

AFRICAN-AMERICAN CULTURAL AND HISTORICAL GRANT GUIDELINES

Florida Department of State
R. A. Gray Building, 500 South Bronough Street
Tallahassee, Florida 32399-0250

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I. PROGRAM DESCRIPTION

On March 11, 2021, the American Rescue Plan, Pub. L. No. 117-2 (ARPA) was signed into law. Pursuant to section 9901 of ARPA, Sections 602(b) and 603(b) were added to the Social Security Act (the Act), establishing the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, which together make up the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, as authorized by the Department of the Treasury (Treasury). This program is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses. Federal funds disbursed under this program may only be used in compliance with the Act, Treasury's regulations implementing the Act, applicable provisions of 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and all other applicable federal statutes, regulations, and executive orders. For additional information about the SLFRF program, please see the Assistance Listing in SAM.gov under assistance listing number (formerly known as CFDA number) 21.027.

Pursuant to Section 152 of the 2022 General Appropriations Act, the 2021 Florida Legislature authorized certain nonrecurring appropriations from the General Revenue Fund, contingent upon the Florida's Department of Financial Services receiving and depositing into the General Revenue Fund any amount from the state's allocation from the federal Coronavirus State Fiscal Recovery Fund. This appropriation allocated federal SLFRF funds to the Department of State for Fixed Capital Outlay to conduct an expedited, supplemental grant funding process for capital projects at facilities in Florida that highlight the contributions, culture, or history of African-Americans. The Florida Council on Arts and Culture and the Florida Historical Commission shall coordinate to jointly conduct an expedited grant application process using policies and guidelines similar to those approved for the annual cultural and historic grant processes utilized by the department. Priority shall be given to projects that encourage the design or construction of a new facility or the renovation of an existing facility in an area with great cultural significance in which no facility exists; enhance the beauty or aesthetic value of facilities named for significant African-Americans; or restore facilities on the National Register of Historic Places. The guidelines shall outline a process for accepting, reviewing, and ranking applications for supplemental or new funding awarded under this African-American Cultural and Historical (AACH) Grant Program. An eligible project may receive up to \$500,000 or up to \$1,000,000 with 50 percent matching funds from other sources.

The Department of State's overarching goals, mission, and principles include providing State and Federal grant funds for historic preservation, culture, and the arts to assist major local, regional and state-wide efforts to preserve significant historic and archaeological resources and to renovate or newly construct cultural facilities so as to promote knowledge and appreciation of the history of Florida and the programming, production, presentation, and exhibition of any of the arts and cultural disciplines. These guidelines detail the policies and requirements for the application and administration of the AACH as it relates to the Department's mission, as well as the requirements of the federal SLFRF program.

AACH expenses must fit into one of the four statutory eligible uses of Fiscal Recovery Funds authorized by ARPA. For additional information on uses of ARPA funds, see Treasury's Interim Final Rule, 31 CFR Part 35 at <https://www.govinfo.gov/content/pkg/FR-2021-05-17/pdf/2021-10283.pdf>

II. ELIGIBILITY

All Applicant Organizations must meet the following requirements. **All** documentation must be provided by the application deadline.

1. **Must** have the required legal status as a public entity governed by a county, municipality, school district, community college, college, university, or an agency of state government; or a Non-profit Organization.
2. Agree to comply with all application requirements:
 - a) Complete the approved Scope of Work within the Grant Period;
 - b) Make activities and properties that are the subject of the Project open and accessible to all members of the public (see III.B. Accessibility and Non-Discrimination);
 - c) Match the grant amount as required by these guidelines (see III.C. Request Amount and IV. Match Requirements); and
 - d) Include only allowable expenses in the Project Budget (see V. Allowable Expenses and VI. Non-Allowable Expenses);
 - e) Agree to comply with all legal and financial requirements as set forth in these Guidelines.
3. Agree to comply with all grant administration requirements, if funded:
 - a) Provide all information needed for the Grant Award Agreement;
 - b) Request approval for any changes to the Scope of Work and Project Budget of the awarded grant;
 - c) Submit timely and accurate reports;
 - d) Maintain complete and accurate grant records and if multiple grants from the Department are open at the same time, treat each grant as a separate, distinguishable Project;
 - e) Comply with the requirements of the Florida Single Audit Act; and
 - f) Credit the State of Florida and Department of State for funding.
4. Must **NOT** be included on the Department's Non-Compliance list at the time of the application submission cycle.
5. Have satisfied the administrative requirements of previous grants received from the Department, including grants that may be open at the time of application.
6. Have ownership of the property for which grant funding is requested or have the written concurrence of the Property Owner. The owner must be a public entity or a Non-profit Organization. For the purposes of this program, an eligible Applicant Organization may lease state-owned land or building(s) or both.
7. For projects directed at Real Property, if funded, the Grantee (and the Property Owner, if not the Grantee) **must** file a Restrictive Covenant on the property with the Clerk of Court for ten (10) years prior to initial release of grant funds.
8. If the property is leased, **the lease agreement must be dated, signed, and submitted** at the time of the application submission, with the required Owner Concurrence Letter attachment to the application.
9. **Must** have appropriate **matching** funds and documentation at time of application submission.
10. Must complete an online application form at <http://www.dosgrants.com> by the application deadline.
11. The proposed Project **must** relate to a Fixed Capital Outlay project at a facility/ies in Florida that highlight the contributions, culture, or history of African-Americans, and be consistent with the purpose of this grant program and the purpose of the American Rescue Plan Act (ARPA).
12. For facilities that conduct arts and cultural programming, documentation **MUST** be provided to demonstrate facility use is for arts and cultural purposes as it pertains to the organization's mission per

section 265.283(7), Florida Statutes. If project is for a NEW space without previous programming, programming examples (either proposed or programming being performed at another location) MUST be provided and support use for arts and cultural purposes. The disciplines of arts and culture include music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, and programs of museums.

13. All AACH grant funding provided for projects directed at a Historic Property must be utilized in accordance with the standards contained in Chapter 267, Florida Statutes, and the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, effective September 29, 1983, which are incorporated by reference, and include:
 - a) The Secretary of the Interior's Standards for the Treatment of Historic Properties;
 - b) The Secretary of the Interior's Standards for Archaeological Documentation;
 - c) The Secretary of the Interior's Standards for Historical Documentation;
 - d) The Secretary of the Interior's Standards for Architectural and Engineering Documentation; and
 - e) The Secretary of the Interior's Standards for Preservation Planning.
14. Activities for historic Religious Properties shall be limited to building exterior envelope and structural elements of the building, excluding accessibility upgrades.

A. Application Restrictions

1. An Applicant Organization may only submit one (1) grant application under a single application deadline for a particular application cycle.
2. Applicant Organizations with projects funded with Federal funding or by the Legislature outside of the review of the Florida Council on Arts and Culture, Florida Historical Commission, or Secretary of State are not eligible to receive African-American Cultural and Historical grant support for the same Scope of Work items from the Department within the same fiscal year in which Federal or Legislative funding is appropriated.

B. Legal Status

To meet the legal status requirement, an Applicant Organization must be either a public entity or an active Florida nonprofit, tax exempt corporation as of the application deadline in accordance with section 267.0617(2), Florida Statutes.

C. Public Entity

A Florida local government, entity of state government, school district, community college, college or university. Private schools, private community colleges, private colleges and private universities are not public entities and must be nonprofit and tax exempt to meet the legal status requirement.

D. Nonprofit, Tax Exempt

1. A Florida organization that is incorporated as an active nonprofit Florida corporation, in accordance with Chapter 617, Florida Statutes. For nonprofit organizations outside of Florida, the nonprofit organization must be designated as tax exempt as defined in section 501(c)(3) or 501(c)(4) of the

Internal Revenue Code of 1954, as amended. Staff will verify status in Guidestar at <https://www.guidestar.org/>.

2. The Department will verify that the applicant is registered, and in “active” status, with the Division of Corporations as of the application deadline. If the applicant is not registered and in “active” status with Corporations by the application deadline, the application will be deemed ineligible.
3. For more information on corporate status, visit <http://www.sunbiz.org> or call the Division of Corporations, profit and nonprofit information line at (850) 245-6052. To verify corporate status, you can review your corporate record online through the sunbiz.org document search tool.
4. For more information about tax exempt status, see Exemption Requirements - Section 501(c)(3) Organizations on the Internal Revenue Service website (<https://www.irs.gov/>).

E. Required Documentation

1. All applicants must provide a UEI number. You can request a UEI number at <https://sam.gov/content/home>.
2. All applicants must provide a copy of the Substitute W-9 with the grant application. This can be found at <https://flvendor.myfloridacfo.com/>.

III. APPLICATION REQUIREMENTS

A. Grant Period

All proposed activity must take place within a 24-month Grant Period.

1. The grant period **start date** is July 1 of the state fiscal year in which requested grant funding is appropriated by the Florida Legislature.
2. The grant period **end date** is June 30 of the state fiscal year following the fiscal year in which requested grant funding is appropriated by the Florida Legislature, unless an end date extension is approved by the Department and a written contract extension is executed by both parties prior to the original end date of the Grant Award Agreement.

B. Accessibility and Non-Discrimination

The Department is committed to making the knowledge of history, culture and the arts accessible to everyone, including:

- persons with disabilities;
- older adults;
- culturally and economically underserved populations; and
- minorities.

Organizations seeking support for activities are required to be open and accessible to all members of the public, consistent with all applicable state and federal laws. Organizations shall not discriminate on the basis of sex, race, color, national origin, religion, disability, age, pregnancy, handicap or marital status.

The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities in employment, state and local government services, public accommodations, transportation and telecommunication. The ADA extends the requirements under Section 504 of the Rehabilitation Act of 1973, as amended, to all activities of state and local governments and places of public accommodations operated by private entities, including places of public display. The 504 Self Evaluation Workbook which can be used as a reference, and downloadable Disability Symbols can be found at <http://dos.myflorida.com/cultural/info-and-opportunities/resources-by-topic/accessibility/>.

C. Grant Projects and Request Amount

Applicant Organizations may request up to \$500,000 or up to \$1,000,000 with 50 percent matching funds from other sources for Fixed Capital Outlay projects at facilities in Florida that highlight the contributions, culture, or history of African-Americans. Priority shall be given to projects that:

1. Encourage the design or construction of a new facility or the renovation of an existing facility in an area with great cultural significance in which no facility exists;
2. Enhance the beauty or aesthetic value of facilities named for significant African-Americans; or
3. Restore facilities on the National Register of Historic Places.

There is no minimum request amount.

D. Application Submission

Applications must be submitted on or before October 1, 2021, on the DOS Grants System at dosgrants.com. For additional information about the African-American Cultural and Historical Grant Program, visit our website at: <http://dos.myflorida.com/XXXX> or contact us at AACH@dos.myflorida.com.

IV. MATCH REQUIREMENTS

There is no match requirement for grant funding requests up to \$500,000. All Applicant Organizations **must** provide a cash match of 50% of funds requested above \$500,000 from the Department. This is called Match and must be cash-on-hand of the Applicant Organization at the time of the application. The total Project Budget includes Match plus the grant funds request amount. All Match must be consistent with the Scope of Work and must be essential to the implementation of the project. The total required Match amount must be documented by bank statement(s), budget report(s), and/or bank letters showing sufficient restricted funds, grant award letter(s) from third parties (non-State), or a municipal or county resolution*. For example: if the request amount is \$1,000,000, the match amount is \$250,000. This would be 50% of the \$500,000 that is above the first \$500,000 for a total project budget of \$1,250,000.

***Municipalities and counties (public entities)** must submit an executed copy of an approved resolution by a city or county commission with the application materials. The resolution **must** include

the dollar amount dedicated and available to the project if the grant is awarded and the date the funds will be available. The submitted resolution **must be dated and signed by an authorizing official**. Funding, as indicated by the resolution, must be made available within 90 days of the start of the Grant Period.

A. Restrictions on Matching Funds

1. Funds that are for general operating expenses will not be acceptable as match.
2. Revenue from funding requested but not yet approved through local or state government appropriation processes will not be acceptable as match.
3. Revenue from grants that have not yet been awarded will not be acceptable as match.
4. Anticipated proceeds from fundraising activities will not be acceptable as match.
5. Fundraising costs will not be acceptable as match.
6. Legal fees or taxes will not be acceptable as match.
7. Matching funds will be designated only to the Scope of Work presented in this application and may not be used for other previous, current or future Department of State grants.
8. Expenditures made prior to and following the Grant Period may not be used as match.
9. Loans may not be used as match. Equity may not be used as match.
10. State of Florida grant funds may not be used as match for this program.
11. Federal funds may not be used as match for this program.

B. Matching Funds Documentation

1. Organizations must have all Match complete and confirmed at the time of application and, if funded, must reconfirm Match at the time of Grant Award Agreement execution. Documentation of matching funds can include:
 - a) Bank statement(s), budget report(s), and/or bank letters confirming cash-on-hand
 - b) A resolution showing funds dedicated to the Scope of Work (limited to public entities)
 - c) Grant award letters from third parties (non-State and non-Federal)

V. ALLOWABLE EXPENSES

1. Allowable expenses must be:
 - a) not excluded by these Guidelines and approved by the Department;
 - b) necessary and reasonable for the performance of the Scope of Work;
 - c) specifically and clearly detailed in the Project Budget; and
 - d) incurred or paid within the 2-year Grant Period beginning on July 1 of the year of appropriation.

2. Only allowable expenses may be included in the Project Budget.
3. Expenditures of state or federal financial assistance must be in compliance with the laws, rules, and regulations applicable to expenditures of state and federal funds as outlined in the **Department of Financial Services' Reference Guide for State Expenditures** (revised 11/1/2019) and **2 CFR Part 200**, which are incorporated by reference and are available online at <https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf> and https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl.
4. AACH expenses must fit into one of the four statutory eligible uses of Fiscal Recovery Funds authorized by ARPA, which include the following (for additional information on uses of ARPA funds, see Treasury's Interim Final Rule, 31 CFR Part 35 at <https://www.govinfo.gov/content/pkg/FR-2021-05-17/pdf/2021-10283.pdf>):
 - a. To respond to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
 - b. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to such eligible workers of the recipient, or by providing grants to eligible employers that have eligible workers who performed essential work;
 - c. For the provision of government services, to the extent of the reduction in revenue of such recipient due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year of the recipient prior to the emergency; and
 - d. To make necessary investments in water, sewer, or broadband infrastructure.

VI. NON-ALLOWABLE EXPENSES

The following categories of expenditures are non-allowable for expenditure of grant funds and as contributions to required match. This is not intended to be an exhaustive list, and the Department may evaluate the allowability of all expenditures (grant or match) in accordance with applicable Federal and State statutes, regulations, these guidelines or the terms and conditions of the Grant Award Agreement. Non-allowable expenses will not be considered part of the Grant Award Agreement and cannot be incorporated or encompassed within any other allowable category. In the event that the Department identifies such, the Grantee must return any disbursed grant funds associated with non-allowable expenses and could lose eligibility for future grants.

- a) Expenditures for work not included in the Scope of Work of the executed Grant Award Agreement;
- b) Costs of goods and services not procured in accordance with procurement procedures set forth in the Grant Award Agreement, Chapter 287 of the *Florida Statutes* and/or Rule 60A-1.002 of the *Florida Administrative Code*;
- c) Expenses incurred or obligated prior to or after the Grant Period, as indicated in the Grant Award Agreement;
- d) Expenditures of state or federal financial assistance not in compliance with the laws, rules, and regulations applicable to expenditures of state and federal funds as outlined in the *Department of Financial Services' Reference Guide for State Expenditures* (revised 11/1/2019) and *2 CFR Part 200*.
- e) Expenses associated with lobbying or attempting to influence Federal, State or local legislation, the judicial branch or any state agency;

- f) For project activities directed at a Historic Property, expenditures for work not consistent with the applicable historic Preservation Standards as outlined in the Secretary of the Interior's Guidelines available at www.nps.gov/tps/standards/treatment-guidelines-2017.pdf, standards available at <http://www.nps.gov/tps/standards.htm> and nps.gov/history/local-law/arch_stnds_0.htm or applicable industry standards;
- g) Costs for projects having as their primary purpose the fulfillment of Federal or State regulatory requirements, including costs of consultation and mitigation measures required under Section 106 of the *National Historic Preservation Act of 1966*, as amended, or under Section 267.031, F.S.;
- h) Projects directed at activities or Real Properties that are restricted to private or exclusive participation or access, which shall include restricting access on the basis of sex, race, color, religion, national origin, disability, age, pregnancy, handicap or marital status;
- i) Entertainment, food, beverages, plaques, awards or gifts;
- j) Costs not documented in accordance with the provisions of the Grant Award Agreement;
- k) Indirect costs including Grantee overhead, management expenses, general operating costs and other costs that are not readily identifiable as expenditures for the materials and services required to complete the work identified in the Scope of Work in the Grant Award Agreement. Examples of indirect costs include: rent/mortgage, utilities, janitorial services, insurance, accounting, internet service, monthly expenses associated to security systems, non-grant related administrative and clerical staffing, marketing and fundraising activities;
- l) Administrative and project management expenditures such as expenditures that are directly attributable to management of the grant-assisted Project and meeting the reporting and associated requirements of the Grant Award Agreement;
- m) Grantee operational support (i.e., organization salaries not directly related to grant activities; travel expenditures; per diem; or supplies);
- n) Insurance costs (Exception: costs for builder's risk, workers' compensation and contractor's liability insurance);
- o) Capital improvements to the interior of Religious Properties (Exception: repairs to elements of the structural system. Examples include: foundation repairs, repairs to columns, load bearing wall framing, roof framing, masonry repairs, window and exterior door repairs and restoration practices associated with the building envelope);
- p) Accessibility improvements for Religious Properties;
- q) Parking facilities, sidewalks, walkways, and trails that are the entire scope of work; landscaping; fabrication or design of exhibits; or commercial projects (coffee shops, cafés, and gifts shops as part of the facility are allowable);
- r) Furniture and equipment unnecessary to furnish and operate a new or improved facility as part of a Fixed Capital Outlay project. Specific prior approval must be granted by the Department for all expenditures for furniture and equipment;
- s) Costs associated with attending or hosting conferences, summits, workshops or presentations (Exception: municipal or county required public meetings necessary for completion of the grant-assisted project);
- t) Travel expenditures, including those of personnel responsible for items of work approved by the Department, administrative personnel, contracted or subcontracted employees, either for purposes of work on-site or research off-site; and
- u) Tuition waivers, fees, and other non-grant related costs associated with employing students for grant projects.

VII. REVIEW CRITERIA AND SCORING

1. Applications that have not been determined ineligible by the Department and have not been withdrawn by the Applicant Organization shall be reviewed by the AACH Review Panel, the 9 members of which will be appointed by the Secretary of State and will include 3 representatives from the Florida Council on Arts and Culture, 3 representatives from the Florida Historical Commission, and 3 appointed subject matter experts. The review will be based on the following four (4) competitive criteria.

Criteria	Application Section(s)	Worth
Need for Project and Project Impact	Significance; Demonstrated Need; Protection and Impact; Annual Visitation; Economic Impact; Educational and Public Impact; Letters of Support; Local Protection	up to 45 points
Scope of Work	Project Specifics; Scope of Work; Tentative Project Timeline; Photographs	up to 20 points
Project Budget and Matching Funds	Budget and Match; Operating Forecast; Documentation of Confirmed Match; and Proposed Project Team	up to 15 points
Funding Priorities	Scope of Work: Priority shall be given to projects that encourage the design or construction of a new facility or the renovation of an existing facility in an area with great cultural significance in which no facility exists; enhance the beauty or aesthetic value of facilities named for significant African-Americans; or restore facilities on the National Register of Historic Places.	up to 20 points

2. The total possible number of points the AACH Review Panel can award to an application is 100. The AACH Review Panel's evaluation will be based on the information contained in the application, required attachments and support materials submitted with the application. The panelists' individual scores will be averaged to determine a final score for each application.
3. Applications with a tied average score will be ranked by application submission number order (lowest to highest).

A. Review Process

1. Department staff will conduct a technical review to determine eligibility and prepare a staff content review report. Eligible applications will then be submitted to the AACH Review Panel.

2. The AACH Review Panel will evaluate each application on the review criteria and assign a score. Applications are ranked according to the average of scores assigned for each application.
3. The AACH Review Panel approves the ranked list for submission to the Secretary of State.
4. The Department forwards the ranked list to the Secretary of State.
5. The Secretary of State reviews and approves the ranked list.

B. Staff Review

1. The technical review of applications verifies:
 - a) That the Applicant Organization has the correct **legal status** (public entity or nonprofit, tax-exempt, Florida Corporation). The Property Owner (if not the Applicant Organization) must be a Non-profit Organization, state college or university or agency of government.
 - b) That the Applicant Organization, if not the owner, has the permission of the Property Owner to conduct the proposed Project on the owner's property and the owner is in concurrence with the application and is a public entity or a Non-profit Organization.
 - i. For projects directed at Real Property, if funded, the Grantee (and the Property Owner, if not the Grantee) **must** file a Restrictive Covenant on the property with the Clerk of Court for ten (10) years prior to initial release of grant funds.
 - c) That the proposed Project is consistent with the purpose of the African-American Cultural and Historical grant program and the American Rescue Plan Act.
 - d) That the Project Budget does not include non-allowable expenses.
 - e) That appropriate **matching** funds ratio has been identified and documentation has been provided.
 - f) All supporting documentation has been provided.
2. **Only documents that are provided in response to requests for clarification from staff will be considered after the application deadline.** If necessary, a request for information will be sent with a certain response deadline. Such requests will be made in writing to the Applicant Organization via the DOS Grants System online using the contact information provided in the application. These requests are to clarify the information already submitted in the application. Responses received after the established deadline will not be accepted and the application will be presented to the AACH Review Panel by Department staff as submitted, along with staff recommendations on how to address the outstanding issues. Clarifications will become an official part of the application.

C. Information Provided to the Review Panel

1. The Department shall make available online electronic copies of the eligible applications (along with their support materials) to the AACH Review Panel in sufficient time for its members to review all applications prior to convening a public meeting for the purpose of considering the applications for funding. Ineligible applications will not be reviewed by the AACH Review Panel or discussed at the public meeting.
2. The Department shall also make available to the AACH Review Panel a staff content review report on each eligible application that provides an assessment of the information provided in the grant application. The staff content review report will include:

- a) A synopsis of the proposed Scope of Work;
- b) An assessment of compliance of the proposed project with any applicable industry standards (e.g., the Preservation Standards);
- c) Relevant concerns or issues with the application, including Applicant Organization responses to requests for information.
- d) An assessment of the proposed Scope of Work and its appropriateness in regards to the property that forms the basis of the proposed project, personnel and timeframe;
- e) An assessment of the proposed estimated budget including eligibility of claimed match contributions, with recommendations for any grant funding level adjustments that may be justified by the findings of the staff technical review. Examples of the need for such adjustment would be a recommendation to delete work related to non-allowable expenses, work not consistent with the applicable industry standards or to reduce the grant award in an amount commensurate with inadequately documented or non-allowable match contributions; and
- f) Other information regarding the Applicant Organization and its compliance with previous Department grants, if relevant.

D. Panel Review of Applications

1. All AACH Review Panel members must comply with the Standards of Conduct for Public Officers and Employees of Agencies as set forth in Section 112.313, Florida Statutes, and voting conflict of interest laws as set forth in Sections 112.3143 and 286.012, Florida Statutes.
2. Panelists independently evaluate each application based on the review criteria detailed in these guidelines and are required to follow the Department's scoring instructions. After each panel member has evaluated the applications, there will be a public panel meeting to review, discuss and score the applications.
3. Panel meetings are a public process and anyone can participate by attending in person or via online webinar. Participation instructions will be posted on the Florida Administrative Register (FAR) as a notice, on the Department's website and in the online grant system. The Department strongly encourages applicants to participate in the grant panel meeting, however it is not required. Participating in the panel process can be very helpful for those that intend to apply for future grants.
4. The Division of Arts and Culture's director, or the director's designee, will serve as the panel Chair. Chairs do not vote on applications being reviewed. At the public meeting, the AACH Review Panel shall score each eligible application reviewed for each of the aforementioned criteria. As per the results of their review, discussion in the public meeting and scoring, the panelists shall recommend, for each application, funding levels and any revisions of Scope of Work necessary to ensure compliance with these Guidelines. After all panelists have finalized scoring of all applications, the panelists' scores will be averaged to create a recommended funding list. This recommended funding list will include all applications reviewed during the public meetings.

5. A typical panel meeting will include the following:
 1. Call to Order;
 2. Introduction of Panelists and Staff;
 3. Panel Instructions from the Panel Chair (including purpose of and conduct of the meeting);
 4. Panel Discussion and Scoring of Applications.
 5. Adoption of Recommended Funding List
 6. Public Comment; and
 7. Adjournment.

E. Funding Process

1. Following the public meeting, the Department shall prepare a final ranking list of all recommended applications with an associated level of funding for each, for review and approval by the Secretary of State. The Secretary may approve the list as submitted by the AACH Review Panel. The approved final ranking list will be posted on the Department's webpage.
2. Grant funding recommendations approved by the Secretary of State will be funded top-down on the final ranking list until the appropriation is depleted. Funds will be released to grantees only after a Grant Award Agreement is fully-executed and certain deliverables are met.

VIII. HOW TO APPLY

1. Applications must be submitted on the DOS Grants System at dosgrants.com.
2. All application information submitted to the Department is open for public inspection and subject to the Public Records Law (Chapter 119, Florida Statutes).

A. Application Form

1. The application form must be completed using the Department's online grant application and submitted online **by 5:00 pm ET** on the application deadline. Deadlines, the solicitation notice, and a link to the application form are posted on the Department's website at <https://dos.myflorida.com/XXXX>.
2. At any time prior to the panel review and ranking public meetings, an Applicant Organization may opt to remove an application from further consideration for funding. Those applications will be labeled withdrawn and will not be discussed in the public meetings.

B. Support Materials

Support materials must be uploaded into the online grant application system. Attachments and support materials will not be accepted by any other method including email and fax, excluding Letters of Support.

C. Required Materials

Support materials are required documentation of eligibility. The required support materials for the African-American Cultural and Historical gram program are:

1. Documentation of Non-profit Status (for Non-profit Organizations only): In-state corporate entities must provide documentation of their active status as a Florida non-profit corporation with the Division of Corporations, Florida Department of State, which can be obtained at: <http://www.sunbiz.org> by searching the corporate name. Out-of-state corporate entities must include documentation from the Internal Revenue Service confirming that they are exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.
2. Substitute W9 form: Applicant Organizations must submit a copy of their Substitute W9 form (SW9), which can be obtained at the Department of Financial Services (DFS) Substitute W-9 website <https://flvendor.myfloridacfo.com>.
3. Documentation of Confirmed Match: An Applicant Organization shall provide current documentation of all required match and this must meet the minimum match requirements outlined in these Guidelines.
4. Letters of Support, Endorsement or Resolutions: The Applicant Organization shall provide a list that includes the following information for each letter of support, endorsement or resolution included in the application: name of author, type of communication (letter, petition, resolution, etc.) and organization represented (if applicable). All letters shall be scanned together and uploaded as a single file.
5. Photographs: All Applicant Organizations shall provide digital images as specified in the application instructions. For existing Real Property, minimum requirements include current photographs of all exterior elevations, principal interior spaces and significant architectural features and, if available, also provide historic photographs of the property.
6. Representative Image: A single representative image of the property or project to be used in the application review meeting shall be submitted by the Applicant Organization. The image should convey the theme or purpose of the proposed project, and the property should be represented in its current condition.
7. Proposed Project Team Support Documents: The Applicant Organization shall provide the curricula vitae/resumes of the proposed project team as listed in the application.
8. Architectural/Design Documents: If completed, the Applicant Organization shall provide architectural project schematics, construction documents or conditions report documents.
9. Mission and Programming Materials: An Applicant Organization that conducts arts and cultural programming shall provide materials such as a season program, box office statement, educational programs that document percentage of arts and cultural programming of facility (If project is for a NEW space without previous programing, provide programming examples).

10. Documentation of Demonstrated Need: An Applicant Organization should use this attachment to explain and document the demonstrated need for the proposed project or activity, as it relates to the contributions, culture, or history of African-Americans, including any immediate threats to the Real Property/ies that is the subject of the proposed project.
11. Local Protection: Copies of any documents that provide local protection of the project site, if any currently exist, must be provided. This may include local protection ordinances, preservation or conservation agreements, protective or restrictive covenants or maintenance agreements.
12. Owner Concurrence Letter: Each Applicant Organization shall provide a letter that documents that the Applicant Organization has the permission of the owner of record (if the Property Owner is not the applicant) to conduct the proposed project on the owner's property and that the owner is in concurrence with this application for grant funding. Note that the owner must be a Non-profit Organization, state college or university or agency of government. If the property for which grant funding is requested is leased by the Applicant Organization, the lease agreement must be dated, signed and submitted at the time of the application submission, with the required Owner Concurrence Letter attachment to the application.
13. Federal Assurances for Construction Programs Form: Applicant Organizations must submit a copy of the Federal SF424D Assurances for Construction Programs form, which can be obtained at the Grants.Gov website <https://www.grants.gov/forms/sf-424-family.html>.
14. Optional Materials: An Applicant Organization may use this attachment to present additional documents not specifically requested by the Department that support the application.

D. Restrictive Covenants

For funded projects, the Grantee and the Property Owner(s), if different, shall execute and file Restrictive Covenants with the Clerk of the Circuit Court in the county where the property is located, prior to initial release of grant funds.

1. The Restrictive Covenant shall include at a minimum the following provisions:
 - a) The Restrictive Covenants shall run with the title of the property, shall encumber the property and shall be binding upon the Grantee and the Property Owner(s), if different, and their successors in interest for ten (10) years from the date of the recordation of the Restrictive Covenants for projects involving improvements to Real Property.
 - b) The Grantee and Property Owner(s) shall permit the Department to inspect the property at all reasonable times to determine whether the Grantee and Property Owner(s) are in compliance with the terms of the Restrictive Covenants.
 - c) In the case of Historic Properties, the Grantee and Property Owner(s) shall maintain the property in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

- d) In the case of Cultural Facilities, the Grantee and Property Owner(s) shall maintain the property as a building which is be used primarily for the programming, production, presentation, exhibition or any combination of the above functions of any of the cultural disciplines defined in Section 265.283(7), Florida Statute. These disciplines include, but are not limited to music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, programs of museums, and other such allied, major art forms.
- e) The Grantee and Property Owner(s) agree that no modifications will be made to the property, other than routine repairs and maintenance, without advance review and approval of the plans and specifications by the Department.
- f) The Restrictive Covenants shall contain the following amortization schedule of the repayment of grant funds, should the Grantee or Property Owner(s) or their successors in interest violate the Restrictive Covenants.
 - i. Amortization Schedule for projects involving improvements to Real Property:
If the violation occurs within the first five (5) years of the effective date of these covenants, the Department shall be entitled to return of the entire grant amount. If the violation occurs after the first five (5) years, the Department shall be entitled to return of the entire grant amount, less 10% for each year past the first five (5).
- g) Other provisions as agreed upon by the Department and the Grantee.

IX. GRANT AWARD AGREEMENT

1. All grant awards which have been approved in accordance with these Guidelines shall be formalized through a Grant Award Agreement by which the Grantee enters into a contract with the State of Florida for the transparent management of grant funds.
2. For all funded Projects, any changes to the Scope of Work and Project Budget submitted with the application must be reviewed and approved by the Department prior to execution of a Grant Award Agreement.
3. Grant Encumbrance Period and Expenditure Period:
 - a) Encumbrance Period for Projects Requiring Contractual Services:
 - i. During the encumbrance period, but not later than the end date of the encumbrance period as outlined in the Grant Award Agreement, the Grantee shall execute all required contracts for all or part of the work to be accomplished with grant funds. Projects for which no encumbrance is accomplished by the established deadline may be cancelled by the Department and the grant funds may be reallocated in accordance with these Guidelines.
 - ii. Exception: The encumbrance period for a grant project can be extended by written approval of the Department if requested in writing as indicated below and if the Grantee demonstrates to the satisfaction of the Department that partial encumbrance of grant funding and the required match by binding contract(s) is achievable by the end of the requested extended encumbrance

period. The Grantee's written request for extension of the encumbrance deadline must be submitted to the Department as outlined in the Grant Award Agreement.

- iii. For projects not involving contract services, but to be conducted by Grantee's internal staff, the Grantee and the Department shall consult on a case-by-case basis to develop an acceptable encumbrance schedule.
- b) Expenditure Period:
- i. Grant funds and required match resources must be expended as outlined in the Grant Award Agreement and properly documented as required by the Department.
 - ii. Grant funds shall not be used for project expenditures that are incurred after the expenditure period end date, which is the termination date of the Grant Award Agreement.
 - iii. The Department may extend the expenditure period by not more than six (6) months at a time. Time extensions will be considered on a case-by-case basis and will be valid only if a contract amendment is executed by both parties, as outlined in the Grant Award Agreement. The Grantee must request the extension in writing, provide documentation that all grant funds and match contributions are encumbered and demonstrate to the satisfaction of the Department that project work is progressing at a rate such that completion is achievable within the extended expenditure period. In no event may the expenditure period extend beyond the period of performance provided by Treasury of use of SLFRF funds.
- c) The Grantee's written request for extension shall be submitted to the Department no later than thirty (30) days prior to the termination date of the Grant Award Agreement.

A. Reporting Requirements

1. As required by the Grant Award Agreement, Grantees shall submit periodic progress reports to the Department. Progress reports, along with any supporting or required information that documents project status, shall be submitted via the Department grants online system and meet the established deadlines indicated in the Grant Award Agreement. A progress report describes the progress of the project during the last reporting period including, at a minimum:
 - a) The progress and status of each Scope of Work activity;
 - b) The progress and status of the deliverables;
 - c) Status of executing subcontracts and encumbrance of funds;
 - d) Any variations from project timeline, budget and deliverables, with a description of reasons for variance; and
 - e) Any additional information necessary to meeting federal SLFRF reporting requirements.

2. Progress reports shall be accompanied by support materials that can effectively document the current status of project work as related to the Scope of Work. Photographs shall be captioned with property name, date of photograph, and description of feature and work described.
3. The Grantee shall submit a final progress report within thirty (30) days following the Expiration Date of the grant. An exception to this is the establishment of a specific final progress submission date when a grant extension is agreed upon and a contract amendment is executed by the Grantee and the Department.
4. The Grantee shall provide information and documentation to the Department to assist in identifying non-state entity Grantees that are required to comply with the Florida Single Audit Act, Sections 215.97(2)(a) and 215.97(8)(a), F.S. and assisting in compliance. Information and documentation provided by the Grantee shall be reported by grants staff to the Department's Office of Inspector General.

B. Retention of Records

The Grantee shall retain financial records, supporting documents, statistical records and all other records including electronic storage media pertinent to the Project for a period of five (5) years after the close out of the grant. If any litigation or audit is initiated, or claim made, before the expiration of the five-year period, the records shall be retained until the litigation, audit or claim has been resolved.

C. Grant Withdrawal or Cancellation

In the event an Applicant Organization is unable to complete the Scope of Work specified in the executed Grant Award Agreement, the Department should be informed as soon as possible. All pre-approved grant and match expenditures shall be documented and a final progress report must be submitted along with expenditure logs and schedule of values evidencing the percentage of completion. Any unaccounted advanced funds shall be returned to the Department.

X. FEDERAL REQUIREMENTS

A. Uniform Administrative Requirements

In addition to the requirements set forth in these guidelines generally applicable to grants awarded by the Department, African-American Cultural and Historical Grants, as federal pass-through grants, are also subject to additional federal requirements for use of SLFRF funds. The SLFRF awards are generally subject to the requirements set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200 (the "Uniform Guidance"). In all instances, Applicant Organizations should review the Uniform Guidance requirements applicable to your organization's use of SLFRF funds, and SLFRF-funded projects.

The following sections provide a general summary of compliance responsibilities under applicable federal statutes and regulations, including the Uniform Guidance, as described in the 2020 OMB Compliance Supplement Part 3. Compliance Requirements (issued August 18, 2020). Note that the descriptions below are

only general summaries and all recipients and subrecipients of SLFRF funds are advised to carefully review the Uniform Guidance requirements and any additional regulatory and statutory requirements applicable to the program.

1. **Allowable Costs/Cost Principles.** As outlined in the Uniform Guidance at 2 CFR Part 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of Federal awards, application of sound management practices, and administration of Federal funds in a manner consistent with the program objectives and terms and conditions of the award. As such, the Department will implement robust internal controls and effective monitoring of subrecipients to ensure compliance with the Cost Principles, which are important for building trust and accountability. SLFRF Funds may be, but are not required to be, used along with other funding sources for a given project. Note that SLFRF Funds may not be used for a non-Federal cost share or match where prohibited by other Federal programs, e.g., funds may not be used for the State share for Medicaid.
2. **Cash Management.** SLFRF payments made to recipients are not subject to the requirements of the Cash Management Improvement Act and Treasury's implementing regulations at 31 CFR part 205 or 2 CFR 200.305(b)(8)-(9). As such, recipients can place funds in interest-bearing accounts, do not need to remit interest to Treasury, and are not limited to using that interest for eligible uses under the SLFRF award.
3. **Equipment and Real Property Management.** Any purchase of equipment or real property with SLFRF funds (as approved by the Department) must be consistent with the Uniform Guidance at 2 CFR Part 200, Subpart D. Equipment and real property acquired under this program must be used for the originally authorized purpose. Consistent with 2 CFR 200.311 and 2 CFR 200.313, any equipment or real property acquired using SLFRF funds shall vest in the non-Federal entity. Any acquisition and maintenance of equipment or real property must also be in compliance with relevant laws and regulations.
4. **Period of Performance.** All SLFRF funds remain subject to statutory requirements that they must be used for costs incurred by the recipient during the period that begins on March 3, 2021, and ends on December 31, 2024, and that award funds for the financial obligations incurred by December 31, 2024 must be expended by December 31, 2026. Any funds not used must be returned to Treasury.
5. **Procurement, Suspension & Debarment.** Recipients are responsible for ensuring that any procurement using SLFRF funds, or payments under procurement contracts using such funds are consistent with the procurement standards set forth in the Uniform Guidance at 2 CFR 200.317 through 2 CFR 200.327, as applicable. The Uniform Guidance establishes in 2 CFR 200.319 that all procurement transactions for property or services must be conducted in a manner providing full and open competition, consistent with standards outlined in 2 CFR 200.320, which allows for non-competitive procurements only in circumstances where at least one of the conditions below is true: the item is below the micro-purchase threshold; the item is only available from a single source; the public exigency or emergency will not permit a delay from publicizing a competitive solicitation; or after solicitation of a number of sources, competition is determined inadequate. Recipients must have and use documented procurement procedures that are consistent with the standards outlined in 2 CFR 200.317 through 2 CFR 200.320. The Uniform Guidance requires an infrastructure for competitive

bidding and contractor oversight, including maintaining written standards of conduct and prohibitions on dealing with suspended or debarred parties. Your organization must ensure adherence to all applicable local, State, and federal procurement laws and regulations.

6. **Program Income.** Generally, program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards and principal and interest on loans made with Federal award funds. Program income does not include interest earned on advances of Federal funds, rebates, credits, discounts, or interest on rebates, credits, or discounts. Recipients of SLFRF funds should calculate, document, and record the organization's program income. Additional controls that your organization should implement include written policies that explicitly identify appropriate allocation methods, accounting standards and principles, compliance monitoring checks for program income calculations, and records. The Uniform Guidance outlines the requirements that pertain to program income at 2 CFR 200.307. Treasury intends to provide additional guidance regarding program income and the application of 2 CFR 200.307(e)(1), including with respect to lending programs.
7. **Reporting.** All recipients of federal funds must complete financial, performance, and compliance reporting. Expenditures may be reported on a cash or accrual basis, as long as the methodology is disclosed and consistently applied. Reporting must be consistent with the definition of expenditures pursuant to 2 CFR 200.1. Your organization should appropriately maintain accounting records for compiling and reporting accurate, compliant financial data, in accordance with appropriate accounting standards and principles. In addition, where appropriate, your organization needs to establish controls to ensure completion and timely submission of all mandatory performance and/or compliance reporting to the Department, for use in its required reporting to Treasury.

B. Award Terms and Conditions

In addition to the Grant Award Agreement requirements set forth in Section IX. above, SLFRF financial assistance agreements must include compliance obligations for recipients pursuant to the SLFRF statute, the Uniform Guidance, and Treasury's Interim Final Rule. Recipients and subrecipients should ensure they remain in compliance with all SLFRF Award Terms and Conditions. These obligations include the following items in addition to those described above:

1. **SAM.gov Requirements.** All eligible recipients are also required to have an active registration with the System for Award Management (SAM) (<https://www.sam.gov>). To ensure timely receipt of funding, Treasury has stated that Non-entitlement Units of Government (NEUs) who have not previously registered with SAM.gov may do so after receipt of the award, but before the submission of mandatory reporting.
2. **Recordkeeping Requirements.** Generally, your organization must maintain records and financial documents for five years after all funds have been expended or returned to Treasury. Treasury may request transfer of records of long-term value at the end of such period. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats. Your organization must agree to provide or make available such records to Treasury upon request, and to any authorized oversight body, including but not limited to the Government Accountability Office

(“GAO”), Treasury’s Office of Inspector General (“OIG”), and the Pandemic Relief Accountability Committee (“PRAC”).

3. **Single Audit Requirements.** Recipients and subrecipients that expend more than \$750,000 in Federal awards during their fiscal year will be subject to an audit under the Single Audit Act and its implementing regulation at 2 CFR Part 200, Subpart F regarding audit requirements. Recipients and subrecipients may also refer to the Office of Management and Budget (OMB) Compliance Supplements for audits of federal funds and related guidance and the Federal Audit Clearinghouse to see examples and single audit submissions.
4. **Civil Rights Compliance.** Recipients of Federal financial assistance from the Treasury are required to meet legal requirements relating to nondiscrimination and nondiscriminatory use of Federal funds. Those requirements include ensuring that entities receiving Federal financial assistance from the Treasury do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: Title VI of the Civil Rights Act of 1964 (Title VI) Public Law 88-352, 42 U.S.C. 2000d-1 et seq., and the Department's implementing regulations, 31 CFR part 22; Section 504 of the Rehabilitation Act of 1973 (Section 504), Public Law 93-112, as amended by Public Law 93-516, 29 U.S.C. 794; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq., and the Department's implementing regulations, 31 CFR part 28; Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101 et seq., and the Department implementing regulations at 31 CFR part 23. In order to carry out its enforcement responsibilities under Title VI of the Civil Rights Act, Treasury will collect and review information from recipients to ascertain their compliance with the applicable requirements before and after providing financial assistance. Treasury’s implementing regulations, 31 CFR part 22, and the Department of Justice (DOJ) regulations, Coordination of Non-discrimination in Federally Assisted Programs, 28 CFR part 42, provide for the collection of data and information from recipients (see 28 CFR 42.406). Treasury may request that recipients submit data for post-award compliance reviews, including information such as a narrative describing their Title VI compliance status.

C. Project Demographic Distribution

Recognizing the disproportionate impact of the pandemic-related recession on low-income communities, recipients must report whether certain types of projects are targeted to economically disadvantaged communities, as defined by HUD’s Qualified Census Tract (QCT). HUD defines a QCT as having “50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more.” Recipients will be asked to identify whether or not the project is serving an economically disadvantaged community. To minimize the administrative burden on recipients while ensuring that this important aspect of program performance is tracked, recipients may assume that the funds for a project count as being targeted towards economically disadvantaged communities if the project funds are spent on:

- a) A program or service is provided at a physical location in a Qualified Census Tract (for multi-site projects, if a majority of sites are within Qualified Census Tracts);
- b) A program or service where the primary intended beneficiaries live within a Qualified Census Tract;

- c) A program or service for which the eligibility criteria are such that the primary intended beneficiaries earn less than 60 percent of the median income for the relevant jurisdiction (e.g., State, county, metropolitan area, or other jurisdiction); or
- d) A program or service for which the eligibility criteria are such that over 25 percent of intended beneficiaries are below the federal poverty line.

XI. DEFINITIONS

- A. “Applicant Organization” means a public entity governed by a county, municipality, school district, community college, college, university or an agency of state government; or a Non-profit Organization.
- B. “Cultural Facility” means a building which is used primarily for the programming, production, presentation, exhibition or any combination of the above functions of any of the cultural disciplines defined in s. 265.283(7), F.S. These disciplines include, but are not limited to music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, programs of museums, and other such allied, major art forms.
- C. “Department” means the Department of State.
- D. “Effective Date” means July 1 of the state fiscal year in which requested grant funding is appropriated by the Florida Legislature. Neither grant funds nor match contributions may be expended before this date.
- E. “Encumbrance” means commitment of grant funds and match by binding contract.
- F. “Expenditure” means the outlay of cash or the amount due and owing after receipt of goods or services included in the Scope of Work.
- G. “Expiration Date” means the date by which all grant funds and match must be expended.
- H. “Fixed Capital Outlay” means the appropriation category used to fund Real Property (land, buildings, including appurtenances, fixtures and fixed equipment, structures, etc.), including additions, replacements, major repairs, and renovations to Real Property which materially extend its useful life or materially improve or change its functional use and including furniture and equipment necessary to furnish and operate a new or improved facility.
- I. “Florida Council on Arts and Culture” means the 15-member advisory council appointed to advise the Secretary of State regarding cultural grant funding and on all matters pertaining to culture in Florida.
- J. “Florida Historical Commission” means the advisory body created pursuant to Section 267.0612, F.S., to assist the director of the Division of Historical Resources in carrying out the purposes, duties and responsibilities of the division.
- K. “Florida Single Audit Act” means the uniform state audit requirements for state financial assistance provided by state agencies to non-state entities as codified in Section 215.97, F.S.

- L. "Grant Award Agreement" means the legal instrument which binds the Grantee and the Department to the terms, conditions and limitations of the Department's grants programs.
- M. "Grantee" means the organization or governmental entity to which a grant is awarded, which has entered into a Grant Award Agreement with the Department and which is responsible and accountable both for the use of the funds provided and for the performance of the grant-assisted project.
- N. "Grant Period" means the period between Effective Date and Expiration Date of the Grant Award Agreement during which time expenditure of all grant funds and all contributions to match must be made.
- O. "Historic Property" means any historic site, district, building, object or other real or personal property of historical, cultural, or architectural value. These properties or resources may include, but are not limited to, monuments, memorials, ceremonial sites, abandoned settlements, engineering works or other objects with intrinsic historical value, or any part thereof, relating to the history, government and culture of Florida.
- P. "Match" means cash Expenditures which must be made by the Grantee in order to receive the grant award. All match must be consistent with the Scope of Work and must be essential to the implementation of the project.
- Q. "National Register of Historic Places" means the list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, engineering and culture, authorized by the National Historic Preservation Act of 1966, as amended, and administered by the U.S. Department of the Interior, National Park Service. The list of Properties on the National Register of Historic Places in Florida is available from the Division of Historical Resources.
- R. "Non-profit Organization" means a corporate entity which is registered pursuant to Chapter 617, F.S., as a Florida non-profit corporation with the Division of Corporations, Florida Department of State. Grantees other than government entities must maintain active non-profit status with the Division of Corporations during the Grant Period. For Non-profit organizations outside of Florida, the Non-profit organization must be registered under 501(c)(3) by the U.S. Department of the Treasury, Internal Revenue Service.
- S. "Planning" means research, testing, analysis and design required for implementation of a Project. Planning may include historical research, development of a historic structure report, condition assessment, survey, hazardous materials survey and abatement plan, rehabilitation feasibility study and construction documents (plans and specifications).
- T. "Preservation Standards" means the following standards promulgated by the National Park Service, United States Department of the Interior, and the Division of Historical Resources for the types of projects indicated:
 - a. For projects involving individual historic buildings, the Secretary of the Interior's Standards for the Treatment of Historic Properties;

- b. For projects involving historical research, the Secretary of the Interior's Standards for Historical Documentation;
 - c. For projects involving documentation of a historic structure, the Secretary of the Interior's Standards for Architectural and Engineering Documentation; and
 - d. The standards referenced in paragraphs (a) through (c) above are available from the Division of Historical Resources.
- U. "Project" means the undertaking that encompasses a set of tasks or activities defined by the Scope of Work and budget included in the grant application and formalized in the Grant Award Agreement. The Project must begin on the grant Effective Date and end on, or before, the grant Expiration Date. A Project may be a part of a larger effort undertaken in a series of distinct phases, which may have begun before the Grant Period and which may extend beyond the Grant Period but will be treated as a specific and measurable distinct project during the Grant Period and shall be documented as such by the Applicant Organization.
- V. "Project Budget" means the budget and project description included in the grant application. The Project Budget must succinctly describe all major elements of project work, the estimated cost of each and clearly allocate requested grant funding and match contributions to each.
- W. "Property Owner" means the owner(s) of land or building(s) or both, and of all improvements made with grant funds.
- X. "Real Property" means all land, structures, firmly attached and integrated equipment (e.g., light fixtures or a well pump) and anything growing on the land, as opposed to personal property (movable assets).
- Y. "Religious Property" means any Real Property and associated improvements owned by a religious institution (examples include churches, schools, meeting halls and parish houses) and any Real Property, regardless of ownership, that is used as a place of worship.
- Z. "Restrictive Covenant" means the legal instrument by which a Grantee and Property Owner commit to maintenance of a property improved with AACH grant assistance. This legal instrument is recorded at the appropriate county clerk's office in the county in which the property is located and is binding on the current and subsequent owners from the date on which the instrument is recorded.
- AA. "Scope of Work" means the work specified in the Grant Award Agreement or in an approved amendment thereto, as being authorized by the Department for expenditure of grant funds and for contribution to the required match.