

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 11, 2024 [X] Consent [] Regular
[] Ordinance [] Public Hearing
Department
Submitted By: Community Services
Submitted For: Division of Human Services and Community Action Program

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file:

A) Notice of Grant Award/Fund Availability (NFA) #043347 Federal Award Identification Number (FAIN) (FAIN G2201FLCOSR), Catalog of Federal Domestic Assistance (CFDA) (CFDA 93.569) from Florida Department of Commerce (FDOC), for Program Year (PY) 2022 allocation, in an amount not-to exceed \$149,557.51, for the program period July 1, 2023 through December 31, 2023, for the Community Service Block Grant (CSBG) program; and

B) Amendment to the NFA #042716 (FAIN G2301FLCOSR), (CFDA 93.569) from the State of Florida, FDOC, for its PY 2023 reducing allocation by \$149,557.51, for an amount not-to-exceed \$1,043,365.49, for the program period July 1, 2023 through June 30, 2024, for the CSBG program.

Summary: On June 15, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with the FDOC, for the period October 1, 2020 through September 30, 2023, for the Low Income Home Energy Assistance Program (LIHEAP), and Low Income Water Assistance Program (LIHWAP) and CSBG programs. This agreement was amended on August 16, 2023, to update the effective date to July 1, 2023 and extend the end date to June 30, 2024, and change the name of the Florida Department of Economic Opportunity (FDOE) to FDOC. This funding is being reallocated from one NFA to another. Under the terms of the new umbrella agreement, FDOC will issue an NFA for each program award, and issue amendments to NFA's for any changes. The CSBG funds are used to provide economic mobility services to approximately 2,300 low-income individuals and 900 families. These services include employment skills training, job placement, resume writing training, financial management training, and case management. In PY 2023, 71 clients enrolled in the self-sufficiency program, 31 of those completed vocational training and 10 became employed. **No County match is required.** (Division of Human Services and Community Action Program) Countywide (HH)

Background and Justification: CSBG funds are used to provide various services, such as vocational training and case management to assist low-income households to obtain employment and increase economic self- sufficiency.

Attachments:

- 1. Signed Modification No. 2 of the Federally Funded Subgrant Agreement No. E2016
- 2. Notice of Grant Award/Fund Availability No. 042716
- 3. Notice of Grant Award/Fund Availability No. 043347

Recommended By: Taruna Malhotra 5/22/2024
Department Director Date

Approved By: [Signature] 6/6/24
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures					
Operating Costs					
External Revenue					
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT					

# ADDITIONAL FTE POSITIONS (Cumulative)					
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Is item included in current budget? Yes X No _____
 Does this item include the use of federal funds? Yes X No _____
 Does this item include the use of state funds? Yes X No _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No fiscal impact. This funding is being reallocated from one NFA to another.

C. Departmental Fiscal Review: DocuSigned by:
Julie Dowe
05AC9C7C058C444
 Julie Dowe, Director, Financial & Support Services

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

<p><i>Sum Mat 5/23/24</i> OFMB <i>OB 5/23</i> <i>JA 5/15</i> <i>RF 5/23</i></p>	<p><i>Krondo M...</i> Contract Development and Control <i>md 5/30/24</i></p>
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B. Legal Sufficiency:

[Signature]
 Assistant County Attorney *6/4/24*

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

**AMENDMENT NUMBER TWO OF AGREEMENT BETWEEN THE
FLORIDA DEPARTMENT OF COMMERCE
AND
PALM BEACH COUNTY, FLORIDA**

On March 25, 2021, the State of Florida, Department of Commerce ("Commerce"), formerly known as the Florida Department of Economic Opportunity, and Palm Beach County, Florida ("Subrecipient"), entered into Subgrant Agreement E2016 ("Agreement"). Commerce and Subrecipient are sometimes referred to herein individually as a "Party" and collectively as "the Parties."

WHEREAS, Section 4 of the Agreement provides that any amendment to the Agreement shall be in writing and executed by the Parties thereto; and

WHEREAS, the Agreement was previously amended on May 25, 2022; and

WHEREAS, the Parties wish to amend the Agreement as set forth herein as part of a joint effort to align Community Action Agency ("CAA") spending with legislatively appropriated state budget authority. State budget authority is determined on an annual basis through the agency's Legislative Budget Request process. The Legislature reviews the Legislative Budget Request and determines the amount of state budget authority, which is then codified in the General Appropriations Act. This is a process required annually by state law; state budget authority is not determined by the total federal award received by the state.

WHEREAS, this amendment memorializes the alignment of Community Action Agency spending with legislatively appropriated state budget authority and aligns the Period of Agreement with the state fiscal year. Doing so is of mutual benefit to Subrecipient and Commerce and ensures enhanced transparency and collaboration to the Parties continued work to provide meaningful services to Floridians.

NOW THEREFORE, in consideration of the mutual covenants and obligations set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

1. As set forth in the REPRESENTATIONS section on page 1 of this Agreement, the following provisions are hereby added:
 - F. The Parties have engaged in a joint effort to align Community Action Agency ("CAA") spending with legislatively appropriated state budget authority. State budget authority is determined on an annual basis through the agency's Legislative Budget Request process. The Legislature reviews the Legislative Budget Request and determines the amount of state budget authority, which is then codified in the General Appropriations Act. This is a process required annually by state law; state budget authority is not determined by the total federal award received by the state; and
 - G. This Agreement memorializes the alignment of CAA spending with legislatively appropriated state budget authority and aligns the Period of Agreement with the state fiscal year. Doing so is of mutual benefit to Subrecipient and Commerce and ensures enhanced transparency and collaboration to the Parties continued work to provide meaningful services to Floridians; and
 - H. Commerce's obligations under this Agreement are contingent upon the continued availability to Commerce of legislatively appropriated funds that may be used and are sufficient to support funding

award/release, and upon Subrecipient's satisfactory performance of its obligations set forth in this Agreement, as determined by Commerce.

2. Section 1., **PERIOD OF AGREEMENT**, of this Agreement is hereby deleted in its entirety and replaced with the following:

1. PERIOD OF AGREEMENT

The Effective Date of this Agreement is July 1, 2023. This Agreement ends on June 30, 2024 (the "Expiration Date"), unless otherwise terminated as set forth herein. This Agreement terminates, supersedes, and replaces any prior agreement in effect between Commerce and the Subrecipient regarding the subject matter set forth herein as of the Effective Date. The period between the Effective Date and the Expiration Date or the termination date is the "Agreement Period."

3. Section 5. A., **FUNDING/CONSIDERATION**, of this Agreement is hereby deleted in its entirety and replaced with the following:

- A. This Agreement is a Cost Reimbursement Agreement. Commerce's obligations under this Agreement are contingent upon the continued availability to Commerce of legislatively appropriated funds that may be used and are sufficient to support funding award/release, and upon Subrecipient's satisfactory performance of its obligations set forth in this Agreement, as determined by Commerce. Commerce will provide funds to the Subrecipient by issuing one or more Notice of Fund Availability ("NFA") through Commerce's financial management information system. Each NFA may include attachments that incorporate specific terms, conditions, assurances, restrictions, or other instructions applicable to the funds provided by the NFA.

The Subrecipient shall comply with all requirements contained within each NFA as a condition precedent to the receipt of funds and as an ongoing condition to the use and expenditure of the funds. Subrecipient may incur costs and submit for reimbursement only up to the Total Funds Released dollar amount listed in the NFA most recently issued by Commerce to the Subrecipient. Subrecipient may not be reimbursed any amount that exceeds the lesser of the state authorized budget authority or the "Funds/Available/Release" listed in the NFA most recently issued by Commerce to the Subrecipient. Each NFA and any attachments thereto, including, but not limited to its special terms, conditions, and instructions, is incorporated and adopted into the Agreement by reference.

4. Section 5.F., **FUNDING/CONSIDERATION**, of this Agreement is hereby deleted in its entirety and replaced with the following:

- F. Commerce will provide funds in consideration for the Subrecipient's successful performance under this Agreement. The State of Florida's and Commerce's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature of the State of Florida. Commerce shall have final authority as to both the availability of funds and what constitutes an "annual appropriation" of funds. The maximum cash available for draw is limited to the amount listed in the "Funds/Available/Release" in the NFA most recently issued by Commerce to the Subrecipient. Additional funding is contingent upon (1) availability of funds appropriated by the Legislature of the State of Florida for the purpose of this program; (2) the availability of future-year budget authority; and (3) substantial progress towards meeting the objectives of the award. The lack of appropriation or availability of funds shall not constitute a default on Commerce or the State. If there is a state or federal funding shortfall, then Subrecipient agrees that Commerce, in its sole discretion, may reduce the amount

of funding that would otherwise be made available under this Agreement. If applicable, reduction in funding will be done by NFA.

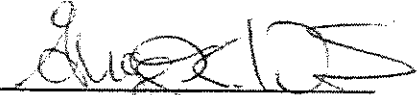
5. Section 6.A., **FISCAL AND ADMINISTRATIVE CONTROLS**, of this Agreement is hereby deleted in its entirety and replaced with the following:
 - A. Commerce will provide funds to the Subrecipient by issuing NFAs through Commerce's financial management information system. Each NFA may include NFA Attachments that incorporate specific terms, conditions, assurances, restrictions, or other instructions applicable to the funds provided by the NFA. If at any time during the award a budget period is funded on an incremental basis, the maximum obligation of the program funding is limited to the amount shown on the "Funds/Available/Release" in the NFA most recently issued by Commerce to the Subrecipient. In addition to execution of this Agreement, Subrecipient further agrees that by accepting funds made available through an NFA, the Subrecipient must comply with all terms, conditions, assurances, restrictions, or other instructions incorporated or listed in the NFA.
6. Section 7., **EMPLOYMENT ELIGIBILITY VERIFICATION**, of this Agreement is hereby deleted in its entirety and replaced with the following:
 - A. E-Verify is an Internet-based system that allows an employer, using information reported on an employee's Form I-9, Employment Eligibility Verification, to determine the eligibility of all new employees hired to work in the United States. There is no charge to employers to use E-Verify. The Department of Homeland Security's E-Verify system can be found at: <https://www.e-verify.gov/>.
 - B. In accordance with section 448.095, F.S., the State of Florida expressly requires the following:
 - (1) Every public agency and its contractors and subcontractors shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public agency or a contractor or subcontractor thereof may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.
 - (2) An employer shall verify each new employee's employment eligibility within three (3) business days after the first day that the new employee begins working for pay as required under 8 C.F.R. 274a. Beginning July 1, 2023, a private employer with 25 or more employees shall use the E-Verify system to verify a new employee's employment eligibility.
 - C. If an entity does not use E-Verify, the entity shall enroll in the E-Verify system prior to hiring any new employee or retaining any contract employee after the effective date of this Agreement.
7. All other terms and conditions of the Agreement are hereby reinstated and remain in full force and effect.

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STATE OF FLORIDA
DEPARTMENT OF COMMERCE
FEDERALLY FUNDED SUBGRANT AGREEMENT
SIGNATURE PAGE

IN WITNESS THEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of Agreement E2016, as amended. This Amendment is effective on July 1, 2023.

SUBRECIPIENT
PALM BEACH COUNTY, FLORIDA

By: 
(Signature)

Gregg K. Weiss, Mayor

(Print/Type Name and Title Here)

Date: 8/3/23

59-6000785
Federal Identification Number

XL2DNFMPCR44
UEI Number

E2016
Agreement Number

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

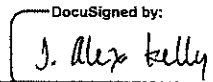
By: 
Senior Assistant County Attorney

APPROVED AS TO TERMS & CONDITIONS:
Community Services Department

By: 
Department Director

Revised 6.16.23

STATE OF FLORIDA
DEPARTMENT OF COMMERCE

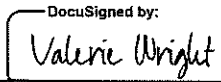
By: 
(Signature)

J. Alex Kelly, Secretary
Florida Department of Commerce

Date: 8/16/2023

Approved as to form and legal
sufficiency, subject only to full and
proper execution by the Parties.

Office of the General Counsel
Florida Department of Commerce

By: 

Approved Date: 8/15/2023

Date of Notice: 12/15/2023

Notice of Grant Award/Fund Availability General Information

Subrecipient Name:	COUNTY OF PALM BEACH	
Unique Entity Identification (UEI #):	XL2DNFMPCR44	
Federal Award Name:	Community Service Block Grant	
Grantor:	U.S. Department of Health and Human Services	
Federal Award Identification Number (FAIN):	G2301FLCOSR	
Federal Award Year:	PY2023	
CFDA/CSFA Title and Number:	Community Services Block Grant	93.569
Award for Research & Development (Y/N):	No	
Action being Taken:	Reduce Award & Release	

Award Information

Program Year in SERA:	PY2023
Program Group in SERA:	Economic Self-Sufficiency
Program Name in SERA:	Community Services Block Grant
Project in SERA:	CSBG – Formula
FLAIR Contract #:	E2016
NFA ID #:	042716
FLAIR Grant #:	SBG23
Award Period Begin Date:	July 1, 2023
Award Period End Date:	June 30, 2024
Close Out Due by:	September 30, 2024

Award and Fund Availability

	Award	Funds Available / Release (Maximum cash available for draw)
Current Award/Release:	\$1,192,923.00	\$586,082.00
This Action:	(\$149,557.51)	(\$149,557.51)
Revised Award/Release:	\$1,043,365.49	\$436,524.49

AWARD TERMS & CONDITIONS AND OTHER INSTRUCTIONS

General Conditions: Pursuant to paragraph (5) FUNDING/CONSIDERATION, of the Federally Funded Subgrant Umbrella Agreement (Umbrella Agreement) by and between FLORIDA COMMERCE and Subrecipient, this Notice of Fund Availability (NFA) is notice in writing by FLORIDA COMMERCE that Subrecipient may incur costs and submit for reimbursement in an amount not to exceed the lesser of the state authorized budget authority or the released amount shown above, subject to the terms of the Agreement and any amendments thereto, the availability of funds as determined solely by FLORIDA COMMERCE, and the Florida Legislature's appropriation of funds. These funds are available for cash draws under the Subrecipient Enterprise Resource Application (SERA) Program Year and Program Title/Project in SERA described on page one of this notice. The indirect cost rate or indirect cost method for this subaward, whether federal or non-federal, will be the federally recognized indirect cost rate negotiated between the Subrecipient and the federal government or, if no such rate exists, either a rate negotiated between FLORIDA COMMERCE and the Subrecipient, or if optionally elected by the Subrecipient, the de minimis rate or the cost allocation method.

This Notice of Grant Award/Fund Availability will be updated for State Fiscal Year 2023-24 for the amount of funds that can be drawn on or before September 30, 2024.

At no point during the duration of the Umbrella Agreement shall the Subrecipient be reimbursed for any costs that exceed FLORIDA COMMERCE's authorized budget authority per state fiscal year. Funding availability may be limited or expanded through one or more NFAs supplement to this Agreement.

Special Grant Conditions: The purpose of these funds is to alleviate the causes and conditions of poverty in communities. Use of these funds must be consistent with the PY2023 Community Services Block Grant State Plan (between FLORIDA COMMERCE and the HHS). The PY2023 Community Services Block Grant State Plan and other information necessary for compliance with 2 CFR 200.331 that is specific to this FAIN is located at:

<http://floridajobs.org/grants-management/grants-management/economic-self-sufficiency-organizations>

Information located at the above link is hereby incorporated into this NFA.

Financial Reporting Requirements: All cash draws and expenditures must be recorded in accordance with the SERA Business Rules. Expenditures must be reported within established timelines and by the cost categories and activities established for the particular grant program.

Cost Categories and Activities:

Cost Category	Activity
CSBG Expenditures Domains	A.2a. Employment
	A.2b. Education and Cognitive Development
	A.2c. Income, Infrastructure, and Asset Building
	A.2d. Housing
	A.2e. Health and Social/Behavioral Development (includes nutrition)
	A.2f. Civic Engagement and Community Involvement
	A.2g. Services Supporting Multiple Domains
	A.2h. Linkages (e.g. partnerships that support multiple domains for the specific purposes of disaster and/or emergency services)
	A.2i. Agency Capacity Building
	A.2j. Other (e.g. emergency management/disaster relief)
Administration	A.3 Administration Expenses

Closeout Procedures: Awards must be closed out and all obligations liquidated by the close out date indicated under Award Information. Only liquidated expenditures resulting from obligations incurred during the award period are allowable.

Other Notes/Comments:



Questions: Fiscal questions regarding these funds should be addressed to Adrienne Orbigoso at (850) 245-7357 or via email to adrienne.orbigoso@commerce.fl.gov. Program policy questions may be addressed to Frankie Hernandez at (850) 717-8458 or via email to frankie.hernandez@commerce.fl.gov. Subrecipient Enterprise Resource Application (SERA) questions may be addressed to SERA Helpdesk via email to serahelpdesk@commerce.fl.gov

Date of Notice: 12/15/2023

**Notice of Grant Award/Fund Availability
General Information**

Subrecipient Name:	COUNTY OF PALM BEACH	
Unique Entity Identification (UEI #):	XL2DNFMPCR44	
Federal Award Name:	Community Service Block Grant	
Grantor:	U.S. Department of Health and Human Services	
Federal Award Identification Number (FAIN):	G2201FLCOSR	
Federal Award Year:	PY2022	
CFDA/CSFA Title and Number:	Community Services Block Grant	93.569
Award for Research & Development (Y/N):	No	
Action being Taken:	Issue Award & Release	

Award Information

Program Year in SERA:	PY2023
Program Group in SERA:	Economic Self-Sufficiency
Program Name in SERA:	Community Services Block Grant
Project in SERA:	CSBG - Formula
FLAIR Contract #:	E2016
NFA ID #:	043347
FLAIR Grant #:	SBG22
Award Period Begin Date:	July 01, 2023
Award Period End Date:	December 31, 2023
Close Out Due by:	December 31, 2023

Award and Fund Availability

	Award	Funds Available / Release (Maximum cash available for draw)
Current Award/Release:	\$0.00	\$0.00
This Action:	\$149,557.51	\$149,557.51
Revised Award/Release:	\$149,557.51	\$149,557.51

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	A.2g. Services Supporting Multiple Domains
	A.2h. Linkages (e.g. partnerships that support multiple domains for the specific purposes of disaster and/or emergency services)
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