

Background Report -- Consent Agenda Item No. 1
Proposed Rule Change
68-1.003 - Florida Fish and Wildlife Conservation Commission
Grants Program

68-1.003(9) Florida Boating Improvement Program

We propose to change the Program Guidelines dated January 2010 and update the grant application forms to include:

Section 4.2 – Eligible Use of Tier I Funds – Derelict Vessels

Clarify which derelict vessels are eligible for funding and specify that a grantee's removal of derelict vessels may be eligible for the reimbursement of pre-award costs when the vessel was deemed to be an imminent threat to public safety by the Commission.

Section 4.5 – Cost Share

Change the term "Matching Funds" to "Cost Share" to simplify and to update and make clear to the applicants which "in-kind" services (non-cash) and cash expenditures are allowable.

Section 4.7 – Pre-Award Costs

An addition of the term "but are not limited to" to the list of eligible pre-award costs that the Commission may approve as part of the grant application and agreement process.

Section 5.3 – Application Form and Instructions

Included the definition for a complete application. Additionally we streamlined the incorporated application forms and reduced the number of copies to be submitted to improve efficiencies and expedite review process.

Section 5.8 – Incomplete Application

Remove the requirement that a complete application must include all construction permits. Reduce the number of days given to the applicants from 60 to 30 to correct incomplete applications in order to shorten the time between application submittal and award of funds.

Section 5.9 – Resubmissions

Remove the statement that would require an applicant to reapply during a future submission period if they fail to execute their grant agreement within 90 days of Commission approval.

Section 5.11 – Evaluation Committee

Clarify that applications will be reviewed and scored by Evaluation Committees appointed by the Director of Law Enforcement.

Section 5.12 – Minimum Score

Increased the minimum score required to be eligible for funding from 60 to 65 because the evaluation criteria has been changed to emphasize cost efficiency and need for the project.

Section VI - Agreement

Section 6.3 – Execution of Agreement

This removes the automatic nullification of a grant agreement if the recipient fails to execute within 90 days. It retains Commission discretion to terminate due to a grantee's failure to execute their agreement within 90 days.

Section VII – Compliance Requirements

7.1 was changed to specify June 30 as the deadline for submitting construction permits in lieu of 60 days from the date of notification of incomplete applications. This is in conjunction with the changes in Section 5.8, stating that the application is no longer considered incomplete when submitted without permits.

7.19 and 7.20 were added which incorporates new language required in most state contracts as of July 1, 2011.

7.21 was added to provide guidance for grantees when designing and building boating access facilities using the States Organization for Boating Access (SOBA) Design Handbook for Recreational Boating & Fishing Facilities.

Evaluation Criteria

Increased the percentage of Qualitative Evaluation to Technical Evaluation from 50/50, respectively, to 70/30, respectively to emphasize cost efficiency and need for the project.

Total project cost was increased to allow points for projects up to \$400,000. This makes funding more available to major projects.

Corrected the Web site address in the rule.

Actions

Staff is requesting Commission approval of these proposed amendments and permission to file a Notice of Proposed Rule and, if no hearing is requested, permission to file the rules for adoption as allowed by s. 120.54(3) Florida Statutes, without further public hearing.

Staff will also post draft Program Guidelines on the agency Web site and notify applicable stakeholders by email.