



American Rescue Plan Act Nonprofit Grant Program Guidelines

BACKGROUND AND GENERAL INFORMATION

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARPA) into law. The \$1.9 trillion Fiscal Recovery Funds package is intended to combat the COVID-19 pandemic, including public health and economic impacts. Lake County is projected to receive a total of \$2,485,667 over two years to respond to the COVID-19 public health emergency and its economic impacts.

At its October 19, 2021 meeting, the Lake County Commission approved opening up applications for ARPA funding to be made available as grants to nonprofits for eligible uses. In general, eligible uses include uses that support the public health response to COVID-19 or address negative economic impacts.

ELIGIBLE ORGANIZATIONS

The County's ARPA nonprofit grant program is designed to support organizations, programs, and activities that benefit Lake County residents. Organizations eligible to apply include nonprofits that are corporations, associations, agencies, or faith-based organizations with a 501(c)(3) or 501(c)(6) nonprofit status under the Internal Revenue Service Code. For-profit entities and individuals are not eligible.

Eligible organizations shall also meet the basic requirements below:

- Serve Lake County residents or businesses;
- Be in good standing with the South Dakota Secretary of State, if required by law to be registered;
- Provide proof of insurance to the satisfaction of the County Auditor prior to the receipt of any funding; and
- Funds requested must be for a use that is eligible under the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act of 2021.

Organizations that received other COVID-19 funding assistance such as, but not limited to, Federal CARES Act funding; Paycheck Protection Program (PPP) loans; Economic Injury Disaster Loans (EIDL); or Community Development Block Grant – Coronavirus (CDBG-CV) funds are eligible to apply for ARPA funding so long as expenses are not duplicated.

All ARPA funds are also subject to the Department of the Treasury Interim Final Rule and Final Rule.

ELIGIBLE COSTS (*incomplete list*)

- Eligible Public Health Uses
 - COVID-19 Response, Mitigation and Prevention
 - Vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance; enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation or other services in congregative living facilities (nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools; ventilation improvements in congregate settings, health care settings, or other key locations; enhancement of public health data systems; and other public health responses
 - Capital investments in public facilities to meet pandemic operational needs or adaptations to public buildings to implement COVID-19 mitigation tactics
 - Uses allowed under CARES Act (CRF Funding), subject to certain exceptions
 - Behavioral Health Care
 - Mental health treatment; substance misuse treatment; other behavioral health services, hotlines or warmlines, crisis intervention, overdose prevention, infectious disease prevention, and services or outreach to promote access to physical or behavioral health primary care and preventative medicine
 - Expenses to improve the design and execution of health and public health programs
 - Planning and analysis in order to improve programs addressing the COVID-19 pandemic, including through use of targeted consumer outreach, improvements to data or technology infrastructure, impact evaluations, and data analysis
- Eligible Response to Negative Economic Impacts Uses
 - Loss of earnings, decline in revenues, or impacts of cancelled fundraising events during periods of closure or limited operations due to COVID-19 public health emergency
 - Costs associated with implementation of prevention or mitigation measures to contain the spread of the virus, such as physical changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing or contact tracing programs
 - Reimbursement of expenses related to the organization's response to the COVID-19 public health emergency, for example supporting payroll and benefit costs; costs to retain employees; mortgage, rent or utilities costs; and other related operating costs
 - Funding for new programs designed in response to the COVID-19 pandemic or those designed to serve a population disparately impacted by the public health emergency and its economic impacts, such as lower-income households

- Eligible Aid to Impacted Industries – Tourism, Travel, and Hospitality
 - Assistance to implement COVID-19 mitigation and infection prevention measures to enable safe resumption of tourism, travel, and hospitality of services, for example improvements to ventilation, physical barriers or partitions, signage to facilitate social distancing, provision of masks or personal protective equipment, or consultation with infection prevention professionals to develop safe reopening plans
 - Aid that supports attractions operating prior to the pandemic and affected by required closures and other efforts to contain the pandemic
 - Aid for a planned expansion or upgrade of tourism, travel, or hospitality facilities delayed due to the pandemic
- Any other eligible cost listed under the Treasury Department's Interim Final Rule or Final Rule.

INELIGIBLE COSTS (*incomplete list*)

- Loss that bears no relation or are grossly disproportionate to the type or extent of harm experienced due to the COVID-19 public health emergency
- Contributions to rainy day funds, financial reserves, or similar funds
- Payment of interest or principal on outstanding debt instruments
- Local matches to other grants
- Inherently religious activities, such as worship, religious instruction, or proselytization and/or those that prompt or inhibit religious interest (*United States Supreme Court / Federal Law*)
- Lobbying, support of candidates for public office, or other political activities
- Funding for programs or organizations that do not serve Lake County residents
- Economic hardship incurred outside of the period beginning on January 27, 2020 and ending June 30, 2023.

GRANT PERIOD

In general, applicants may apply for funds to cover COVID-19 related economic loss or costs incurred during the period beginning January 27, 2020 and ending June 30, 2023. New programs and activities will typically be funded for programming not to exceed 18-months beginning January 1, 2022, and ending on or before June 30, 2023. All other uses must expend any awarded funds by June 30, 2024.

HOW TO APPLY

The ARPA Nonprofit Grants Program application will be available through the County’s website at www.lake.sd.gov/custom/public-notices from **November 1, 2021 through December 31, 2021**. Applications may be submitted electronically or by hard copy by 11:59 p.m. on December 31, 2021.

Staff is available to answer questions about the application requirements, eligible activities, or the funding process. Please contact Shelli Gust at 605-256-7630 or shelligust@lake.sd.gov with questions.

APPLICATION REQUIREMENTS

Applicants will be required to submit the following information:

- 1) Organization Overview
 - a. Organization name and contact information
 - b. Mission statement (or general statement of purpose of organization)
 - c. Proof of nonprofit status
 - d. Length of time in existence
 - e. Number of employees or volunteers
 - f. Description of services provided to Lake County residents
 - g. Number of Lake County residents served in recent fiscal years
 - h. Description of how the organization typically raises funds
 - i. Description of how the organization has been negatively impacted by COVID-19
 - j. Steps the organization has taken to address the negative impacts of COVID-19

- 2) Financial Information
 - a. Budget, showing actual revenue and expenditures by categories for the following time periods:
 - i. January – December 2019
 - ii. January – December 2020
 - iii. January – September 2021
 - b. Current operating year budget, showing revenue and expenditure projections
 - c. Amount and description of use of Federal CARES Act and American Rescue Plan Act assistance received, including but not limited to, PPP, EIDL, CDBG-CV, and CARES grant funds (if applicable)

- 3) Grant Request
 - a. Amount requested
 - b. Description of request / justification of eligibility
 - c. Description of proposed outcomes (e.g., persons served)
 - d. Target beneficiaries
 - e. Proposed budget, including line-item expenses
 - f. Timeline for fund expenditure

- 4) Insurance coverage information

- 5) Conflict of interest documentation

- 6) Any other supporting information the organization would like the review panel to consider

APPLICATION AND REVIEW PROCESS

County staff will review grant applications for completeness. Applicants may be asked to revise proposals or provide additional information.

Complete applications will then be evaluated by a review panel for eligibility and criteria. The review panel may seek guidance from First District Association of Local Governments and Eide Bailly to determine eligibility. The review panel will make a recommendation for funding to the County Commission. It is the review panel's goal to make those recommendations to the County Commission by March 1, 2022, but this date will be dependent upon having received all requested guidance back from First District/Eide Bailly.

APPLICATION REVIEW CRITERIA

The County Commission has absolute discretion in approving grant applications. Award allocations will be based on total number of applicants, completeness of applications, expense eligibility, organizational need, community benefit, and organizational operating budget size. No cash match is required.

The review panel and the County Commission may consider the following factors in their evaluation:

- Organization is a qualifying nonprofit
- Financial impact of COVID-19 is clear and demonstrated
- Impact of other assistance received, alone or in comparison to other applicants
- Need for financial assistance in order to remain operational
- For eligible public health uses
 - How the use would respond to the COVID-19 public health emergency or the disease itself
 - An identified need or negative impact of the COVID-19 public health emergency and how the program, service, or other intervention addresses the identified need or impact
 - The effect of COVID-19 on public health, including either or both of immediate effects or effects that may manifest over months or years, and how the use would respond to or address the identified need
- For negative economic impact uses
 - Any harmful consequences of the economic disruptions resulting from or exacerbated by the COVID-19 public health emergency
 - The connection between the negative economic harm and the COVID-19 public health emergency, the nature and extent of that harm, and how the use of this funding would address such harm
- For aid to impacted industries
 - The extent of the economic impact and whether impacts were due to the COVID-19 pandemic, as opposed to longer-term economic or industrial trends unrelated to the pandemic
- Ability to expend funds by June 30, 2023 (new programming only) or June 30, 2024 (other uses)

- Fiscal and administrative capacity to administer the funding in compliance with requirements
- Grant budget is provided, reasonable, and aligns with eligible expense categories
- Other factors as deemed appropriate by the panel members and/or County Commission

APPLICATION TIMELINE

The County anticipates the following schedule for reviewing submitted applications and determining funding awards.

November 1, 2021 – December 31, 2021	Application Period Open
December 31, 2021 at 11:59 p.m. CT	Deadline for application submissions
January 1, 2022 – March 1, 2022	Application review period
March 1, 2022	County Commission Meeting (Recommendations for award presented)
March 15, 2022	County Commission Meeting (Award Determinations)
March 16, 2022	County staff begin drafting grant agreements

PUBLIC RECORD

Unless otherwise exempt under applicable law, applications and application materials are public records. All information received from an applicant, whether in connection with a grant application or in connection with any grant-funded activities performed, are subject to disclosure pursuant to the South Dakota Public Records Laws, unless otherwise exempt.

AFFIDAVIT, WAIVER, AND RELEASE FORM

All nonprofit organizations offered a grant who choose to accept the grant will be required to sign an non-negotiable affidavit, waiver, and release form prior to payment being made. The affidavit will require the applicant to declare that all information contained in the application is true and correct and can be used as admissible evidence in any legal proceeding against the nonprofit if the County attempted to recoup any grant funds provided under false pretenses.

IF FUNDED

Grant awards will be made in the form of an agreement executed between the applicant and the County. The grant period, scope, allowable budget, and reporting requirements will be outlined in a contract between the applicant organization and the County. Awarded funds will be distributed through reimbursement of eligible expenses. All awarded funds for new programming/activities must be expended no later than June 30, 2023. All awarded funds for other uses must be expended no later than June 30, 2024.

FREQUENTLY ASKED QUESTIONS

1. *Is the nonprofit required to be physically located within Lake County to receive funding?*
No, being located in Lake County is not a requirement. However, the nonprofit must serve citizens of Lake County to be eligible.
2. *What is the range of possible awards? What is the maximum amount that can be requested?*
There is no formal restriction on the amount that may be requested. However, there will be many applicants; and the more reasonable the request, the more likely it could be funded. It is possible that awards may be less than the requested amount due to available funding.

3. *Are only nonprofit entities eligible?*

At this time, Lake County is accepting applications from county departments and nonprofits only. Individuals or for-profit businesses are not eligible during this application process. Whether another application process using different criteria will be available depends on the number of applications and funding requests received in the current this application period.