

Regional Assistance Program (RAP) Application Manual

INTRODUCTION

This packet contains the information and forms needed in order for an eligible applicant to complete and submit a Regional Assistance Program (RAP) application. RAP funds will be available throughout the fiscal year or until such time as funds are expended.

RAP is an economic development tool for multi-county or regional projects. Approximately \$1,128,125 is budgeted on an annual basis. This manual should clearly define the role of RAP as:

- 1) a limited state financing resource which seeks to encourage and support multi-county and regional collaboration in economic development;
- 2) a vehicle for significant multi-county, regional, or state-wide initiatives that are likely to have short-term and long-term economic development benefits;

RAP should not be used for projects when other state or federal programs could be used or when local funds would be sufficient to accomplish economic development goals. Neither should RAP be used to fund project cost overruns or other emergency measures.

Due to the specialized nature of the program and the limited resources available, we encourage potential applicants to thoroughly review the application guidelines and contact us to discuss any issues or concerns prior to application submission. You may contact Jonathan Corso (404) 327-7909 or Brian Williamson (404) 679-1587 at DCA for assistance. DCA's regional representatives are also available to work one-on-one with applicants in the project development phase (a contact list is attached). Applications should be mailed to:

RAP Coordinator, Business and Financial Assistance Division
Georgia Department of Community Affairs
60 Executive Park South, NE
Atlanta, Georgia 30329

RAP applications must be received at this address no later than May 31, 2000.

**GRANT PROGRAM DESCRIPTION
FOR
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS**

**CHAPTER 110-7-2
REGIONAL ASSISTANCE PROGRAM**

110-7-2-.01 Purpose.

The purpose of the Regional Assistance Program is to support the development of multi-county and regional economic development projects. Regional economic development projects include, but are not limited to, the construction and/or acquisition of regional facilities and multi-county non-construction activities important to regional economic development. Projects must demonstrate significant impact on a region's job growth, job growth potential, regional cooperation, or retention and increased competitiveness of existing industry. Projects should demonstrate significant financial commitment by local governments participating in the project. One or more local governments must demonstrate commitment by each participating unit of local government to improve the level of services related to economic development activities. Private sector participation is encouraged. Authority O.C.G.A. Sec. 50-8 and Appropriations Act O.C.G.A Sections 50-8-3(b)(5) and 50-8-8 are the specific statutory basis for this program.

110-7-2-.02 Eligible Applicants.

(1) Eligible applicants and recipients of grant funds awarded under this program shall be general purpose local governments (municipalities and counties), local government authorities, joint development authorities, and regional development centers. All applicants must be in compliance, where applicable, with the requirements regarding the Service Delivery Strategy Act (H.B. 489), comprehensive planning, solid waste management planning and reporting, report of local government finances, report of government management indicators and where appropriate, local government authority registration. Any eligible applicant may apply on behalf of a regional cooperative or other regional entity where the applicant agrees to serve as the grantee and fund manager on behalf of the regional entity.

(2) Eligible applicants must apply for grants under this program in a format and manner prescribed by the Department. Grant applications must be submitted in writing to the Department of Community Affairs at:

Department of Community Affairs
Regional Assistance Program
Business & Financial Assistance Division
60 Executive Park South, NE
Atlanta, Georgia 30329-2231

(3) The forms provided will include guidelines and information outlining deadlines for submission, mailing addresses, phone numbers of contact persons and other necessary information. Authority O.C.G.A. Sec. 50-8-8 and Appropriations Act.

110-7-2-.03 Fund Availability.

(1) Grant funds appropriated or otherwise made available to the Department of Community Affairs for this program will be available throughout the fiscal year or until such time as funds are expended. Applicants must meet or exceed established review criteria to be considered for funding.

(2) The Department will establish and announce fund availability. Application guidance and technical assistance will be provided in a manner and form decided by the Department. Applications will be reviewed by the Department in accordance with the criteria as set forth in Section 110-7-2-.05. Authority O.C.G.A. Sec. 50-8-8 and Appropriations Act.

110-7-2-.04 Eligible Activities.

(1) All applicants for multi-county or regional economic development projects must submit an application to the Department, in a format prescribed by the Department. Applicants must demonstrate that they have a viable multi-county or regional community or economic development implementation project and clearly identify the proposed use of the funding.

(2) Eligible uses of funds include, but are not limited to, regional facilities including industrial parks, business parks, conference centers, convention centers, or other similar or related economic development parks, centers, or facilities or any combination thereof; regional water and sewer treatment facilities; regional transportation and communication facilities integral to the advancement of economic development efforts; consolidation activities for government services integral to the advancement of economic development efforts; regional development planning, studies, marketing, and recruitment programs; or any other economic development and business assistance multi-county activity important to regional economic development.

(3) In order to qualify as a multi-county or regional facility, the construction or acquisition project must a) be owned by at least two local governments with the participation of at least two counties, or b) be owned by a joint development authority involving two or more counties. All facilities must operate under a revenue sharing agreement among two or more local governments.

(4) Multi-county or regional activities that do not involve construction such as studies, marketing, professional services, contracts, and other economic development activities must demonstrate service to a multi-county area.

(5) Funds will be available to provide incentives for consolidation activities integral to the advancement of economic development efforts. Consolidation activities include a) assessments of the need and desirability of consolidation of local government services (including privatization of such services); b) planning grants for the consolidation of local government services (including privatization of such services) when it has been determined that such consolidation is needed and desirable; and c) implementation grants for the purpose of carrying out consolidation of local government services (including privatization of such services) where it has been determined that such consolidation is needed and desirable. Authority O.C.G.A. Sec. 50-8-8 and Appropriations Act.

110-7-2-.05 Review of Grant Applications.

(1) All applications received from applicants will be reviewed to determine the merit of the applications and the proposed use of funds. In determining whether an eligible applicant shall receive a grant award, the following criteria will be considered:

Project applications will be reviewed based upon enhancement of multi-county or regional economic development opportunities including, but not limited to, numbers and types of jobs to be retained and/or created; impact on the state, regional and community tax base; likelihood of success in leading to the retention of jobs within the multi-county or regional area or enhanced job creation; improved regional competitiveness, long-term economic viability, or other regional impacts identified by the applicant; degree of local commitment and financial support; total private capital investment; level of need evidenced by regional poverty and unemployment rates, fiscal capacity of participating governments, and other demographic factors; consistency with the region's economic development goals and objectives; capacity of the implementing organization; project readiness; project feasibility; and reasonableness of cost estimates.

(2) All applications for funding from this program must provide written certification from the applicant, addressed to the Department, to the effect that the applicant is authorized under the laws of the State to carry out the project and activities that are the subject of the application and that the proposed expenditure of funds is in accordance with all applicable legal requirements.

(3) In its review of applications, the Department may, at its discretion, consult with other individuals or agencies as appropriate for the purpose of receiving advice.

(4) These guidelines are designed to assist the Department in making its decision and only constitute minimum standards. Additional factors may be considered depending on the nature of particular projects, their relative merit and the availability of funding at the time of application. For certain consolidation proposals, funding limits, match requirements, and applicant eligibility requirements may be waived upon recommendation by the Commissioner of Community Affairs. The decision that the Department makes shall be final and conclusive. Authority O.C.G.A. Sec. 50-8-8 and Appropriations Act.

110-7-2-.06 Awarding of Grant Funds.

(1) Grants will be available up to \$500,000 per multi-county or regional economic development project per year.

(2) Additional public and/or private sector matching funds are required to receive a RAP award based on the following:

(A) Applicants for facilities and construction grants in local governments within:

- (i) Tier 1 counties or for joint development authorities including a Tier 1 county are not required to match the requested grant amount;
- (ii) Tier 2 counties or for joint development authorities including a Tier 2 county must demonstrate that at least one quarter (25%) of the grant amount requested will be contributed to the total project cost by other sources;

- (iii) Tier 3 counties must demonstrate that an one half (50%) of the grant amount requested will be contributed to the total project cost by other sources.
 - (i.v.) Tier 4 counties must demonstrate an equal or greater amount of the grant amount requested will be contributed to the total project cost by other sources.
 - (B) All applicants for grants for regional, multi-county activities that do not involve construction must demonstrate that at least one half (50%) of the grant amount requested will be contributed to the total project cost by other sources.
- (3) Match is defined as public or private funds contributed or committed to the project for which the applicant is requesting assistance. Commitments of funds contingent upon the receipt of grant funds under this program may be counted toward the match requirement.
- (4) Once selected for funding, grant funds will be made available by the Department through a grant award statement incorporating by reference the approved final application and adding any conditions that may be necessary or appropriate. As part of the grant award conditions, recipients must file periodic reports on the performance of the project, in a format prescribed by the Department, for future use by the Department.
- (5) The Department may approve a grant subject to certain general or special conditions that will be incorporated into the grant award document. The Department reserves the right to change General Conditions from time to time as appropriate. Because of the limited amount of funds available, the Department may also award an amount less than the amount requested in the application. Applicants will have thirty (30) days from the date of award to accept the special conditions and/or the reduced grant amount. The Department reserves the right to shorten this period during the last quarter of each fiscal year. If the applicant fails to accept the General Conditions, special conditions or lower grant amount within the required period, the grant award may be unilaterally withdrawn by the Department.
- (6) The Department will provide recipients with application guidelines, specific instructions, and forms to be used for drawdown of funds under the grant award. Authority O.C.G.A. Sec. 50-8-8 and Appropriations Act.
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Guidelines for Application Submission

The following guidelines are designed to assist applicants in submitting complete Regional Assistance Program (RAP) applications that meet the intent of the program. For further information about program intent, eligible activities, and the rating and selection process, please read the RAP program description and the application forms included with this application manual. Note that these guidelines are not meant to duplicate in their entirety the RAP program description; rather, these guidelines are designed to highlight important program requirements and emphasize critical steps in the application process.

1. Please follow all application instructions and fill out all forms as completely as possible. For item number nine (9) on the RAP application form, the applicant should leave the item blank and attach a full description of the project. Applicants should pay particular attention to the criteria listed in the program description in section .05: Review of Grant Applications. Other factors unique to a specific application may also be considered.

2. For any item requested in the application, supporting documentation will strengthen the application, and, if not provided, may be requested by the review panel if deemed necessary to arrive at a recommendation. For example, if a public infrastructure project is being proposed, a preliminary engineering report would strengthen the application.

3. RAP is designed to be a flexible economic development tool; however, resources for the program are very limited. All applicants are urged to consider using RAP funds only when other funding is not available or not sufficient to address regional project needs. When other funding is available, whether public or private, the other available funding should be used to the maximum extent feasible.

4. All applicants should carefully read the RAP Program Description and the Statement of General Conditions. In addition to the Statement of Conditions, a grant award may be subject to additional special conditions at the discretion of DCA. All grant recipients are subject to audit by the Georgia Department of Audits and to monitoring by DCA, in addition to being required to include RAP funds in their annual independent financial audit.

5. Grant awards are subject to the Statement of General Conditions and any special conditions deemed necessary or appropriate by the Department. The Department reserves the right to change General Conditions from time to time as appropriate. In addition to the certifications made on the face of the grant award statement, the recipient further certifies that they will comply with the following General Conditions:

(1) No applicable state laws, rules or regulations or applicable local ordinances shall be violated in carrying out this project and expending RAP funds.

(2) Whenever RAP funds are used by a public entity (whether general purpose local government-i.e. city or county, or single purpose -i.e. industrial development authority, water and sewer authority, etc.) to carry out a procurement, the public entity must comply

with, where applicable, its own procurement regulations, as well as state law regarding procurement (i.e., O.C.G.A. §§ 36-91-1 et seq., "Georgia local Government Public Works Construction Law").

(3) The conflict of interest provisions applicable under state law, local ordinances and locally adopted policies and in DCA's grant award conditions are not violated. DCA should be immediately contacted for guidance if the possibility of a conflict of interest, real or apparent, emerges.

Professional services shall be obtained by competitive proposals. Proposals should be solicited from an adequate number of qualified sources and award will be made to the responsible firm/individual whose proposal is most advantageous to the program.

(4) Recipient certifies that it has, or will obtain, any additional funds necessary to complete the project in the event project costs exceed budgeted amounts as identified in the application.

(5) Recipient's accounting records shall be maintained in a manner consistent with generally accepted government accounting standards.

(6) If the Recipient is a development authority with powers set forth at Chapter 62 of Title 36 of the Official Code of Georgia Annotated, then the project financed in part by RAP funds shall only be operated, leased or sold as provided by Section 36-62 of the Official Code of Georgia Annotated.

(7) Without limitation of any other condition, no RAP funds shall be used to pay the cost of entertainment. Entertainment costs are defined as: "Costs of amusements, social activities, and incidental costs relating thereto, such as meals, beverages, lodgings, rentals, transportation, and gratuities." This definition includes meal/beverage expenses incurred for meetings which could reasonably have been conducted at a place of business and which did not require the provision of a meal.

Please note that expenses for business meetings at which meals/beverages were necessary and reasonable for proper and efficient administration of the project are allowable.

(8) Final audit of RAP funds shall be performed in accordance with generally accepted government auditing standards and be included in the Recipient's regularly scheduled annual financial audit.

(9) Upon clearance of any applicable special conditions, up to 90% of the total award may be drawdown on an as needed basis to fund eligible costs preferably no more often than once a month. DCA reserves the right to withhold the final 10% until after completion of the project and satisfactory submission of all final reports.

(10) If the Recipient is a general purpose local government or eligible recipient, no real or apparent conflict of interest shall be engaged in by any person or party (or any person or

party with whom they have family or business ties) who is involved in any aspect of the RAP project. **Unless otherwise determined by DCA, a conflict of interest will exist if any RAP funds are paid, directly or indirectly, to any person or party (or any person or party with whom they have family or business ties) as the result of any project-related transaction that is not an arms-length transaction. It is the responsibility of the applicant to seek the advice of DCA as soon as possible if the applicant believes that a real or apparent conflict of interest might exist for any person or party for a proposed project or transaction.** If the Recipient is a Development Authority, in accordance with O.C.G.A. 36-62-5, a Development Authority may purchase from, sell to, borrow from, loan to, contract with, or otherwise deal with any director or any organization or person with which any director of the authority is in any way interested or involved, provided (1) that any interest or involvement by such director is disclosed in advance to the directors of the authority and is recorded in the minutes of the authority, (2) that no director having a substantial interest or involvement may be present at that portion of an authority meeting during which discussion of any matter is conducted involving any such organization or person, and (3) that no director having a substantial interest or involvement may participate in any decision of the authority relating to any matter involving such organization or person. A substantial interest or involvement shall mean any interest or involvement which reasonably may be expected to result in a direct financial benefit to such director as determined by the authority. The director of a development authority shall not engage in any transaction with the authority.

(11) Before engaging in any land disturbing activity and before acquiring real property, the Recipient must demonstrate to the satisfaction of DCA that it is in compliance with the Environmental Policies Act (O.C.G.A. §12-16-1 *et seq.*)

(12) DCA reserves the right to disallow any or all costs paid with RAP funds in the event of the applicant's failure to substantially comply with financial commitments, provisions for joint ownership and/or operation of the project, or other elements identified in the application.

(13) DCA shall have access to any pertinent books, documents, papers, and records of the recipient, all grantees/contractors and subgrantees/subcontractors for the purpose of compliance monitoring. Recipient and grantee/contractor and subgrantee/subcontractor record retention requirements are three years from submission of the final expenditure report. If any litigation, claim, or audit is started before the expiration of the three-year period following the final expenditure report or the termination of the designation, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Authority O.C.G.A. Sec. 50-8-8 and Appropriations Act.

6. All attached budget forms must identify source and use of funds. The use of RAP funds should be clearly identified as well as the use of other funds. All sources of funds should be identified. Sources of funds must equal uses. Prior to drawdown of funds or upon audit or monitoring of the RAP project, documentation will be required showing how RAP and other project funds have

been spent. This information could include documentation of public ownership of project assets, invoices, or other evidence showing that RAP funds have been used as proposed.

7. Eligible activities are listed in the RAP program description that is a part of this manual. Generally, activities are eligible if they are listed in the program description and if they assist an eligible applicant in carrying out its responsibilities under state law. In addition, RAP is designed to encourage innovative economic development projects which the applicant believes are important to regional economic development. Public infrastructure, however, is generally discouraged unless the proposed project is regional in nature. Projects that will be most competitive include those that contain one or more of the following factors: 1) enhanced job creation (in the short-term or the long-term); 2) a need for regional cooperation; 3) a need for regional implementation in order to increase project impact; 4) significant regional impact; 5) significant state-wide impact; 6) better-than-average project readiness, feasibility, and strategy. **Applicants are reminded all uses of project funds and assets must comply with applicable laws, regulations, and the Georgia Constitution.**

8. Under certain circumstances, other funds may be used on an interim basis to finance a project for which RAP funds are being sought. RAP funds, if approved, may then be used to fund the project on a permanent basis. Nonetheless, all RAP requirements must be met, and the applicant must demonstrate that RAP funds are necessary to the project. In addition, the grantee will be required to document the source and use of all funds used in the project, including interim funds.

All RAP applications must include information about any interim financing to allow DCA to determine the eligibility of the proposed interim financing arrangements.

9. Other guidelines or requirements may be established by DCA in order to further the purposes of RAP.