

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
PROGRAM SPECIFIC REQUIREMENTS**

STAN MAYFIELD WORKING WATERFRONTS CAPITAL OUTLAY PROGRAM

ATTACHMENT 6

1. Project Submittal Forms.

Administrative Forms, Reimbursement Forms, Guidelines, and other resource information as referenced in this Agreement may be found at <https://floridadep.gov/lands/land-and-recreation-grants/content/stan-mayfield-working-waterfronts-capital-outlay-grant-0> or by contacting the Department's Grant Manager.

2. Notice to Commence.

Prior to commencement of the Project, the Grantee shall submit to the Department for approval all documentation and completion of responsibilities listed on the Commencement Documentation Checklist; upon satisfactory approval by the Department, the Department will issue written "Notice to Commence" to the Grantee to commence the Project. **The Grantee SHALL NOT proceed until the Department issues the "Notice to Commence."**

3. Project Completion.

All work under this Agreement must be completed no later than 60 days before the expiration date of the Agreement, known as the "Project Completion Date." The Department may require the Grantee to do additional work before designating the Project "complete."

4. Project Completion Certification.

To certify completion, the Grantee will submit to the Department the Project Completion Certification. The Project must be designated complete prior to the Department releasing final reimbursement. The Department shall designate the Project complete upon receipt and approval of all deliverables. The final payment of the retained amount will be processed within thirty (30) days of the Project designated complete by the Department.

5. Reimbursement for Costs.

Project Costs will be reimbursed as provided in the Project Agreement. The Grantee is eligible for reimbursement, in whole or in part, for Department-approved Expenses and costs through the Project Completion Date of this Agreement. The Grantee shall be paid on a cost reimbursement basis for all eligible Project costs upon the completion, submittal, and approval of each deliverable identified in the Grant Work Plan. Reimbursement shall be requested on Exhibit A, Payment Request Summary Form.

- a. **Reimbursement Eligibility.** To be eligible for reimbursement, cost(s) must meet all SMWWCO Grant Program requirements, financial reporting requirements, and applicable rules and regulations to the expenditure of state funds. The Reference Guide for State Expenditures can be accessed via the link below <https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf>.
- b. **Pre-Agreement Expenses.** Pre-Agreement Expenses means expenses incurred by a Grantee for accomplishment of an eligible SMWWCO project prior to full execution of the Project Agreement. The Grantee is entitled to submit for cost-reimbursement eligible Pre-Agreement Expenses, which are expenses Grantee incurred for the accomplishment of the Project prior to full execution of this Agreement.
- c. **Cost Limits.** Project planning expenses, such as application preparation, surveys, title searches, project signs, architectural and engineering fees, permitting fees, project inspection fees, and other similar fees are eligible Project costs provided that such costs do not exceed fifteen percent (15%) of the total Project cost.

6. Annual Appropriation Contingency.

The State's performance and obligation to pay under this Agreement is contingent upon appropriation from the Florida Legislature. Authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. It is further understood that Grant Awards may be revised by the Department due to the availability of SMWWCO Grant Program funds.

7. Status Reports.

The Grantee must utilize a Project Status Report Form, to describe the work performed during the reporting period, problems encountered, problem resolutions, schedule updates and proposed work for the next reporting period. Project Status Reports must be submitted to the Department's Grant Manager on an annual basis, based upon the grant agreement conception date. Additionally, the Grantee shall comply with the reporting and inventory requirements for a period of four (4) years from the completion of tasks and reimbursements.

8. Site/Equipment Dedication.

- a. Dedication Period. Property owned by the Grantee developed or acquired with grant funds must be dedicated for the prescribed use as outlined in the SMWWF-CO application. Land under control other than by ownership must be dedicated for a minimum period of four (4) years from the Project Completion Date.
- b. Dedication Changes. Should the Grantee's interest in the land or equipment change, either by sale, lease, or other written legal instrument, the Grantee is required to notify the Department in writing of the change no later than ten (10) days after the change occurs, and the Grantee is required to notify all subsequent parties with interest to the land of the terms and conditions as set forth in this Agreement.

9. Management of Project Sites.

- a. Site Inspections. Grantees must ensure by site inspections that facilities on the Project site are being operated and maintained as set forth in the Grant Work Plan.
- b. Non-Compliance. The Department will terminate an agreement and demand return of the program funds (including interest) for non-compliance if a Grantee fails to comply with the terms stated in with the Agreement.

10. Procurement Requirements for Grantee.

The Grantee must secure all goods and services for the Project according to its adopted procurement procedures.

11. Termination and Ineligibility.

If the Grantee fails to comply with the terms stated in this Agreement, the Department will terminate this Agreement and demand return of the program funds (including interest). Furthermore, the Department will declare the Grantee ineligible for further participation in FRDAP until the Grantee complies. Further, the Grantee agrees to ensure that all necessary permits are obtained prior to implementing any Grant Work Plan activity that may fall under applicable federal, state, or local laws.