GUIDELINES

This document provides the guidelines for application, eligibility determination, and subrecipient grant award for the Rebuild Florida 2023 and 2024 Storms Infrastructure Repair Program administered by the Florida Department of Commerce. This program is funded by the U.S. Department of Housing and Urban Development Community Development Block Grant – Disaster Recovery allocation described in the *Supplemental Appropriations for Disaster Relief Act, 2025* (Public Law 118-158).

VERSION 1.0

August 4, 2025

# VERSION HISTORY

Version Number	Change Date	Summary of Changes
1.0	August 4, 2025	Original version

## **VERSION POLICY**

Version history is tracked in the Version History Table with notes regarding version changes. Dates of each publication are also tracked in this table.

Substantive changes in this document that reflect a policy change will result in the issuance of a new version of the document. For example, a substantive policy change after the issuance of Version 1.0 would result in the issuance of Version 2.0, an increase in the primary version number. Non-substantive changes such as minor wording and editing or clarification of existing policy that do not affect interpretation or applicability of the policy will be included in minor version updates denoted by a sequential number increase behind the primary version number (i.e., Version 2.1, Version 2.2, etc.).

## **POLICY CHANGE CONTROL**

Policy review and changes for the State of Florida 2023 and 2024 Storms Community Development Block Grant - Disaster Recovery Program are considered through a change-control process. Policy clarifications, additions, or deletions are needed during the course of the program to more precisely define the rules by which the Program will operate. Program staff will document policy-change requests that will be tracked in the program files. Requests are compiled and brought before supervisory staff in a policy meeting. Subject matter experts working in a particular policy area or task area that will be affected by the policy decision may be invited to assist in policy evaluation, if necessary. Policy meetings will be held as frequently as is necessary to consider policy decisions critical to moving the Program forward in a timely manner. Policy decisions will be documented and will result in the revision of the document in question.

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## Definitions and Acronyms

**Action Plan** – The Community Development Block Grant-Disaster Recovery Action Plan for Disaster Recovery provides the high-level strategy to carry out strategic and high-impact activities to minimize or eliminate risks and reduce losses from future disasters. The Action Plan also describes the opportunity to improve state and local planning protocols and procedures. The Action Plan was approved by the United States Department of Housing and Urban Development on June 4, 2025

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

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

**Allocation Announcement Notice (AAN)** – Publication announcing the Community Development Block Grant-Disaster Recovery allocations for specific disasters and including waivers and alternative requirements specific to the Appropriations Act that allocated the funding for the 2023 and 2024 Storms, Federal Register Volume 90, Number 10.

**Applicant** – Any eligible entity that submits a response to the request for applications for potential funding through the Community Development Block Grant-Disaster Recovery program.

**Area Median Income (AMI)** – The median household income for an area adjusted for household size as published and annually updated by the U.S Department of Housing and Urban Development. Once household income is determined, it is compared to the U.S Department of Housing and Urban Development's income limit for that household size.

**Business Concern** – A business entity formed in accordance with state law, and which is licensed under state, county, or municipal law to engage in the type of business activity for which it was formed. A business concern that provides economic opportunities for low- and very low-income persons.

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

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

**Contractor** – An entity competitively selected to provide clearly-specified goods or services meeting the procurement requirements at 24 CFR 85.36, 2 CFR 200, Section 287.055, Florida Statutes, and Rule 73-23.0051(3), Florida Administrative Code.

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

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

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

**Federal Register (FR)** – The official journal of the Federal Government of the United States that contains government agency rules, proposed rules, and public notices issued by federal administrative agencies.

**FEMA** – Federal Emergency Management Agency.

**Florida Department of Commerce (FloridaCommerce)** – Administrator of Florida’s Community Development Block Grant programs funded by the U.S. Department of Housing and Urban Development. FloridaCommerce is the governor-designated state authority responsible for administering all long-term disaster recovery funds awarded to Florida from the U.S. Department of Housing and Urban Development.

**Grantee** – As used in this document, the grantee is FloridaCommerce’s Office of Long-Term Resiliency as recipient of Community Development Block Grant-Disaster Recovery funds from the U.S. Department of Housing and Urban Development.

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

**Household** – All persons occupying the same housing unit, regardless of their relationship to each other. The occupants could consist of a single family, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

**HUD** – The United States Department of Housing and Urban Development.

**HMGP** – Hazard Mitigation Grant Program.

**IRP** – Infrastructure Repair Program.

**Low-to-Moderate Income (LMI) Household** – A household whose annual income does not exceed 80% of the median income for the area as most recently determined by HUD.

- LMI 30 refers to those individuals/families making less than 30% of the Area Median Income.
- LMI 50 refers to those individuals/families making less than 50% of the Area Median Income.
- LMI 80 refers to those individuals/families making less than 80% of the Area Median Income.
- Above LMI 80 refers to those individuals/families making more than 80% of the Area Median Income.

**Low-to-Moderate-Income (LMI) National Objective** – Activities that benefit households whose total annual gross income does not exceed 80% of Area Median Income, adjusted for family size. Pursuant to federal statute, the grantee is required to expend 70% of Community Development Block Grant-Disaster Recovery funds to meet the Low-to-Moderate-Income national objective.

**Low-to-Moderate Income (LMI) Resident/Person/Individual** – A person whose annual income does not exceed 80% of the median income for the area as most recently determined by the U.S. Department of Housing and Urban Development.

**Mitigation Activities** – Activities funded by the mitigation set-aside that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

**Mitigation Measures** – Measures that—per the U.S. Department of Housing and Urban Development’s Community Development Block Grant-Disaster Recovery Universal Notice, Federal Register Vol. 90, No. 10, Section III.A.2.c.(i)—must be incorporated into Community Development Block Grant-Disaster Recovery activities carried out by the grantee and its subrecipients as a construction standard to create communities that are more resilient, and to reduce the impacts of recurring natural disasters and the long-term impacts of climate change. When determining which mitigation measures to incorporate, the

grantee should design and construct structures to withstand existing and future climate impacts expected to occur over the service life of the project.

**Most Impacted and Distressed (MID) Areas** – Areas of most impact as determined by the U.S. Department of Housing and Urban Development or the state using the best available data sources to calculate the amount of disaster damage.

**Office of Long-Term Resiliency (OLTR)** – FloridaCommerce’s office dedicated to the administration of Florida’s CDBG-DR and CDBG-MIT programs and activities.

**Project Cost** – Direct costs of undertaking a CDBG-DR project and which can be tied to a final cost objective and eligible activity. The project costs can count towards meeting the overall Low-to-Moderate Income benefit requirements.

**Project/Program/Activity** – The housing, infrastructure, economic development, or planning endeavor undertaken by FloridaCommerce, the subgrantee and/or subrecipient using CDBG-DR funds.

**Real Property** – Land, including all the natural resources and permanent buildings on it. Real property includes air rights, water rights, rights-of-way, easements, and other interests therein. (24 CFR 570.201)

**Rebuild Florida** – A disaster recovery program created by FloridaCommerce to help Florida’s long-term recovery efforts from disasters that have impacted the citizens of Florida.

**Request for Applications (RFA)** – FloridaCommerce notice requesting applications for funding as a subrecipient for the CDBG-DR program.

**Request for Funds (RFF)** – A subgrantee and/or subrecipient’s request for funds from FloridaCommerce.

**Response** – Any application received for CDBG-DR funding.

**Section 3 Business or Business Concern** – As related to Section 3 of the of the Housing and Urban Development Act of 1968, as amended:

- Is at least 51% owned and controlled by low or very low-income persons;
- Over 75% of the labor hours performed for the business over the prior three-month period are performed by Section 3 Workers; or
- A business at least 51% owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

**Section 3 Covered Contracts** – A contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project.

**Section 3 Covered Non-Construction Project** – A project associated with a Section 3 Covered Project such as maintenance contracts, re-painting, routine maintenance, HVAC servicing, and professional services (architectural, engineering, legal, accounting, marketing, etc.).

**Section 3 Covered Project** – The construction, reconstruction, conversion, or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction such as roads, sewers and community centers, and buildings or improvements (regardless of ownership) assisted with housing or community development assistance.

**Section 3 Workers** – A worker whose income for the previous or annualized calendar year is below 80% of the area median income for the area in which the worker resides, is employed by a Section 3 business concern, or the worker is a YouthBuild participant.

**Service Area** – The total geographic area to be directly or indirectly served by a subgrant project that addresses the Low-to-Moderate Income National Objective, in which at least 51% of the residents are

low-to-moderate income persons. A service area must include all, and only those, beneficiaries who are reasonably served or would be reasonably served by the activity.

**Subrecipient** – A competitively-selected recipient that receives CDBG-DR funds from FloridaCommerce to agreed-upon eligible disaster recovery activities documented in a Subrecipient Agreement. Defined by 2 CFR § 200.331(a).

**Subrecipient Agreement** – An agreement between FloridaCommerce and the subrecipient for the subrecipient to undertake activities using CDBG-DR funds.

**Subrogation** – A legal doctrine that allows one entity to take on the rights of another. In the context of Disaster Recovery grants, a subrecipient must enter into a subrogation agreement in which the funding agency (FloridaCommerce) obtains the right to collect any additional disaster recovery payments the entity obtains for the same purpose after the entity has received disaster recovery benefits.

**Targeted Section 3 Worker** – A Section 3 Worker who is:

- A worker employed by a Section 3 Business concern; or
- A worker who currently fits or when hired fit at least one of the following categories, as documented within the past five years:
  - A resident of public housing or Section 8-assisted housing;
  - A resident of other public housing projects or Section 8-assisted housing managed by the Public Housing Authority that is providing the assistance; or
  - A YouthBuild participant.

**Universal Notice** – The U.S. Department of Housing and Urban Development’s CDBG-DR Universal Notice, Federal Register Vol. 90, No. 5, as amended. The Universal Notice governs all Office of Long-Term Resiliency CDBG-DR grants allocated after the applicability date of January 13, 2025. This Universal Notice outlines the requirements for CDBG-DR funding after a qualifying presidential disaster declaration and explains the steps, timelines, and any exceptions that will guide the use of these funds for disaster recovery. The Universal Notice includes waivers and alternative requirements, relevant regulatory requirements, the grant award process, criteria for action plan approval, and eligible disaster recovery activities.

**UGLG** – Unit of General Local Government.

**Urgent Need** – A recent need that poses a serious and immediate threat to the health or welfare of the community.

**Vendor** – An entity competitively selected to provide clearly-specified goods or services meeting the procurement requirements at 24 CFR 85.36, 2 CFR 200, Section 287.055, Florida Statutes, and Rule 73-23.0051(3), Florida Administrative Code. In accordance with 24 CFR 85.36(c), such procurement actions must be conducted in a manner that provides for free and open competition.

**Waiver** – A revision to the standard CDBG-DR regulations, requirements, and activities, granted by the U.S. Department of Housing and Urban Development.



# 1.0 Introduction and Background

HUD announced that the State of Florida would receive an allocation of \$925,394,000 in disaster recovery funds to assist in the long-term recovery from the presidentially declared disasters listed Hurricane Idalia (DR-4734-FL), Hurricane Debby (DR-4806-FL), Hurricane Helene (DR-4828-FL), Hurricane Milton (DR-4834-FL), and the 2024 North Florida Tornadoes (DR-4794-FL) (collectively referred to as the “2023 and 2024 Storms”).

The availability of the funding was formally announced by publication in the Federal Register Volume 90, Number 10, (January 16, 2025) also known as the Allocation Announcement Notice (AAN). The AAN and Federal Register Vol. 90, No. 5 (The Universal Notice), as amended, govern the use of these funds and requires that funds be used only for disaster relief, long-term recovery restoration of infrastructure and housing, economic revitalization, and mitigation of risk associated with activities carried out for these purposes in communities affected by the specified disasters (the 2023 and 2024 Storms).

The Florida Department of Commerce (FloridaCommerce) is the lead agency and responsible entity for administering the CDBG-DR funds allocated to the state by HUD to address unmet disaster recovery needs related to damage from the 2023 and 2024 Storms. FloridaCommerce has allocated \$400,000,000 in funding to the Rebuild Florida Infrastructure Repair Program (IRP). These IRP Guidelines provide guidance for development of applications for fundings, project eligibility determination, and development and execution of the Subrecipient Grant Agreement between FloridaCommerce and awarded subrecipients. Additional information and guidance on program implementation can be found in the IRP Subrecipient Policies and Procedures posted to the 2023 and 2024 Storms IRP webpage at [www.floridajobs.org/2023and2024StormsIRP](http://www.floridajobs.org/2023and2024StormsIRP).

As outlined in the Federal Register, 80% of funding awarded to the state will go to the HUD-identified Most Impacted and Distressed (MID) counties, and the remaining 20% of funding may be awarded to state-designated MID areas, as set forth in section 3.1 Eligible Counties.

During the implementation process, program funding will be provided to the awarded subrecipients. Subrecipients must develop and implement policies, procedures, and processes to deliver and maintain projects and services. Projects and services may be provided by the subrecipient directly or in partnership with governmental, private sector, or non-profit partners. At the conclusion of the term specified in the Subrecipient Agreement, the agreement will be closed. FloridaCommerce, with the support provided by its designated partners, will monitor subrecipients throughout the life of the project.

FloridaCommerce encourages all prospective applicants to read the State Action Plan for 2023 and 2024 Storms long-term recovery located at: <https://FloridaJobs.org/CDBG-DR/2023-and-2024-storms/>.

## **2.0 HUD CDBG-DR Program and Project Funding Directives**

In response to HUD directives, the Action Plan directs FloridaCommerce to fund projects and programs that provide the maximum feasible priority to activities that will benefit low- and moderate-income (LMI) families.

The aggregate use of the CDBG-DR funds made available for 2023 and 2024 Storms recovery shall benefit LMI families in a manner that ensures at least 70% of the grant amount is expended for activities that benefit such persons.

To be eligible for consideration of funding, Units of General Local Government (UGLGs) must propose programs or projects that align with CDBG-DR and Departmental requirements and priorities as outlined in the Action Plan and the Universal Notice, including yet not limited to those set forth below:

- Projects must demonstrate tie-back to 2023 and 2024 Storms (with the exception of mitigation activities funded by the CDBG-DR mitigation set-aside).
- Projects must not duplicate benefits.
- Projects must support LMI housing needs.
- Projects must primarily serve LMI populations; or
- Projects must address an urgent need in the community.

### **2.1 Pre-Award and Pre-Construction Costs**

#### **Pre-Award Costs**

Pre-Award costs are not eligible under this funding.

#### **Pre-Construction**

HUD eligible pre-construction costs—which may include, yet are not limited to project design, and environmental review activities—may be eligible for reimbursement by FloridaCommerce, provided that all HUD and applicable Florida procurement rules and regulations have been followed and the applicant can demonstrate proper procedure was followed.

## 3.0 Eligibility

### 3.1 Eligible Counties

Eligible entities in the following 2023 and 2024 Storms MID counties may apply for funding:

HUD Designated MID Counties			
Charlotte	Duval	Lake	Seminole
Citrus	Hamilton	Leon	St. Lucie
Collier	Hernando	Levy	Sumter
Columbia	Highlands	Madison	Suwannee
DeSoto	Indian River	Polk	Taylor
Dixie	Lafayette		
State Designated MID Counties			
Alachua	Gadsden	Jefferson	Osceola
Baker	Gilchrist	Liberty	Palm Beach
Bradford	Glades	Marion	Putnam
Brevard	Gulf	Martin	St. Johns
Clay	Hardee	Nassau	Union
Flagler	Hendry	Okeechobee	Wakulla
Franklin			

### 3.2 Eligible Applicants

Counties and municipalities, as defined in section 180.01, F.S., and state agencies, as defined in section 120.52, F.S., are potentially eligible applicants. Eligible applicants can partner with other applicants for regional projects. Eligible co-applicants, such as school districts, nonprofit and not for profit organizations, and non-governmental organizations may partner with a state agency, county, or municipality. In instances of award co-application, FloridaCommerce will establish and maintain a subrecipient agreement and primary relationship with the state agency, county, or municipality. Applicants may only submit one project per application. Proposals for funding may only serve eligible counties and zip codes. FloridaCommerce encourages eligible applicants to assemble teams that provide the necessary capacity to successfully administer the proposed CDBG-DR projects and programs.

Some team options to consider are:

1. Leveraging the capacity of nonprofit and not for profit organizations who will serve as contractors to the subrecipient.
2. Sharing resources whereby a group of applicants apply as a region. For example: to achieve greater impact and efficiency, a group of applicants may apply as a region to manage a project with a regional impact. For regional applications, FloridaCommerce requires that there be one lead designated applicant who will contractually serve as the subrecipient and be responsible for the management of the grant. The subrecipient acting as the lead cannot sub-grant funds to other local governments.

If allocated funds by FloridaCommerce, applicants that are working as a group or in partnership with school districts, non-profits, not for profits, nongovernmental organizations, or other eligible applicant, an Interlocal Agreement or Memorandum of Understanding must be signed between the partnering entities prior to execution of the subrecipient agreement with FloridaCommerce.

## 3.3 Eligible Activities

To be eligible for consideration of funding, applicants must propose programs or projects that align with CDBG-DR and FloridaCommerce requirements and priorities as outlined in the Action Plan and the Universal Notice. Each activity must:

1. Address a direct or indirect impact from the disaster(s) in a MID area.
2. Be a CDBG-eligible activity (under section 105(a) of the HCDA of 1974) (42 U.S.C. 5305(a)) or be eligible under a waiver or alternative requirement; and
3. Meet a national objective.

### 3.3.1 Infrastructure Only Activities

Infrastructure activities may include, yet may not be limited to:

- Restoration or improvement of infrastructure damaged by 2023 and 2024 Storms (such as water and sewer facilities, streets, removal of debris, drainage, bridges, etc.).
- Demolition and rehabilitation of publicly or privately owned commercial or industrial buildings
- Renourishment of protective coastal dunes systems and state beaches.
- Repairs to damaged buildings that are essential to the health, safety, and welfare of a community when repairs to these buildings constitutes an urgent need (this can include police stations, fire stations, parks and recreational centers, community and senior centers, hospitals, clinics, homeless shelters, schools and educational facilities, and other public properties, including properties serving as emergency shelters).
- Repairs to water lines and systems, sewer lines and systems, drainage, and flood mitigation systems.
- Natural (e.g., landscaping, plants, shrubs, etc.) infrastructure
- Communications infrastructure
- Acquisition with or without relocation assistance.

*\*Note: If resiliency or mitigation measures as required in Federal Register Volume 90, Number 10 are incorporated into the projects listed above, they may contribute to the 15% mitigation set-aside as described below.*

### 3.3.2 Infrastructure Activities Incorporating Mitigation Measures

FloridaCommerce has received a CDBG-DR mitigation set-aside for recovery efforts from the 2023 and 2024 Storms. Unlike recovery activities where FloridaCommerce must demonstrate activities “tie-back” to a qualifying 2023 and/or 2024 storm, activities funded by the CDBG-DR mitigation set-aside do not require such a “tie-back.” Instead, all activities funded by the CDBG-DR mitigation set-aside must meet the definition of mitigation activities as defined in the Universal Notice and address the current and future risks as identified in FloridaCommerce’s mitigation needs assessment in the MID areas.

Subrecipients are encouraged to incorporate mitigation measures into activities designed to address disaster recovery unmet needs rather than apply for funding of mitigation-only projects.

To determine whether an activity qualifies as mitigation and counts toward the 15% mitigation set-aside, FloridaCommerce will consider whether the activity fits the mitigation definition outlined in section III.D.4. of the Universal Notice. HUD defines mitigation activities as “those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.”

FloridaCommerce and its subrecipients will implement programs that focus on risk reduction for the hazards identified as having the greatest severity in the risk-based mitigation needs assessment found

in the Action Plan. These hazards include flooding, tropical cyclones (specifically hurricane force winds and storm surge), severe storms and tornadoes.

Examples of mitigation measures that may be incorporated into Infrastructure activities to mitigate hazards may include, yet may not be limited to:

- Adherence to FEMA code+, statewide building code, and floodplain management regulations.
- Dam safety programs, seawalls, and levee systems.
- Retrofitting/hardening/elevating structures and critical facilities.
- Relocation of structures, infrastructure, and facilities out of vulnerable areas; permanent relocation of public facilities located in high-risk areas; appropriate relocation assistance and rebuilding in low-risk areas within the neighborhood or areas of opportunity.
- Improvement of warning and evacuation systems.
- Flood control and drainage improvements, including the construction or rehabilitation of stormwater management systems.
- Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.).
- Natural (e.g., landscaping, plants, shrubs, etc.) infrastructure.
- Communications infrastructure.
- Floodplain and stream restoration.
- Permanent generators for a critical facility.
- Community safe room construction.
- Stormwater management improvements.
- Relocation of UGLG owned and operated utilities (above ground to below ground).

### 3.4 Use of CDBG-DR as Match

Funds may be used to meet a matching, share, or contribution requirement for another federal program when used to carry out an eligible CDBG-DR activity. This includes programs or activities administered by FEMA or the U.S. Army Corps of Engineers (USACE). By law, the amount of CDBG-DR funds that may be contributed to a USACE project is \$250,000 or less. Note that the Appropriations Act prohibits supplanting the use of CDBG-DR funds for any activity reimbursable by, or for which funds are also made available, by FEMA or USACE.

Applicants seeking match funding for FEMA HMGP should consider applying for assistance through the Rebuild Florida Hazard Mitigation Grant Match Program (HMGMP). Information on the HMGMP can be found at [www.floridajobs.org/2023and2024StormsHMGMP](http://www.floridajobs.org/2023and2024StormsHMGMP).

### 3.5 CDBG-DR Ineligible Activities

Per the Universal Notice, prohibited activities include:

- The use of CDBG-DR for forced mortgage payoff.
- The use of CDBG-DR funds to provide compensation to beneficiaries for losses stemming from disaster-related impacts.
- The use of CDBG-DR funds to enlarge a dam or levee beyond the original footprint of the structure that existed before the disaster event, without obtaining pre-approval from HUD and any Federal agencies that HUD determines are necessary.
- Rehabilitation assistance or safe housing incentives for second homes.
- Incentive payments to households that move to disaster-impacted floodplains.

- Assistance for second homes and activities identified in 24 CFR 570.207, except as allowed by the alternative requirement outlined in III.D.5.I of the Universal Notice.
- Assistance to buildings for the general conduct of government.
- Assistance to casinos, sports arenas, or concert venues.

Any activity that is not authorized under Section 105(a) of the HCDA is ineligible to be assisted with CDBG–DR funds, unless explicitly allowed by waiver and alternative requirement in the Universal Notice or specified within the AAN.

## 4.0 CDBG-DR Compliance

All applicants with proposals approved for CDBG-DR funds under this application must execute a subrecipient agreement with FloridaCommerce which will specify all terms and conditions for successful program and/or project and compliance management of a grant. The subrecipient agreement will include, yet is not limited to, the following topics:

- National Objectives
- Cross Cutting Federal Regulations
- Citizen Participation Requirements
- System of Record and Compliance Verifications
- Cost Reasonableness
- Anti-Fraud, Waste, and Abuse

### 4.1 National Objectives

All activities must meet one of the national objectives set out in the HCDA, with at least 70% of the dollars going towards projects benefiting LMI persons. In the Rebuild Florida IRP, the two National Objectives that will be utilized are:

- Benefit LMI persons; or
- Meet an urgent need.

#### 4.1.1 LMI

FloridaCommerce will prioritize LMI as the national objective for Infrastructure projects. LMI area benefit criteria is used to determine if an IRP activity meets the LMI National Objective. In order to meet LMI area benefit, 51% of the residents of the project's service area must be LMI. Population data and percentage of LMI residents must be documented by census tracts and block groups within the project's service area or area of benefit.

FloridaCommerce will utilize HUD guidance to review and confirm the LMI benefit percentage of each project.

#### 4.1.2 Urgent Need

The Urgent Need National Objective will only be used if a project does not meet LMI benefit but is needed to alleviate emergency conditions. If using Urgent Need as a national objective, the subrecipient will provide FloridaCommerce written justification in the form of a written Urgent Need narrative to certify the urgency of the condition.

Pursuant to the Universal Notice, the Urgent Need National Objective criteria in section 104(b)(3) of the HCDA is waived and an alternative requirement has been established for any CDBG-DR grantee using the Urgent Need National Objective.

In the case that a subrecipient is using the Urgent Need National Objective, the subrecipient must document how each program and/or activity responds to the urgency, type, scale, and location of the 2023 and 2024 Storms-related impact; this documentation must tie back to an impact identified in the unmet needs portion of the 2023 and 2024 Storms Action Plan for Disaster Recovery.

## 4.2 Cross-Cutting Federal Regulations

FloridaCommerce requires projects or programs selected for CDBG-DR funding to meet HUD crosscutting federal regulations:



- [National Environmental Policy Action of 1969 - Environmental Review](#)
- [Fair Housing](#)
- [Section 3 Final Rule Requirements](#)
- [Davis-Bacon and Labor Standards](#)
- [Duplication of Benefits](#)
- [Uniform Relocation Assistance](#),
- Other applicable federal regulations.

For more information please see: <https://www.hudexchange.info/programs/cdbg-dr/guidance/>

## 4.3 Environmental Clearance

All CDBG-DR activities are to comply with the provisions of NEPA, as well as all HUD environmental regulations provided in 24 CFR Part 58. All subrecipients will be responsible for conducting the required environmental study and supplying the information to FloridaCommerce for clearance. The environmental review must be completed and approved prior to construction commencing. If an identified environmental condition cannot be cleared, the project may be deemed ineligible for funding. For more information please see: <https://www.hudexchange.info/programs/environmental-review/>.

## 4.4 Citizen Participation Requirements

All applicants must submit evidence of a publicly noticed meeting or public comment period to discuss the proposed project and application for the Rebuild Florida IRP. Counties eligible to receive funds must consider the needs of all municipalities (and federally recognized tribes) within the incorporated and unincorporated area of the county (and reservations contiguous to the county).

FloridaCommerce is allowing applicants to receive public input on their IRP application by the following meeting formats:

1. Posting information about the project online: An applicant posts the information about the project and the program to its public website and allows for a 14-day public comment period. Please submit a copy of the post and any public comments to FloridaCommerce as part of the application. In choosing this option for public comment, the entity will still need to follow proper public noticing guidelines such as advertising the posting in a newspaper of general circulation for five days.
2. Virtual public meetings: An applicant would need to supply the same documentation that would normally be required to demonstrate if a meeting was held, including minutes and a public meeting notice.

Evidence of public meeting with city and tribal governments must meet the following requirements:

- Notice of the public meeting must be provided at least five days prior to the meeting.
- Documentation of the meeting must include sign-in sheets and minutes.

Prior to submitting an application for CDBG-DR funding, applicants are required to post a public notice in a newspaper of general circulation and to their website that states the types of projects to be undertaken, the source and amount of funding available for the activities, the date by which comments must be made, and a contact person for a copy of the proposed application. Applicants must provide for a 10-day comment period, which must be published prior to the submission of the application.

Evidence of the public notice must meet the following requirements:

- Documentation of newspaper advertisement.
- Print-out of county webpage showing public notice.



- Documentation that the needs of non-English speaking citizens have been met where a significant number of non-English speaking citizens can be reasonably expected to participate. In this case, documentation will need to be translated into Spanish.

## 4.5 System of Record and Compliance Verifications

FloridaCommerce will provide a CDBG-DR System of Record that will serve as the repository for all program and project compliance documentation to satisfy monitoring and audit requirements. In addition, the System of Record will enable FloridaCommerce to review document files and conduct Duplication of Benefits, Verification of Benefits, and related verifications required to comply with CDBG-DR regulations. Subrecipient awardees are required to assemble and review all compliance documentation and upload them to the System of Record in an orderly manner. FloridaCommerce will provide training to subrecipients on how to manage their CDBG-DR programs and projects with the new System of Record.

## 4.6 Anti-Fraud, Waste, and Abuse

Rebuild Florida constituents, employees, and contractors may report suspected fraud, waste, or abuse by contacting Constituent Management Services staff, submitting information via the Report Fraud, Waste, and Abuse online form (<http://FloridaJobs.org/rebuildflorida/reportall> contact information fields are optional to allow for anonymity) or by sending an e-mail to [CDBG-DR\\_antifraudwasteabuse@Commerce.fl.gov](mailto:CDBG-DR_antifraudwasteabuse@Commerce.fl.gov).

All suspected cases of fraud will be taken seriously, and complaints will be reported to OLTR's Compliance and Reporting Manager and FloridaCommerce's Office of the Inspector General (OIG) at [OIG@Commerce.fl.gov](mailto:OIG@Commerce.fl.gov). If FloridaCommerce's OIG determines that it is appropriate, it will coordinate its investigation with agencies such as the Florida Office of the Inspector General, the Florida Office of the Attorney General, or the Florida Department of Business and Professional Regulation.

All substantiated cases of fraud, waste, or abuse of government funds will be forwarded to the United States Department of Housing and Urban Development (HUD), Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)) and FloridaCommerce's HUD Community Planning and Development (CPD) Representative. *OLTR must provide a timely response within 15 working days of the receipt of a complaint, as stated in the Universal Notice.*

OLTR's comprehensive Anti-Fraud, Waste, and Abuse Policy can be found [here](#).

## 4.7 Cost Reasonable

FloridaCommerce seeks to balance the HUD requirement that all projects meet the standard of cost reasonable with providing sufficient funding to address unmet storm recovery and resilience needs. Therefore, applicants in their submissions must provide evidence for how their programs and proposals will meet cost reasonableness.

FloridaCommerce and its subrecipients must demonstrate cost-effective practices by:

1. Addressing a problem caused by 2023 and 2024 Storms that poses a significant risk to public health or safety if left unresolved.
2. Ensuring that total project cost will not exceed the anticipated value of the of the reduction in both direct damages and subsequent negative impacts to the area if future disaster were to occur.
3. Demonstrating the project has been determined to be the most practical effective, and environmentally-sound alternative after consideration of a range of options.
4. Demonstrating the project contributes, to the extent practicable, to a long-term solution to the problem it is intended to address; and

5. Demonstrating the project considers long-term changes to the areas and entities it protects and has manageable future maintenance and modifications requirements.

## 4.8 CDBG-DR Costs Guidance

Applicants in their budget proposals must include all costs related to the proposed infrastructure project to include yet not limited to pre-construction (administrative, environmental review, and design) costs, construction costs, and costs of ongoing, necessary maintenance of the infrastructure project.

FloridaCommerce will apply the following standards in the analysis and ongoing compliance review of allowable costs. Please see <https://files.hudexchange.info/resources/documents/CDBG-DR-Cost-Types-Summary.pdf> for HUD guidance.

As outlined in **2 CFR 200 Subpart E**, all costs must meet four criteria:

- **Necessary:** CDBG-DR funding will fill a necessary gap to address an unmet need that cannot be filled by another funding source. This is demonstrated by conducting a duplication of benefits analysis and calculation for each activity.
- **Reasonable:** Costs do not exceed what a prudent person would incur under similar circumstances as demonstrated by the market price for comparable goods and services.
- **Allowable:** Costs must be allowable under CDBG-DR rules and regulations and under 2 CFR 200 Subpart E. Some costs such as lobbying, entertainment, and alcohol are never allowed under any circumstances.
- **Allocable:** Costs must be clearly allocated, meaning the cost is assigned to a CDBG eligible activity with a methodology for determining where to attribute cost.

Activity Delivery Costs must be tied to the time staff and contractors dedicate to a specific project. Applicants must show how the proposed Activity Delivery Costs are or will be cost reasonable through procurement of professional services and/or cost of in-house staff to provide program or project related services. All Activity Delivery Costs must be included as part of the total project costs in a request for CDBG-DR funding. Please include a cost reasonable estimate for all administrative costs associated with the proposed project.

## 5.0 Subrecipient Applications

A Request for Applications (RFA) will begin the IRP application cycle which opens on Tuesday, July 1, 2025, and will close on Monday, September 29, 2025, 5:00 p.m. EST. Applications will only be accepted during the published application cycle.

The program application will be available on the FloridaCommerce Office of Long-Term Resiliency (OLTR) 2023 and 2024 Storms IRP webpage at [www.floridajobs.org/2023and2024StormsIRP](http://www.floridajobs.org/2023and2024StormsIRP). Applications must be submitted through the online application portal. Only completed applications, including all required supporting documentation, will be considered.

When applying for funding through the Rebuild Florida 2023 and 2024 Storms IRP, applicants must provide a detailed description of damage caused by 2023 and 2024 Storms, include plans to mitigate against future damage, and show how the proposed project will assist the community in rebuilding after 2023 and 2024 Storms. All proposals must show how the project addressed unmet needs, avoids duplication of benefits, is cost reasonable, and avoids fraud, waste, and abuse. Projects requesting funds for damage caused by deferred maintenance will not be considered.

Applications received by FloridaCommerce will be evaluated and scored on a point scale. Applications will be ranked based upon the assigned score. The highest-ranked applications will be scheduled for an in-person site visit. Applications will be funded, in order of ranking, until all available funding has been allocated.

FloridaCommerce reserves the option to fund none, a selection of, or all of a project proposed by an applicant.

### 5.1 Application Process

The application process includes an RFA, submission of the Pre-Application Intake Form, and submission of application(s) by eligible entities. Receipt of application(s) will be followed by an application evaluation and scoring process that will result in funding awards and the execution of subrecipient agreements. Selected subrecipients will be responsible for delivery of services.

FloridaCommerce has developed a Pre-Application Intake Form to assist in determining initial eligibility. Applicants must complete the Pre-Application Intake Form to formally apply for and be considered for program assistance. Once eligibility is confirmed, a team member will reach out to the applicant with information on how to submit the project application and a link to complete a formal application. If an entity wishes to submit multiple applications, each application must be submitted separately using a unique link provided by the program. The Pre-Application Intake Form is available on the IRP program webpage at [www.floridajobs.org/2023and2024StormsIRP](http://www.floridajobs.org/2023and2024StormsIRP).

### 5.2 Technical Assistance for the Application Process

FloridaCommerce will host a live webinar to provide an overview of the application process and answer questions. FloridaCommerce will also hold 20-minute one-on-one meetings with potential applicants to discuss any questions that may arise during the application process, beginning after the live webinar.

Please email any questions to [CDBG-DRInfrastructureApp@Commerce.fl.gov](mailto:CDBG-DRInfrastructureApp@Commerce.fl.gov).

### 5.3 Applicant Review Process Responsiveness

During the application review process, applicants are required to respond in a timely manner to FloridaCommerce requests for information or materials to complete the evaluation process. Any request for additional information will include a definitive due date for return of requested information. If the applicant needs an extension, a clarification, or assistance, the applicant may make its request within the allotted response timeframe, as specified by FloridaCommerce. If an applicant fails to provide

the requested information or materials, or fails to ask for an extension or assistance, the applicant's response will be closed and disqualified.

Applicants will receive an email from the Program once the application has been received.

## 6.0 Threshold Criteria and Application Scoring

FloridaCommerce will apply a two-phased process to review applications.

1. Phase 1: Applications will first be evaluated for HUD's mandatory CDBG-DR Threshold Compliance Criteria. Only applications which meet the Threshold Compliance Criteria will move on to Phase 2.
2. Phase 2: During the second phase of the review process, applications that met the Threshold Compliance Criteria will be scored based on the Scoring Evaluation Rubric, in 6.2 Scoring Criteria.

The evaluation team will consist of OLTR staff who will independently and objectively score applications consistent with the Evaluation Rubric. These scores will be averaged to become the official score for each application.

Only the application itself (including requested attachments) will be scored. Any documents submitted with the application that were not requested will not be scored.

### 6.1 CDBG-DR Threshold Compliance Criteria

Every project application must meet the following threshold criteria to be considered eligible:

- Be located within an eligible HUD or state-designated MID area;
- Be considered CDBG eligible under Title I of the Housing and Community Development Act (HCDA) of 1974, as amended, or otherwise eligible by a waiver or alternative requirement;
- Be an eligible activity under HUD guidelines and the State of Florida 2023 and 2024 Storms Action Plan; and
- Address an unmet need tied to damage caused by 2023 and 2024 Storms (unless considered an eligible mitigation activity funded by the CDBG-DR mitigation set-aside).

Projects must meet a CDBG-DR National Objective:

- Benefit LMI individuals, or
- Address an urgent need.

For more information: <https://files.hudexchange.info/resources/documents/Basically-CDBG-Chapter-21-CDBG-DR.pdf>

### 6.2 Scoring Criteria

Once an application is determined to satisfy the CDBG-DR Threshold Compliance Criteria, FloridaCommerce will calculate scoring based on the scoring criteria listed in the Scoring Evaluation Rubric. The maximum score is 100 points.

Scoring will focus on the following eight categories:

- Overall LMI Benefit (Percent LMI benefit of the activity)
- Homeless Shelters and Facilities Serving as Shelters During Disasters
- Stormwater Infrastructure (To include all storm water, potable water, drainage, and wastewater projects)
- Number of FEMA IA/PA Categories A-G declarations
- Project located within a fiscally constrained county as defined by FS 218.67(1)
- Project Impact
- Design Plans Completed

- Special Designation

The following Scoring Evaluation Rubric further defines each category and lists the maximum point allocation for each scoring category. In the event of a scoring tie, projects that have a higher LMI benefit or are located within HUD designated MID Areas will be considered first.

<b>Scoring Evaluation Rubric</b>		<b>Max Points</b>
1	<b>Overall LMI Benefit (Percent LMI benefit of the activity):</b> The LMI score will be determined on the service area the project serves, in order to calculate the LMI score. The applicant should provide their LMI data for the project service area in a percentage form. For example, if the service area LMI is 65% FloridaCommerce will multiply by 25 (the maximum number of points) to receive the final LMI score of 16.25 points. <b>Maximum of 25 points</b>	<b>25</b>
2	<b>Shelter and/or Facilities Serving as Shelters during Disasters:</b> If the project mitigates a Community Center or Safe Room. <b>Maximum of 10 points</b>	<b>10</b>
3	<b>Stormwater Infrastructure:</b> All storm water, potable water, drainage, and wastewater projects: <b>5 points</b> Evacuation routes: <b>5 points</b> <b>Maximum of 10 Points</b>	<b>10</b>
4	<b>Number of FEMA IA/PA Categories A-G and PA Declarations:</b> Communities shall receive five (5) points per IA Declaration and two (2) points per PA Declaration for the applicable storms: 25 points (Maximum)  1 IA/PA Declaration: <b>5 points</b> 1 PA Declaration: <b>2 points</b> 2 IA/PA Declarations: <b>10 points</b> 2 PA Declarations: <b>4 points</b> 3 IA/PA Declarations: <b>15 points</b> 3 PA Declarations: <b>6 points</b> 4 IA/PA Declarations: <b>20 points</b> 4 PA Declarations: <b>8 points</b> 5 IA/PA Declarations: <b>25 points</b> 5 PA Declarations: <b>10 points</b> *Points for IA and PA Declarations will be combined to determine the overall Declaration Score <b>Maximum of 25 Points</b>	<b>25</b>
5	<b>Project located within a fiscally constrained county as defined by FS 218.67(1)</b>	<b>5</b>
6	<b>Project Impact:</b> The impact of the project on the community should be significant with an emphasis on serving the whole community. Based upon the total residential population to be served, as verified by FloridaCommerce staff, the following points are available (whichever option is greater):  0 to 5,000 residents or 0% to 20% of community population: <b>2 points</b> 5,001 to 20,000 residents or 21% to 40% of community population: <b>4 points</b> 20,001 to 50,000 residents or 41% to 60% of community population: <b>6 points</b> 50,001 to 150,000 residents or 61% to 80% of community population: <b>8 points</b>	<b>10</b>

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	150,000+ residents or 81% to 100% of community population: <b>10 points</b>	
7	<b>Design Completeness:</b> Project design/design plan is 100% complete. Project can immediately initiate Environmental Review and Permitting. <b>Maximum of 5 points</b>	<b>5</b>
8	<b>Special Designation:</b> An applicant can receive a maximum of <b>10 points</b> if the project qualifies as: Rural Economic Development Initiative (REDI) eligible county or community (see section 288.0656, F.S.): <b>5 points</b> Area of State Critical Concern (see 380.05 F.S.): <b>5 points</b>	<b>10</b>
<b>Total Maximum Score:</b>		<b>100</b>

## 7.0 Subrecipient Awards

There is a minimum award of \$750,000 and a maximum award of \$100,000,000.

The contract length between FloridaCommerce and eligible subrecipients will be 24 months with a possible 12-month extension.

### 7.1 Subrecipient Grant Agreement Process

After an application is reviewed and scored, the applicant will be notified of the determination via email and provided an Eligibility Determination Letter. If determined eligible, the applicant will also be provided with a National Objective Review. The eligibility determination documentation—the Eligibility Determination Letter and National Objective Review—should be retained by the applicant in the program file. Following provision of eligibility determination documentation, FloridaCommerce will draft the Subrecipient Grant Agreement.

Once drafted, Attachment A of the draft Subrecipient Grant Agreement will be sent to the applicant via email for review and approval. At this time, FloridaCommerce will also request that the applicant complete and provide to FloridaCommerce a delegation of authority document. Once the applicant has approved Attachment A and the delegation of authority is provided, FloridaCommerce will route the Subrecipient Grant Agreement for internal agency approval. After FloridaCommerce final review, the Subrecipient Grant Agreement will be sent to the applicant for signature. After the applicant has signed and returned the Subrecipient Grant Agreement, it is sent to FloridaCommerce for signature and final execution. The fully executed Subrecipient Grant Agreement is sent to the subrecipient for retention in the project file.

### 7.2 Subrecipient Implementation Guidance

Following award and execution of the Subrecipient Grant Agreement, subrecipients should reference the 2023 and 2024 Storms Action Plan, the IRP Subrecipient Policies and Procedures, and the applicable federal register for guidance and requirements throughout the implementation process. These documents can be found on the 2023 and 2024 Storms webpage ([www.floridajobs.org/cdbg-dr/2023-and-2024-storms/](http://www.floridajobs.org/cdbg-dr/2023-and-2024-storms/)) and the 2023 and 2024 Storms IRP webpage ([www.floridajobs.org/2023and2024StormsIRP](http://www.floridajobs.org/2023and2024StormsIRP)).