

III. GENERAL REQUIREMENTS

A. Operating Agreement

Non-profit agencies and organizations approved for funding will be required to sign an agreement with the City in order to insure compliance with Community Development Block Grant Program regulations. CDBG funds may not be obligated until the agreement is accepted and signed by all parties. Funding is disbursed on a reimbursement basis.

B. Indemnification

Non-profit agencies and organizations approved for funding must agree to defend, indemnify and hold harmless the City, its officers, agents and employees from and against all liability, claims, demands, damages, losses and expenses, including attorneys' fees, original and on appeal, arising out of, or related in any way to the performance of the agreement.

C. Insurance

Non-profit agencies and organizations approved for funding will be required to obtain the following insurance coverage if applicable, each of which shall contain a provision which forbids any cancellation, changes or material alterations without prior notice to the City at least thirty (30) days in advance. The insurance coverage shall be evidenced by an original certificate of insurance provided to the City prior to the execution of the agreement. The required insurance is as follows:

- a. Commercial General Liability Insurance - shall be written on ISO Occurrence Form CG 00 01 or equivalent substitute form to cover liability arising from premises and operations, independent contractors, products and completed operations, personal and advertising injury, and contractual liability. The minimum bodily injury and property damage liability limit shall be \$1,000,000 each occurrence. This insurance shall not exclude coverage for sexual molestation.
- b. Automobile Liability Insurance - shall be maintained in accordance with the laws of the state of Florida as to the ownership, maintenance, and use of all owned, non-owned, leased, and hired vehicles. The minimum bodily injury and property damage limit shall be \$500,000 each accident.
- c. Workers' Compensation/Liability Insurance - shall cover all employees engaged in work for agency in accordance with the laws of the state of Florida. The minimum employer's liability limit shall be \$100,000 disease each employee, \$500,000 disease aggregate, and \$100,000 each accident.

D. Program Monitoring

Applicants approved for funding will be required to maintain and submit adequate information necessary to monitor program accountability and progress in accordance with the terms and conditions of the agreement.

E. Notification

All applicants will be notified early July 2004 of funding recommendations. Receipt of an award letter is not a guarantee of funding. Please be aware that because you have received funding in the past does not guarantee future funding or funding at the same level.

F. Ethics Ordinance

Applicants shall comply with all applicable governmental and City rules and regulations including the City's Ethics Code, which may be requested by calling the Office of the City Clerk at 813-274-8396. Moreover, each applicant responding to this Request for Proposal acknowledges and understands that the City's Charter and Ethics Code prohibit any City employee from receiving any substantial benefit or profit out of any contract or obligation entered into with the City, or from having any direct or indirect financial interest in effecting any such contract obligation. The applicant shall ensure that no City employee receives any such benefit or interest as a result of the award of this Request for Proposal.

IV. GENERAL ELIGIBILITY REQUIREMENTS

A. National Objectives

In order to be eligible for assistance, activities must meet one of the following three national objectives:

1. to primarily benefit low and moderate-income persons
2. to aid in the prevention or elimination of slums and blighted areas
3. to meet urgent community needs (usually the result of a natural disaster)

More detailed information on Eligible Activities and National Objectives can be found in the *Guide to National Objectives and Eligible Activities for Entitlement Communities* handbook. This document can be found on the U. S. Department of Housing and Urban Development web site at the following address: <http://www.oup.org/about/cdbgpguide.html>.

B. Eligible Activities for New Applicants

Public Services must be either a new service or a quantifiable increase in the level of an existing service to low and moderate-income persons, CDBG is subject to 15% grant cap for public service expenditures.

C. Ineligible Activities

- Funds spent on buildings for the general conduct of government, except for the removal of architectural barriers.
- General government expenses.
- Political activities.
- Purchase of equipment is generally ineligible.
- Furnishings and personal property are generally ineligible.
- Impact fees associated with construction activities.
- Maintenance and operating expenses without providing a service is ineligible.

D. Federal Requirements

Selected agencies must comply with the requirements of the Community Development Block Grant Entitlement Program Regulations, Section 24 CFR 570.