

FAILING NON-RESIDENTIAL SEPTIC TANK REPAIR/REPLACEMENT AND SEWER CONNECTION PROGRAM GRANT PROCESS

- 1) Non-Residential Property Owner (“Owner”) receives notice from the Florida Department of Health in Duval County (DOH-Duval) of failing Septic system or identifies failure on their own determined by registered septic tank contractors, certified plumbers or by other qualified persons as per subsection 64E-6.004(3), Florida Administrative Code (F.A.C.).
- 2) Owner fills out Application for Failing Commercial Septic Grant
 - i. Business must be located within the Northwest Jacksonville Economic Development Fund boundary.
 - ii. Owner must provide a State of Florida Department of Health Form DH 4015, completed in full and signed by a registered septic tank contractor, certified plumber or other qualified person as per subsection 64E-6.004(3), F.A.C., indicating the septic system is in failure and provide the nature of the failure.
 - iii. This program is available for "for-profit" businesses and "not-for-profit" businesses, but not available for homesteaded properties or other properties used for residential purposes.
 - iv. Business must not be an ineligible business pursuant to the NWJEDF Guidelines.
- 3) Prior to proceeding, City determines:
 - i. Planning and Development - no outstanding Zoning Code or Building Code violations
 - ii. Tax Collector - no outstanding taxes or fees due on the property and current Business License
 - iii. Neighborhoods - no amounts due to the City (i.e. - liens, unpaid/outstanding violations, etc.)
 - iv. Environmental Quality Division - no known adverse environmental conditions on the property (i.e. – Ash or monitoring wells)
- 4) City determines if location requires sewer connection per s. 381.0065, Florida Statutes, or whether Owner may remain on septic.
- 5) If required by the City as a result of the size and complexity of work needed pursuant to subsection 64E-6.004(3), Florida Administrative Code (F.A.C.), Owner must provide a quote from a professional engineer for engineering design proposal.
- 6) All work done under this program must come from professional engineers, registered/licensed contractors or certified plumbers with a valid license in the State of Florida. Work on septic tanks must be conducted by registered/licensed septic tank contractors. The selected contractor, plumber, etc. must be able to conduct business within Duval County and have a valid Local Business Tax Receipt.
- 7) If the Owner is eligible for a grant under this program for the repair/replacement of a failing non-residential septic tank as determined by the Office of Economic Development, then the following procedure will be followed:
 - A. City and Owner enter into an agreement, the form of which has been approved by the Office of General Counsel, which will include, without limitation, the following.
 - i. Maximum Grant of \$30,000 per business (septic repair) or \$75,000 per business (sewer connection); Owner is responsible for any and all additional costs.
 - ii. Outlines requirements for documentation to be submitted.
 - iii. Agrees that liens may be filed against the property.
 - iv. Proper Insurance for work in City right of way.
 - v. Indemnifications for work in City right of way.
 - vi. Other as determined by City’s Office of General Counsel.
 - B. If a quote was required by the City in Step 5 above, then Owner provides the quote to City for engineering, design proposal, and/or permits, and City will disburse the lesser of the estimated cost for the aforementioned services or \$7,500 (“Grant Payment 1”). Owner is responsible for all additional costs. Engineering and permitting must be completed within 90 days of receipt of Grant Payment 1. If funds related to Grant Payment 1 are not used in the 90-day period, then all funds must be refunded to the City.

- C. Owner shall provide City with documentation that all required engineering and permitting is completed and paid for.
- D. Owner obtains two quotes from either a registered/licensed contractor or certified plumber to implement project. Owner submits bids to City. Lowest responsive/responsible bid accepted by Owner.
- E. If sewer connection was not required under Step 4, the Office of Economic Development in consultation with the Owner and based upon the quotes and engineering proposals submitted by Owner, may nevertheless determine that the project will include sewer connection and is therefore eligible for the higher tier of funding under the program.
- F. If the Owner has completed all foregoing steps to the satisfaction of the Office of Economic Development, then City shall disburse "Grant Payment 2" in an amount equal to:
 - a. If the project does not include sewer connection: the lesser of (i) 50% of the total estimated project cost by the lowest bid responsive/responsible contractor, and (ii) \$15,000 minus Grant Payment 1. For the purpose of clarity, in such event, the sum of Grant Payment 1 (if applicable) and Grant Payment 2 shall not exceed a cumulative total of \$15,000; or
 - b. If the project includes sewer connection: the lesser of (i) 50% of the total estimated project cost by the lowest bid responsive/responsible contractor, and (ii) \$37,500 minus Grant Payment 1. For the purpose of clarity, in such event, the sum of Grant Payment 1 (if applicable) and Grant Payment 2 shall not exceed a cumulative total of \$37,500.

If Grant Payment 1 is not made, then the City may make Grant Payment 2 as the first payment under the program subject to the limitations set forth above. All work must be completed within 90 days of receiving Grant Payment 2 or upon expiration of septic tank repair or sewer connection permit, as applicable, whichever comes first. The Office of Economic Development, in its sole discretion, will have the ability to extend this period an additional 90 days (for a cumulative total of 180 days), provided that the foregoing applicable permit remains valid. If within the 180-day period work is not completed, then for good cause shown, the Office of Economic Development may extend this period an additional 180 days (for a cumulative total of 360 days). If all work is not completed by the foregoing deadline, as may be extended by the Office of Economic Development, all funds disbursed must be refunded to the City.

- 8) Construction process proceeds:
 - i. Contractor commences construction.
 - ii. Contractor completes construction (certified complete) and passes inspection by either DOH-Duval (Septic Tank) or JEA (sewer connection).
- 9) Owner submits to City copy of final invoices detailing overall project costs, proof of payment, final waiver/lien release (or partial conditional waiver(s) and lien release(s) if the Owner agrees to have Grant Payment 3/Final Grant Payment made jointly to Owner and the contractor), final construction approval/certification of completion from the contractor or engineer, proof of contractor warranty to property owner, and evidence that the project passes inspection by DOH-Duval or JEA.
- 10) City disburses Grant Payment 3/Final Grant Payment in an amount equal to:
 - a. If the project does not include sewer connection: the lesser of (i) the balance of project costs, and (ii) \$30,000 minus Grant Payment 1 and Grant Payment 2. For the purpose of clarity, in no event shall the aggregate amount of all payments exceed a cumulative total of the lesser of the total project costs and \$30,000; or
 - b. If the project includes sewer connection: the lesser of (i) the balance of project costs, and (ii) \$75,000 minus Grant Payment 1 and Grant Payment 2. For the purpose of clarity, in no event

shall the aggregate amount of all payments exceed a cumulative total of the lesser of the total project costs and \$75,000.

11) If conditional releases were delivered in Step 9, then Owner shall deliver final waiver(s) and lien release(s) for all project costs to the City within fifteen (15) business days after Grant Payment 3/Final Grant Payment.

12) Project is closed out.