

# STATE OF FLORIDA

## LOW INCOME HOME ENERGY ASSISTANCE PROGRAM ABBREVIATED STATE PLAN FOR FY 2014



FLORIDA DEPARTMENT *of*  
ECONOMIC OPPORTUNITY

**Florida Department of Economic Opportunity  
Division of Community Development  
Bureau of Community Assistance  
107 East Madison Street  
Tallahassee, Florida 32399-4120  
(850) 717-8450**

**LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM  
FLORIDA  
ABBREVIATED STATE PLAN FOR FY 2014**

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**Rick Scott**  
GOVERNOR



**Jesse Panuccio**  
EXECUTIVE DIRECTOR

July 18, 2013

The Honorable Rick Scott  
Governor of Florida  
Executive Office of the Governor  
The Capitol, PL 05  
400 South Monroe Street  
Tallahassee, Florida 32399-0001

Dear Governor Scott:

In order to receive funding from the U. S. Department of Health and Human Services (HHS) for the Low Income Home Energy Assistance Program (LIHEAP), the State must submit an annual State Plan. Title 45 of the Code of Federal Regulations requires the Chief Executive Officer of each state to designate a state agency to act as the lead agency for the administration of LIHEAP. State law designates this responsibility to the Department of Economic Opportunity.

I respectfully request your designation of authority to sign the assurances and certifications required in the LIHEAP State Plan. The designation may be accomplished by signing the statement below.

If further information is required, please contact Mr. William B. Killingsworth, Director, Division of Community Development, at (850) 717-8435 or Ms. Paula Lemmo, Bureau Chief, at (850) 717-8470.

Sincerely,

Jesse Panuccio  
Executive Director

Designation Statement

The Department of Economic Opportunity is designated by Section 409.508, Florida Statutes, as the state agency to administer the Low Income Home Energy Assistance Act of 1981, 42 U.S.C. s. 8621, *et seq.* Therefore, I delegate the authority to sign the LIHEAP assurances and certifications and to apply for and sign all grants, contracts, and other documentation and correspondence related to LIHEAP in the State of Florida to the Executive Director of the Florida Department of Economic Opportunity.

Rick Scott, Governor

7/24/2013  
Date

**CARRYOVER and RE-ALLOTMENT REPORT  
FOR FY 2013**

## Carryover and Reallotment Report for FY 2013

Due August 1, 2013

Grantee: State of Florida \_\_\_\_\_ Date June 11, 2013

Section 2607(b)(2)(B) of the LIHEAP statute requires that at least 90% of funds available must be obligated in the year in which they are appropriated. Not more than 10 percent of the amount payable for a fiscal year may be held for obligation in the succeeding fiscal year.

- |   |               |
|---|---------------|
| 1) Current year amount payable (regular block grant funds, contingency funds, and oil overcharge funds) | \$ 76,356,000 |
| 2) 10 percent of amount payable   | \$ 7,635,600  |
| 3) Projected unobligated balance  | \$ 7,635,600  |

If line 3 is equal to or less than line 2, report the amount on line 3 as your Carryover amount below. Report \$0 funds for reallotment.

If line 3 is larger than line 2, then report the amount on line 2 as your Carryover amount below. Report the difference between line 2 and line 3 as the reallotment amount below.

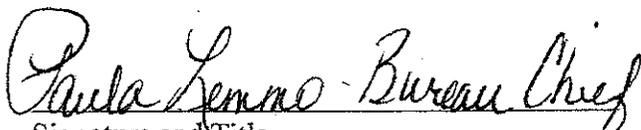
**Carryover amount** \$ 7,635,600  
(Funds to be carried over for obligation in the following fiscal year.)

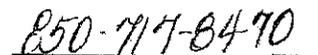
**Reallotment amount** \$ -0-  
(Funds that exceed the 10% carryover amount and are to be returned the Federal government.)

If you report a Carryover amount above, please provide the following:

a) briefly state reasons that these funds will not be used in the fiscal year for which they were allotted: **The time required to subcontract LIHEAP funds after they are received from HHS does not allow for expenditure of all the funds by the end of the first year of the award. It is anticipated that all LIHEAP subgrantee funds will be obligated by September 30, 2013. The carryover will be primarily in state administration to support the management of the funds.**

b) briefly describe the types of assistance to be provided with the amount held available for the following fiscal year: **Carryover funds will be used for emergency and home energy assistance, state and local subgrantee administration.**

  
Signature and Title

  
Telephone Number

**EXECUTIVE SUMMARY  
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM**

- PROGRAM DESCRIPTION:** The Low-Income Home Energy Assistance Program (LIHEAP) provides grants to local governments and nonprofit agencies to assist eligible low-income households in meeting the costs of home heating and cooling. The majority of the funds are used for an annual one-time utility payment assistance and two seasonal crisis assistance payments. Weather-related and supply shortage emergency assistance is available when federal emergency contingency funds are provided.
- MATCH REQUIREMENTS:** No match is required, but leveraging is encouraged.
- OTHER REQUIREMENTS:** Client household's income must not exceed 150 percent of the current Office of Management and Budget (OMB) poverty income guidelines.
- ELIGIBLE APPLICANTS:** Community-based organizations including weatherization agencies, local governments and other nonprofit agencies. To ensure program continuity and quality service, the designated LIHEAP agency serving each county continues from year to year, unless defunded or withdrawn.
- CONTACT:** Ms. Paula Lemmo, Bureau Chief  
Florida Department of Economic Opportunity  
Division of Community Development  
Bureau of Community Assistance  
107 East Madison Street  
MSC 400  
Tallahassee, Florida 32399-4120  
Telephone (850) 717-8450  
FAX (850) 488-2488

**LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)  
ABBREVIATED STATE PLAN  
PUBLIC LAW 97-35, AS AMENDED  
FISCAL YEAR (FY) 2014**

**GRANTEE: FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

**EIN: 36-4-76134**

**ADDRESS: FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY  
DIVISION OF COMMUNITY DEVELOPMENT  
BUREAU OF COMMUNITY ASSISTANCE  
107 EAST MADISON STREET  
MSC 400  
TALLAHASSEE, FLORIDA 32399-4120**

**NAME OF LIHEAP COORDINATOR: Jean Amison, Planning Manager**

**EMAIL: jean.amison@deo.myflorida.com**

**TELEPHONE: (850) 717-8450 FAX: (850) 488-2488**

**LAST DETAILED MODEL PLAN FILED: FY 2012**

**PLEASE CHECK ONE: TRIBE  STATE  INSULAR AREA**

Assurances

The Florida Department of Economic Opportunity agrees to:

- (1) use the funds available under this title to:
  - (A) conduct outreach activities and provide assistance to low-income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);
  - (B) intervene in energy-crisis situations;
  - (C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and
  - (D) plan, develop, and administer the State's program under this title including leveraging programs; and, the State agrees not to use such funds for purposes other than those specified in this title.
- (2) make payments under this title only with respect to:
  - (A) households in which one or more individuals are receiving--
    - (i) assistance under the State program funded under Part A of Title IV of the Social Security Act;
    - (ii) supplemental security income payments under Title XVI of the Social Security Act;
    - (iii) food stamps under the Food Stamp Act of 1977; or
    - (iv) payments under Section 415, 521, 541, or 542 of Title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or
  - (B) households with incomes which do not exceed the greater of:
    - (i) an amount equal to 150 percent of the poverty level for such State; or
    - (ii) an amount equal to 60 percent of the State median income; except that a State may not exclude a household from eligibility, in a fiscal year, solely on the basis of household income if such income is less than 110 percent

of the poverty level for such State, but the State, may give priority to those households with the highest home-energy costs or needs in relation to household income.

- (3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home-energy burdens are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of Title VI (relating to the Community Services Block Grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;
- (4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of Title VI (relating to the Community Services Block Grant program), under the supplemental security income program, under Part A of Title IV of the Social Security Act, under Title XX of the Social Security Act, under the low-income weatherization assistance program under Title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;
- (5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;
- (6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that:
  - (A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the state; and

- (B) if there is no such agency because of any change in the assistance furnished to programs for economically-disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made.
- (7) If the State chooses to pay home energy suppliers directly, establish procedures to:
  - (A) notify each participating household of the amount of assistance paid on its behalf;
  - (B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;
  - (C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and
  - (D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home-energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home-energy costs.
- (8) provide assurances that:
  - (A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home-energy assistance benefits under clause (2), and
  - (B) the State will treat owners and renters equitably under the program assisted under this title;

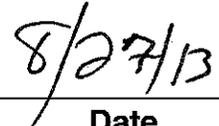
- (9) Provide that:
- (A) the State may use, for planning and administering the use of funds under this title, an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year and not transferred pursuant to section 2604(f), for use under another block grant; and
  - (B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));
- (10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of Chapter 75 of Title 31, United States Code (commonly known as the "Single Audit Act");
- (11) permit and cooperate with federal investigations undertaken in accordance with section 2608;
- (12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);
- (13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and
- (14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.
- (15)\* beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

**\*This assurance is applicable only to states, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Territories with annual allotments of \$200,000 or less and Indian tribes/tribal organizations are not subject to Assurance 15.**

- (16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As the official designated by the Governor of Florida to certify compliance, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.\* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

  
\_\_\_\_\_  
**Jesse Panuccio**  
**Executive Director**  
**Department of Economic Opportunity**

  
\_\_\_\_\_  
**Date**

\* In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

## Modifications to LIHEAP FY 2012 Detailed State Plan

<u>Page</u>	<u>Subject</u>	<u>Modification</u>
17	2605(b)(5) (determination of benefits)	<p><b><u>HEATING COMPONENT</u></b></p> <p>▶ <b>Please check the variables you use to determine your benefit levels (check all that apply):</b></p> <p><input checked="" type="checkbox"/> total household income  <input checked="" type="checkbox"/> family (household) size  <input checked="" type="checkbox"/> home energy cost or need  <input type="checkbox"/> fuel type  <input type="checkbox"/> climate/region  <input type="checkbox"/> individual bill  <input type="checkbox"/> dwelling type  <input type="checkbox"/> energy burden  <input type="checkbox"/> (percent of income spent on home energy)  <input type="checkbox"/> energy need  <input checked="" type="checkbox"/> other (describe)  Elderly Household Member (Age 60+)  Disabled Household Member (medical documentation required)  Household with Child Age 5 or Younger</p>
17	2605(b)(5) 2605(1)(b)	<p>▶ <b>Describe how you will assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size.</b></p>
18		<p><b>Please describe benefit levels or attach a copy of your payment matrix.</b></p> <p>The state provides LIHEAP grantees with a payment level matrix (Attachment A). The home energy payment amounts are based on the family size and total household income. Additional assistance is provided to those households with elderly (age 60+), disabled, or a child age 5 or younger.</p>

Modifications to LIHEAP FY 2012 Detailed State Plan

<u>Page</u>	<u>Subject</u>	<u>Modification</u>
18	2605(b)(5) 2605(1)(b)	Additional assistance provided if: (1) Elderly <span style="float: right;">\$ 50</span> (2) Disabled <span style="float: right;">\$ 50</span> (3) Applicant with Child Age 5 or Younger <span style="float: right;">\$ <u>75</u></span> <b>Maximum Additional Assistance <span style="float: right;">\$175</span></b>

% of Poverty	Minimum Assistance	Maximum Assistance
0% to 50% but less than 75%	\$300	\$475
At least 75% but no more than 100%	\$250	\$425
Over 100% but no more than 125%	\$200	\$375
Over 125% but no more than 150%	\$150	\$325

18	2605(b)(5)  2605(c)(1)(B) (determination of benefits)	<p><b><u>COOLING COMPONENT</u></b></p> <p>► <b>Please check the variables you use to determine your benefit levels (check all that apply):</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> total household income</li> <li><input checked="" type="checkbox"/> family (household) size</li> <li><input checked="" type="checkbox"/> home energy cost or need</li> <li><input type="checkbox"/> fuel type</li> <li><input type="checkbox"/> climate/region</li> <li><input type="checkbox"/> individual bill</li> <li><input type="checkbox"/> dwelling type</li> <li><input type="checkbox"/> energy burden (percent of income spent on home energy)</li> <li><input type="checkbox"/> energy need</li> <li><input checked="" type="checkbox"/> other (describe)                      Elderly Household Member (Age 60+)                      Disabled Household Member (medical documentation required)                      Household with Child Age 5 or Younger</li> </ul>
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## Modifications to LIHEAP FY 2012 Detailed State Plan

<u>Page</u>	<u>Subject</u>	<u>Modification</u>
18	2605(b)(5) 2605(1)(b) (benefit levels)	<p>► Describe how you will assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size.</p>

**Please describe benefit levels or attach a copy of your payment matrix.**

The state provides LIHEAP grantees with a payment level matrix (Attachment A). The home energy payment amounts are based on the family size and total household income. Additional assistance is provided to those households with elderly (age 60+), disabled, or a child age 5 or younger.

Additional assistance provided if:

(1) Elderly	\$ 50
(2) Disabled	\$ 50
(3) Applicant with child age 5 or younger	\$ <u>75</u>
<b>Maximum Additional Assistance:</b>	<b>\$175</b>

<b>% of Poverty</b>	<b>Minimum Assistance</b>	<b>Maximum Assistance</b>
0% to 50% but less than 75%	\$300	\$475
At least 75% but no more than 100%	\$250	\$425
Over 100% but no more than 125%	\$200	\$375
Over 125% but no more than 150%	\$150	\$325

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**Modifications to LIHEAP FY 2012 Detailed State Plan**

Attachment A	Matrix of Home Energy Benefits and Poverty Levels for FY 2013-2014	Attachment A has been replaced with the updated Matrix of Home Energy Benefits and Poverty Levels for FY 2013-2014
Attachment B	Notice of Public Hearing for FY 2014 LIHEAP State Plan	Attachment B has been replaced with the Notice of Public Hearing for FY 2014 LIHEAP State Plan
Attachment C	LIHEAP Estimated Household Report for FY 2014	Attachment C has been replaced with the amended LIHEAP Estimated Household Report for FY 2013
Attachment D	LIHEAP Program Integrity Assessment	Attachment G has been replaced with the updated LIHEAP Program Integrity Assessment Supplement

**Please specify whether you are using calendar year 2013 poverty level or FY 2014 median income estimates in determining eligibility:**

*2013 poverty level - 150%.*

**Please describe how you obtained public participation in the development of your 2014 plan. (For States, please also provide information on your public hearings.):**

The Department held a public hearing after the development of the Draft State Plan. Statewide notice of the public hearing was published in the June 28, 2013 Florida Administrative Weekly (FAW). The notice was also posted on the Department of Economic Opportunity's website and all local LIHEAP administering agencies were notified by email. Copies of the plan were available prior to the public hearing. All comments were reviewed prior to compiling the final version of the State Plan. See Attachment B for the FY 2014 FAW notice.

The public hearing for the LIHEAP FY 2014 State Plan was held on August 1, 2013 at the Betty Easley Conference Center in Tallahassee, Florida.

**Modifications to LIHEAP FY 2012 Detailed State Plan**

<u>Page</u>	<u>Subject</u>	<u>Modification</u>
21	2605(b)(6) (agency designation)	▶ Have you changed local administering agencies from last year: ___ Yes <u> X </u> No
27	2605(b)(12) (public hearings)	▶ Do you conduct public hearings on the proposed use and distribution of your LIHEAP funds?  <u> X </u> Yes ___ No When and where?  The hearing for the FY 2014 LHIEAP State Plan was held on August 1, 2013 at the Betty Easley Conference Center in Tallahassee, Florida. See Attachment B.

Date Carryover and Re-allotment report submitted: June 11, 2013

Attached are additional certifications as follows:

- Lobbying Certification
- Debarment and suspension certifications
- Drug-free workplace requirement certification

Required certifications follow.

**CERTIFICATION REGARDING LOBBYING  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

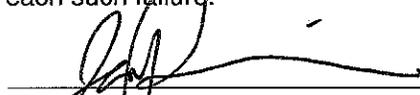
The undersigned certifies, to the best of his or her knowledge and belief, that:

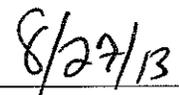
- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

  
\_\_\_\_\_  
**Jesse Panuccio**  
**Executive Director**  
**Department of Economic Opportunity**

  
\_\_\_\_\_  
**Date**

**Certification Regarding Debarment, Suspension, and Other  
Responsibility Matters - Primary Covered Transactions**

## Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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**Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions**

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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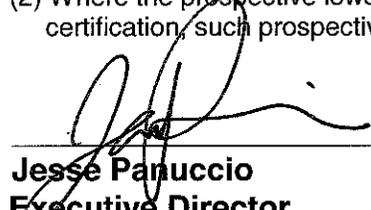
**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions****Instructions for Certification**

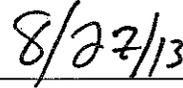
1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

\*\*\*\*\*

**Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

  
\_\_\_\_\_  
**Jesse Panuccio**  
**Executive Director**  
**Department of Economic Opportunity**

  
\_\_\_\_\_  
**Date**

**CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

**Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

*Controlled substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

*Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

*Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

### **Certification Regarding Drug-Free Workplace Requirements**

#### **Alternate I. (Grantees Other Than Individuals)**

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about:
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted –
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

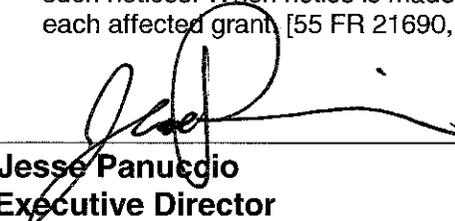
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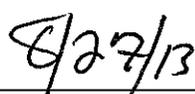
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Check  if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant. [55 FR 21690, 21702, May 25, 1990]

  
\_\_\_\_\_  
**Jesse Panuccio**  
**Executive Director**  
**Department of Economic Opportunity**

  
\_\_\_\_\_  
**Date**

**ATTACHMENT A**

**LIHEAP FY 2013-2014 PAYMENT MATRIX**

<b>LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM PAYMENT MATRIX</b>									
<b>HOME ENERGY BENEFITS<sup>1</sup> AND POVERTY LEVELS</b>									
<b>BY HOUSEHOLD SIZE AND INCOME</b>									
<b>HOUSEHOLD INCOME IN DOLLARS PER YEAR</b>									
<b>NUMBER OF PEOPLE IN HOUSEHOLD</b>	<b>50% of Poverty or Less</b>	<b>Over 50% of Poverty but Less than 75%</b>		<b>At least 75% but no more than 100% Poverty</b>		<b>Over 100% but no more than 125% Poverty</b>		<b>Over 125% but no more than 150% Poverty</b>	
	<b>At or Below</b>	<b>Annual Income at Least but No Greater Than</b>							
1	\$5,745	\$5,746	\$8,617	\$8,618	\$11,490	\$11,491	\$14,363	\$14,364	\$17,235
2	\$7,755	\$7,756	\$11,632	\$11,633	\$15,510	\$15,511	\$19,388	\$19,389	\$23,265
3	\$9,765	\$9,766	\$14,647	\$14,648	\$19,530	\$19,531	\$24,413	\$24,414	\$29,295
4	\$11,775	\$11,776	\$17,662	\$17,663	\$23,550	\$23,551	\$29,438	\$29,439	\$35,325
5	\$13,785	\$13,786	\$20,677	\$20,678	\$27,570	\$27,571	\$34,463	\$34,464	\$41,355
6	\$15,795	\$15,796	\$23,692	\$23,693	\$31,590	\$31,591	\$39,488	\$39,489	\$47,385
7	\$17,805	\$17,806	\$26,707	\$26,708	\$35,610	\$35,611	\$44,513	\$44,514	\$53,415
8	\$19,815	\$19,816	\$29,722	\$29,723	\$39,630	\$39,631	\$49,538	\$49,539	\$59,445
9	\$21,825	\$21,826	\$32,737	\$32,738	\$43,650	\$43,651	\$54,563	\$54,564	\$65,475
10	\$23,835	\$23,836	\$35,752	\$35,753	\$47,670	\$47,671	\$59,588	\$59,589	\$71,505
11	\$25,845	\$25,846	\$38,767	\$38,768	\$51,690	\$51,691	\$64,613	\$64,614	\$77,535
12	\$27,855	\$27,856	\$41,782	\$41,783	\$55,710	\$55,711	\$69,638	\$69,639	\$83,565
13	\$29,865	\$29,866	\$44,797	\$44,798	\$59,730	\$59,731	\$74,663	\$74,664	\$89,595
14	\$31,875	\$31,876	\$47,812	\$47,813	\$63,750	\$63,751	\$79,688	\$79,689	\$95,625
15	\$33,885	\$33,886	\$50,827	\$50,828	\$67,770	\$67,771	\$84,713	\$84,714	\$101,655
16	\$35,895	\$35,896	\$53,842	\$53,843	\$71,790	\$71,791	\$89,738	\$89,739	\$107,685
17	\$37,905	\$37,906	\$56,857	\$56,858	\$75,810	\$75,811	\$94,763	\$94,764	\$113,715
18	\$39,915	\$39,916	\$59,872	\$59,873	\$79,830	\$79,831	\$99,788	\$99,789	\$119,745
19	\$41,925	\$41,926	\$62,887	\$62,888	\$83,850	\$83,851	\$104,813	\$104,814	\$125,775
20	\$43,935	\$43,936	\$65,902	\$65,903	\$87,870	\$87,871	\$109,838	\$109,839	\$131,805
<b>LIHEAP HOME ENERGY BENEFIT<sup>1</sup></b>	<b>\$300 to \$475**</b>			<b>\$250 to \$425**</b>		<b>\$200 to \$375**</b>		<b>\$150 to \$325**</b>	

<b>**Additional Assistance if applicant household includes:</b>	
(1) Elderly	\$50
(2) Disabled	\$50
(3) Applicant with child age 5 or younger:	\$75

<sup>1</sup> These benefit levels are effective September 1, 2013

**ATTACHMENT B**

**NOTICE OF PUBLIC HEARING  
FOR  
FY 2014 LIHEAP STATE PLAN**

FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY  
NOTICE OF A PUBLIC HEARING ON THE  
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM  
STATE ADMINISTRATIVE PLAN FOR FY 2014

The Department of Economic Opportunity announces a public hearing to receive input from all interested parties on the Low-Income Home Energy Assistance Program (LIHEAP) State Administrative Plan for fiscal year (FY) 2014 to which all interested parties are invited.

PUBLIC HEARING ON THE LIHEAP STATE ADMINISTRATIVE PLAN FOR FY 2014

DATE: Thursday, August 1, 2013

TIME: 10:00 A.M to Noon

LOCATION: Betty Easley Conference Center  
4075 Esplanade Way  
Room 180  
Tallahassee, Florida 32399-2100

PURPOSE: To obtain input and recommendations from the public and interested parties concerning the LIHEAP State Administrative Plan for FY 2014. This plan will be submitted to the United States Department of Health and Human Services. The plan is developed annually and is a federal requirement for the state to receive LIHEAP funds.

A copy of the state plan and agenda may be obtained by writing to the Department of Economic Opportunity, Susan Lawrence, Government Operations Consultant II, Division of Community Development, Office of Housing and Community Development, Community Assistance Section, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120, by telephoning (850) 717-8450 or by fax at (850) 488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Economic Opportunity with respect to any matter considered at this public hearing, he or she will need a record of the proceeding. For such purposes he or she may need to ensure that a record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the community assistance section at (850) 488-7541 at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Economic Opportunity using the Florida Dual Party Relay System which can be reached at 1 (800) 955-8770 (voice) and 1 (800) 955-8771 (TDD).

**ATTACHMENT C**

**LIHEAP ESTIMATED HOUSEHOLD REPORT  
FOR FY 2014**

**LIHEAP Household Report--Federal Fiscal Year 2013--Long Format**

Grantee Name:  Contact Person:  Phone:  Date:

The *LIHEAP Household Report--Long Format* is for use by the 50 States, District of Columbia, and the Commonwealth of Puerto Rico. This Federal Report provides data on both LIHEAP assisted and applicable households for Federal Fiscal Year (FFY) 2011, the period of October 1, 2012 - September 30, 2013. The Report consists of the following sections: (1) **LIHEAP Assisted Household Format** and (2) **LIHEAP Household Format**. Data on assisted households are included in the Department's annual *LIHEAP Report to Congress*. The data are also used in the measuring targeting performance under the Government Performance and Results Act of 1993. As the reported data are aggregated, the information in this report is not considered to be confidential.

There are two types of data: (1) **required** data which must be reported under the LIHEAP statute and (2) **requested** data which are optional, in response to House Report 103-483 and Senate Report 103-254. The *LIHEAP Household Report--Long Format* (the Excel file name is *hhsrptst.xls*) and the instructions on completing the report (the Word file name is *hrtpins.doc*) can be downloaded in the Forms sections of Community Services' LIHEAP web site at: [www.acf.hhs.gov/programs/ocs/liheap/grantees/forms.html#household\\_report](http://www.acf.hhs.gov/programs/ocs/liheap/grantees/forms.html#household_report). The column, "Number of assisted households," and the column, "Number of applicable households," will be calculated automatically for each type of LIHEAP assistance by a formula as the poverty level data are entered.

Do the data below include estimated figures? 

No	Yes
<input type="checkbox"/>	<input checked="" type="checkbox"/>

 If "Yes," Mark "X" in the second column below for each type of assistance that has at least one estimated data point.

**1. LIHEAP ASSISTED HOUSEHOLD FORMAT**

Type of assistance	Mark "X" to indicate estimated data	Number of assisted households	REQUIRED DATA					At least one member who is				REQUESTED DATA	
			Percent of 2010 HHS Poverty Guidelines, based on gross income and household size					At least one member who is				At least one member who is	
			Under 75%	75%-100%	101%-125%	126%-150%	Over 150%	60 years or older	Disabled	Age 5 years or younger	Elderly, Disabled, or Young Child	Age 2 years and younger	Age 3 years through 5 years
Heating		49,782	23,087	11,948	5,635	3,112	0	12,296	11,085	9,631	25,921	5,345	6,502
Cooling	X	64,845	36,282	16,619	8,064	3,866	14	18,226	14,172	14,825	47,223	8,356	10,093
Winter/year round crisis		48,543	24,704	11,688	7,053	5,064	4	12,582	13,620	11,388	27,928	6,322	7,321
Summer crisis	X	66,136	34,790	13,945	9,316	5,852	2,233	15,032	17,454	17,769	50,255	9,666	11,602
Other crisis (specify)		0											
Weatherization	X	1,512	1,350	111	35	11	5	962	523	184	1,135	106	143
<b>Any type of LIHEAP assistance</b>	<b>X</b>	<b>192,682</b>	<b>99,098</b>	<b>56,854</b>	<b>27,557</b>	<b>15,246</b>	<b>19</b>	<b>59,098</b>	<b>56,854</b>	<b>53,797</b>	<b>152,462</b>	<b>25,029</b>	<b>29,746</b>

**Notes:** Include any notes below for section 1 (indicate type of assistance and item being referenced) = not applicable

**2. LIHEAP APPLICANT HOUSEHOLD FORMAT (regardless of whether households were assisted)**

Type of assistance	Mark "X" to indicate estimated	Number of applicant households	REQUIRED DATA					Income data unavailable
			2010 HHS Poverty Guideline interval, based on gross income and household size					
			Under 75%	75%-100%	101%-125%	126%-150%	Over 150%	
Heating		49,365	24,550	12,833	6,128	3,389	1,151	1314
Cooling	X	70,061	37,637	17,443	8,623	4,310	1,250	798
Winter/year round crisis		49,529	24,193	12,373	7,011	4,968	357	627
Summer crisis	X	69,196	35,284	14,343	9,556	6,541	2,978	494
Other crisis (specify)		0						
Weatherization	X	1,561	361	288	255	232	379	46

**Notes:** Include any notes below for section 2 (indicate type of assistance, and item the note is referencing):