

# **SPECIAL CATEGORY GRANT GUIDELINES**

Application Open: April 1  
Application Deadline: June 1  
Grant Period: 24 months  
(beginning July 1, year of appropriation)

Florida Department of State  
Division of Historical Resources  
Historic Preservation Grants Program  
R. A. Gray Building, 500 South Bronough Street  
Tallahassee, Florida 32399-0250

## Application Submission

Applications must be submitted on or before **June 1<sup>st</sup>, 5:00 PM (Eastern)**.

Applications must be submitted on the DOS Grants System at dosgrants.com.

## For Assistance and Information

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These Guidelines are also available electronically at:

<http://dos.myflorida.com/historical/grants/special-category-grants/> and can be made available in alternative format.

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## I. INTRODUCTION

The Department of State, Division of Historical Resources, provides State and Federal funds for historic preservation. The purpose of this program is to provide funding to assist major local, regional and state-wide efforts to preserve significant historic and archaeological resources, to assist major archaeological excavations or research projects and assist in the development and fabrication of major museum exhibits that will promote knowledge and appreciation of the history of Florida. The program does not fund operational support for historic preservation organizations. This program provides historic preservation grants on a competitive basis. The Legislature and Governor determine the amount appropriated annually for the program, and funding for all eligible applications is not guaranteed. These guidelines are supported under section 267.0617, Florida Statutes, and incorporated by reference into Rule 1A-39.001, Florida Administrative Code, and they detail the policies and requirements for the application and administration of the Special Category program grants.

## II. TIMELINE

March	Announcement of application availability on Division website and via email.
April 1 – June 1	Application submission period. Division staff assistance and consultation available to applicants.
June 1	Applications due. Applications must be submitted on the DOS Grants System at dosgrants.com on or before this date.
June – September	Application review period and review meeting.
July 1 (Year of Appropriation)	Notification of Grant Award and grant details forms available.
September 30	Encumbrance of Funds deadline. Grantee must demonstrate the execution of a binding contract for at least a part of the scope of work.
October 31	First Project Progress Reports due for Special Category projects (Reporting Period: July – September, year 1). Reports must be submitted on the DOS Grants System at dosgrants.com.

January 31	Second Project Progress Reports due for Special Category projects (Reporting Period: October – December, year 1). Reports must be submitted on the DOS Grants System at dosgrants.com.
April 30	Third Project Progress Reports due for Special Category projects (Reporting Period: January – March, year 1). Reports must be submitted on the DOS Grants System at dosgrants.com.
July 31	Fourth Project Progress Reports due for Special Category projects (Reporting Period: April – June, year 1). Reports must be submitted on the DOS Grants System at dosgrants.com.
October 31	Fifth Project Progress Reports due for Special Category projects (Reporting Period: July – September, year 2). Reports must be submitted on the DOS Grants System at dosgrants.com.
January 31	Sixth Project Progress Reports due for Special Category projects (Reporting Period: October – December, year 2). Reports must be submitted on the DOS Grants System at dosgrants.com.
April 30	Seventh Project Progress Reports due for Special Category projects (Reporting Period: January – March, year 2). Reports must be submitted on the DOS Grants System at dosgrants.com.
May 30	Extension request deadline. An extension of the completion date must be requested at least thirty (30) days prior to the end of the grant period.
June 30 (Year 2)	Project Expiration Date. All grant and local matching funds must be expended by this date.
July 31	Final Reports due for Special Category projects (Reporting Period: April – June, year 2). Reports must be submitted on the DOS Grants System at dosgrants.com.

### III. PROGRAM DESCRIPTION

1. The Division grants state funds to assist historic preservation activities authorized by Section 267.0617, F.S.
2. State funds consist of funds which have been appropriated by the Florida Legislature, made available from dedicated sources or contributed from any other public or private source.
3. State funds shall be used for historic preservation work approved by the Division and consistent with the applicable Preservation Standards of the Secretary of the Interior and Chapter 267 of the Florida Statutes.
4. To be eligible to apply to the Division for grant funding, an Applicant Organization must be a public entity governed by a county, municipality, school district, community college, college, university, or an agency of state government; or a Non-profit Organization. For Museum Exhibit projects, Applicant Organizations must be a governmental or non-profit Florida history museum established permanently in Florida, promoting and encouraging knowledge and appreciation of Florida history through the collection, presentation, exhibition, and interpretation of artifacts and other historical items related to Florida. The mission of the museum must relate directly to the history of Florida.
5. State-funded Development activities for historic Religious Properties shall be limited to building exterior envelope and structural elements of the building, excluding accessibility upgrades.
- ~~5.6~~ State-funded Development activities for historic cemeteries shall be limited to work on stabilizing, cleaning and repairing historic gravemarkers and other funerary items, repairing historic fences or structures within the cemetery and installing minimal security lighting.

### IV. ELIGIBILITY

All Applicant Organizations must meet the following requirements. **All** documentation must be provided by the application deadline.

1. Must **NOT** have multiple active Special Category projects under contract at one time. Special Category projects have a grant period of 24 months. Unless an Applicant Organization has a smaller project that will be completed in a single year, new applications should be submitted every other year. Subject to Legislative appropriation, Special Category recommendations approved by the Secretary of State will be funded top-down until the appropriation is depleted. Any Applicant Organization on the ranked list that has not completed a previously-funded Special Category project by July 1 of the year for which funds are appropriated will be passed over and the funds will be allocated to the next Applicant Organization on the list without an active Special Category project under contract. A previously funded project is considered complete when it has reached 100% completion as supported by contractor documentation, and the Division has received complete documentation to request a final grant payment.
2. **Must** have the required legal status.
3. Agree to comply with all application requirements:

- a) Complete the approved Scope of Work within the Grant Period;
  - b) Make activities and Historic Properties that are the subject of the Project open and accessible to all members of the public (see V.B. Accessibility and Non-Discrimination);
  - c) Match the grant amount requested, dollar for dollar, unless exempted from the full match requirement (see V.C. Request Amount and VI. Match Requirements); and
  - d) Include only allowable expenses in the Project Budget (see VII. Allowable Expenses and VIII. Non-Allowable Expenses);
  - e) Agree to comply with all legal and financial requirements as set forth in these Guidelines.
4. Agree to comply with all grant administration requirements, if funded:
- a) Provide all information needed for the Grant Award Agreement;
  - b) Request approval for any changes to the Scope of Work and Project Budget of the awarded grant;
  - c) Submit timely and accurate reports;
  - d) Maintain complete and accurate grant records and if multiple grants from the Division are open at the same time, treat each grant as a separate, distinguishable Project;
  - e) Comply with the requirements of the Florida Single Audit Act (Section 215.97, (Florida Statutes) and any applicable federal audit requirements pursuant to 2 CFR 200 Subpart F-Audit Requirements; and
  - f) Credit the State of Florida and Division of Historical Resources for funding.
5. Must **NOT** be in non-compliance status with any previously awarded Department grant.
6. Must **NOT** owe the Department funds at the time of application in connection with a previous grant received from any division of the Department, for which the Applicant Organization has been notified of the Department's determination that a refund of grant funds is required.
7. Have satisfied the administrative requirements of previous grants received from the Division or other divisions of the Department, including grants that may be open at the time of application, and be in compliance with all permits issued to the Applicant Organization and/or the proposed project directors and managers by the Bureau of Archaeological Research.
8. Have ownership of the property for which grant funding is requested or have the written concurrence of the Property Owner. Except for projects involving acquisition or site-specific archaeological investigation, the owner must be a public entity or a Non-profit Organization. For the purposes of this program, an eligible Applicant Organization may lease state-owned land or building(s) or both.
9. In accordance with section 287.05805, Florida Statutes, for Acquisition and Development projects directed at Real Property, if funded, the Grantee (and the Property Owner, if not the Grantee), prior to the release of the first installment of grant funds, must grant to the Florida Department of State a security interest in the Real Property at least to the amount of state funds to be provided in the grant agreement. This security interest shall be recorded in the form of a restrictive covenant on the Real Property, active for a period of fifteen (15) years for Development or active for twenty (20) years for an Acquisition. Grantee (and the Property Owner, if not the Grantee) shall record the security interest in the office of the clerk of the circuit court of the county, or another office serving as the county recorder as provided by law, in which the Real Property is located. For Acquisition and Development projects directed at Real Property, if funded, the Grantee (and the Property Owner, if not the Grantee) must file a Restrictive Covenant on the property with the Clerk of Court for ten (10) years for Development and twenty (20) for Acquisition prior to final release of grant funds and close-out of the project.
10. For Development projects involving improvements to properties other than Real Property (e.g., an aircraft, locomotive, trolley or marine vessel) and for Museum Exhibit projects, the Grantee (and the Property Owner, if not the Grantee) **must** execute and notarize a Preservation Agreement prior to



release of funds. The Preservation Agreement shall require the Grantee and the Property Owner(s) to maintain the improvements or exhibit for a period of ten (10) years for Development projects and five (5) years for Museum Exhibit projects.

11. For Archaeological Research projects, a research design must be submitted for review and approval at the time of application. Research designs must meet the Preservation Standards and be approved by the Division for a project to be eligible for Special Category grant funding.

~~12.~~ If the property is leased, **the lease agreement must be dated, signed, and submitted** at the time of the application submission, with the required Owner Concurrence Letter attachment to the application.

~~13.~~ **Must** have appropriate **matching** funds and documentation at time of application submission.

~~14.~~ Must complete an online application form at <http://www.dosgrants.com> by the application deadline.

~~15.~~ The proposed Project **must** be consistent with the Special Category project type under which it is submitted and with the purpose of this grant program.

~~16.~~ All grant funding provided by the Special Category Grant Program must be utilized in accordance with the standards, as applicable to the specific project type, contained in the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, effective September 29, 1983, <https://www.flrules.org/Gateway/reference.asp?No=Ref-08164>, which are incorporated by reference, and include:

- a) The Secretary of the Interior's Standards for the Treatment of Historic Properties;
- b) The Secretary of the Interior's Standards for Archaeological Documentation;
- c) The Secretary of the Interior's Standards for Historical Documentation;
- d) The Secretary of the Interior's Standards for Architectural and Engineering Documentation; and
- e) The Secretary of the Interior's Standards for Preservation Planning.

~~17.~~ Project oversight of museum exhibit projects funded by the Special Category Grant Program must be provided by a historian or archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for History or Archeology, which are set forth in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation incorporated in paragraph 1A-39.001(7)(c), F.A.C.

## A. Application Restrictions

1. An Applicant Organization may only submit one (1) Special Category grant application under a single application deadline for a particular application cycle. State agencies, county or city governments, or universities may submit single applications from more than one division or department under a single application cycle provided that those divisions or departments are separate and distinct budgetary units and provided that applications do not address the same facility, Project or site.
2. Applicant Organizations with projects funded with Federal funding or by the Legislature outside of the review of the Florida Historical Commission or Secretary of State are not eligible to receive Special Category grant support for the same Scope of Work activities from the Division within the same fiscal year in which Federal or Legislative funding is appropriated.
3. Historic Preservation projects do not fund Cultural Facility projects.
4. No organization may receive more than ~~\$1.53~~ million in historic preservation Special Category grant funding from the Division during a consecutive 5 state fiscal year period.
5. State-funded Development activities for historic Religious Properties shall be limited to building exterior envelope and structural elements of the building, excluding accessibility upgrades. State-

funded Development activities for historic cemeteries shall be limited to work on stabilizing, cleaning and repairing historic gravemarkers and other funerary items, repairing historic fences or structures within the cemetery and installing minimal security lighting.

6. For Museum Exhibit projects, Organizations must be a governmental or non-profit Florida history museum established permanently in Florida, promoting and encouraging knowledge and appreciation of Florida history through the collection, presentation, exhibition and interpretation of artifacts and other historical items related to Florida. The mission of the museum must relate directly to the history of Florida.
7. Preparation of National Historic Landmark designation nominations shall not be allowable for Special Category grant funding.

## **B. Legal Status**

To meet the legal status requirement, an Applicant Organization must be either a public entity or an active Florida nonprofit, tax exempt corporation as of the application deadline in accordance with section 267.0617(2), Florida Statutes.

## **C. Public Entity**

A Florida local government, entity of state government, school district, community college, college or university. Private schools, private community colleges, private colleges and private universities are not public entities and must be nonprofit and tax exempt to meet the legal status requirement.

## **D. Nonprofit, Tax Exempt**

1. A Florida organization that is incorporated as an active nonprofit Florida corporation, in accordance with Chapter 617, Florida Statutes. For nonprofit organizations outside of Florida, the nonprofit organization must be designated as tax exempt as defined in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1954, as amended. Staff will verify status in Guidestar at <https://www.guidestar.org/>.
2. The Division will verify that the applicant is registered, and in "active" status, with the Division of Corporations as of the application deadline. If the applicant is not registered and in "active" status with Corporations by the application deadline, the application will be deemed ineligible.
3. For more information on corporate status, visit <http://www.sunbiz.org> or call the Division of Corporations, profit and nonprofit information line at (850) 245-6052. To verify corporate status, you can review your corporate record online through the sunbiz.org document search tool.
4. For more information about tax exempt status, see Exemption Requirements - Section 501(c)(3) Organizations on the Internal Revenue Service website (<https://www.irs.gov/>).

## E. Required Documentation

1. All applicants must provide a Unique Entity Identifier (UEI) number. This is an identification number required for doing business with the Federal Government. If you do not already have a UEI number, your organization can request a one at <https://sam.gov>
2. All applicants must provide a copy of the Substitute W-9 with the grant application. This can be found at <https://flvendor.myfloridacfo.com/>.

## V. APPLICATION REQUIREMENTS

### A. Grant Period

All proposed activity must take place within a 24-month Grant Period.

1. The grant period **start date** is July 1 of the state fiscal year in which requested grant funding is appropriated by the Florida Legislature.
2. The grant period **end date** is June 30 of the state fiscal year following the fiscal year in which requested grant funding is appropriated by the Florida Legislature, unless an end date extension is approved by the Division and a written contract extension is executed by both parties prior to the original end date of the Grant Award Agreement.

### B. Accessibility and Non-Discrimination

The Division is committed to making the knowledge of history accessible to everyone, including:

- persons with disabilities;
- older adults;
- culturally and economically underserved populations; and
- minorities.

Organizations seeking support for activities are required to be open and accessible to all members of the public, consistent with all applicable state and federal laws. Organizations shall not discriminate on the basis of sex, race, color, national origin, religion, disability, age, pregnancy, handicap or marital status.

The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities in employment, state and local government services, public accommodations, transportation and telecommunication. The ADA extends the requirements under Section 504 of the Rehabilitation Act of 1973, as amended, to all activities of state and local governments and places of public accommodations operated by private entities, including places of public display. The 504 Self Evaluation Workbook which can be used as a reference, and downloadable Disability Symbols can be found at <http://dos.myflorida.com/cultural/info-and-opportunities/resources-by-topic/accessibility/>.

### C. Special Category Grant Types and Request Amount

1. Special Category Grants may provide a maximum grant award amount of ~~\$500~~1,000,000. There is no minimum request amount.
2. Special Category Grant project types:
  - a) Development projects with the mission of Preservation, Restoration, Rehabilitation or Reconstruction of historic properties regularly open to the public, and site-specific planning required for these activities such as structural or condition assessment reports. Development activities on historic Religious Properties shall be limited to building exterior envelope and structural elements of the building, excluding accessibility upgrades. State-funded Development activities for historic cemeteries shall be limited to work on stabilizing, cleaning and repairing historic gravemarkers and other funerary items, repairing historic fences or structures within the cemetery, and installing minimal security lighting;
  - b) Archaeological Research projects, for ~~all phases of Phase I, Phase II, and limited Phase III~~ terrestrial and underwater fieldwork, analyses of findings and write-up, or to conduct collection research at established federal, state or public institutions. A well-defined, clear and concise research design that meets the Preservation Standards, must be submitted for review by the Division at the time of application;
  - c) Museum Exhibit projects to aid Florida history museums in exhibit work, including research of exhibit content, exhibit design, fabrication and installation. Exhibits must be permanently affixed to the building. For Museum Exhibit projects, Organizations must be a governmental or non-profit Florida history museum established permanently in Florida, promoting and encouraging knowledge and appreciation of Florida history through the collection, presentation, exhibition, and interpretation of artifacts and other historical items related to Florida. The mission of the museum must relate directly to the history of Florida. Project oversight of museum exhibit projects funded by the Special Category Grant Program must be provided by a historian meeting the Secretary of the Interior's Professional Qualifications Standards for History, which are set forth in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation incorporated in paragraph 1A-39.001(7)(c), F.A.C; and
  - d) Acquisition of a single Historic Property or archaeological site, or group of Historic Properties or archaeological sites, in which all the resources have the same owner. For archaeological sites, an exception to the single owner provision may be made if the archaeological site extends on land that is contiguous, but owned by different property owners.

## VI. MATCH

### A. Match Requirements

1. All Applicant Organizations **must** provide ~~one dollar~~ match in cash or In-kind Contributions (donated goods, property, or services) ~~for every dollar of 50% of the amount~~ requested from the Division, unless ~~exempted~~ reduced as described below. ~~This is called Match.~~ The total Project Budget includes Match (cash and In-kind Contributions) plus the request amount. All Match contributions, whether cash or In-kind Contributions, must be consistent with the Scope of Work ~~and must be,~~ essential to the implementation of the project, and allowable per these program guidelines.

2. Twenty-five percent (25%) of the total required Match must be cash-on-hand which must be documented at the time of application and reconfirmed and expended during the Grant Period.
3. No more than seventy-five percent (75%) of the total required Match may be non-monetary In-kind Contributions.

## B. Match Reductions

Applicant Organizations can request a match reduction to twenty-five (25%) of the Grant Award amount in the following circumstances:

1. Projects located in REDI areas: The Rural Economic Development Initiative (REDI) recognizes rural or economically distressed counties and communities designated pursuant to sections 288.0656 and 288.06561, Florida Statutes, as REDI qualified. The REDI program is administered by the Florida Department of Economic Opportunity. You can find more information and a list of economically distressed counties and communities at <http://www.floridajobs.org/business-growth-and-partnerships/rural-and-economic-development-initiative/rural-definition>.

In recognition of the REDI designation, Applicant Organizations with projects located in REDI communities may request a reduction to the match requirements, UNLESS the grant applicants are state agencies, state colleges, or state universities.

Summary of Match Requirements	Required Match
Projects <b>not</b> located in REDI qualified counties or communities	<del>++50%</del>
Projects located in REDI qualified counties or communities	25%
State agencies, state colleges or state universities. <b>Organizations that are state agencies, state colleges or state universities must meet the full match requirement <del>(++)</del>, regardless of project location.</b>	<del>++50%</del>

## C. Cash Match

1. Cash-on-Hand (Liquid Assets): At least 25% of the total required Match amount must be cash-on-hand of the Applicant Organization at the time of the application, documented by bank statement(s), budget

report(s), and/or bank letters showing sufficient restricted funds or a municipal or county resolution\*. Cash-on-hand may exceed 25% of the total match, but may never be less than 25% of the total match.

**\*Municipalities and counties (public entities)** must submit an executed copy of an approved resolution by a city or county commission with the application materials. The resolution **must** include the dollar amount dedicated and available to the project if the grant is awarded and the date the funds will be available. The submitted resolution **must be dated and signed by an authorizing official**. Funding, as indicated by the resolution, must be made available within 90 days of the start of the Grant Period.

2. Additional cash Match above the minimum 25% cash-on-hand may be anticipated at the time of application, but must be fully documented in the application and received and expended by the end of the Grant Period. The Match can be documented in the application as bank statement(s), budget report(s), and/or bank letters showing sufficient restricted funds or a municipal or county resolution, as well as irrevocable pledges of funds. The pledges must be from named donors, as documented by signed and dated letters, and must be auditable. Anonymous pledges shall not be accepted as match contributions.

#### **D. In-kind Contributions (Donated Goods, Property, and Services) Match**

1. Documented In-kind Contributions: No more than 75% of the total required Match may be In-kind Contributions. In-kind Contributions must be documented and itemized as irrevocable non-monetary pledge letters, letters of intent and/or invoices for future in-kind goods, property and/or services at the time of application, and the goods, property, and/or services must be received and utilized by the end of the Grant Period. In-kind Contributions from named donors must be documented by signed and dated letters, which must be auditable. Anonymous pledges shall not be accepted as match contributions.
2. The value of volunteer services may be calculated using the federal minimum wage or state minimum wage (whichever is higher), or professionals skilled in the service provided (such as a supplier donating construction materials services or an electrician providing pro bono work). For information on the current federal minimum wage, see the Wage and Hour Division of the US Department of Labor at <https://www.dol.gov/whd/minimumwage.htm>.
3. The value of all professionally skilled services used as In-kind Contributions must be documented in writing by the volunteer. The value of donated goods and property must also be documented. Records of such documentation must be available upon request.
4. The value of donated property will be accepted as a contribution to the required match, with the following conditions:
  - a) The donated property must be the Historic Property or archaeological site that is the subject of the project for which grant funds are requested.
  - b) Donation of the property must take place during the 2-year Grant Period beginning on July 1 of the year of appropriation.

- c) Only the value of the historic building and its footprint or the portion of the property occupied by the archaeological site is eligible for contribution to the required match. This value must be based on a complete appraisal prepared by a Florida State Certified General Real Estate Appraiser.
- d) Legal fees, taxes and other costs associated with the donation are not eligible match contributions.

## **E. Restrictions on Matching Funds**

- 1. Funds that are for general operating expenses will not be acceptable as match.
- 2. Revenue from funding requested but not yet approved through local or state government appropriation processes will not be acceptable as match.
- 3. Revenue from grants that have not yet been awarded will not be acceptable as match.
- 4. Anticipated proceeds from fundraising activities will not be acceptable as match.
- 5. Fundraising costs will not be acceptable as match.
- 6. Legal fees or taxes will not be acceptable as match.
- 7. Matching funds will be designated only to the Scope of Work presented in this application and may not be used for other previous, current or future Division or Department of State grants.
- 8. Expenditures made prior to and following the Grant Period may not be used as match.
- 9. Loans may not be used as match. Equity may not be used as match.
- 10. State of Florida grant funds may not be used as match for this program.

## **F. Documenting Match**

- 1. Organizations must have all Match complete and confirmed at the time of application and, if funded, must reconfirm Match at the time of Grant Award Agreement execution.
- 2. Documentation of matching funds can include:
  - a. Bank statement(s), budget report(s) that specifically identify match contribution to the project, and/or bank letters confirming cash-on-hand;
  - b. A resolution showing funds dedicated to the Scope of Work (limited to public entities);
  - c. Letters of intent to provide salaries/payroll expenditures of in-house staff as cash match, including a pay rate justification. This letter should include the number of hours to be donated and the rate at which they are donated;
  - d. Grant award letters from third parties (non-State);
  - e. Copies of irrevocable pledge letters; and
  - f. Letters of intent or invoices for future in-kind goods, property and/or services.

## **VII. ALLOWABLE EXPENSES**

- 1. Allowable expenses must be:
  - a) not excluded by these Guidelines and approved by the Division;
  - b) necessary and reasonable for the performance of the Scope of Work;

- c) specifically and clearly detailed in the Project Budget;
  - d) incurred or paid within the 2-year Grant Period beginning on July 1 of the year or appropriation; and
  - e) related to the selected project type, as described in Section V.C.2.
2. Only allowable expenses may be included in the Project Budget.
  3. Administrative and project management expenditures such as expenditures that are directly attributable to management of the grant-assisted Project and meeting the reporting and associated requirements of the Grant Award Agreement are allowable expenses, provided that, in the aggregate, they do not exceed 5% of the grant award amount, whether allocated to grant expenditures, match contributions, or both.
  4. Expenditures shall be in compliance with the state guidelines for allowable project costs as outlined in the **Department of Financial Services' Reference Guide for State Expenditures** (revised 11/1/2019), which are incorporated by reference and are available online at [https://www.myfloridacfo.com/docs-sf/accounting-and-auditing-libraries/state-agencies/reference-guide-for-state-expenditures.pdf?sfvrsn=b4cc3337\\_2](https://www.myfloridacfo.com/docs-sf/accounting-and-auditing-libraries/state-agencies/reference-guide-for-state-expenditures.pdf?sfvrsn=b4cc3337_2).

## VIII. NON-ALLOWABLE EXPENSES

The following categories of expenditures are non-allowable for expenditure of grant funds and as contributions to required match. This is not intended to be an exhaustive list, and the Division may evaluate the allowability of all expenditures (grant or match) in accordance with applicable Federal and State statutes, regulations, these guidelines or the terms and conditions of the Grant Award Agreement. Non-allowable expenses will not be considered part of the Grant Award Agreement and cannot be incorporated or encompassed within any other allowable category. In the event that the Division identifies such, the Grantee must return any disbursed grant funds associated with non-allowable expenses and could lose eligibility for future grants.

- a) Expenditures for work not included in the Scope of Work of the executed Grant Award Agreement;
- b) Costs of goods and services not procured in accordance with procurement procedures set forth in the Grant Award Agreement;
- c) Costs not consistent with the grant project type as described in section V.C.2. of the program guidelines and as selected in the application;
- d) Expenses incurred or obligated prior to or after the Grant Period, as indicated in the Grant Award Agreement;
- e) Expenses associated with lobbying or attempting to influence Federal, State or local legislation, the judicial branch or any state agency;
- f) Expenditures for work not consistent with the applicable historic preservation standards as outlined in the Secretary of the Interior's Guidelines available at <https://www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm> or applicable industry standards;
- g) Costs for projects having as their primary purpose the fulfillment of Federal or State historic preservation regulatory requirements, including costs of consultation and mitigation measures



required under Section 106 of the *National Historic Preservation Act of 1966*, as amended, or under Section 267.031, F.S.;

- h) Projects directed at activities or Historic Properties that are restricted to private or exclusive participation or access, which shall include restricting access on the basis of sex, race, colour, religion, national origin, disability, age, pregnancy, handicap or marital status;
- i) Entertainment, food, beverages, plaques, awards or gifts;
- j) Costs or value of donations or In-kind Contributions not documented in accordance with the provisions of the Grant Award Agreement;
- k) Indirect costs including Grantee overhead, management expenses, general operating costs and other costs that are not readily identifiable as expenditures for the materials and services required to complete the work identified in the Scope of Work in the Grant Award Agreement. Examples of indirect costs include: rent/mortgage, utilities, janitorial services, insurance, accounting, internet service, monthly expenses associated to security systems, non-grant related administrative and clerical staffing, marketing and fundraising activities;
- l) Administrative and project management expenditures such as expenditures that are directly attributable to management of the grant-assisted Project and meeting the reporting and associated requirements of the Grant Award Agreement, whether grant expenditures or match contributions, which in aggregate exceed 5% of the grant award amount;
- m) Grantee operational support (i.e., organization salaries not directly related to grant activities; travel expenditures; per diem; or supplies);
- n) Insurance costs (Exception: costs for builder's risk, workers' compensation and contractor's liability insurance);
- o) Capital improvements to non-historic properties or non-historic additions to a Historic Property (Exception: pre-approved items of work for Museum Exhibit projects);
- p) Capital improvements to the interior of Religious Properties (Exception: repairs to elements of the structural system. Examples include: foundation repairs, repairs to columns, load bearing wall framing, roof framing, masonry repairs, window and exterior door repairs and restoration practices associated with the building envelope);
- q) Accessibility improvements for Religious Properties;
- r) Vehicular circulation (drives/driveways) within the property or from the property to surrounding streets and parking (Exception: provision of code-required handicapped parking pad(s));
- s) Sidewalks, paths, walkways, landscape features and accessories, planting, irrigation systems and site lighting (Exceptions: historic walkways; sidewalk required to link the code-required handicapped parking pad(s) to the accessible entry; historic retaining walls/planting/sodding required to halt documented erosion; pruning, removal or relocation of trees posing an immediate threat to the historic or archaeological resource; and limited site lighting required for security, all if approved by the Division);
- t) Fences and gates (Exception: restoration or in-kind replacement of damaged or missing historic fences, gates or sections of these);
- u) Furniture, including but not limited to: desks, tables, seating, rugs and mats, artwork and decorations, window treatments, case goods (including cabinets, countertops, or bookshelves) with no historic precedent, systems' furniture, movable partitions and acoustical treatments and components, unless specific prior approval has been granted by the Division (Exception: museum display units necessary for approved Museum Exhibit projects)
- v) ~~Equipment~~ ~~(a) including:~~

i. Purchase of all equipment directly or indirectly related to the project, is non-allowable, even if such equipment is necessary for the completion of the project. Non-allowable equipment includes, but is not limited to, portable sound systems, specialty fixtures and equipment, visual display units, televisions, appliances, computers, cameras, printers, scanners, projection systems, portable light fixtures, ~~and~~ total stations, anchors and other objects needed to operate boats and ships, pumps, jacks, and other tools unless specific prior approval has been granted by the Division ~~(b)~~;

~~i~~.ii. If special equipment is required for completion of the Project, it shall be rented for the grant term unless it can be shown that acquiring the equipment is cheaper than renting the equipment and approval has been provided by the Division as part of the documentation presented at the time of application. If the value of special equipment is to be used as a match contribution, the value of the match contribution shall be limited to the cost of rental for the Grant Period at the market rate for such rental in the region; Approved special equipment purchased with grant funds that cost more than \$5,000 and have a useful life of more than one year will be returned to the Department at the end of the grant period, prior to final payment

~~v~~w) Supplies that will not be consumed in use during the duration of this project;

x) Maintenance of boats, cars, trailers or other vehicles;

~~w~~y) Costs associated with attending or hosting conferences, summits, workshops or presentations including facility rental fees (Exception: municipal or county required public meetings necessary for completion of the grant-assisted project);

~~x~~z) Travel expenditures, including those of personnel responsible for items of work approved by the Division, administrative personnel, contracted or subcontracted employees, either for purposes of work on-site or research off-site; and

y)aa) Tuition waivers, fees, and other non-grant related costs associated with employing students for grant projects.

## IX. REVIEW CRITERIA AND SCORING

1. Applications that have not been determined ineligible by the Division and have not been withdrawn by the Applicant Organization shall be reviewed by the members of the Florida Historical Commission. The review will be based on the following ~~ten (10)~~ criteria.

### Criteria 1: ~~Site or the Proposed Project~~Historic Significance

Historic significance, meaning beyond just the age of a resource, the relative importance of the property or site in connection with ~~prehistory or~~ historical events, developments, or ~~personalities~~ individuals. This may also refer to the relative importance of the information that forms the basis of ~~the~~ proposed museum exhibit-

- or archaeological project.

up to  
~~10~~40  
points

### Criteria 2: Community Impact, Need, and Educational Potential

- Public good, including accessibility, educational potential, economic impact or any other public benefit resulting from the proposed Project.

~~up~~Up to  
~~10~~

- Need for the proposed project or activity, as it relates to the preservation of the history of Florida and/or its historical and archaeological resources. This may also refer to the need to update the ~~out-dated~~ outdated information and/or design of a museum exhibit. points ~~30~~  
Points
- Compatibility with statewide historic preservation priorities established by the Division. These priorities are subject to change annually depending on regional or statewide concerns (e.g., disasters such as fire, flooding or hurricane damage).

~~Appropriateness of the proposed project scope of work, budget, and timeline in relation to the property, site, resources, collections or information that forms the basis of the proposed project.~~ up to ~~10~~  
points

**Criteria 23: Organization, Administration, and Technical Ability**

- ~~Administrative capability, as demonstrated in the application, including staffing, facilities and organization~~ financial resources adequate to complete the proposed project and meet the administrative requirements of the grant. up ~~U~~ to  
~~10~~30  
points
- Quality of application, including the availability of professional and technical services required to carry out the proposed project.
- Appropriateness of the proposed project scope of work, budget, and timeline in relation to the property, site, resources, collections or information that forms the basis of the proposed project. ~~Applicant administrative experience with previous or open grants awarded by the Division, other divisions of the Department of State, and other granting entities.~~

~~Financial resources adequate to meet grant match requirements and/or, as applicable, to carry project costs as necessary pending receipt of disbursements of grant funds or to cover project costs exceeding grant funds awarded.~~ up to  
10  
points

~~Consideration for and availability of professional and technical services required to carry out the proposed project, either within the Applicant Organization or as consultants/vendors.~~ up to  
10  
points

**Criteria 3: Public Benefit**

~~Compatibility with statewide historic preservation priorities established by the Division in the solicitation notice. These priorities are subject to change depending on regional or statewide concerns (e.g., disasters such as fire, flooding or hurricane damage). Further information about these priorities is is specified by the Division in the yearly solicitation notice.~~ up to  
10  
points

Inserted Cells

<del>Educational potential or demonstration of value for enhancing the public awareness of Florida history, Florida historic sites and properties, the objectives of historic preservation and the application of historic preservation.</del>	<del>up to 10 points</del>
<del>Anticipated economic benefits, including direct impact on the local economy and the stimulation of additional private sector interest and investment in historic preservation projects.</del>	<del>up to 10 points</del>
<del>Public use or other public good, including benefit to underrepresented communities, resulting from the proposed project.</del>	<del>up to 10 points</del>

2. The total possible number of points the Commission can award to an application is 100. The Commission's evaluation will be based on the information contained in the application, required attachments and support materials submitted with the application. The Commission's individual scores will be averaged to determine a final score for each application.
3. Applications must receive a minimum average score of **80 or higher** to be *recommended* for funding. Applications receiving an average score of 80 or higher will be recommended to the Secretary of State for review and approval and subsequent forwarding to the Florida Legislature for funding consideration.
4. Applications with a tied average score will be ranked by application submission number order (lowest to highest).

## A. Review Process

1. Division staff will conduct a technical review to determine eligibility and prepare a staff content review report. Eligible applications will then be submitted to the Florida Historical Commission who serve as the grant review panel.
2. The Florida Historical Commission will evaluate each application on the review criteria and assign a score. Applications are ranked according to the average of scores assigned for each application.
3. The Florida Historical Commission approves the ranked list for submission to the Secretary of State.
4. The Division forwards the ranked list to the Secretary of State.
5. The Secretary of State reviews and approves the ranked list and submits it to the Legislature for funding consideration.

## B. Staff Review

1. The technical review of applications verifies:
  - a) That the Applicant Organization has the correct **legal status** (public entity or nonprofit, tax-exempt, Florida Corporation). Note that for Development projects, the Property Owner (if not the

Applicant Organization) must be a Non-profit Organization, state college or university, or agency of government.

- b) That the Applicant Organization, if not the owner, has the permission of the Property Owner to conduct the proposed Project on the owner's property and the owner is in concurrence with the application and is a public entity or a Non-profit Organization, except for projects involving acquisition or site-specific archaeological investigation.
  - i. In accordance with section 287.05805, Florida Statutes, for Acquisition and Development projects directed at Real Property, if funded, the Grantee (and the Property Owner, if not the Grantee), prior to the release of the first installment of grant funds, must grant to the Florida Department of State a security interest in the Real Property at least to the amount of state funds to be provided in the grant agreement. This security interest shall be recorded in the form of a restrictive covenant on the Real Property, active for a period of fifteen (15) years for Development or active for twenty (20) years for an Acquisition. The Grantee (and the Property Owner, if not the Grantee) shall record the security interest in the office of the clerk of the circuit court of the county, or another office serving as the county recorder as provided by law, in which the Real Property is located. For Acquisition and Development projects directed at Real Property, if funded, the Grantee (and the Property Owner, if not the Grantee) must file a Restrictive Covenant on the property with the Clerk of Court for ten (10) years for Development and twenty (20) for Acquisition prior to final release of grant funds and close-out of the project.
  - ii. For Development projects involving improvements to properties other than Real Property (e.g., an aircraft, locomotive, trolley or marine vessel) and for Museum Exhibit projects, the Grantee (and the Property Owner, if not the Grantee) **must** execute and notarize a Preservation Agreement prior to release of any grant funds. The Preservation Agreement shall require the Grantee and the Property Owner(s) to maintain the improvements or exhibit for a period of ten (10) years for Development projects and five (5) years for Museum Exhibit projects.
- c) That the proposed Project is consistent with selected project type and the purpose of the Special Category grant program.
- d) That the Project Budget does not include non-allowable expenses.
- e) That appropriate **matching** funds ratio has been identified and documentation has been provided.
- f) That the research design submitted for Archaeological Research projects that meets the Preservation Standards and has been reviewed and approved by the Division.
- g) All supporting documentation has been provided.

- 2. **Only documents that are provided in response to requests for clarification from staff will be considered after the application deadline.** If necessary, a request for information will be sent with a certain response deadline. Such requests will be made in writing to the Applicant Organization via the DOS Grants System online using the contact information provided in the application. These requests are to clarify the information already submitted in the application. Responses received after the established deadline will not be accepted and the application will be presented to the Florida Historical Commission by Division staff as submitted, along with staff recommendations on how to address the outstanding issues. Clarifications will become an official part of the application.

### C. Information Provided to the Florida Historical Commission

- 1. The Division shall make available online electronic copies of the eligible applications (along with their

support materials) to the Florida Historical Commission in sufficient time for its members to review all applications prior to the Florida Historical Commission convening a public meeting for the purpose of considering the applications for funding. Ineligible applications will not be reviewed by the Florida Historical Commission or discussed at the public meeting.

2. The Division shall also make available to the Florida Historical Commission a staff content review report on each eligible application that provides an assessment of the information provided in the grant application. The staff content review report will include:
  - a) A synopsis of the proposed Scope of Work;
  - b) An assessment of compliance of the proposed project with any applicable Preservation Standards;
  - c) Relevant concerns or issues with the application, including Applicant Organization responses to requests for information.
  - d) An assessment of the proposed Scope of Work and its appropriateness in regards to the property, site, resources, or collections that forms the basis of the proposed project, personnel and timeframe;
  - e) An assessment of the proposed estimated budget including eligibility of claimed match contributions, with recommendations for any grant funding level adjustments that may be justified by the findings of the staff technical review. Examples of the need for such adjustment would be a recommendation to delete work related to non-allowable expenses, work not consistent with the applicable Preservation Standards or to reduce the grant award in an amount commensurate with inadequately documented or non-allowable match contributions; and
  - f) Other information regarding the Applicant Organization and its compliance with previous Division grants, if relevant.

#### **D. Florida Historical Commission Review of Applications**

1. Members of the Florida Historical Commission serve as the grant review panel for the Special Category program. All Commission members must comply with the Standards of Conduct for Public Officers and Employees of Agencies as set forth in section 112.313 Florida Statutes; and voting conflict of interest laws as set forth in sections 112.3143 and 286.012 Florida Statutes.
2. Commissioners independently evaluate each application based on the review criteria detailed in these guidelines and are required to follow the Division's scoring instructions. After each panel member has evaluated the applications, there will be a public panel meeting to review, discuss; and score the applications.
3. Panel meetings are a public process and anyone can participate by attending in person or via online webinar. Participation instructions will be posted on the Florida Administrative Register (FAR) as a notice, on the Division's website and in the online grant system. The Division strongly encourages applicants to participate in the grant panel meeting, however it is not required. Participating in the panel process can be very helpful for those that intend to apply for future grants.

4. The Division Director, or the Director's designee, will serve as the panel Chair. Chairs do not vote on applications being reviewed. At the public meeting, the Florida Historical Commission shall score each eligible application reviewed for each of the aforementioned criteria. For each criterion the minimum score is zero and maximum score ten. As per the results of their review, discussion in the public meeting and scoring, the Commission members shall recommend, for each application, funding levels and any revisions of Scope of Work necessary to ensure compliance with these Guidelines. After all Florida Historical Commission members have finalized scoring of all applications, the Commissioners' scores will be averaged to create a priority ranking list. This ranking list will include all applications reviewed during the public meetings.
5. A typical Commission meeting will include the following:
  - a) Call to Order;
  - b) Introduction of Panelists and Staff;
  - c) Panel Instructions from the Chair (including purpose of and conduct of the meeting);
  - d) Technical Discussion of applications. For each application:
    - i. The Chair will announce the application number and applicant name;
    - ii. Division staff will present the results of the staff content review for each application;
    - iii. Applicant representatives (no more than 2) may come forward to answer questions from the panel regarding the proposed project and application (NOTE: presentations are not allowed); and
    - iv. Panelists can update scores and written comments in the DOS Grants System online following discussion of each application;
  - e) Application Scoring
    - i. Time is allotted for panel to submit final scores and comments after conclusion of review for all eligible applications;
    - ii. DOS Grants System averages scores for each project to produce a funding list, ranked in order of total average score, highest to lowest; and
    - iii. Ranked funding list is read into the record and applications with a tied average score will be ranked by application submission number order (lowest to highest);
  - f) Adoption of Recommended Funding List
    - i. Panel Chair will request discussion and a vote on the approval and recommendation of the ranked funding list to the Secretary of State;
  - g) Public Comment; and
  - h) Adjournment.

## E. Funding Process

1. Following the public meeting, the Division shall prepare a final priority list of all recommended applications with an associated level of funding for each, for review and approval by the Secretary of State. The Secretary may approve the list as submitted by the Florida Historical Commission. The approved list will be posted on the Division's webpage.
2. The Secretary of State will provide the Legislature with an approved list, ranked in order of total average score, with funding recommendations for all projects that received a total average score of 80

and above. The Legislature may use this list to make funding decisions.

3. Applications recommended for funding by the Florida Historical Commission and approved by the Secretary of State are not guaranteed funds. Funding for state Special Category Grants is contingent on an annual appropriation by the Florida Legislature and, in addition, is subject to veto by the Governor.
4. Grant funds shall be awarded in accordance with the final ranking list of the applications considered for grant assistance in a given funding cycle, unless otherwise provided by the Legislature. Special Category funds shall not be provided for projects which were not applied for, reviewed and recommended in accordance with procedures outlined in these Guidelines, unless otherwise provided by the Legislature.
5. Following legislative appropriation, any applicant on the ranked list that has not completed a previously-funded Special Category grant project by July 1 of the year for which funds are appropriated will be passed over and the funds will be allocated to the next grantee on the list without an active Special Category grant project under contract.
6. If reallocation of grant funds becomes necessary due to completion of a project at less than anticipated cost or project cancellation during the Grant Period the Division will proceed as follows:
  - a) The Director may increase the grant award amount for projects funded in the same grant cycle that received only a portion of the recommended funding amount; and
  - b) If the funds available for reallocation exceed the amount needed to accomplish the objective of paragraph (a) above, after funding the projects in paragraph (a), the Director may allocate remaining additional funds to new grant awards in rank order at the recommended funding level for projects reviewed and scored in the same grant cycle but not funded because of insufficient funding.
  - c) Any funds remaining in any grant allocation as a result of completion of a project at less than anticipated cost or project withdrawal or cancellation that are not reallocated in accordance with paragraph (a) or (b) above shall revert to the funding source from which the grant funds were appropriated.
  - d) If additional grant funds become available during the grant year, the Director may increase grant awards, award new grants for applications reviewed by the Florida Historical Commission during the normal review processes or establish a special process for awarding such additional funds.

## **X. HOW TO APPLY**

1. Applications must be submitted on the DOS Grants website at [dosgrants.com](http://dosgrants.com).
2. All application information submitted to the Division is open for public inspection and subject to the Public Records Law (Chapter 119, Florida Statutes).

### **A. Application Form**



1. The application form must be completed using the Division's online grant application and submitted online **by 5:00 pm ET** on the application deadline. Deadlines and a link to the application form are posted on the Division's website at <https://dos.myflorida.com/historical/grants/>.
2. At any time prior to the Special Category review and ranking public meetings, an Applicant Organization may opt to remove an application from further consideration for funding. Those applications will be labeled withdrawn and will not be discussed in the public meetings.

## **B. Support Materials**

Support materials must be uploaded into the online grant application system. Attachments and support materials will not be accepted by any other method including email and fax, excluding Letters of Support.

## **C. Required Materials**

Support materials are required documentation of eligibility. The required support materials for the Special Category program are:

1. Documentation of Non-profit Status (for Non-profit Organizations only): In-state corporate entities must provide documentation of their active status as a Florida non-profit corporation with the Division of Corporations, Florida Department of State, which can be obtained at: <http://www.sunbiz.org> by searching the corporate name. Out-of-state corporate entities must include documentation from the Internal Revenue Service confirming that they are exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.
2. Substitute W9 form: Applicant Organizations must submit a copy of their Substitute W9 form (SW9), which can be obtained at the Department of Financial Services (DFS) Substitute W-9 website <https://flvendor.myfloridacfo.com>.
3. Documentation of Confirmed Match: An Applicant Organization shall provide current documentation of all match and this must meet the minimum match requirements outlined in these Guidelines. At a minimum, 25% of the match must be evidenced to be in the form of cash.
4. Letters of Support, Endorsement or Resolutions: If available at the time of application submission, the Applicant Organization shall provide a list that includes the following information for each letter of support, endorsement or resolution included in the application: name of author, type of communication (letter, petition, resolution, etc.) and organization represented (if applicable). All letters shall be scanned together and uploaded as a single file. Additional letters may be submitted directly to the Division but must be received one month prior to the public meeting where the Florida Historical Commission will review and score applications.
5. Photographs: All Applicant Organizations shall provide digital images as specified in the application instructions. For Acquisition and Development projects, minimum requirements include current photographs of all exterior elevations, principal interior spaces, significant architectural features, and the context the resource(s) exists within, if available, also provide

historic photographs of the property.

6. Representative Image: A single representative image of the property or project to be used in the application review meeting shall be submitted by the Applicant Organization. The image should convey the theme or purpose of the proposed project, and the property or site should be represented in its current condition.
7. Proposed Project Team Support Documents: The Applicant Organization shall provide the curricula vitae/resumes of the proposed project team as listed in the application.
8. Architectural/Design Documents (for Development and Museum Exhibit projects only): If completed, the Applicant Organization shall provide architectural project schematics, construction documents, conditions reports or exhibit design documents.
9. Appraisal and Purchase Documents (for Acquisition projects only): In this attachment the Applicant Organization must include an appraisal(s), purchase agreement, title/owner search, certified land survey and archaeological survey report, if applicable. For Acquisition projects the maximum grant share shall not exceed the value of the property as determined by a complete appraisal prepared by a Florida State Certified General Real Estate Appraiser. If the appraisal exceeds \$500,000, a second appraisal must be obtained. In such case, the grant award shall not exceed the average of the two appraisals. Only the purchase of the Historic Property or archaeological site is eligible for grant funding. All closing costs are the responsibility of the Grantee. In addition to the supporting documents required for all applications, the application must include the following:
  - a. A copy of the complete appraisal prepared by a Florida State Certified General Real Estate Appraiser. Two appraisals are required if the first appraisal exceeds \$500,000;
  - b. A copy of a title search;
  - c. A copy of an executed option or purchase agreement;
  - d. A copy of the certified land survey; and
  - e. If applicable, a copy of the archaeological survey report substantiating the significance of the archaeological site proposed for acquisition.
10. Archaeological Supporting Documents (for Archaeological Research projects only): ~~Copies~~ Research Design that meets the Preservation Standards is required at the time of application for all Archaeological Research projects. Additionally, provide copies of previous archaeological site reports or surveys of the property that is the subject of the proposed project, or reports of previous analyses of the material projected to be researched, ~~shall be submitted from the Florida Master Site File and other known resources.~~ Curricula vitae for the principal investigator and other key personnel, if known, must also be provided. If the principal investigator has not yet been selected, a list of tasks or projected responsibilities must be submitted in place of the curriculum vitae.
11. Exhibit Supporting Documents (for Museum Exhibit projects only): The Application Organization shall include curricula vitae for all key project research and exhibit development personnel, if known. In the same manner, if objects are to be loaned from other institutions or individuals for exhibit, letters of confirmation from lending institutions must be provided.

12. Documentation of Need: An Applicant Organization should use this attachment to explain and document the need for the proposed project or activity, as it relates to the preservation of the history of Florida and/or its historical and archaeological resources, including any immediate threats to the historical property/ies, historic resources or materials, archaeological sites or historical information that is the subject of the proposed project.
13. Local Protection (for site specific projects only): Copies of any documents that provide local protection of the project site, if any currently exist, must be provided. This may include local protection ordinances, preservation or conservation agreements, protective or restrictive covenants, or maintenance agreements.
14. Owner Concurrence Letter (for site-specific projects only): Each Applicant Organization shall provide a letter that documents that the Applicant Organization has the permission of the owner of record (if the Property Owner is not the applicant) to conduct the proposed project on the owner's property and that the owner is in concurrence with this application for grant funding. Note For Development projects, the letter must include that the owner agrees to sign and record a Restrictive Covenant on the property. Note also that, for Development projects, the owner must be a Non-profit Organization, state college or university or agency of government. If the property for which grant funding is requested is leased by the Applicant Organization, the lease agreement must be dated, signed and submitted at the time of the application submission, with the required Owner Concurrence Letter attachment to the application.
15. Optional Materials: An Applicant Organization may use this attachment to present additional documents not specifically requested by the Division that support the application. Such materials may include copies of National Register nominations, conditions assessments, newspaper articles or other documents that reflect the historical significance of the resource, highlight its historic characteristics, its public use or so on.

#### D. Restrictive Covenants

For Special Category Grant projects involving acquisition of or improvement to Real Property, the Grantee and the Property Owner(s) shall, prior to the release of the first installment of grant funds, execute and file record a Restrictive Covenants in the office of the clerk of the circuit court of the county, or another office serving as the county recorder as provided by law, in which the Real Property is located, with the Clerk of the Circuit Court in the county where the property is located, prior to final release of grant funds and close out of the project. This Restrictive Covenants form is available on the Division's website <http://www.dos.myflorida.com/historical/grants/special-category-grants/> and at the Department grants online system <http://www.dosgrants.com>.

1. The Restrictive Covenant shall include the following provisions:
  - a) The Restrictive Covenants shall run with the title of the property, shall encumber the property and shall be binding upon the Grantee and the Property Owner(s), if different, and their successors in interest for ~~ten-fifteen~~ (15+0) years from the date of the recordation of the Restrictive Covenants for projects involving improvements to Real Property and for twenty (20) years for acquisition projects.

- b) The Grantee and Property Owner(s) shall permit the Division to inspect the property at all reasonable times to determine whether the Grantee and Property Owner(s) are in compliance with the terms of the Restrictive Covenants.
- c) The Grantee and Property Owner(s) shall maintain the property in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- d) The Grantee and Property Owner(s) agree that no modifications will be made to the property, other than routine repairs and maintenance, without advance review and approval of the plans and specifications by the Division.
- e) The Restrictive Covenants shall contain the following amortization schedule of the repayment of grant funds, should the Grantee or Property Owner(s) or their successors in interest violate the Restrictive Covenants.
  - i. Amortization Schedule for projects involving improvements to Real Property:  
If the violation occurs within the first ~~five-ten~~ (510) years of the effective date of these covenants, the Department shall be entitled to return of the entire grant amount. If the violation occurs after the first ~~five-ten~~ (510) years, the Department shall be entitled to return of the entire grant amount, less 10% for each year past the first ~~five-ten~~ (510).
  - ii. Amortization Schedule for Acquisition projects:  
If the violation occurs within the first ten (10) years of the effective date of these covenants, the Department shall be entitled to return of the entire grant amount. If the violation occurs after the first ten (10) years, the Department shall be entitled to return of the entire grant amount, less 5% for each year past the first ten (10).
- f) Other provisions as agreed upon by the Division and the Grantee.

## E. Preservation Agreement

1. For Special Category Grant Development projects involving improvements to properties other than Real Property (e.g., an aircraft, locomotive, trolley or marine vessel) and Museum Exhibit projects, the Grantee shall execute and notarize a Preservation Agreement. The Document shall be executed and notarized prior to ~~final~~ release of grant funds ~~and close-out of the project~~. The Preservation Agreement for these types of projects shall require the Grantee and the Property Owner(s) to follow the terms for ten (10) years for Development projects and five (5) years for Museum Exhibit projects. The Preservation Agreement form is incorporated by reference and is available on the Division's web site <http://www.dos.myflorida.com/historical/grants/special-category-grants/> and at the Department grants online system <http://www.dosgrants.com>.
2. The Preservation Agreement shall include the following provisions:

- a) The Grantee shall assume the cost of the continued maintenance and repair of the exhibit or of the property so as to preserve the architectural or historical integrity of the same.
- b) The Grantee agrees that no visual or structural alterations will be made to the exhibit or the property without prior written permission of the Division.
- c) The Division, its agents and designees shall have the right to inspect the exhibit or property at all reasonable times in order to ascertain whether or not the conditions of this agreement are being observed.
- d) The Preservation Agreement shall contain requirements for the repayment of grant funds, should the Grantee or Property Owners or their successors in interest violate the Preservation Agreement.
- e) Other provisions as agreed upon by the Division and the Grantee.

## **XI. GRANT AWARD AGREEMENT**

1. All grant awards which have been approved in accordance with these Guidelines and authorized by the Legislature and Governor shall be formalized through a Grant Award Agreement by which the Grantee enters into a contract with the State of Florida for the transparent management of grant funds. The Grant Award Agreement is specific to the type of project being assisted.
2. For all funded Projects, any changes to the Scope of Work and Project Budget submitted with the application must be reviewed and approved by the Division prior to execution of a Grant Award Agreement.
3. Project work may not be initiated prior to the Effective Date of the Grant Award Agreement, unless:
  - a) The Division may authorize initiation of project work prior to the Effective Date of the Grant Award Agreement if damage to, or loss of the property would likely otherwise occur. Such authorization must be secured prior to the initiation of work and shall apply only to work to be undertaken during the period after legislative appropriation for funding is made.
    - i. The Grantee must request such authorization in writing and must document the imminent threat to the property by submission of a letter or report from a licensed architect, structural engineer, specialty engineer or geomorphologist, as applicable, clearly describing the conditions constituting the threat.
    - ii. The Division shall review the documentation provided by the Grantee and make a determination regarding justification for requested authorization. The written determination of the Division shall be final. Any authorization granted for work initiated prior to the Effective Date of the Grant Award Agreement shall apply only to that work addressing the conditions contributing to the identified threat to the property. All proposed corrective measures shall meet applicable Preservation Standards.

- b) Division authorization for initiation of project work prior to the Effective Date of the Grant Award Agreement shall impose no liability on the Division if anticipated grant funds are not appropriated by the Legislature and approved by the Governor. All such work shall be undertaken solely at the Applicant Organization's risk.
- c) Division authorization does not entail disbursement of any payment prior to the Effective Date of the Grant Award Agreement. Grantee shall use matching funds to carry out approved work prior to the Effective Date.

4. Grant Encumbrance Period and Expenditure Period:

a) Encumbrance Period for Projects Requiring Contractual Services:

- i. During the encumbrance period, but not later than the end date of the encumbrance period as outlined in the Grant Award Agreement, the Grantee shall execute all required contracts for all or part of the work to be accomplished with grant funds. Projects for which no encumbrance is accomplished by the established deadline may be cancelled by the Division and the grant funds may be reallocated in accordance with these Guidelines.
- ii. Exception: The encumbrance period for a Special Category Grant project can be extended by written approval of the Division if requested in writing as indicated below and if the Grantee demonstrates to the satisfaction of the Division that partial encumbrance of grant funding and the required match by binding contract(s) is achievable by the end of the requested extended encumbrance period. The Grantee's written request for extension of the encumbrance deadline must be submitted to the Division as outlined in the Grant Award Agreement.
- iii. For projects not involving contract services, but to be conducted by Grantee's internal staff, the Grantee and the Division shall consult on a case-by-case basis to develop an acceptable encumbrance schedule.

b) Expenditure Period:

- i. Grant funds and required match resources must be expended as outlined in the Grant Award Agreement and properly documented as required by the Division.
  - ii. Grant funds shall not be used for project expenditures that are incurred after the expenditure period end date, which is the termination date of the Grant Award Agreement.
  - iii. The Division may extend the expenditure period by not more than 180 days. Time extensions will be considered on a case-by-case basis and will be valid only if a contract amendment is executed by both parties, as outlined in the Grant Award Agreement. The Grantee must request the extension in writing, provide documentation that all grant funds and match contributions are encumbered and demonstrate to the satisfaction of the Division that project work is progressing at a rate such that completion is achievable within the extended expenditure period.
- c) The Grantee's written request for extension shall be submitted to the Division no later than thirty (30) days prior to the termination date of the Grant Award Agreement.

## A. Reporting Requirements

1. As required by the Grant Award Agreement, Grantees shall submit periodic progress reports to the Division. Progress reports, along with any supporting or required information that documents project status, shall be submitted via the Department grants online system and meet the established deadlines indicated in the Grant Award Agreement. A progress report describes the progress of the project during the last reporting period including:
  - a) The progress and status of each Scope of Work activity;
  - b) The progress and status of the deliverables;
  - c) Status of executing subcontracts and encumbrance of funds;
  - d) Any variations from project timeline, budget and deliverables, with a description of reasons for variance; and
  - e) For grants receiving federal funding, the number of hours of employment for the project to date. This must include project management hours, consultant hours, and any other project work hours.
2. Progress reports shall be accompanied by support materials that can effectively document the current status of project work as related to the Scope of Work. Photographs shall be captioned with property name, date of photograph, and description of feature and work described. For photographic submissions, Grantee may follow the suggested format established by the Division and available for consult at the Division's web page <http://www.dos.myflorida.com/historical/grants/special-category-grants/>.
3. The Grantee shall submit a final progress report within thirty (30) days following the Expiration Date of the grant. An exception to this is the establishment of a specific final progress submission date when a grant extension is agreed upon and a contract amendment is executed by the Grantee and the Division.
4. The Grantee shall provide information and documentation to the Division to assist in identifying non-state entity Grantees that are required to comply with the Florida Single Audit Act, Sections 215.97(2)(a) and 215.97(8)(a), F.S., and federal audit guidelines. Single Audit information and related documentation provided by the Grantee shall be submitted to the Division via [dosgrants.com](http://dosgrants.com) and shall be reviewed by the Department's Office of Inspector General.

## B. Retention of Records

The Grantee shall retain financial records, supporting documents, statistical records and all other records including electronic storage media pertinent to the Project for a period of five (5) years after the close out of the grant. If any litigation or audit is initiated, or claim made, before the expiration of the five-year period, the records shall be retained until the litigation, audit or claim has been resolved.

## C. Grant Withdrawal or Cancellation

In the event an Applicant Organization is unable to complete the Scope of Work specified in the executed Grant Award Agreement, the Division should be informed as soon as possible. All pre-approved grant and match expenditures shall be documented and a final progress report must be submitted along with expenditure logs and schedule of values evidencing the percentage of completion. Any unaccounted advanced funds shall be returned to the Division.

## XII. GRANT FORMS

The following forms must be used in the administration of all grants in these guidelines and are hereby incorporated by reference and available from the Division at <http://dos.myflorida.com/historical/grants/>:

#	Title	Form #	Effective Date
1.	Special Category Grant Application	DHR002	Xx/xxxx
2.	Grant Award Agreement	GAA001	Xx/xxxx
3.	Progress and Final Report	DHR003	07/2022
4.	Preservation Agreement	DHR007	5/2018
5.	Restrictive Covenants	DHR008	5/2017

## XIII. DEFINITIONS

- A. "Acquisition" means fee simple purchase of Real Property.
- B. "Applicant Organization" means a public entity governed by a county, municipality, school district, community college, college, university or an agency of state government; or a Non-profit Organization.

C. "Cash Expenditure" means any expense where currency is exchanged for goods or services.

~~D.~~ "Department" means the Department of State.

~~D.~~ "Development" means architectural and other planning and construction required to facilitate the Preservation, Rehabilitation or Restoration of a Historic Property, or the Reconstruction of such property that no longer exists for which there is sufficient historical documentation available to accurately replicate the property.

~~E.~~ "Director" means the Director of the Division of Historical Resources.

~~F.~~ "Division" means Division of Historical Resources of the Department. The Division's mailing address is 500 South Bronough Street, Tallahassee, Florida 32399-0250. Its telephone number is 850.245.6333.



~~G~~.H. “Effective Date” means July 1 of the state fiscal year in which requested grant funding is appropriated by the Florida Legislature. Neither grant funds nor match contributions may be expended before this date except as allowed in the Guidelines.

~~H~~.I. “Encumbrance” means commitment of grant funds and match by binding contract.

~~I~~.J. “Expenditure” means the outlay of cash or the amount due and owing after receipt of goods or services included in the Scope of Work.

~~J~~.K. “Expiration Date” means the date by which all grant funds and match must be expended.

~~K~~.L. “Florida Historical Commission” means the advisory body created pursuant to Section 267.0612, F.S., to assist the Director of the Division of Historical Resources in carrying out the purposes, duties and responsibilities of the Division.

~~L~~.M. “Florida Master Site File” means the list maintained by the Division of all recorded historical and archaeological sites and properties in the State of Florida.

~~M~~.N. “Florida Single Audit Act” means the uniform state audit requirements for state financial assistance provided by state agencies to non-state entities as codified in Section 215.97, F.S.

~~N~~.O. “Grant Award Agreement” means the legal instrument which binds the Grantee and the Division to the terms, conditions and limitations of the Division’s grants programs.

~~O~~.P. “Grantee” means the organization or governmental entity to which a grant is awarded, which has entered into a Grant Award Agreement with the Division and which is responsible and accountable both for the use of the funds provided and for the performance of the grant-assisted project.

~~P~~.Q. “Grant Period” means the period between Effective Date and Expiration Date of the Grant Award Agreement during which time expenditure of all grant funds and all contributions to match must be made.

~~Q~~.R. “Historic District” means a geographically definable area, urban or rural, possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

~~R~~.S. “Historic Property” means any prehistoric or historic site, district, building, object or other real or personal property of historical, architectural or archaeological value and folklife resources. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government and culture of Florida.

~~S.T.~~ “In-kind Contribution” means a non-monetary contribution of equipment, services, property or labor provided by the Grantee, or a third party, and consistent with the Scope of Work and must be essential to the implementation of the Project, and allowable per these program guidelines

~~T.U.~~ “Match” means cash, In-kind Contributions or donated materials, which must be made by the Grantee in order to receive the grant award. All match contributions, whether cash, In-kind Contributions or donated materials, must be consistent with the Scope of Work ~~and must be~~ essential to the implementation of the project, and allowable per these program guidelines.

~~U.V.~~ “National Register of Historic Places” means the list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, engineering and culture, authorized by the National Historic Preservation Act of 1966, as amended, and administered by the U.S. Department of the Interior, National Park Service. The list of Properties on the National Register of Historic Places in Florida is available from the Division.

~~V.W.~~ “Non-profit Organization” means a corporate entity which is registered pursuant to Chapter 617, F.S., as a Florida non-profit corporation with the Division of Corporations, Florida Department of State. Grantees other than government entities must maintain active non-profit status with the Division of Corporations during the Grant Period. For Non-profit organizations outside of Florida, the Non-profit organization must be registered under 501(c)(3) by the U.S. Department of the Treasury, Internal Revenue Service.

~~W.X.~~ “Planning” means research, testing, analysis and design required for implementation of a Project.

- a. Planning for a Development project may include historical research, development of a historic structure report, condition assessment, survey, hazardous materials survey and abatement plan, rehabilitation feasibility study and construction documents (plans and specifications).
- b. Planning for an Archaeological project may include research, predictive modeling and remote sensing applications, as necessary for development of a research design that meets the Preservation Standards for the project.
- c. Planning for a Museum Exhibit project may include historical research, conceptual and design documents and specifications.

~~X.Y.~~ “Preservation” means the act or process of applying measures necessary to sustain the existing form, integrity and materials of a Historic Property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work (including accessibility and life safety requirements) to make properties functional is appropriate within a preservation project.

~~Y.Z.~~ “Preservation Agreement” means the notarized legal instrument by which a Grantee and Property Owner commit to maintenance and repair of a property other than Real Property or a museum

exhibit improved with Special Category grant assistance so as to preserve the architectural or historical integrity of the same. This legal instrument is applicable only to those Museum Exhibit projects and Development projects for which recordation of Restrictive Covenants is not possible or required (see X.E. Preservation Agreement). Properties other than Real Property include but are not limited to: locomotives, railcars, marine vessels, aircraft and other movable objects. The term of the Preservation Agreement for Special Category grants is ten (10) years for Development projects and five (5) years for Museum Exhibit projects, from the date of execution. The Preservation Agreement must be executed and submitted to the Division prior to any release of grant funding.

Z-AA. “Preservation Standards” means the following standards promulgated by the National Park Service, United States Department of the Interior, and the Division for the types of projects indicated:

- a. For projects involving individual historic buildings, the Secretary of the Interior’s Standards for the Treatment of Historic Properties;
- b. ~~For~~ For Archaeology Research projects and projects where archaeological work is necessary due to the movement of soil associated to work on a Historic Property, the Secretary of the Interior’s Standards for Archaeological Documentation;
- c. For projects involving historical research, the Secretary of the Interior’s Standards for Historical Documentation;
- d. For projects involving documentation of a historic structure, the Secretary of the Interior’s Standards for Architectural and Engineering Documentation; and
- e. The National Park Service and Division standards referenced in paragraphs (a) through (d) above are available from the Division.

AA-BB. “Project” means the undertaking that encompasses a set of tasks or activities defined by the Scope of Work and budget included in the grant application and formalized in the Grant Award Agreement. The Project must begin on the grant Effective Date and end on, or before, the grant Expiration Date. A Project may be a part of a larger effort undertaken in a series of distinct phases, which may have begun before the Grant Period and which may extend beyond the Grant Period but will be treated as a specific and measurable distinct project during the Grant Period and shall be documented as such by the Applicant Organization.

BB-CC. “Project Budget” means the budget and project description included in the grant application. The Project Budget must succinctly describe all major elements of project work, the estimated cost of each and clearly allocate requested grant funding and match contributions to each.

CC-DD. “Property Owner” means the owner(s) of land or building(s) or both, and of all improvements made with grant funds.

DD-EE. “Real Property” means all land, structures, firmly attached and integrated equipment (e.g., light fixtures or a well pump) and anything growing on the land, as opposed to personal property (movable assets).

~~EE~~.~~FF~~. “Reconstruction” means depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location and for which there is sufficient historical documentation available to accurately replicate the property.

~~FF~~.~~GG~~. “Rehabilitation” means making possible a compatible use for a property through repair, alterations and additions while preserving those portions or features which convey its historical, cultural or architectural values.

~~GG~~.~~HH~~. “Religious Property” means any Real Property and associated improvements owned by a religious institution (examples include churches, schools, meeting halls and parish houses) and any Real Property, regardless of ownership, that is used as a place of worship.

~~HH~~.~~II~~. “Restoration” means accurately depicting the form, features and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

~~II~~.~~JJ~~. “Restrictive Covenant” means the legal instrument by which a Grantee and Property Owner commit to maintenance and preservation of the historic integrity of a property acquired or improved with Special Category grant assistance. This legal instrument is recorded at the appropriate county clerk’s office in the county in which the property is located and is binding on the current and subsequent owners from the date on which the instrument is recorded. The Restrictive Covenants must be recorded and submitted to the Division for Development and Acquisition projects involving Real Property prior to any release of Special Category Grant funding.

~~JJ~~.~~KK~~. “Rural Economic Development Initiative” means the program and designation administered by the Department of Economic Opportunity as established by Section 288.0656 of the *Florida Statutes*.

~~KK~~.~~LL~~. “Scope of Work” means the work specified in the Grant Award Agreement or in an approved amendment thereto, as being authorized by the Division for expenditure of grant funds and for contribution to the required match.

## **XIV. HELP**

For general information about the Division of Historical Resources and to access grant information, panel details and resources, visit our website at: <http://dos.myflorida.com/historical/grants>.

For information about the Special Category Grant program, visit our website at: <http://dos.myflorida.com/historical/grants/special-category-grants/>.