

# LOCAL SHARE ACCOUNT FAYETTE COUNTY

Program Guidelines | January 2018



## Table of Contents

---

|                     |   |   |
|---------------------|---|---|
| <b>Section I</b>    | <b>Introduction</b> .....                       | 1 |
| <b>Section II</b>   | <b>Eligibility</b> .....                        | 1 |
| <b>Section III</b>  | <b>Local Process</b> .....                      | 1 |
| <b>Section IV</b>   | <b>Program Requirements</b> .....               | 2 |
| <b>Section V</b>    | <b>Application Procedures</b> .....             | 2 |
| <b>Section VI</b>   | <b>Procedure for Accessing Funds</b> .....      | 3 |
| <b>Section VII</b>  | <b>Miscellaneous Program Requirements</b> ..... | 3 |
| <b>Section VIII</b> | <b>Program Inquiries</b> .....                  | 4 |
| <b>Attachment</b>   |   |   |
|                     | Project Summary Form                            |   |

ARCHIVED

## Section I – Introduction

---

The PA Race Horse Development and Gaming Act (Act 2004-71) as amended has established the Pennsylvania Gaming Local Share Account (LSA) program to be administered by the Department of Community and Economic Development (DCED) for the purpose of distributing portions of the local share assessment on certain licensed gaming facilities to support and enhance community and economic well-being.

## Section II – Eligibility

---

### A. Eligible Applicant

- The Redevelopment Authority of the County of Fayette (RACF)

### B. Eligible Uses of Funds

1. **Economic Development Projects:** Projects that promote local economic activity and create and/or retain jobs.
2. **Community Improvement Projects:** Projects that improve or create civic, cultural, or recreational activities or facilities.
3. **Projects in the Public Interest:** Projects that improve the quality of life in the affected communities.

## Section III – Local Process

---

DCED has approved a local, county-based review process for projects eligible for LSA funding. RACF will publish local program application guidelines and schedules which adhere to all statutory and DCED requirements. Project applications will be submitted to RACF for review and evaluation in conjunction with the Fayette County LSA Steering Committee. Funding recommendations will be submitted by RACF to DCED for final review, approval, and funding no later than October 31st of each year.

## Section IV – Program Requirements

---

- A. Projects may not commence prior to DCED approval. Project costs incurred prior to approval are ineligible for payment with LSA funds and may make a project ineligible for consideration.
- B. Funds may not be used for refinancing or reducing existing debt or obligation.
- C. The competitiveness of proposed LSA projects will be reviewed by conducting a quantitative analysis based on the following criteria:
  - economic impact;
  - economic conditions of the region where the project is located;
  - level of private sector investment leveraged;
  - contribution of the project to the reuse of Brownfields, previously used, or underutilized sites;
  - local financial support;
  - project readiness;
  - strategic importance;
  - financial need; and
  - projected timeline for project commencement and completion.
- D. Administrative costs to include advertising, legal and audit costs, and documented staff expenses to administer the grant (to include administrative costs of the sub-grantee) are eligible, but shall not exceed 5% of the total grant award.

## Section V – Application Procedures

---

- A. RACF must submit the on-line Department of Community and Economic Development Electronic Single Application for Assistance located at [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us). Required supplemental information (Appendix I) must be attached electronically to the application as directed on the Addenda tab. For technical inquiries regarding the submission of the on-line application, contact the Customer Service Center at (800) 379-7448 or (717) 787-3405.
- B. RACF will submit a completed Project Summary Form, Appendix I, for each project proposed for funding.
- C. DCED will determine the eligibility of proposed projects through a review of each Project Summary Form.

## Section VI – Procedure for Accessing Funds

---

Upon approval of an application by DCED, a grant agreement and commitment letter will be issued to RACF explaining the terms and conditions of the grant. The grant agreement and commitment letter must be signed and returned to DCED within 45 days of the date of the commitment letter or the offer may be withdrawn by DCED. RACF will execute agreements with all sub-grantees for approved projects.

An executed grant agreement between RACF and DCED is required prior to disbursement of grant funds. RACF may request advance payment in quarterly intervals on a form provided by DCED which outlines the anticipated costs for the upcoming 90 days, funds expended in the prior 90 days, and all funds held by RACF. RACF must maintain full records to include contracts, bid tabulations, invoices and other documentation verifying costs incurred for each project. Requests for payment require 4-8 weeks for processing. If the full amount of the grant is not required for the project, the unused portion of the grant will be liquidated and the funds will be considered in the next round of LSA Fayette County funding.

*Note: RACF or sub-grantees may not make or authorize any substantial change in an approved project without first obtaining consent of DCED in writing.*

## Section VII – Miscellaneous Program Requirements

---

- A. **Conflicts of Interest** – An officer, director, or employee of an applicant who is a party to or who has a private interest in a project shall disclose the nature and extent of the interest to the governing body of the applicant and may not vote on any action of the applicant concerning the project, nor participate in the deliberations of the applicant concerning the project.
- B. **Nondiscrimination** – No assistance shall be awarded to an applicant under this program unless the applicant certifies that the applicant shall not discriminate against any employee or against any person seeking employment by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act, which prohibits discrimination on the basis of race, color, religious creed, ancestry, age, sex, national origin, handicap or disability, or in violation of any applicable federal laws. All contracts for work to be paid with grant funds must contain the commonwealth's official nondiscrimination clause.
- C. **Project Account** – For record maintenance and audit purposes, all LSA funds must be deposited in a separate project account.
- D. **Project Records** – The grantee must maintain full and accurate records with respect to the project. The DCED requires access to such records as well as the ability to inspect all project work, invoices, and other relevant records at reasonable times and places.
- E. **Reporting/Audit** –
  - a. An audit on the use of grant funds will be required in accordance with DCED Audit Guidelines found [dced.pa.gov/compliance](http://dced.pa.gov/compliance).
  - b. The grantee will be required to submit quarterly and annual reports as outlined in the contract.

- c. Pennsylvania counties and municipalities are required by Act 1 of 2010 to report to the Department of Community and Economic Development all distributions of local share assessments, such as funds received under the LSA Program, on an annual basis. The report must include:
  - i. Amount of funds received by the municipality or county in the prior calendar year. This applies each year funds are disbursed from the grant.
  - ii. A description of how the funds were used; either deposited in a general fund or committed to a specific use or project. If specific use or project, a narrative is required.

To access the online reporting form and additional instructions, please visit:  
[dced.pa.gov/programs-funding/local-share-assessment-reporting/](http://dced.pa.gov/programs-funding/local-share-assessment-reporting/).

- F. **Bidding** – Applicants must comply with all applicable federal, state, and local laws and regulations dealing with bidding and procurement.
- G. **Prevailing Wage** – In the event that grant funds will be used for a public work project, the Prevailing Wage Act (PWA) may apply. The PWA requires that not less than the prevailing minimum wages be paid to all workmen employed on “public work” as defined in the PWA. Information on the PWA and the definition of “public work” may be found at [www.dli.state.pa.us/laborlaw](http://www.dli.state.pa.us/laborlaw) by clicking on the link to Prevailing Wage Act. The Act’s definition of “public work” has been applied to projects undertaken by private entities, but receiving government assistance. The PWA does not apply to the installation of equipment or machinery that is not a fixture, although any building construction/renovations to accommodate the equipment/machinery could be covered. The PWA also does not apply to work performed by the project-owner’s in-house employees, as opposed to work done by contractors or subcontractors. The full PWA can be found at 43 P.S. sections 165-1 through 165-17. Please contact L&I’s Bureau of Labor Law Compliance (717-705-7256) with questions about the PWA and/or if you would like L&I’s assistance in determining if the PWA applies to this project. Information on applying for prevailing wage rates in Pennsylvania can be found at [www.dli.state.pa.us/laborlaw](http://www.dli.state.pa.us/laborlaw).
- H. **Guideline Provisions** – The LSA provisions may be modified or waived by DCED unless otherwise required by law.

## Section VIII – Program Inquiries

---

Program inquiries should be directed to:

Department of Community and Economic Development  
Center for Community Enhancement  
LSA - Fayette County Program  
400 North Street, 4th Floor  
Commonwealth Keystone Building  
Harrisburg, PA 17120-0225

Telephone: (717) 787-6245  
Fax: (717) 787-9154



## PROJECT SUMMARY FORM

### LSA – Fayette County Program

|  |                              |
|--|------------------------------|
| 1. PROGRAM YEAR:   | 2. PROJECT LOCAL NUMBER:     |
| 3. ELIGIBLE APPLICANT:<br>Redevelopment Authority of the County of Fayette   | 4. SUB-GRANTEE:              |
| 5. PROJECT NAME:   |                              |
| 6. PROJECT ELIGIBILITY:<br><input type="checkbox"/> Economic Development <input type="checkbox"/> Community Improvement <input type="checkbox"/> Public Interest <input type="checkbox"/> Administration     |                              |
| 7. PROJECT CONFORMS WITH COUNTY COMPREHENSIVE PLAN?<br><input type="checkbox"/> Yes <input type="checkbox"/> No  | 8. PROJECT LOCATION:         |
| 9. PROJECT DESCRIPTION:  |                              |
| 10. PROJECT START DATE:  | 11. PROJECT COMPLETION DATE: |
| 12. BASIS OF COST: <input type="checkbox"/> bids/quotations <input type="checkbox"/> contractor estimates<br><input type="checkbox"/> engineer/architect estimates <input type="checkbox"/> sales agreements |                              |

| 13. PROJECT BUDGET:             | LSA Funds | Federal Funds | State Funds | Local Funds | Total |
|---------------------------------|-----------|---------------|-------------|-------------|-------|
| EXAMPLE <i>(list as needed)</i> |           |               |             |             |       |
| Water/Sewer                     |           |               |             |             |       |
| Engineering                     |           |               |             |             |       |
|                                 |           |               |             |             |       |
|                                 |           |               |             |             |       |
|                                 |           |               |             |             |       |
|                                 |           |               |             |             |       |

|   |
|---|
| 14. SUPPORTING DOCUMENTATION SECURED:<br><input type="checkbox"/> Budget Justification <input type="checkbox"/> Support Letters (including affected community) <input type="checkbox"/> Funding Commitment Letters <input type="checkbox"/> Comprehensive Plan Conformity |
| 15. STATUS OF ADDITIONAL FUNDING (IF STATE FUNDING IS INDICATED, PLEASE LIST THE SOURCE OF FUNDS):  |
|   |