



# THE AMERICAN RESCUE PLAN ACT OF 2021

## STATE LOCAL FISCAL RECOVERY FUNDS

### SUBRECIPIENT APPLICATION



County of Fresno  
County Administrative Office  
2281 Tulare Street, Suite 304  
Fresno, California 93721  
[ARPA@fresnocountyca.gov](mailto:ARPA@fresnocountyca.gov)

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## INTRODUCTION

On March 11, 2021, American Rescue Plan Act of 2021 (ARPA) was signed into law by President Biden, with the goal of accelerating the national recovery from the COVID-19 pandemic.

On May 10, 2021, the United States Department of the Treasury (Treasury) issued the Interim Final Rule (IFR) to guide recipients and facilitate rapid and effective implementation of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program established under ARPA.

The County of Fresno (County) is a recipient of SLFRF under ARPA. The County may, but is not required to, award SLFRF to entities, whom the County determines as eligible, and referred to herein as eligible subrecipients, to carry out a program on behalf of the County, which will be subrecipients under ARPA.

Any County award of SLFRF to any subrecipient will be a sub-award under ARPA.

Treasury has since issued a Final Rule on January 6, 2022, which includes updates and clarifications to the IFR. The Final Rule does not take effect until April 1, 2022, but the County understands that, at the time it publicly released this Subrecipient Application, the County may take advantage of the Final Rule's flexibilities and simplifications prior to the Final Rule effective date, and that Treasury will not take action to enforce the IFR to the extent that a use of funds is consistent with the terms of the Final Rule, regardless of when the SLFRF are used.

The County will receive \$194,063,657 of SLFRF in two installments. The County received the first tranche of \$97,031,825 on June 17, 2021, and will receive the remaining balance in May of 2022.

On February 1, 2022, the County Board of Supervisors (County Board) "earmarked" approximately \$37.3 million of its SLFRF that might be allocated for eligible subrecipient programs or projects. Such earmarking is only a preliminary indication of possible allocation of SLFRF, and is subject to change or elimination, and in any event, does not obligate the County to award any SLFRF to any prospective subrecipients, or in any amount, so earmarked.

Based on the County Board's determination, SLFRF may be used for eligible activities under four general categories:

- A. Supporting public health response/addressing negative economic impacts;**
- B. Providing premium pay for essential workers;**
- C. Replacing public sector revenue loss, subject to certain limitations; and**
- D. Investment in water and sewer infrastructure, and broadband infrastructure.**

Subject to the County Board's determination, SLFRF may only be used to cover costs for eligible activities within those four general categories for the period that begins March 3, 2021, and ends on December 31, 2024.

Recipients, including the County, and its subrecipients, must return any funds to Treasury not obligated by December 31, 2024, and any funds not expended to cover such obligations by December 31, 2026.

The County's Administrative Office is responsible for the administration, and the County Auditor-Controller/Treasure-Tax Collector is responsible for the implementation of all SLFRF funded activities for the County.

This application packet for the SLFRF is issued by the County's Administrative Office. All funding requests are subject to approval by the County Board, and all subawards of SLFRF are subject to the terms and conditions in accordance with the Treasury's SLFRF Award Terms and Conditions, all applicable laws of the State of California, as well as terms and conditions imposed by the County upon subrecipient.

**NO OPPORTUNITY TO CORRECT SUBMITTED APPLICATIONS:** Only complete applications (including all required supporting documentation) for funding will be considered by the County. You will not be given an opportunity to correct your application (including all required supporting documentation) **after the application due date**, if it is incomplete or insufficient in any other way (e.g., unclear). The County does not assume any duty to advise you upon its receipt of your application whether it is complete. Accordingly, please review your application proposal carefully, fully answer all questions, and attach all required supporting documentation.

**NOTE:** Zoom Webinars to answer questions concerning the preparation of this Application are scheduled for **Wednesday, February 9, 2022, at 6:00 p.m., and February 23, 2022, at 6:00 p.m.** At the Zoom Webinars, staff representing the County's Administrative Office will discuss the application process, program and project eligibility, and selection process ahead of the March 9, 2022 deadline.

**CAUTION:** Although the County will strive to answer questions that lead to applicants providing complete and clear applications (including providing all required supporting documentation), applicants are solely responsible for properly completing their applications (including providing all required supporting documentation), and the County does not assume any responsibility for such undertaking by applicants. Furthermore, any information provided by the County at such Webinars is not legal advice, and should not be relied upon as such by applicants. Applicants should consult with their own attorneys if they have legal questions concerning the ARPA requirements and this application process.

This application packet is also available on the County's ARPA website, and may be downloaded at: <https://www.co.fresno.ca.us/departments/county-administrative-office/american-rescue-plan>

Completed electronic applications in Microsoft Word or pdf format shall be timely delivered before the following deadline to the following email:

[ARPA@fresnocountyca.gov](mailto:ARPA@fresnocountyca.gov)

Completed hardcopy applications shall be timely delivered, either by U.S. Mail, commercial overnight courier (if fees prepaid and requiring signature of recipient), or hand delivery:

**Attention: ARPA Program  
Fresno County Administrative Office  
2281 Tulare St., Suite 304,  
Fresno, CA 93721**

**DEADLINE: THE DEADLINE FOR DELIVERY OF THE APPLICATION AND SUPPORTING DOCUMENTATION IS 5:00 P.M., ON WEDNESDAY, MARCH 9, 2022.**

THE POSTMARK DATE, OR DATE OF DELIVERY TO A COMMERCIAL OVERNIGHT COURIER IS NOT CONSIDERED FOR DETERMINING TIMELY DELIVERY. APPLICANTS MUST COMPLY WITH ALL MAILING, PACKAGING (AND ADDED POSTAGE NEEDED OR FEES TO PAID DUE TO SIZE OF PACKAGE), AND DELIVERY REQUIREMENTS OF THE U.S. POST OFFICE OR COMMERCIAL OVERNIGHT COURIER, AS APPLICABLE, TO ENSURE TIMELY DELIVERY.

**APPLICANT PROFILE**

A. Name of Applicant: \_\_\_\_\_

B. Applicant Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

C. Type of Entity (Refer to Part I, 1, below): \_\_\_\_\_

D. Applicant Tax ID No.: \_\_\_\_\_

E. Applicant DUNS No. or SAMS No.: \_\_\_\_\_

F. Contact Person Name and Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

G. Alternative Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

H. Project/Service Name: \_\_\_\_\_

I. Provide a brief description (50 words or less) of proposed project or program  
(detailed description needs to be provided in Part 2): \_\_\_\_\_

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\_\_\_\_\_

J. Total SLFRF amount being requested (complete expenditure plan needs to be provided in Part 5): \$ \_\_\_\_\_

K. Supporting Documentation:

- a. Attachment A – Applicant Documentation
- b. Attachment B – Program or Project Timeline
- c. Attachment C – Expenditure Plan
- d. Attachment D – Other Supporting Information

**PART I - APPLICANT INFORMATION**

1. Type of Entity (check one)

- |                                                          |                                                          |
|----------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Public Utility District         | <input type="checkbox"/> Nonprofit, 501(c)(3), 501(c)(9) |
| <input type="checkbox"/> Community Service District      | <input type="checkbox"/> Other _____(specify)            |
| <input type="checkbox"/> Small business (DBA, Inc., LLC) |                                                          |

2. Describe the types of services or programs that will be delivered by Applicant using the requested SLFRF:

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(if more lines are needed, please indicate, and attach supplemental pages)

3. Does the Applicant have experience completing federal funded projects (include up to three projects within the previous 10 years)?

- Yes  No (If yes, name list projects, funding agency, the year funded, year that the project was completed, and the names and titles of key personnel responsible for overseeing the project.)

<u>Project Name</u>	<u>Funding Agency</u>	<u>Funded Year</u>	<u>Year Completed</u>
1.			
2.			
3.			

Provide copies of the following documents (**Attachment A, Applicant Documentation**):

- IRS designation
- Applicant bylaws or policies
- Mission Statement, if applicable
- Applicant organizational chart
- List of names and titles of key personnel for the SLFRF-funded project.
- List of names of Applicant Board of Directors and top executives
- Audited Financial Statements (last 2 years)

4. Causes for federal award or subaward eligibility.

You must disclose whether or not the Applicant or any of its principals:

- a. Are presently excluded or disqualified from any federal funding award or sub-award (including, but not limited to, debarred, suspended, proposed for debarment or suspension, declared ineligible by any federal department or agency);
- b. Have been convicted within the preceding three years of any of the offenses listed in 2 CFR § 180.800(a) or had a civil judgment for one of those offenses within that time period;
- c. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in 2 CFR § 180.800(a); or
- d. Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years or default.

Disclose here:

If the answer is "no" to all the statements above, check this box:

If the answer is "yes" or "unable to answer" to any of the statements above, check this box  and indicate the response referencing the relevant statement by letter/s, above:

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(if more lines are needed, please indicate, and attach supplemental pages)



**2 C.F.R. § 180.800 provides:**

“A Federal agency may debar a person for—

(a) Conviction of or civil judgment for—

(1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction;

(2) Violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging;

(3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or

(4) Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;”

(b) Violation of the terms of a public agreement or transaction so serious as to affect the integrity of an agency program

(c) Any of the following causes:

(1) A nonprocurement debarment by any Federal agency taken before October 1, 1988, or a procurement debarment by any Federal agency taken pursuant to 48 CFR part 9, subpart 9.4, before August 25, 1995;

(2) Knowingly doing business with an ineligible person, except as permitted under § 180.135;

(3) Failure to pay a single substantial debt, or a number of outstanding debts (including disallowed costs and overpayments, but not including sums owed the Federal Government under the Internal Revenue Code) owed to any Federal agency or instrumentality, provided the debt is uncontested by the debtor or, if contested, provided that the debtor's legal and administrative remedies have been exhausted;

(4) Violation of a material provision of a voluntary exclusion agreement entered into under § 180.640 or of any settlement of a debarment or suspension action; or

(5) Violation of the provisions of the Drug-Free Workplace Act of 1988 (41 U.S.C. 701); or

(d) Any other cause of so serious or compelling a nature that it affects your present responsibility.

**PART 2 - DETAILED PROJECT DESCRIPTION**

The proposed program or project description will be used by County staff in presenting the proposed program or project to the reviewing panel and the ARPA Ad-Hoc Committee.

- 1. Select the SLFRF category that the proposed program or project will benefit. (Select one box)

Response to Public Health / Negative Economic Impacts.

Premium Pay, Essential Work.

Investment in Infrastructure, i.e. water, sewer, or broadband.

- 2. Describe the proposed program or project for which you are requesting funds. State whether the proposed program or project is new or existing, or would be funded in whole or in part by SLFRF (if SLFRF would provide partial funding, specifically describe the other sources of funding, and specific restrictions, if any, placed on such other funding). Description must describe the proposed program or project in sufficient detail to provide understanding of the major activities that will occur.

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(if more lines are needed, please indicate, and attach supplemental pages)

- 3. **Applicable only to:** Response to Public Health / Negative Economic Impacts selection.

- a. Clearly identify the COVID-19 public health or negative economic impact experienced.

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(if more lines are needed, please indicate, and attach supplemental pages)

- b. Describe how the proposed program or project will directly respond to the public health or negative impact.

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(if more lines are needed, please indicate, and attach supplemental pages)

- 4. Provide measurable goals and objectives for the proposed program or project. Describe the framework that you will use to evaluate the measurable goals and objectives for the proposed program or project.

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(if more lines are needed, please indicate, and attach supplemental pages)

- 5. Describe how you will measure and track project performance, estimated number of beneficiaries to be benefitted by the proposed program or project, and report on the proposed program or project's outcome.

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(if more lines are needed, please indicate, and attach supplemental pages)

- 6. Identify the proposed program or project's primary place of performance, and how will the project promote strong, equitable growth, and racial equity among impacted communities in Fresno County. (i.e. geographic location, communities, or within Qualified Census Tract)

\* For purposes of ARPA, “equity” is defined by the Treasury as “[T]he consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.”

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(if more lines are needed, please indicate, and attach supplemental pages)

- 7. Identify anticipated program or project start date, performance period, and performance end date (if the program or project is planned in phases, respond accordingly).

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(if more lines are needed, please indicate, and attach supplemental pages)

- 8. List other nonprofit organizations currently active or collaborating in the proposed program or project’s primary zip code.

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(if more lines are needed, please indicate, and attach supplemental pages)

**PART 3 – INFRASTRUCTURE INVESTMENT, WATER, SEWER, STORMWATER, OR BROADBAND**

This section of the Application applies to applicants requesting assistance for proposed programs or project under Investment in Infrastructure.

The Treasury authorizes the use of SLFRF to carry out investments in water, sewer, or broadband infrastructure in ways that produce high-quality infrastructure, avert disruptive and costly delays, and promote efficiency.

The County is informed that Treasury cautions that, as is the case with all programs or projects engaged in using SLFRF, all programs or projects must comply with applicable federal, state, and local law. In the case of infrastructure projects in particular, this includes compliance with environmental and permitting laws and regulations. All capital expenditure projects using SLFRF funds must be undertaken and completed in a manner that is technically sound, meaning that they must meet design and construction methods, and use materials that are approved, codified, recognized, fall under standard or acceptable levels of practice, or otherwise are determined to be generally acceptable by the design and construction industry. (Final Rule, page 207) All capital expenditure projects must also comply with all applicable state and federal labor laws.

1. Does the proposed program or project meet eligibility requirements for funding from the Federal Environmental Protection Agency’s (EPA) for either Clean Water State Revolving Fund (CWSRF) or the Drinking Water State Revolving Fund (DWRP)? If yes, please describe the project in sufficient detail.

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(if more lines are needed, please indicate, and attach supplemental pages)

2. How many beneficiaries are expected to be served by the proposed program or project?

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(if more lines are needed, please indicate, and attach supplemental pages)

3. Select all applicable areas that apply to the proposed program or project:

- The proposed program or project is needed to support increased population.
- The proposed program or project is designed to support no more than a reasonable level of projected increased need, whether due to population growth or otherwise.
- The proposed program or project is a cost-effective means for achieving the desired level of service.
- The proposed program or project is projected to continue to provide an adequate level of drinking water over its estimated useful life.
- The proposed program or project is needed to manage, reduce, treat, or recapture stormwater or subsurface drainage water, lead remediation, aid for private well or septic system units.
- Other: \_\_\_\_\_

4. Have you previously applied for CWSRF or DWRF funding or are currently applying for the proposed program or project?

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(if more lines are needed, please indicate, and attach supplemental pages)

- 5. Broadband investments: Please describe the proposed program or project in detail, including goals, objectives, and number of beneficiaries for the proposed program or project.

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(if more lines are needed, please indicate, and attach supplemental pages)

**Project Readiness:**

- 6. If selected for funding, can the proposed program or project be completed within 12 to 18 months from the date of agreement?  Yes  No

If not, please estimate how many months required for completion of the proposed program or project, from the date of agreement\_\_\_\_\_

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(if more lines are needed, please indicate, and attach supplemental pages)

- 7. Identify projected or actual construction start date:

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(if more lines are needed, please indicate, and attach supplemental pages)

- 8. Identify projected completion and initiation of operation date:

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(if more lines are needed, please indicate, and attach supplemental pages)

- 9. Has environmental review pursuant to the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA) been completed or initiated for this program or project?  Yes  No

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(if more lines are needed, please indicate, and attach supplemental pages)

- 10. Have all periods for bringing challenges to CEQA/NEPA determinations expired?  Yes  No If not, when will that period expire? \_\_\_\_\_

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(if more lines are needed, please indicate, and attach supplemental pages)

	<b>CEQA</b>	<b>NEPA, if applicable.</b>
Initiated on:	_____	_____
Completed on:	_____	_____



#### **PART 4 – PROGRAM OR PROJECT TIMELINE (ATTACHMENT B)**

Attach a timeline (as Attachment B) for the proposed program or project, from application submittal to project completion. Include milestones or key actions that will take place if the project is approved by the County Board. Show the dates and/or quarterly reports for each milestone, and indicate the project activity's completion date. If other sources of funding will be used for the proposed program or project, indicate when those other moneys are expected to be obtained.

**NOTE:** If proposed program or project is approved by the County Board, County staff will contact you during preparation of the agreement. Any subsequent changes to agreement execution dates and/or timeline will be revised accordingly.

#### **PART 5 - APPLICANT EXPENDITURE PLAN (ATTACHMENT C)**

Applicant may only use SLFRF to cover costs incurred during the time-period set forth by the United States Department of The Treasury.

All SLFRF must be used for costs incurred during the period that begins on **March 3, 2021**, and ends on **December 31, 2024**, and SLFRF for the financial obligations incurred by **December 31, 2024** must be expended by **December 31, 2026**.

Applicant should consider all proposed program or project related costs or costs to be incurred by **December 24, 2024** for its application to the County.

Please include a detailed expenditure plan such as an Engineer's Cost Estimates for an infrastructure project, for the proposed program or project, which shall be attached as Attachment C, and incorporated into the final agreement, if awarded.

## **PART 6 - SUBRECIPIENT CERTIFICATIONS AND COMMITMENT OF RESPONSIBILITY**

I, \_\_\_\_\_ (*Name of Signing Officer*), am the legally authorized representative of my organization, \_\_\_\_\_ (*Name of Organization, the "Applicant"*), and I have the full legal authority to complete and submit this Application, and to make the representations in this Application. I have reviewed the following provisions, and I, on behalf of the Applicant, acknowledge, confirm, and agree without reservation, qualification, or condition with the following statements:

- Any award of SLFRF awarded to the Applicant by the County of Fresno is a subaward of SLFRF under ARPA;
- The County of Fresno is a recipient under ARPA;
- If the Applicant is awarded any SLFRF by the County, the Applicant is a subrecipient of the County under ARPA;
- SLFRF must be used by the Applicant, as a subrecipient, only for eligible uses under ARPA;
- ARPA requires the Applicant, as a subrecipient, to provide financial reporting to the County of Fresno on a monthly, quarterly, and/or an annual basis for the expenditure of SLFRF, as required by the County of Fresno;
- Subrecipients that expend more than \$750,000 in Federal awards during their fiscal year will be subject to an audit under the Single Audit Act and its implementing regulation, found at 2 CFR Part 200, Subpart F, regarding audit requirements.
- Prior to any award of SLFRF to the Applicant, as a subrecipient, the Applicant shall enter into a written agreement with County of Fresno on terms and conditions specified by the County of Fresno.

As the official designated by the governing body of the Applicant, I hereby certify that, if approved by the County of Fresno for SLFRF Program funding, the Applicant assumes the responsibilities for carrying out the proposed program or project specified in this application in a timely manner, and certify that:

- The Applicant possesses the legal authority to apply for the grant funds, and to execute the proposed program or project;
- The Applicant does not have any unresolved audit findings for other SLFRF, or other federally-funded activities or projects;
- There are no threatened or pending lawsuits that would impact the implementation of the proposed activity;

- The Applicant will comply with all statutes and regulations governing the SLFRF program;
- The information, statements, and attachments contained in this application are, to the best of my knowledge and belief, true and correct;
- The Applicant has the ability to perform the duties for the proposed program or project applied for in accordance with SLFRF program regulations;
- The Applicant has fully and truthfully answered all questions in this Application, including by way of example, and not as a limitation, all questions relating to Part I, Causes for federal award or subaward eligibility; and
- **This Application does not commit the County to grant any amount of ARPA funding to the Applicant, or any other proposed subrecipient, for any type of project activity.**

**I certify that all answers on behalf of the Applicant in this Application are true and complete to the best of my knowledge. I understand that the County is relying on the information set forth in this Applicant to determine whether or not to award any SLFRF to the Applicant, and that if any statement is inaccurate or incomplete, the County may reject this Applicant, refuse to complete the consideration of this Application, or terminate any subaward of SLFRF to the Applicant and recoup SLFRF, even if such SLFRF has been spent. The County may also take any other action authorized by law against the Applicant, in the event Applicant makes false claims or statements in this Application. I authorize the County of Fresno to contact any agency, whether or not named in this application, which may assist in determining the eligibility of the proposed program or project.**

**I acknowledge that all information submitted with this Application, except for information exempted by the California Public Records Act, will be a public record, subject to access by any member of the public under the California Public Records Act (Gov. Code, sec. 6250 and following). Any information that is marked as “confidential,” or “restricted,” or words to similar effect, will be returned and not considered by the County, and if such information causes the Application to be considered as insufficient and subject to rejection, the Applicant assumes that responsibility.**

**THIS APPLICATION, AND THE COUNTY’S PROCESS FOR CONSIDERING SUBMITTED APPLICANTS, DOES NOT COMMIT THE COUNTY OF FRESNO TO GRANT ANY AMOUNT OF SLFRF FUNDING TO ANY TYPE OF APPLICANT, OR FOR ANY TYPE OF PROJECT OR PROGRAM.**

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Applicant Signature

Date

Print Name and Title Name: \_\_\_\_\_

**ATTACHMENT A - APPLICANT DOCUMENTATION**

- IRS designation
- Applicant bylaws or policies
- Mission Statement, if applicable
- List of names of Board of Directors
- Agency Organizational Chart
- Audited Financial Statements (last 2 years)

**ATTACHMENT B - PROGRAM OR PROJECT TIMELINE****ATTACHMENT C - EXPENDITURE PLAN****ATTACHMENT D - OTHER SUPPORTING INFORMATION**

If needed, Applicants may provide additional attachments beyond those listed in the application.

**-END-**