



**County of Aroostook
American Rescue Plan Act Fund
2022-2026 Program Statement**

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2022-2026 Program Statement Contents

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SUMMARY

The County Commissioners Office reserves the right to fund only those applications deemed to qualify under the ARPA Guidelines, be in the best interest of, and offer definable benefits to Aroostook County and the ARPA Grant Program.

This Program Statement describes the method by which the 2022–2026 American Rescue Plan Act (ARPA) program funds will be distributed. The ARPA Program is administered pursuant per the 2022 Treasury’s Final Rule, and 2023 Interim Final Rule. The Aroostook County Commissioners Office approved the updates to the ARPA Program Statement at their Commissioner’s Meetings held on December 15, 2021, December 21, 2022, and December 20, 2023.

SECTION 1. PROGRAM OVERVIEW

A. **ARPA FUND OBJECTIVES** – all ARPA funded activities must meet the Program Statement Guidelines, and Final Rule and Interim Final Rule requirements set forth by the U. S. Department of Treasury.

- On March 11, 2021, the American Rescue Plan Act (“ARPA”) of 2021 was signed into law. Two signature programs of the ARPA are the Coronavirus State Fiscal Recovery Fund (“SFRF”) and the Coronavirus Local Fiscal Recovery Fund (“LFRF”). The following information is a high-level review of the Final Rule issued by the U.S. Department of Treasury for these two programs on May 10, 2021. ***Two new eligible uses were made available by the Treasury in their 2023 Interim Final Rule.***
- The Fiscal Recovery Funds were established to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery.

The ARPA Program will drive the economic recovery of region’s economy, it will also encourage other investment from other federal and state organizations to help complete eligible projects, and:

- Respond to public health needs and negative economic impacts from the pandemic;
- Rehire local government staff to pre-pandemic levels;
- Use recovery funds to invest in certain critical infrastructure projects;
- Address negative economic impacts;
- Small business and non-profit support;
- Aid to impacted industries;

B. **METHOD OF DISTRIBUTION** – ARPA (SLFRF) Fund Program, through the Aroostook County Commissioners Office, offers funding categories to assist municipalities, non-profits, and other eligible organizations to develop and achieve projects designed to help in the economic recovery from the fallout of the pandemic. The categories are listed below.

1. **Public Health Emergency & Negative Economic Impacts** – Fund COVID-19 mitigation efforts, medical expenses, behavioral health care and certain county public health, public safety, human

service and other related staff; respond to economic harms to workers, families, small businesses, impacted industries, and rehiring of public sector workers.

2. **Investments in Infrastructure** – make necessary investments to improve access to clean drinking water, invest in wastewater and stormwater infrastructure, and provide unserved or underserved locations with new or expanded broadband access.
3. **Emergency Relief from Natural Disasters** - provides emergency relief from natural disasters or their negative economic impacts. Specifically, the IFR discusses the standard for providing emergency relief from natural disasters, using a two-step process. Recipients must first identify a natural disaster that has occurred or is expected to occur imminently, or a natural disaster that is threatened to occur in the future, and then identify emergency relief that responds to the physical or negative economic impacts, or potential physical or negative economic impacts of the identified natural disaster. The emergency relief must be related and reasonably proportional to the impact identified.
4. **Title I Projects** – provides funds for activities that are eligible under section 105(a) of the Housing and Community Development Act of 1974 (Title I projects), which are the eligible activities under the Community Development Block Grant (CDBG) and Indian Community Development Block Grant (ICDBG) programs. The eligible activities under the Title I projects eligible use category are broad and enable recipients to undertake a wide range of projects. The requirements of title I of the Housing and Community Development Act of 1974 generally apply to this eligible use category.

C. **AROOSTOOK COUNTY ADMINISTRATION** – the Aroostook County Commissioners Office will oversee and administer all ARPA Funding and determine the scoring of the proposed projects submitted by municipalities and non-profits.

D. PROGRAM TIMELINE

Application deadlines – All completed applications must be submitted, via email, to Steve Pelletier, at steve.pelletier@aroostook.me.us of the Aroostook County Commissioners Office by **4:00 PM EST** on the dates listed below:

Funding Categories	Letter of Intent Due Date	Application Due Date
Public Health & Negative Economic Impact	February 16, 2024	April 1, 2024
Investments in Infrastructure	February 16, 2024	April 1, 2024
Broadband	February 16, 2024	April 1, 2024
Emergency Relief from Natural Disasters	February 16, 2024	April 1, 2024
Title I	February 16, 2024	April 1, 2024

E. 2022-2026 ARPA PROGRAM BUDGET

Administration & Compliance

- ARPA Program Administrator Salary, Benefits, and Office \$500,000
- Revenue Loss \$600,000
- Technical support \$50,000
- Audit & Misc. \$5,000

Sub-total **\$1,155,000**

County Investments

- Facilities \$1,185,000
- Infrastructure \$3,350,000
- Support for Unorganized Territories \$224,648
- Public Health \$200,000
- Essential Worker Compensation \$410,000
- County Wide Broadband Plan \$26,575

Sub-total **\$5,396,223**

County Grand Total **\$6,551,223**

Municipalities and Non-Profits

Public Health and Economic Impacts

- COVID 19 Mitigation and Prevention \$400,000
- Medical Expenses \$400,000
- Behavioral Health Care \$300,000
- Public Health and Safety Staff \$300,000

Sub-total **\$1,400,000**

Negative Economic Impact

- Impacts to Households and Individuals \$150,000
- Impacts on Businesses \$100,000
- Impacts to State and Local Government \$100,000

Sub-total **\$350,000**

Investments in Infrastructure

- Water and Sewer Infrastructure \$3,500,000
- Broadband Infrastructure \$1,223,425

Sub-total **\$4,723,425**

Municipality and Non-Profit Estimated Total **\$6,473,425**

Total ARPA Funding **\$13,024,648**

2024 ARPA Program Budget

Municipalities and Non-Profits

Public Health and Economic Impacts

- COVID 19 Mitigation and Prevention \$150,000
- Medical Expenses \$150,000
- Behavioral Health Care \$150,000
- Public Health and Safety Staff \$150,000

Sub-total

\$600,000

Negative Economic Impact

- Impacts to Households and Individuals \$125,000
- Impacts on Businesses \$125,000
- Impacts to State and Local Government \$84,916

Sub-total

\$334,916

Investments in Infrastructure

- Water and Sewer Infrastructure \$1,140,000
- Broadband Infrastructure \$200,000

Sub-total

\$1,340,000

Emergency Relief from Natural Disasters

\$100,000

Title I Projects

\$100,000

2024 Municipality and Non-Profit Estimated Total

\$2,474,916

F. CERTIFICATIONS – Municipalities and Non-profits applying for ARPA funds must certify they will:

- Meet all required State and Federal public participation requirements.
- Meet all Program Statement guidelines.
- Comply with Dept. of Treasury requirements of the ARPA 2022 Final Rule and 2023 Interim Final Rule
- Not attempt to obtain program income from an ARPA funding award.
- With the exception of administrative or personnel costs, verify that no person who is an employee, agent, consultant, officer, elected officer, or appointed official of State or local government or of any designated public agencies, or sub-recipients which are receiving ARPA Program funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect to ARPA Program activities.
- Any person or firm associated with the administration of the ARPA Program award is not on the U.S. Department of Labor's Debarred and Suspended Contractor's List.
- Review the project proposed in the application to ensure it complies with the community's comprehensive plan and/or applicable state and local land use requirements.

G. GENERAL REQUIREMENTS

- Eligible Applicants: All units of local municipal, non-profits, and other eligible organizations in Aroostook County are eligible to apply for and receive U.S. Dept. of Treasury ARPA Program Funds.

- **Eligible Activities:** Applications will be reviewed to determine that the activities proposed are eligible under the ARPA Program Statement, the Treasury’s 2022 Final Rule, and the 2023 Treasury’s Interim final Rule. Ineligible activities will not be considered.
- **Project Eligibility:** Applications and required documentation will be reviewed to verify that the proposed activities meet at least one of the ARPA Program Statement eligible projects and the Treasury’s Final and Interim Final Rules. If the activity does not meet the requirements the application will not be considered for funding.
- **Repayment of Grant Funds:** Grant recipients must repay on demand to Aroostook County Government all funds expended if ARPA Program Grant Projects are not completed as specified in their contract with Aroostook County.
- **Application Threshold:** Incomplete and/or non-conforming applications which do not meet the requirements set forth in Program Statement and the 2022 U.S. Dept. of Treasury Final Rule or 2023 Interim Final Rule will be removed from the scoring process during the review period.
- **Financial Commitments:** Applications for projects not demonstrating a firm financial commitment as required in the application will be reflected in the scoring process.
- **Grant Termination:** The County may terminate a recipient’s grant if progress is not apparent within 6 months of the date of the contract signing. The County Commissioners Office may grant waivers for just cause.
- **Multiple Grants:** Eligible applicants may not apply for, or benefit from, more than one grant per program category in any grant year.
- **Non-profit organizations** must have a 501(c)(3) determination letter to apply.
- All applicants must choose from the eligible ARPA Grant Program categories listed in Section 2 of this Program Statement.

H. AWARD PROCESS

1. Scoring:

A score will be assigned to each of the scoring areas and the application’s total score will be determined by the sum of the scores. The top scoring applications will be considered for an invitation to participate in the project development phase. Successful communities will receive a funding amount up to the amount applied for determined by the County Commissioners, for their project.

2. Project Development Phase:

- **Project Planning:** Details of the project including pre-engineering, bid requirements, budget, and/or grant administration.
- **Acceptance of Funds:** Public Hearing and Legislative Body Approval for the acceptance of funds.
- **Local Certifications:** Local adoption of County and Dept. of Treasury regulations.
- **Project Benefit:** Verification that proposed activities meet or will meet requirements in one of the ARPA Program Statement categories.
- **Environmental Review:** Review of project for compliance with State and Federal Environmental Regulations.

3. Project Development and Assistance:

The goal of the Project Development Phase is a grant contract for ARPA Program Funds. The ARPA Program Administrator will work closely with each municipality and organization to finalize their projects. **All ARPA**

Grant Award Approvals are solely under the discretion of the Aroostook County Commissioners. The County may rescind the ARPA program award offer if the community or organization is not under contract within six months of the date of the award offer and invitation into the project development phase process. The County may grant waivers for just cause.

SECTION 2. ARPA GRANT PROGRAM CATEGORIES

A. PUBLIC HEALTH/NEGATIVE ECONOMIC IMPACT

The Public Health and Negative Economic Impact ARPA Category provides public health response funding to COVID-19 mitigation efforts, medical expenses, behavioral health care, public health and safety, human services and other related staff; responds to economic harms to workers, families, small businesses, impacted industries and rehiring of public sector workers.

1. Eligibility Requirements for Public Health and Negative Economic Applications:

Municipalities and Non-profits must have an identified project that meets Program Statement Guidelines of the Treasury's Final Rule. To respond to the public health emergency or its negative economic impact, applicants must identify a need or a negative impact of the COVID-19 public health emergency, identify how the County investment would address the identified need or impact, and explain how the investment would help the County respond to the disease itself or the harmful economic consequences of the economic disruptions.

2. Eligible Activities: Eligible Public Health activities include:

Preventing and mitigating COVID-19 - funding a broad range of services and programming for prevention and response to COVID-19, such as:

- Vaccination programs.
- Testing, monitoring, and contact tracing.
- Supporting isolation and quarantine.
- Paid sick and paid family and medical leave to public employees related to COVID-19 compliance.
- Public health surveillance and data system enhancement.
- Enforcing public health orders.
- Emergency medical response expenses, including emergency medical transportation related to COVID-19.
- Communication efforts related to COVID-19 vaccination programs and public health orders.
- Purchase PPE and disinfection in public areas and other facilities.
- Prevention and mitigation in congregate living facilities, such as:
 - Nursing homes and skilled nursing facilities.
 - Jails and incarceration settings.
 - Group living facilities including residential foster care and behavioral health treatment facilities.
 - Other key settings like homeless shelters and schools
- Ventilation improvements in congregate settings, public health facilities or other public facilities.
- Capital investments or adaptations to public facilities such as hospitals or health clinics.

COVID-19 Treatment and Medical Services – funding to enhance health care capacity to treat and provide care and services for near and long-term medical needs for COVID-19 patients as well as genomic surveillance for COVID – 19 variants. This also includes treatment expenses of the long-term symptoms or effect of COVID-19, including post-intensive care syndrome.

Enhance Behavioral and Mental Health Services – funding new or enhanced services that met behavioral health needs exacerbated by the pandemic, as well as related public health needs, such as:

- Mental health treatment.
- Substance misuse treatment.
- Hotlines and/or warmlines.
- Crisis intervention services.
- Overdoses prevention.
- Infectious disease prevention.
- Behavioral/physical health primary care services.

Support Local Health and Safety Workforce – funding payroll and covered benefit expenses for the following segments of workers who, primarily or partially work regularly to mitigate or respond to the COVID-19 emergency. Recovery funds may be used for ***payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, to the extent that their services are devoted to mitigating or responding to the COVID-19 pandemic.***

Departments include:

- Public safety.
- Public health.
- Health care.
- Human services.
- Other similar employees.

Improving the Design and Execution of Health and Public Health Programs – funding efforts to improve programs addressing the COVID-19 public health emergency through planning and analysis, which includes, **but is not limited to:**

- Targeted consumer outreach.
- Improvements to data or technology infrastructure.
- Impact evaluation.
- Data analysis.

Addressing Disparities in Public Health Outcomes – in recognition of the disproportionate impacts of the COVID-19 pandemic on health outcomes in low-to-moderate income and the importance of mitigating these effects, the Final Rule identifies a broader range of services and programs that will be presumed to be responding to the public health emergency when provided in these communities. Specifically, Treasury will presume that certain types of services are eligible uses when provided in a Qualified Census Tract (QCT), to families and populations living in QCT, or other households, businesses or populations disproportionately impacted by the COVID-19 public emergency. These services include:

- Community health workers.
- Public benefits navigators.

- Housing services.
- Lead paint remediation.
- Evidence-based community violence intervention programs.

This section also covers program and service activities that address:

- Housing insecurity.
- Impacts of COVID-19 on education.
- Childhood health or welfare.

3. Eligible Activities Addressing Negative Economic Impacts:

****Any for-profit business wishing to apply for ARPA Funding to address Negative Economic Impact must do so through their respective municipality.**

- Assistance to Households – funds may be used to assist households or populations, preferably those most disproportionately impacted, by the negative economic impacts of the COVID-19 public health emergency, such as:
 - Food assistance.
 - Rent, mortgage or utility assistance.
 - Counseling and legal aid to prevent eviction or homelessness.
 - Cash assistance
 - Emergency assistance for burials.
 - Home repairs.
 - Internet access or digital literacy assistance.
 - Job training.
- Small Business and Non-Profit Support – funds to small businesses to adopt safer operating procedures, weather periods of closure or mitigate financial hardship resulting from the COVID-19 public health emergency, including:
 - Loans or grant to mitigate financial hardship.
 - Loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics.
 - Technical assistance.
- Aid to Impacted Industries – funds may be used to aid tourism, travel, hospitality, and other impacted industries that responds to the negative economic impacts of the COVID-19 public health emergency, such as:
 - Implement COVID-19 mitigation and infection prevention measures.
 - Improvement to ventilation, physical barriers or partition.
 - Signage to facilitate social distancing.
 - Provision of masks or PPE.
 - Consultation with infection prevention professionals to develop safe reopening plans.
 - Activities that support safe reopening of tourism, travel, and hospitality industries and business districts that were closed during the pandemic.
 - Planned expansion or upgrade of tourism, travel, and hospitality facilities delayed due to the pandemic.

- d. Rehiring State and Local Government Staff, Including Public Employees – the Final Rule permits coverage of payroll and benefits costs of public health and safety staff primarily dedicated to COVID-19 response, as well as rehiring of public sector staff up to pre-pandemic levels as of 1/27/2020
 - e. Expenses To Improve Efficacy of Economic Relief Programs – funding may be used for Fiscal Recovery to improve efficacy of programs addressing negative economic impacts, including through:
 - Use of data analysis.
 - Targeted consumer outreach.
 - Improvements to data or technology infrastructure.
 - Impact evaluations.
 - f. Services for Qualified Census Tract and Other Disproportionately Impacted Communities – these services include:
 - Investments in Housing and Neighborhoods.
 - Addressing Educational Disparities.
 - Promoting Healthy Childhood Environments.
4. **Match** – All Communities and Non-profits applying for the Public Health and Negative Economic Impact Categories must certify that they will provide **a minimum cash match equivalent to 25% of the total ARPA grant award**. This 25% match may come from any public source and/or private. **All match must be fully committed at the time of application.**
 5. **Maximum Award:** \$100,000 or 75% of the project amount.
 6. **Demonstrate ARPA Program Requirements:** Applicants must demonstrate that the projects meet Program Statement Guidelines of the Treasury’s Final and Interim Final Rules and Guidance of the American Rescue Plan Act. **These demonstrations must be made part of the Letter of Intent and Verification of ARPA Funding Guidelines submitted to the County.**
 7. **Selection Process** – The selection process will consist of two stages:

(a) Stage 1:

Letter of Intent and Verification of ARPA Funding Guidelines

All municipalities and non-profits wishing to submit a PH & NEI application must submit a Letter of Intent. After review for completeness and eligibility, municipalities and non-profits may be invited to make a full application. Please refer to Page 3 of this document for Program Timelines and due dates.

(b) Stage 2:

Application: All sections of the application must be completed in association with the proposed project. If a section or sections are not completed, the application will not be scored.

Members of the review team will assign a Review Point Total for each application reviewed. Review Point Totals will consist of the sum of the three scoring areas below and be determined by the total of each sub-scoring area. A maximum of 100 points is obtainable:

Impact (45 points)

- A description of why the proposed public health or negative economic impact project is necessary and any previous efforts to address the needs – 5 points.
- What sources and methods of information were used to determine the issues and the need for ARPA funding – 6.
- How the determined issues affect the safety and welfare conditions affect the community and others in the region – 7.
- Size and demographic makeup of community base and target area of projected public health or economic impact project – 7.
- How the ARPA investment will help respond to the pandemic itself or the harmful economic consequences of the economic disruptions – 10.
- Why ARPA funds are necessary for the project and what other state, federal, or local funds are included, how the funding will address the identified need or impact, and how matching funds will work with ARPA funds to implement the project – 10.

Development Strategy (45 points)

- A description of the proposed public health or economic impact improvements, including areas within municipal or non-profit organizational structure – 8.
- Positive impacts on health, safety, and welfare of stakeholders directly affected by ARPA funding investment – 8.
- How many jobs will be retained or created by the project- 9.
- How the proposed public health or economic impact project is eligible under the Program Statement Guidelines and ARPA Guidelines of the U.S. Dept. of Treasury's Coronavirus State and Local Fiscal Recovery Funds Final Rule – 10.
- Project Timeline: list tasks necessary to begin project implementation. Is the proposed project "Shovel Ready"? Identify work already completed and when remaining tasks will be completed. Estimate a project completion date and describe why project timeline is feasible – 10.

Citizen Participation (10 points)

- How the overall citizen participation process directly relates to identification of solution strategies and application development – 4.
- Relevance of listed meeting/ hearing activities/comments on application and project development – 3.
- What other local resources (cash and in-kind) are directly related to the project and the cash value equivalent for all in-kind commitments – 3.

B. Investments in Infrastructure

1. Water and Sewer Infrastructure

To assist in meeting the critical need for investments and improvements to existing infrastructure in water and sewer, recipients can invest Fiscal Recovery Funds in these sectors. The Interim Final Rule outlines eligible uses within each category, allowing for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems.

The Interim Final Rule does this by aligning eligible uses of the Fiscal Recovery Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environment Protection Agency's (EPA) [Clean Water State Revolving Fund](#) and [Drinking Water State Revolving Fund](#).

- a. **Clean Water (SRF) Projects** – The CWSRF provides financial assistance for a wide range of water infrastructure projects to improve water quality and address water pollution in a way that enables the County and municipalities to address and prioritize the needs of their populations.
 1. The types of projects eligible for **Clean Water SRF assistance** include:
 - Projects to construct, improve and repair wastewater treatment plants.
 - Control non-point sources of pollution.
 - Improve resilience of infrastructure to severe weather events.
 - Create green infrastructure.
 - Protect waterbodies from pollution.
 2. Under the Clean Water SRF, each of the 51 State programs normally have the flexibility to direct funding to their particular environmental needs, and each state may also have its own statutes, rules and regulations that guide project eligibility. With the Recovery Fund, the intent of the Interim Final Rule is to outline the list of eligible projects that a county may consider for investment.

b. DRINKING WATER (SRF) PROJECTS

The primary use of DWSRF funds is to assist communities in making water infrastructure capital improvements, including the installation and replacement of failing treatment and distribution systems. In administering these programs, States must give priority to projects that:

- Ensure compliance with applicable health and environmental safety requirements.
- Address the most serious risks to human health.
- Assist systems most in need on a per household basis according to State affordability criteria.
- Green infrastructure that support stormwater resiliency, including rain gardens and green streets.

2. Broadband Infrastructure

The COVID-19 public health emergency has underscored the importance of universally available, high-speed, reliable and affordable broadband coverage as millions of Americans rely on the internet to participate in, among critical activities, remote school, healthcare and work. Recognizing the need for such connectivity, the ARPA provides funds to state, territorial, local and tribal governments to make necessary investments in broadband infrastructure.

*****Potential broadband projects applying for 2024 ARPA Grant funds must be at least a year in the project at the time of grant application.***

Additional guidance and requirements around use of Recovery Funds for broadband infrastructure are as follows:

- **Unserved and underserved households:** Funds may be used to make necessary investments in broadband infrastructure aimed at “unserved or underserved” communities. Treasury defines unserved and underserved at speeds below 25 Mbps download and 3 Mbps upload.
- **Eligible projects are expected to meet or exceed symmetrical upload and download speeds of 100 Mbps.** However, in instances where required speeds cannot be achieved (due of the geography, topography, or excessive costs), the affected project would be expected to meet or exceed 100 Mbps download with a minimum of 20 Mbps upload with scalability to a symmetrical minimum of 100 Mbps.
- **U.S. Treasury used the Federal Communication Commission’s (FCC) Broadband Speed Guide** to determine appropriate speed requirements for all eligible projects.

3. **Match**

- ***All Communities and Non-profits applying in the Investments in Infrastructure Categories for Water and Sewer projects must certify they will provide a minimum cash match equivalent to 100% of the total ARPA grant award.*** This 100% match may come from any source and/or public. ***All match must be fully committed at the time of application.***
- ***All Communities and Non-profits applying in the Investments in Infrastructure Categories for Broadband projects must certify they will provide a minimum cash match equivalent to 100% of the total ARPA grant award.*** This 100% match may come from any source and/or public. ***All match must be fully committed at the time of application.***

4. **Maximum Infrastructure Award:** \$300,000 or 50% of the project amount.

5. **Maximum Broadband Award:** \$100,000 or 50% of the project amount

6. **Demonstrate ARPA Program Requirements:** Applicants must demonstrate that the projects meet the Program Statement Guidelines of the Treasury’s Final and Interim Final Rules of the American Rescue Plan Act. ***These demonstrations must be made part of the Letter of Intent and Verification of ARPA Funding Guidelines submitted to the County.***

7. **Selection Process** – The selection process will consist of two stages:

(c) Stage 1:

Letter of Intent and Verification of ARPA Funding Guidelines

All municipalities and non-profits wishing to submit an Investment in Infrastructure application must submit a Letter of Intent. After review for completeness and eligibility, municipalities and non-profits may be invited to make a full application. Please refer to Page 3 of this document for Program Timelines and due dates.

(d) Stage 2:

Application: All sections of the application must be completed in association with the proposed project. If a section or sections are not completed, the application will not be scored.

Members of the review team will assign a Review Point Total for each application reviewed. Review Point Totals will consist of the sum of the three scoring areas below and be determined by the total of each sub-scoring area. A maximum of 100 points is obtainable:

Impact (45 points)

- A description of why the proposed investment in infrastructure project is necessary and any previous efforts to address the needs – 6 points.
- What sources and methods of information were used to determine the issues and the need for ARPA funding – 6.
- How the determined issues affect the safety and welfare conditions affect the community and others in the region – 7.
- Size and demographic makeup of community base and target area of projected public infrastructure project – 7.
- How the ARPA investment will help respond to the pandemic itself or the harmful economic consequences of the economic disruptions - 9.
- Why ARPA funds are necessary for the project and what other state, federal, or local funds are included, how the funding will address the identified need or impact, and how matching funds will work with ARPA funds to implement the project – 10.

Development Strategy (45 points)

- A description of the proposed investment in infrastructure project, including areas within municipal or non-profit organizational structure – 8.
- Positive impacts on health, safety, and welfare of stakeholders directly affected by ARPA funding investment – 8.
- How many jobs will be retained or created by the project- 9.
- How the proposed project is eligible under the ARPA Guidelines of the U.S. Dept. of Treasury's Coronavirus State and Local Fiscal Recovery Funds Final Rule – 10.
- Project Timeline: list tasks necessary to begin project implementation. Is the proposed project "Shovel Ready"? Identify work already completed and when remaining tasks will be completed. Estimate a project completion date and describe why project timeline is feasible – 10.

Citizen Participation (10 points)

- How the overall citizen participation process directly relates to identification of solution strategies and application development – 4.
- Relevance of listed meeting/ hearing activities/comments on application and project development – 3.
- What other local resources (cash and in-kind) are directly related to the project and the cash value equivalent for all in-kind commitments – 3.

C. EMERGENCY RELIEF FROM NATURAL DISASTERS

Recipients may use SLFRF funds to provide emergency relief from natural disasters or the negative economic effects of natural disasters. Recipients seeking to use SLFRF funds for this eligible use category should undertake the following two-step process: 1. Identify a natural disaster that has occurred or is expected to occur imminently, or a natural disaster that is threatened to occur in the future. 2. Identify emergency relief that responds to the physical or negative economic impacts, or potential physical or negative economic impacts, of the natural disaster. The emergency relief must be related and reasonably proportional to the impact identified.

1. Identifying Natural Disasters

The IFR defines a natural disaster as a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, or fire, in each case attributable to natural causes, that causes or may cause substantial damage, injury, or imminent threat to civilian property or persons. A natural disaster may also include another type of natural catastrophe, attributable to natural causes, that causes or may cause substantial damage, injury, or imminent threat to civilian property or persons.

2. Identifying Emergency Relief

The IFR defines emergency relief as assistance that is needed to save lives and to protect property and public health and safety, or to lessen or avert the threat of catastrophe. The assistance must be related and reasonably proportional to the physical or negative economic impacts of the natural disaster that has occurred or is expected to occur imminently, or to the potential physical or negative economic impacts of a natural disaster that is threatened to occur in the future. If responding to a natural disaster that has occurred or is expected to occur imminently, recipients must identify a natural disaster that meets Treasury's definition above and an emergency declaration or designation for the recipient's geography and jurisdiction in the form of:

- An emergency declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act;
- An emergency declaration by the Governor of a state pursuant to respective state law;
- An emergency declaration by a Tribal government; or
- A designation of an event of a natural disaster by the chief executive (or equivalent) of a recipient government as long as the chief executive documents the event satisfies the definition of natural disaster provided above.

If providing assistance to lessen or avert the threat of a future natural disaster, recipients should document evidence of historical patterns or predictions of natural disasters that would reasonably demonstrate the likelihood of future occurrence of a natural disaster in its community.

3. Non-Exhausted list of Eligible Uses

Below, Treasury identifies a non-exhaustive list of eligible emergency relief, which means that the listed eligible uses include some, but not all, of the uses of funds that could be eligible. The list distinguishes between emergency relief provided from a declared or designated natural disaster that has occurred or is expected to occur imminently, and emergency relief provided from the threat of a future natural disaster. To assess whether additional types of emergency relief would be eligible under this category beyond the non-exhaustive list provided below, recipients should first identify a natural disaster and

then identify emergency relief that responds to the natural disaster’s physical or negative economic impacts according to the standards discussed above.

4. Declared or Designated Natural Disasters

- Temporary Housing:

- Rental assistance, reimbursement for hotel costs
- Temporary housing units when individuals are facing challenges finding permanent housing due to shortages caused by a natural disaster
- Temporary emergency housing including congregate and non-congregate shelter
- Shelter following an evacuation

- Food Assistance:

- **Financial assistance for lost wages:**

Supplemental benefits for individuals participating in state unemployment insurance programs or the Department of Labor’s DUA program at the time of the disaster or following the disaster. The supplemental benefit may not exceed \$400 a week for the duration of the need for emergency relief. - Other immediate needs. Additional eligible uses to address other immediate needs:

- Other immediate needs. Additional eligible uses to address other immediate needs:

Emergency protective measures, including:

<ul style="list-style-type: none"> -Transportation and pre-positioning equipment and resources -Flood fighting -Firefighting -Supplies and commodities - Medical care and transport - Evacuation and sheltering -Childcare - Demolition of structures -Search and rescue to locate survivors, household pets and service animals -Use or lease of temporary generators for facilities that provide essential community services -Dissemination of information to the public to provide warnings and guidance about health and safety hazards -Searching to locate and recover human remains 	<ul style="list-style-type: none"> -Storage and interment of unidentified human remains - Mass mortuary services - Construction of emergency berms or temporary levees to provide protection from floodwaters or landslides - Emergency repairs necessary to prevent further damages - Buttressing, shoring or bracing facilities to stabilize them or prevent collapse - Emergency slope stabilization - Mold remediation - Extracting water and clearing mud, silt, or other accumulated debris -Taking actions to save the lives of animals -Snow removal
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In addition to eligible uses summarized above, recipients may also use SLFRF funds to address other immediate needs such as those listed below.

- **Debris removal**, including the clearance, removal, and disposal of vegetable debris (such as tree limbs, branches, stumps, or tress), construction and demolition debris, sand, mud, silt, gravel, rocks, boulders, white goods, and vehicle and vessel wreckage.

- **Public infrastructure repair**, including roads, bridges, and utilities damaged by a natural disaster, restoring the infrastructure to its pre-disaster size, capacity, and function. Recipients may incorporate mitigation measures into the repair project by following the requirements described in the mitigation section below.
- **Increased operational costs** including payroll costs and costs for government facilities and government services used before, during or after a natural disaster.
- **Cash assistance for uninsured or underinsured disaster-caused expenses** such as repair or replacement of personal property and vehicles, or funds for moving and storage, medical, dental, childcare, funeral expenses, behavioral health services, and other miscellaneous items.
- **Cash assistance for low-income households** that have been impacted by a natural disaster.
 - Low-income households are ones with (i) income at or below 185 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines by the Department of Health and Human Services or (ii) income at or below 40 percent of area median income for the county and size of household based on the most recently published data by the Department of Housing and Urban Development.
- **Home repairs for primary residences not covered by insurance that have become uninhabitable** because of natural disaster to make the residence habitable again. Recipients may incorporate mitigation measures into the repair project by following the requirements described in the mitigation section below. Threat of Future Natural Disasters Mitigation Activities to lessen or avert the threat of a natural disaster and its potential physical or negative economic impacts, including structure elevation, mitigation reconstruction, dry flood proofing, structural retrofitting, non-structure retrofitting, wind retrofit, and infrastructure retrofit. Mitigation activities may be stand-alone projects that reduce or eliminate the potential impacts of the threat of natural disaster and may also be incorporated into repair or reconstruction projects that address the impacts of a natural disaster.

5. Threat of Future Natural Disasters

Mitigation Activities to lessen or avert the threat of a natural disaster and its potential physical or negative economic impacts, including structure elevation, mitigation reconstruction, dry flood proofing, structural retrofitting, non-structure retrofitting, wind retrofit, and infrastructure retrofit. Mitigation activities may be stand-alone projects that reduce or eliminate the potential impacts of the threat of natural disaster and may also be incorporated into repair or reconstruction projects that address the impacts of a natural disaster.

6. Duplication of Benefits

As a general matter, recipients may not claim use of federal financial assistance to cover a cost that the recipient is covering with another federal award, by insurance, or from another source, and subrecipients are bound by the same requirements as recipients. Specific requirements apply when recipients use federal funds to provide assistance with respect to losses suffered as a result of a major disaster or emergency declared under the Stafford Act (disaster losses). If a recipient uses SLFRF funds to cover disaster losses, the Stafford Act's prohibition on duplication of benefits applies. Recipients may not provide financial assistance to a person, business concern, or other entity with respect to disaster losses for which the beneficiary will receive financial assistance under any other

program or from insurance or any other source. Recipients may provide assistance with respect to disaster losses to a person, business concern, or other entity that is or may be entitled to receive assistance for those losses from another source, if such person, business concern, or other entity has not received the other benefits by the time of application for SLFRF funds and the person, business concern, or other entity agrees to repay any duplicative assistance to the SLFRF recipient. Recipients also may use SLFRF funds to provide assistance for any portion of disaster losses not covered by other benefits. Recipients are 8 advised to review FEMA’s guidance, which describes a “delivery sequence” for assistance for disaster losses. Recipients must treat SLFRF funds as last in the delivery sequence, unless the recipient, in consultation with the appropriate FEMA Regional Administrator or state disaster-assistance administrator, determines that another sequence is appropriate. Recipients also must notify subrecipients and contractors that, when providing assistance in response to a Stafford Act declaration, they are responsible for ensuring that beneficiaries disclose any other assistance received for the same disaster losses prior to receiving assistance with SLFRF funds.

7. Labor Standards

Treasury encourages recipients to adhere to strong labor standards when undertaking capital expenditures to provide emergency relief from natural disasters, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize, in their procurements, employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.

D. TITLE I PROECTS

Recipients may use SLFRF funds for Title I projects, which are the activities eligible under the CDBG and ICDBG programs, subject to certain requirements and limitations.

<p>1. ELIGIBLE ACTIVITIES</p> <p>Below is an illustrative list of eligible Title I projects:</p>	
<ul style="list-style-type: none"> -Acquisition of certain real property for a public purpose, subject to certain limitations -Disposition of certain property, subject to certain limitations and rules -Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, clearance and remediation activities -Public services, subject to the limitation discussed below -Interim assistance where immediate action is required for certain activities such as street repair, and costs to complete an urban renewal project under Title I -Relocation payments for relocated families, businesses, nonprofit organizations, and farm operations, under certain conditions -Payments to housing owners for loss of certain rental income -Certain housing services -Acquisition, construction, reconstruction, rehabilitation, or installation of privately owned utilities 	<ul style="list-style-type: none"> -Rehabilitation and reconstruction of housing, conversion of structures to housing, or construction of certain housing -Homeownership assistance 9 Technical assistance to entities to increase capacity to carry out CDBG-eligible projects -Assistance to certain institutions of higher education to carry out eligible activities -Administration activities including general management, oversight, and coordination costs, fair housing activities, indirect costs, and submission of applications for federal programs -Planning activities including the development of plans and studies, policy planning, and management and capacity building activities; and -Satisfying the non-federal share requirements of a federal financial assistance program in support of activities that would be eligible under the CDBG and ICDBG programs

2. INELIGIBLE ACTIVITIES UNDER TITLE I

Specific activities are generally not eligible projects under CDBG or ICDBG and accordingly, are not available as eligible projects under the Title I eligible use category. While the following projects are not eligible uses of SLFRF funds as a Title I project, they still may be eligible uses of SLFRF funds under other SLFRF eligible use categories. Non-Tribal government recipients should reference HUD's regulations at 24 CFR 570.207 and the "Activities Specified as Ineligible" section of HUD's Guide to National Objectives and Eligible Activities for CDBG Entitlement Communities for more information. Tribal governments should reference HUD's regulations at 24 CFR 1003.207. The activities that are generally ineligible under CDBG and ICDBG are the following:

-Buildings or portions thereof, used for the general conduct of government -General government expenses -Political activities	-Purchase of equipment -Operating and maintenance expenses -New housing construction -Income payments
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3. TITLE I PROJECTS PROGRAM REQUIREMENTS

Recipients using SLFRF funds for Title I projects generally must comply with Title I requirements and the associated regulations. For example, project-level approval and certification requirements generally must be satisfied prior to recipients obligating and expending funds on Title I projects, which in the CDBG program, exist for projects subject to certain environmental reviews. On the other hand, recipients are not required to provide the Title I certification requirements that apply at the consolidated and annual planning level. In addition, recipients must comply with the National Environmental Policy Act (NEPA) requirements, as implemented by Title I and the associated HUD regulations, and as adapted to the SLFRF program by Treasury.

Eligible activities must also satisfy other program requirements such as adherence to the Primary Objective and CDBG National Objectives, as described below, to be eligible under this eligible use category. Recipients should refer to and must comply with the following HUD regulations when determining eligible projects under this eligible use category: 24 C.F.R. 570.201 - 570.209 with respect to non-Tribal governments and 24 C.F.R. 1003.201 – 1003.209 with respect to Tribal governments. Recipients may refer to additional HUD guidance for information about the full list of projects eligible under CDBG, including guidance about complying with the National Objectives and other program requirements.

Where applicable, program requirements of the CDBG Entitlement Grants program will apply to non-Tribal government SLFRF recipients, and program requirements of the ICDBG Single Purpose Grants will apply to Tribal Government SLFRF recipients.

Project-level Approval and Certification Requirements

As noted above, when using SLFRF funds for Title I projects, recipients must satisfy project-level approval and certification requirements related to NEPA environmental review requirements.

Recipients are not required to submit certifications or obtain Treasury approval for Title I projects that satisfy either of the criteria below. Additionally, they may begin using SLFRF funds for the project right away:

-Exempt Activities: as contemplated by 24 FR 58.34(a).	Categorically Excluded Activities Not Subject to 24 CFR 58.5: as contemplated by 24 CFR 58.35(b), provided that the circumstances described in 24 CFR 58.35(c) are not present.
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For exempt projects, recipients must document in writing that the project meets the conditions of a specified exemption. For categorically excluded projects, recipients are required to maintain an Environmental Review Record, which is a well-organized written record of the process and determinations made with respect to the categorical exclusion. Treasury will provide additional information on the Environmental Review Record and certification requirements following issuance of the IFR.

For recipients using SLFRF funds for Title I projects that do not meet the criteria above, recipients must comply with the environmental review requirements set forth in the HUD statute and regulations, submit a certification to Treasury, and receive approval.

Other Program Requirements When using SLFRF funds for Title I projects, recipients must comply with the following requirements that apply to the total amount of SLFRF used towards Title I projects, including:

<p><i>For all SLFRF recipients:</i></p> <ul style="list-style-type: none"> - The Primary Objective: SLFRF recipients must direct at least 70% of SLFRF funds used for Title I projects to projects that principally benefit low and moderate-income persons. -Public Services Cap: Not more than 15% of SLFRF funds used for Title I projects may be spent under the “public services” category of eligible activities. - Planning and Administrative Costs Cap: Not more than 20% of SLFRF funds used for Title I projects may be spent on planning and administrative costs. - BEAD Program Requirements: Requirements of the Broadband Equity, Access, and Deployment (BEAD) program apply as outlined in section 60102 of the Infrastructure Investment and Jobs Act. 	<p><i>For non-Tribal SLFRF recipients only:</i></p> <ul style="list-style-type: none"> - CDBG National Objectives: Any project undertaken by a non-Tribal SLFRF recipient must satisfy at least one CDBG National Objective. -Labor Standards Requirements: Prevailing wage rate requirements in accordance with the Davis-Bacon Act and other labor standards are not required if all project funding is ARPA funds. If any project funding source requires Davis-Bacon wages, then ARPA funding requires Davis-Bacon wages.
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SLFRF recipients that are also CDBG grantees (but not ICDBG grantees) should note that HUD program requirements related to timely expenditures of CDBG funds continue to apply to their CDBG funds. Treasury encourages SLFRF recipients that are also CDBG grantees to continue to spend their CDBG funds in compliance with such requirements.

Treasury is not delegating authority to HUD to oversee or administer Title I projects. Accordingly, recipients will report projects only to Treasury.

Finally, many of the uses in the Title I projects eligible use category are also eligible in the public health and negative economic impacts eligible use category. Recipients seeking to use SLFRF funds for Title I projects may consider the relevant eligible uses and available funding levels to determine which eligible use category best supports their community's needs. As noted above, this IFR did not alter the public health and negative economic impact eligible use category. Please see the Public Health Category within this Program Statement and 2022 Final Rule for more information.

4. Program Administration

Generally, recipients using SLFRF funds for the new eligible uses added by the 2023 Consolidated Appropriations Act (CAA) must comply with the general rules and restrictions that apply to the SLFRF program. For example, the restrictions on use set forth in the final rule generally apply to the new eligible uses described in the IFR.

The IFR describes program administration requirements, including timeline for use of funds, use of funds to meet non-federal match or cost-share requirements, and reporting on use of funds.

5. TIMELINE FOR USE OF FUNDS

The IFR was submitted for publication in August 2023 and will become effective when published. Recipients may use SLFRF funds for these new eligible uses for costs incurred beginning December 29, 2022. Consistent with the existing eligible uses discussed in the 2022 final rule, recipients must obligate SLFRF funds for these new eligible uses by December 31, 2024. Recipients must expend SLFRF funds obligated to provide emergency relief from natural disasters by December 31, 2026. ***Recipients must expend SLFRF funds obligated for Surface Transportation projects and Title I projects by September 30, 2026.***

6. NON-FEDERAL MATCH OR COST-SHARE REQUIREMENTS

Under the Surface Transportation projects eligible use category, recipients may use SLFRF funds to satisfy nonfederal cost share requirements for certain programs under Pathway Three. Under the Title I projects eligible use category, recipients may use SLFRF funds to satisfy the non-federal share requirements of a federal financial assistance program in support of activities that would be eligible under the CDBG and ICDBG programs.

The 2023 CAA did not alter the existing eligible uses of SLFRF funds. Recipients may still use SLFRF funds in accordance with the 2022 final rule. As described in the 2022 final rule, SLFRF funds available under the "revenue loss" eligible use category generally still may be used to meet the non-federal cost-share or matching requirements of other federal programs. However, note that SLFRF funds under the revenue loss eligible use category may not be used as the nonfederal share for purposes of a state's Medicaid and CHIP programs because the Office of Management and Budget has approved a waiver as requested by the Centers for Medicare & Medicaid Services pursuant to 2 CFR 200.102 of the Uniform Guidance and related regulations. SLFRF funds beyond those available under the revenue loss eligible use category may not be used to meet the non-federal match or cost-share requirements of other federal programs, other than as specifically provided for by statute.

7. REPORTING, COMPLIANCE & RECOUPMENT

Recipients are required to comply with Treasury’s Compliance and Reporting Guidance, which includes submitting mandatory periodic reports to Treasury. Recipients must maintain records supporting their determination that projects meet relevant requirements, and recipients should be prepared to attest to having completed these determinations as part of their ongoing reporting to Treasury. Treasury will update the Compliance and Reporting Guidance with additional information regarding the IFR.

SECTION 3. NATURAL DISASTERS/SURFACE TRANSPORTATION/TITLE I PROJECTS/APPLICATION PROCESS

A. Match – All Communities and Non-profits applying for the Natural Disaster, Surface Transportation, and Title I Categories, must certify that they will provide ***a minimum cash match equivalent to 100% of the total ARPA grant award.*** This 100% match may come from any public source and/or private. ***All match must be fully committed at the time of application.***

B. Maximum Award: \$100,000 or 50% of the project amount.

C. Demonstrate ARPA Program Requirements: Applicants must demonstrate that the projects meet Program Statement Guidelines of the Treasury’s 2023 Interim Final Rule and Guidance of the American Rescue Plan Act. ***These demonstrations must be made part of the Letter of Intent and Verification of ARPA Funding Guidelines submitted to the County.***

D. Selection Process – The selection process will consist of two stages:

Stage 1:

Letter of Intent and Verification of ARPA Funding Guidelines

All municipalities and non-profits wishing to submit a ND, ST, or TI application must submit a Letter of Intent. After review for completeness and eligibility, municipalities and non-profits may be invited to make a full application. Please refer to Page 4 of this document for Program Timelines and due dates.

Stage 2:

Application: ***All sections of the application must be completed in association with the proposed project. If a section or sections are not completed, the application will not be scored.***

Members of the review team will assign a Review Point Total for each application reviewed. Review Point Totals will consist of the sum of the three scoring areas below and be determined by the total of each sub-scoring area. A maximum of 100 points is obtainable:

Impact (45 points)

- A description of why the proposed project is necessary and any previous efforts to address the needs – 5 points.
- What sources and methods of information were used to determine the issues and the need for ARPA funding – 6.
- How the determined issues affect the safety and welfare conditions affect the community and others in the region – 7.

- Size and demographic makeup of community base and target area of projected public health or economic impact project – 7.
- How the ARPA investment will help respond to the pandemic itself or the harmful economic consequences of the economic disruptions – 10.
- Why ARPA funds are necessary for the project and what other state, federal, or local funds are included, how the funding will address the identified need or impact, and how matching funds will work with ARPA funds to implement the project – 10.

Development Strategy (45 points)

- A description of the proposed project improvements, including areas within municipal or non-profit organizational structure – 8.
- Positive impacts on health, safety, and welfare of stakeholders directly affected by ARPA funding investment – 8.
- How many jobs will be retained or created by the project- 9.
- How the proposed project is eligible under the Program Statement Guidelines and ARPA Guidelines of the U.S. Dept. of Treasury’s Coronavirus State and Local Fiscal Recovery Funds Final Rule – 10.
- Project Timeline: list tasks necessary to begin project implementation. Is the proposed project “Shovel Ready”? Identify work already completed and when remaining tasks will be completed. Estimate a project completion date and describe why project timeline is feasible – 10.

Citizen Participation (10 points)

- How the overall citizen participation process directly relates to identification of solution strategies and application development – 4.
- Relevance of listed meeting/ hearing activities/comments on application and project development – 3.
- What other local resources (cash and in-kind) are directly related to the project and the cash value equivalent for all in-kind commitments – 3.

SECTION 4. RESTRICTION ON USE

Treasury defines a deposit as an extraordinary contribution to a defined benefit pension fund for the purpose of reducing an accrued, unfunded liability. **Recipients may use funds for routine payroll contributions to pensions of employees whose wages and salaries are otherwise an eligible use.**

The Interim Final Rule outlines and identifies several ineligible uses of Recovery Funds, including:

- 1. Pension Funds – funds shall not be used for extraordinary deposits into defined pension funds.**
 - **HOWEVER**, Treasury defines a “deposit” as an *extraordinary contribution* to a pension fund for the purpose of reducing an accrued, unfunded liability. **Recipients may use funds for routine payroll contributions to pensions of employees whose wages and salaries are an eligible use.**
- 2. Net Reductions in Tax Revenue (Limited to States and Territories)** If a state or territory has a reduction in net tax revenue, they must demonstrate how they paid for the tax cuts from a source(s) other than the Recovery Fund.

3. Other Restrictions – Including the following:

- **Using funds for non-federal match** when barred by another federal regulation or statute, including EPA’s Clean Water SRF, Drinking Water SRF, Economic Development Administration or Medicaid.
- **Funding debt service**, including costs associated with tax anticipation notes (TANs) or issuing short-term revenue.
- **Legal settlement** or judgements.
- **Deposits to rainy day funds** or financial reserves.
- **General infrastructure** spending outside of water, sewer and broadband investments or above the amount allocated under revenue loss provision.
- **General economic development or workforce development activities**, unless they directly address negative economic impacts of the public health emergency.

A. Additional Items Effecting Project Scoring

Scoring on eligible applications will be affected as follows:

1. Percentage of Matching Funds:

- a. Public Health and Negative Economic Impact projects have a 25% match - additional points will be awarded if a higher match is obtained.**
- 40% = 1 point
 - 50% = 2 points
 - 70% = 3 points
 - 90% = 4 points
 - 100% and higher= 5 points
- b. Investments in Infrastructure Water & Sewer, Broadband, Emergency Relief from Natural Disasters, Surface Transportation, and Title I Projects have a 100% match - additional points will be awarded if a higher match is obtained.**
- 120% = 1 point
 - 140% = 2 points
 - 160% = 3 points
 - 180% = 4 points
 - 200% and higher – 5 points

2. Jobs created or retained:

- 1 job =1 point
- 2 jobs = 2 points
- 3 jobs = 3 points

3. Multi-jurisdiction: 3 bonus points will be added to multi-jurisdiction applications.

4. Past Award Recipients:

- **Applied in 2023, not awarded** and applying for same project in 2024 = plus 5 points
- **2022 or 2023 Grant Awardee(s)** and applying again in 2024 = minus 5 points per award
- **2022 and 2023 Grant Awardee** and applying again in 2024 = minus 10 points per award

5. OTHER COVID RELIEF FUNDS ALREADY RECEIVED:

- Zero (0) dollars – 5 points
- \$50,000 or less = Zero (0) points
- \$50,001 to \$100,000 = minus 1 point
- \$100,001 to \$250,000 = minus 2 points
- \$250,001 to \$500,000 = minus 3 points
- \$500,001 to \$1,000,000 = minus 4 points
- \$1,000,001 and higher = minus 5 points

SECTION 5. AROOSTOOK COUNTY/ADMINISTRATION

A. Administration & Compliance

- **ARPA Program Administrator:** all salary, benefits, and office expenses are eligible program expenses
- **Revenue Loss:** County's calculated revenue loss during the pandemic may be used for projects in conjunction with the Revenue Loss section of the Treasury's Final Rule.
- **Technical Assistance:** technical assistance provided by the County to applicants is an eligible funding expense.
- **Audit & Misc.**

B. County Investments

- **Facilities:** proposed County facility projects will be completed and funded in conjunction with the ARPA Program Statement and the Treasury's Final Rule.
- **Infrastructure:** proposed County infrastructure projects will be completed and funded in conjunction with the ARPA Program Statement and the Treasury's Final Rule.
- **Support for Unorganized Territories:** eligible unorganized territory projects will be applied for by the County's Unorganized Territory Community Services Director on behalf of the unorganized territory requesting funding.
- **Public Health:** proposed County public health projects will be completed and funded as they relate to the pandemic, the ARPA Program Statement, and the Treasury's Final Rule.
- **Essential Worker Compensation:** this category ended April 10, 2023 and is no longer an eligible expense.

SECTION 6. Additional ARPA Funding Guidelines

A. Program Income

- Program Income means the gross income received by a grant recipient from any ARPA grant supported activity. ***There will be no program income on ARPA awarded funds in any of the Program Statement funding categories.***

B. Reallocation of ARPA Grant Funds

- **Awarded ARPA Recipients:** Applicants receiving grants under the 2022-2026 ARPA program but failing to have their projects substantially underway within six months of grant award, may

have their grant rescinded by the County. Rescinded grant funds will be reallocated to the next funding round of ARPA grant funding.

- **Grant Closeout** - funds remaining in a recipient's award but not requested upon grant closeout, and funds returned to the County because of disallowed costs will be reallocated to the next funding round of ARPA grant funding, until 4/15/2024.
- **Unawarded funds** from a funding round of the ARPA grant funding will be reallocated to the next funding round, not to be extended past 4/15/2024.
- **Basis for Redistribution:** The decision to redistribute funds will be made after staff evaluation of the following: the total funds available, new requests for funding, requests for additional funding from current ARPA grant recipients, and applicants from organizations that did not receive funding. The County Commissioners may redistribute available funds to any ARPA Eligible Grant Fund Category project deemed to be in the best interest of, and that offer ARPA eligible benefits to the County, until 4/15/2024.

C. Premium Pay

- As of April 10, 2023, the COVID-19 Public Health National Emergency has ended. Now that the National emergency has ended, ARPA funds may not be used for Premium Pay to eligible workers after April 10, 2023.

D. ARPA/SLFRF Obligation Interim Final Rule

- The IFR gives new definition and additional flexibility and clarity to recipients for the use of funding but does not change the existing obligation deadline of 12/31/2024. Under the revised definition of obligation, the term continues to mean an order placed for property and services and entry into contracts, subawards, and similar transactions that require payment.
- Under the new definition, a recipient is also considered to have incurred an obligation by 12/31/2024, with respect to a requirement under federal law or regulation or a provision of the SLFRF award terms and conditions to which the recipient becomes subject as a result of receiving or expending SLFRF funds.
- Accordingly, under this revised definition of obligation, a recipient may use SLFRF/ARPA funds from 12/31/2024 through 12/31/2026 for:
 - Reporting and compliance requirements
 - Single audit costs
 - Record retention and internal control requirements
 - Property standards - establish certain minimum standards for buildings constructed under HUD housing programs.
 - Environmental compliance requirements
 - Civil rights and nondiscrimination requirements
 - Costs, calculated in compliance with the rules for compensation charged to federal awards, of recipient personnel whose time is required to comply with these requirements.
- Recipients cannot re-obligate funds or obligate additional funds after 12/31/2024.
- All other funding not obligated after 12/31/2024 or not expended by 12/31/2026, must be returned to the Treasury. The only exception is administrative costs necessary to close out the ARPA SLFRF award in accordance with the Uniform Guidance.

E. Appeals

- Appeals of award decisions are restricted to errors of fact and procedure. Appeals in the area of judgement qualitative scoring will not be considered. In the case of a successful appeal, funds will be reserved from available or subsequent ARPA funds.

F. Amendments to the Program Statement

- The County may amend the 2022-2026 Program Statement from time to time in accordance with the same procedures required for the preparation and submission of the program statement. The County Commissioner’s and citizen participation requirements will guide the amendment process.

SECTION 7. Uniform Guidance

A. Financial Management

The Financial Management system of a non-federal awardee must provide:

- Identification in its system that the account is a federal award, including award identification number, year, and name of Federal Agency.
- Records that identify the source and application of the funds for federally funded programs and projects (e.g., receipts, invoices, and contracts are common source documentation).
- Written procedures that describe how the awardee will minimize the time between the receipt of funds from the federal agency and the disbursement of funds to applicable activities.
- Each awardee must maintain internal control of funds and must report any deviations from program budgets that were submitted on the Treasury Portal.
- David Bacon – Davis Bacon wages are not required if all project funding is ARPA. (Except for Titel Projects) If any project funding source is not ARPA and is subject to Davis Bacon wages, then all funding sources, including ARPA, are subject to Davis Bacon wages.

B. Procurement

The table below describes the types of procurements that awardees must undertake using ARPA Funds. **Note:** all bids/RFP’s must be open and competitive.

Non-competitive bids are allowed if:

- Contract is less than \$10,000,
- Item is only available from a single source,
- A Public emergency will not permit a delay resulting from public competitive bid process,
- After solicitation competition is determined to be inadequate.

Procurement Type	When It Can Be Used	Process and Procedure
Micro-purchase	<ul style="list-style-type: none"> • Applies to the purchase of property, supplies, or, services. • Contract is under micro-purchase threshold of \$10,000. 	<ul style="list-style-type: none"> • Purchase can be made without going to bid or obtaining quotes. • Unit of government can choose to lower these thresholds. The

		change in thresholds must be documented.
Small Purchase	<ul style="list-style-type: none"> • Applies to the purchase of property, supplies, or services. • Contract is for more than \$10,000 but less than \$250,000. 	<ul style="list-style-type: none"> • Price or rate quotations must be obtained from at least two sources. • Unit of government can choose to lower these thresholds. The change in thresholds must be documented.
Sealed Bids	<ul style="list-style-type: none"> • Contract for goods or services exceeds \$250,000. • Construction contracts, regardless of contract price. 	<ul style="list-style-type: none"> • Bids must be publicly advertised. • Contract must be for a firm fixed price. • Complete, adequate, and realistic specification or purchase description is made available. • Bid must be solicited from an adequate number of qualified sources (government website and paper of general circulation) • Bid must be opened publicly • Bid must provide for sufficient response time. • Contract award must be made to the lowest responsible bidder.
Request for Proposals (RFP)	<ul style="list-style-type: none"> • Used for fixed price or cost reimbursement contracts. • Can only be used when conditions are not appropriate for sealed bids. 	<ul style="list-style-type: none"> • RFP's must be public and identify all evaluation labor. • Unit of government must have a written method of evaluating proposals. • Contracts must be awarded to the proposal that is the most advantageous to the unit of government.

C. Contracts

All federally funded contracts that the non-federal entity enters into will need to contain the following provisions:

- Contracts for more than \$10,000 must address termination for cause or convenience.
- Contracts for more than \$250,000 must address administrative, contractual, or legal remedies in instances where contractors breach contract terms, and provide for penalties as appropriate.
- Construction contracts must contain the "Equal Employment Opportunity" clause found at **41 CFR 60-1.4(b)**.

- Contracts over \$100,000 will require an anti-lobbying amendment, see sample amendment at: [CERTIFICATION REGARDING LOBBYING \(state.gov\)](#)

D. Review

Local governments and non-profits should review the requirements, compare them to their current policies and procedures. In addition, it is recommended that all ARPA Awardees review 2 CFR Part 200 Subpart D, as this section describes the requirements most applicable to local governments.

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