



Q&A for Building Demolition and Site Revitalization Program

Subrecipients and Private Entity Participation

- 1. Q: Please explain the Lead Entity process and role. I am a developer seeking funds - do I need to submit a request for this directly to Development or is this handled at the county level, and will I be a subrecipient?**

A: House Bill (HB) 33 stipulated one Lead Entity for each county that is either a County Land Reutilization Corporation (if the county has a land bank and a population greater than 100,000) or an entity recommended by the Board of County Commissioners. Developers or other private, for-profit entities will be able to participate in the program, but not as a direct applicant to Development (i.e., Lead Entity) or as a subrecipient. HB 33 limits subrecipients to “local governments, nonprofit organizations, community development corporations, regional planning commissions, county land reutilization corporations, and community action agencies.” This is a new requirement that was not included in House Bill 110, the Fiscal Year (FY) 2022 program enabling legislation. Private, for-profit entities, however, are eligible to receive reimbursement through the Lead Entity or designated subrecipient. As redevelopment of sites is at the discretion of the Lead Entity or local government, you may contact the Lead Entity listed for your county for more information.

- 2. Q: Can private, for-profit entities be eligible to receive funds through a subrecipient agreement with the Lead Entity? Will the private developer need to enter into an agreement with the local government?**

A: Please see the previous answer.

- 3. Q: Do the subrecipients or the lead entities submit "grant user access forms"?**

A: Lead entities have submitted user access forms. No further action is required by subrecipients regarding grant user access forms. If lead entities wish to amend or add to their list of users, they should contact Development as soon as possible. This request must come from the designated Lead Entity.

- 4. Q: A developer has a purchase agreement in place with city-owned property where a portion of the property needs demolished. Who submits the application, the private developer, or the city?**

A: Neither; all projects must be submitted in a single application by the designated Lead Entity. Project selection is the responsibility of the Lead Entity, which is responsible for the preparation and submission

of application documents to the state. Required documentation for projects must include verification of blight, verification of vacancy/abandonment, property ownership, proof of access, and before photos.

5. Q: Last program (FY 2022), private residences were allowable with land bank ownership not being necessary. Is that the case this time also?

A: Yes. If the property is not owned by the Lead Entity, proof of access and consent of the property owner for demolition must be submitted.

6. Q: Does the subrecipient agreement need to be fully executed at the time of application? Can Memorandums of Understanding (MOUs) be submitted to demonstrate partnership to undertake projects, and then a subrecipient agreement executed once funds are obtained?

A: Memorandums of Understanding (MOUs) are acceptable to submit with the application. However, the subrecipient agreement must be executed prior to execution of grant agreement.

7. Q: How can private, for-profit entities receive funds through the Lead Entity (or subrecipients) if they cannot be a subrecipient?

A: Developers or other private, for-profit entities will be able to participate in the program, but not as a direct applicant to Development (i.e., Lead Entity) or as a subrecipient. HB 33 limits subrecipients to “local governments, nonprofit organizations, community development corporations, regional planning commissions, county land reutilization corporations, and community action agencies.” This is a new requirement that was not included in House Bill 110, the Fiscal Year (FY) 2022 program enabling legislation. Private, for-profit entities, however, are eligible to receive reimbursement through the Lead Entity or designated subrecipient. In summary, Lead Entities coordinate projects for a county and may make sub-grants to eligible subrecipients for projects. Lead Entities and subrecipients are those entities that will receive funds, be responsible for grant performance and fund usage, and reporting of project progress. Lead entities and subrecipients may contract with private, for-profit entities to do project work.”

Eligible Properties

8. Q: Do publicly owned properties, such as public property including a village hall, town hall, etc. classify as commercial?

A: A property that is publicly owned does not automatically qualify as a building for participation in this program. It would depend on the zoning for the individual building and the building use. If the publicly owned building was zoned for commercial, then it would qualify. If the building was used for commercial or institutional purposes, then it would qualify.

9. Q: Are religious structures/buildings considered commercial/institutional, and are they eligible to participate in this program?

A: Eligibility would depend on the zoning and/or historical use. Religious structures (i.e., buildings) that are zoned commercial would be eligible. Religious buildings would also be considered institutional under the commercial definition.

10. Q: Would a retail/commercial facility that was the site of a significant fire automatically be classified as a brownfield?

A: Not necessarily; a Phase I Assessment and other surveys/studies could assist with making a brownfield determination. Please be sure to include such documentation in your application so a full determination can be made.

11. Q: What is the definition of an "agricultural purpose" referenced in the Program Guidelines? What if the facility is considered commercial for property tax purposes?

A: Agricultural purpose is defined as a parcel zoned agricultural. If located in a county that does not have zoning requirements/designations, then historical use of a structure would help define it. Development would need more information about the property if it was used for agricultural purposes, but the county taxed it as commercial (i.e., does the county consider all agricultural properties automatically as commercial?). Zoning and taxation can help assist in eligibility determination, but the main component that helps establish eligibility in this case, is knowing what the structure was used for historically. Photos can also help assist Development in making a determination.

12. Q: It looks like no demolitions would be permitted on parcels that are zoned any form of "agricultural". In most areas under township or county zoning, these agriculturally zoned parcels still allow for a single-family residence as a permitted use. Would these structures be eligible?

A: Historical use of the structure will be reviewed on a case-by-case basis to determine eligibility as a residential property. In the example given, if a structure is on land that is zoned agricultural, but is used as a residential dwelling, then the residential dwelling would qualify and could be demolished. Page 11 of the Program Guidelines lists all instances of how a structure can be defined as being residential and can qualify to be demolished.

13. Q: Are abandoned gas stations eligible to receive funding through this program?

A: Generally, no. Abandoned gas station properties often have known or potential releases of contamination. Only if the property has been cleaned up to the applicable standard or can demonstrate no contamination present, is it eligible to demolish existing buildings. Proper documentation that clean-up occurred or contamination is not present would include a CNS, NFA, Phase I/II, etc. If subsurface contamination is present, the project may qualify under the Brownfield Remediation Program.

14. Q: Can a series of vacant overgrown lots with no buildings on-site but adjacent to a parcel with a vacant home to be demolished, be aggregated, and considered one site for a future development? Could the Demolition funds then be used to clear the vacant lots of overgrown trees and shrubs? They are all owned by the same developer.

A: It may be eligible under “site revitalization of surrounding properties.” Surrounding properties must be directly adjacent to the property being demolished to qualify under this provision. Proof of ownership of the adjacent properties must also be provided.

15. Q: Can the grants be used to restore an industrial site where structures have already been removed for use as a passive park? It is on a state scenic river and there are plans to apply to the Ohio EPA 319 program for riverbank restoration.

A: “Restore an industrial site” is too broad of a statement to make this determination. Additional information is required. The purpose of these grant funds is for the demolition of commercial or residential buildings and the revitalization of surrounding properties on sites that are not brownfields.

16. Q: The Program Guidelines read that "partial or internal demolitions that are necessary for a vacant and blighted structure to be demolished are eligible. Interior demolition and asbestos abatement for structures is allowable for redevelopment purposes but not for the rehabilitation of structures." What distinguishes rehabilitation from redevelopment?

A: Rehabilitation of structures includes renovation, remodeling, or repair of existing commercial or residential structures for continued use, which is ineligible under this program. Redevelopment is an end goal of the program that is at the discretion of the lead entity or local governments pursuant to their strategic or community plans.

17. Q: If assistance is being sought for partial demolition of a retail building, and the future proposed use is also retail, can a Lead Entity apply for Building Demolition and Site Revitalization funds?

A: Partial demolition of structure is not eligible unless it is contiguous and/or connected to a vacant or abandoned, and blighted structure that is necessary to demolish.

18. Q: Can the interior of a building be demolished, for example, a large industrial or research facility, to allow a new facility to occupy the site?

A: “New facility” is too broad of a statement to make this determination. Generally, interior demolition and asbestos abatement for structures is allowable for redevelopment purposes but not for the rehabilitation of structures. This may be eligible but would require further review and information.

19. Q: On a previous demolition done by the city/entity where a foundation was buried, can we go back to those properties and remove foundations using this funding?

A: Yes; if demolition work remains to be completed, these funds can be used to complete the demolition work.

20. Q: Will an asbestos abatement only for a building (ex, abandoned school) qualify if no actual demolition work will occur?

A: No, asbestos abatement-only projects do not qualify for this program. There must be a demolition component to the project.

21. Q: On the “redevelopment of industrial sites,” can we clear the interior for the redevelopment?

A: This may be eligible but would require further review and information.

22. Q: Can a property qualify for this program, and then for the soon-to-be-announced Brownfield Remediation program later this year?

A: Per Ohio Revised Code 122.6512(A)(1) Brownfield sites are not eligible for the Demolition Program.

23. Q: If Phase II ESA identifies no environmental concerns other than asbestos, will asbestos abatement and demolition be eligible to apply and receive funding through this program?

A: Yes, if the site is not a brownfield, asbestos abatement and demolition of the structure would be eligible.

24. Q: If a property’s Phase II identifies contamination, is it no longer eligible to apply? If the property is cleaned up to applicable standards, does it then become eligible? What about if contamination is addressed by institutional and engineering controls i.e., engineered barriers?

A: If contamination is confirmed through a Phase II, then the site would be considered a brownfield and not eligible under the Demolition program. If institutional and engineering controls have been put in place prior to an application being submitted to the Demolition program and has a Covenant Not to Sue (CNS) from Ohio EPA, then it would be eligible to apply under the Demolition program.

25. Q: If a property was partially destroyed by a natural disaster can funds from the program be used to clean the site, if the cleaning includes full demolition of any remaining parts of the structure?

A: Yes, buildings destroyed by natural disasters could qualify, but the building would need to be verified as being blighted and meet other requirements as listed in the Program Guidelines.

26. Q: What if there is no zoning present in our county? Are all buildings eligible? If not, how do we document the current use to demonstrate that they are eligible?

A: To assist with eligibility determinations, historic use records, photos, and project description details should be provided in the scope of work section of the application.

27. Q: We are a governmental agency that has a structure we want to demolish that is zoned general farming; is this eligible?

A: Without additional information, this structure would not be eligible. Eligible building structures must have been used for commercial (i.e., retail, office, manufacturing, industrial, industrial warehousing, institutional purposes) purposes, or have been used as a residential dwelling to qualify.

Vacancy and Blight

28. Q: If a property is not vacant now but will be by the end of the year, as it is dilapidated and out of date, will this be eligible? Do properties have to be vacant at least 60 days prior to demolition or 60 days prior to application?

A: Properties must be vacant for at least 60 days prior to application to be considered vacant (unless vacated due to fire, casualty, or other emergency). If vacancy cannot be shown by application date, please be clear in the application, with documentation, that there is a plan and clear committed date for vacancy.

29. Q: Would a property with clear structural damage, and with plans to relocate residents and demolish the building qualify, if it is currently occupied? What if it is currently partially occupied?

A: If an occupied structure is contiguous and/or connected to a vacant or abandoned, and blighted structure that is necessary to demolish, then yes, that would qualify. Partially occupied buildings need to have a committed plan to vacant the entirety of the property prior to demolition.

30. Q: How should the application address properties that are condemned? Similarly, if the owner of a condemned property does not sign a consent form would this property be eligible to receive funds?

A: Condemnation does not automatically qualify the property for participation in this program. The Lead Entity must have legal access to the site, with the authority to demolish the structure. Documentation of legal access in the form of a court order, local ordinance, signed letter from the owner, emergency order, etc., is required. The property must also be vacant.

31. Q: What are examples of documentation that should be used for verification of blighted and vacant/abandoned properties?

A: The Grantee Resources portion of the Demolition webpage has Application Templates/Examples section that includes a document titled “Verification of Blight.” An example of a Verification of vacant or abandoned is not currently available, but a letter from the Lead Entity or applicable entity verifying vacancy or abandonment would suffice.

32. Q: What is Development’s definition of blighted? If a site is vacant but not blighted or abandoned, is it eligible?

A: Page 10 of Program Guidelines defines “blighted parcel” – dilapidated, unsanitary, unsafe, vermin infested, and designated as such by appropriate entity. The property must be vacant or abandoned, and blighted.

33. Q: How will the definition of vacant/abandoned apply to parking facilities and/or storage facilities?

A: If this is a commercial parking or storage facility, then it would be considered vacant or abandoned if it had not been used or generated income for at least the last 60 days prior to application submission.

34. Q: Regarding the clarification about a blighted property, is that determined through the City, Health Department, etc. (or combination of all), and does that require just a letter from the entity or a more formal report?

A: Development can accept letters from the Lead Entity or another appropriate entity for verification of blight. An example letter is posted on the Demolition Program website.

35. Q: Do long term blighted property owners have to maintain the property ownership?

A: Development does not have requirements regarding this.

Eligible Costs/ Reimbursements

36. Q: If a Lead Entity is using a consultant for administration, is the contract acceptable documentation rather than hourly rate sheets?

A: Development must be able to verify hours worked on administration. Outsourcing administration to a third party does not release the Lead Entity from the program requirements and grant agreement terms and conditions.

37. Q: If we have a larger demolition, for example \$1,000,000. If we don't use the optional post demolition \$5,000 on some of the smaller sites can we use some of these funds for the larger site?

A: No; post-demolition is capped at \$5,000 per project site.

38. Q: Would putting down gravel for a parking lot count as greening?

A: Gravel may be considered an eligible post-demolition cost under “site restoration” if the gravel is used in place of seeding.

39. Q: Is there a percentage of the award that can be used towards acquiring properties to demolish?

A: No more than 10% of the total request, not to exceed the auditor’s property value, may be used toward acquisition.

40. Q: Awards are going to be made by July 1, 2024, but can an applicant be reimbursed for work done before that time?

A: Award dates are to be determined. Costs incurred after July 4, 2023, may be reimbursable for eligible costs at an approved site.

41. Q: If an occupied structure needs asbestos abatement, is the abatement an allowable expense?

A: The structure must be vacant or abandoned, and blighted to qualify for this grant program.

42. Q: Are applicants required to provide separate quotes for demolition and asbestos activities, or can it all be part of one overall quote?

A: “Asbestos activity” is a broad description. If there is an asbestos survey, the estimate would need to be included in the pre-demolition cost category; however, abatement falls under demolition costs.

43. Q: If the demolition portion of a redevelopment project occurs after an application has been submitted to the Building Demolition and Revitalization Program, but before the grant is awarded, will the demolition work still be eligible for reimbursement?

A: Yes, if work was conducted after July 4, 2023, for eligible costs, at an approved project site. If the demolition occurred between July 4, 2021, and July 4, 2023, then it could count towards match.

44. Q: Environmental assessments were performed to determine that a property is not a brownfield. Can these costs, paid by the subrecipient, qualify as matching funds?

A: Yes; please see page 3 of the Program Guidelines for eligible pre-demolition costs.

45. Q: What are examples of architectural elements?

A: Fencing, signage, benches, hardscaping; eligible post demolition.

46. Q: What is the look back period for reimbursement?

A: Reimbursement can be made for eligible costs incurred after July 4, 2023.

47. Q: Awards are going to be made by July 1, 2024, but can an applicant be reimbursed for work done before that time?

A: Please see question 38.

48. Q: If the demolition portion of a redevelopment project occurs after an application has been submitted to the Building Demolition and Revitalization Program, but before the grant is awarded, will the demolition work still be eligible for reimbursement?

A: Please see question 41. The purpose of this program is to fund current and on-going projects.

49. Q: What is the look back period for reimbursement?

A: Please see question 44.

50. Q: Environmental assessments were performed to determine that a property is not a brownfield. Can these costs, paid by the subrecipient, qualify as matching funds?

A: Yes; please see page 3 of the Program Guidelines for eligible pre-demolition costs.

Matching Funds

51. Q: It has been stated that up to 10% of the assessed value of a property is eligible to be applied for a community's 25% match. How far back can this property purchase have been made?

A: There is a two-year lookback period for match from July 4, 2023. Expenses incurred on or after July 4, 2021, may be considered as matching funds.

52. Q: Can we use our set-aside (\$500,000) portion of our funding as match towards meeting the statewide match requirement?

A: No, eligible match can come from federal, local, or other state program funds, but not from the demolition county set-aside itself. The Lead Entity needs to verify that the funds being utilized are eligible for program matching funds. Only set-aside funds are match free. Grant awards requested from the statewide portion are limited to seventy-five percent of a project's total cost, per the enabling legislation.

53. Q: How are match funds calculated?

A: Match funding is required for projects in excess of the County set-aside (\$500,000). For any project in excess of the County set-aside, 25% of the project total costs must be committed to the project and documentation must be provided.

For example, if the total application budget is \$600,000, then the excess amount is \$100,000. The match requirement is therefore 25% of \$100,000, and in this case, would be \$25,000. Thus, the award amount is \$575,000.

54. Q: Can demolitions completed after July 4, 2023, qualify as match?

A: No, completed demolition projects are not eligible for inclusion as match funds.

Application Submissions

55. Q: Is the Budget tab meant to be a summary of all projects in the application. I.e. do we need to separate every single project/property out?

A: Yes, a summary of costs is sufficient for the application. You do not need to separate costs by project.

56. Q: What is a “delegating document”? Is this a subrecipient agreement?

A: In the application, “delegating document” refers to the subrecipient agreement. Please be sure to use the proper naming convention outlined in the program guidelines.

57. Q: If subrecipient agreements, verification of blight, vacancy, etc. are uploaded in the Scope tab and are project-specific, must we upload them again in the Documents tab?

A: The Documents tab can be used to include additional documents that were not uploaded under the Scope tab. You do not need to reupload documents that were included in your Scope.

58. Q: Overall, do we put environmental site assessments (ESA) into “Other” under the documents tab?

A: Yes, ESAs can be uploaded under the Documents tab.

59. Q: We have a piece of property owned by the land bank that we are submitting for demo/cleanup. The property is 2 separate parcels with 2 separate addresses. One of the parcels has the house, the other parcel is in need of cleanup. How would I name the property when applying? Would both parcels/addresses go under the same project and named “1234/1236 Jane Doe”, or would they be two separate projects?

A: In the application you can name the project “1234/1236 Jane Doe” then enter the primary parcel address with the house under “Project Location,” and the additional parcel address in the “Project Description.” Please provide a description of what the cleanup will entail and be sure that the activities are covered under the eligible cost categories.

Application Requirements

60. Q: Do contractor estimates qualify for the budget justification?

A: Yes, contractor estimates can satisfy the budget justification requirement for that portion of the budget.

61. Q: Can you clarify what will be required to justify our budgets?

A: Narrative and a basis for the costs requested. The basis can be per-unit costs based on history, and/or formal cost estimates received from contractors. A Project Assumption and Cost Estimate (PACE) would also satisfy this requirement.

62. Q: Last round we named our projects by their parcel number and address. For this next round, would it be okay to name our projects by Parcel Number only?

A: Projects can be named in a way that allows for unique identification. However, to assist with timely review of applications, reimbursement requests and performance reports it is recommended that projects are named with the address only.

63. Q: Are interior photos required or will a signed blight certification and exterior photos be sufficient?

A: Interior photos are not required. Signed blight certificates and exterior photos are sufficient.

64. Q: Could you please clarify if we need the access agreement to be notarized as it shows in the example?

A: Notarization of the access agreement is not required.

65. Q: Can one document that lists multiple projects as blighted be provided or is a separate document to each required (i.e., the provided template)?

A: One document is acceptable; please provide as much info as possible. A master document that lists all the locations for each individual project can be uploaded to the application.

66. Q: If our commissioners appointed us the Lead Entity through Development, you already have our user access form, correct?

A: Development sent notices of intent to County Board of Commissioners to request Grant User Access forms and Lead Entity letters of intent. Please reach out to Development at: redvelopment@development.ohio.gov if you have any questions about submission or access.

67. Q: Can you please review how to send a letter of intent please? Can the deadline of Oct. 17 be extended?

A: Development has received all Lead Entity letters of intent and Grant User Access forms. No further action is needed, so no extension is required.

68. Q: Is full clearance for demolition of privately-owned property needed at the time of application (for example, a completed legislative process obtaining clearance for demolition), or could this demolition clearance process still be underway at the time of application?

A: Legal access and authority to demolish is required at the time of application. If legal access and authority to demolish cannot be shown by application date, please be clear in the application, with documentation, that there is a process underway for this access and authority.

69. Q: What documentation do we need to prove if we proceed with a planned demolition for reimbursement, we're ready to go now.

A: Required documentation for project submissions are outlined in the Application Process section of the Program Guidelines on pages 5-6. Reimbursement requests can be submitted for eligible costs listed on pages 3-4 of the Program Guidelines using the *Reimbursement Request Tool*, which is available to access for lead entities.

Application Process

70. Q: Will applications be reviewed as they come in or will all applications be held until the April 1, 2024 close date before being reviewed?

A: Applications will be reviewed in the order in which they are received.

71. Q: If the application window opens Oct. 31, 2023, and closes April 1, 2024, does that mean all awards will be made after April 1, or will awards start as soon as applications are processed and approved?

A: The award date is to be determined.

72. Q: Will awards be issued prior to July 4, 2024? We are confused with the first-come, first-served language and the July 4, 2024, date. Is July 4, 2024, when funds will be made available for disbursement/spending?

A: The exact award date is to be determined. Development will recapture county set-aside allocation amounts that are not utilized by July 4, 2024. The balance will then go towards the statewide funding pool.

73. Q: Development has the right to recapture funds after July 4, 2024, but awards won't be made until late Spring 2024. Can this be clarified?

A: Per the enabling legislation, Development will recapture the unexpended, unencumbered county set-aside allocation amounts that are not reserved by July 4, 2024. If any funds are recaptured, the balance will be reappropriated towards the statewide funding pool.

74. Q: Is this a one-time \$500,000 set-aside or will another round be available in the next budget year?

A: This is a one-time set-aside of \$500,000 per county for this application.

75. Q: For this round does each county have a specific amount they are eligible for, or can communities apply for any amount that is needed?

A: A set-aside amount of \$500,000 is allocated for each county and is match-free, per the enabling legislation. There is no ceiling to the amount that may be requested from the statewide funding pool; however, any amount requested from the statewide funding pool is subject to the 25% match requirement and is awarded on a first-come, first-served basis.

76. Q: Is there a dollar limit for the cost our county land bank may request for any one site?

A: No, there is no ceiling to the amount that may be requested for any one site.

77. Q: Will each entity still be submitting one application, or will there be individual applications per project?

A: Only one application will be accepted per Lead Entity. The request should include a portfolio of projects.

78. Q: If we submit an application prior to the April 1, 2024, deadline, can we update that application with new projects prior to the expiration of the deadline? For instance, perhaps new projects are identified during the open application window. Will each county's application stay open through April 1st, or is it a one-time submittal? How would additional applications, if allowed, affect the queue placement of original applications?

A: The application must be ready to be reviewed upon submission. If you remove your application on your own accord and resubmit, the resubmittal date will be used to establish your place in line for the statewide portion.

79. Q: When will we need to ensure that work is completed and funds are expended?

A: Work must be completed by May 1, 2025. Lead Entities will have until July 15, 2025, to submit final reimbursement requests. Please see Program Guidelines on page 1 and page 3, for further details.

80. Q: If a Lead Entity applies for a project which exceeds the county set-aside, does the Lead Entity need to resubmit for amounts exceeding the set-aside on a first-come, first-serve basis or will the timing of the application during the county set-aside be considered?

A: A single application should be submitted by the Lead Entity. The application must be ready to be reviewed upon submission. If you remove your application on your own accord and resubmit, the resubmittal date will be used to establish your place in line for the statewide portion.

81. Q: Will multiple users be able to log in and add project information for the same application?

A: Multiple users should be able to work on the same application, but not at the same time. Be sure to save and log out properly if you intend to have multiple accounts access and add to the same application.

82. Q: Can the contractor who gives the estimate be eligible to bid?

A: Yes; a contractor who provides an estimate can also bid on the project.

83. Q: If a community procured outside assistance in FY 2022 for application, administration, etc., can they use that same consultant for this 2024 grant? Or must they go through the procurement process again?

A: It is recommended to follow the local procurement policies and procedures.

84. Q: Could you confirm if a Catalog of Federal Domestic Assistance (CFDA) number is assigned to this overall grant?

A: CFDA numbers are provided for federal grant awards; this program is state-funded and therefore grant agreements will not have a CFDA number.

85. Q: Can a county submit more than one project, for example several residential homes in different parts of the county?

A: Yes, a Lead Entity can, and is encouraged to, submit a portfolio of projects from different parts of the county as part of the application.

Grant Terms and Conditions

86. Q: Should the Start Date be July 4, 2024?

A: Costs incurred after July 4, 2023 are eligible for reimbursement per the enabling legislation; individual grant award dates are to be determined.

87. Q: Are State or Federal prevailing wages required on projects over \$75,000?

A: These are state funds and state prevailing wage requirements apply.

The Eligible Cost section states that “Grantees will comply with the provisions of ORC Sections 4115.03 to 4115.16, inclusive, as applicable, with respect to the payment of all mechanics and laborers employed in construction work financed with grant funds”. It is Development’s understanding that this law applies only to projects where 1) the cost of the project is expected to exceed \$75,000, 2) maintenance costs such as waste removal, grass mowing and post-demo site repairs (re-seeding, fixing sinkholes,...), and 3) the costs of hiring professional services vendors, such as asbestos surveyors and others whose work does not alter the property, are excluded. Grantees are responsible for compliance and should coordinate with the Ohio Department of Commerce Bureau of Wage and Hour Administration, to verify project-specific applicability and compliance requirements. The guidelines also says: “as applicable” since if the county hasn’t created a land reutilization corporation, then the Board of County Commissioners or another unit of local government would be the Lead Entity, and different rules might apply. Regarding County land reutilization corporation organized under Chapter 1724.04 of the Revised Code though, the Ohio Department of Commerce Bureau of Wage and Hour Administration does consider these a “public authority” pursuant to ORC 4115.03(A). As a public authority, they are subject to Ohio prevailing wage law. The ORC includes exceptions and thresholds, so public authorities should evaluate each project individually.

88. Q: Why is the grant start date prior to the actual application period?

A: July 4, 2023, was the date these funds were appropriated by the legislature.

89. Q: It may be beneficial to emphasize that if identified, asbestos remediation is required for both residential and commercial building demolitions per Ohio EPA. The residential demolitions are not exempt as they are a part of a demolition program.

A: Development’s grant agreement has terms that state: “Grantee shall comply with all applicable federal, state, and local laws in the performance of Grantee’s obligations under this Agreement.”

90. Q: If the demolition project is delayed, will extensions be allowed?

A: Development will evaluate extensions to grant agreements on a case-by-case basis.

91. Q: Are land banks allowed to charge private property owners a percentage of the demolition costs?

A: Revenues generated are considered program income, and subject to future use restrictions listed on page 8 of the Program Guidelines and Program Income section of the Grant Agreement.

92. Q: If we have an active demolition contractor that owns a building that is on the demolition list, is this contractor eligible to participate in the bidding process?

A: According to Page 9 of the Program Guidelines: “All contractor personnel must be knowledgeable of and understand Ohio Ethics and Conflict of Interest Laws.” Development’s grant agreement also has a section that states: “Grantee shall comply with all applicable federal, state, and local laws in the performance of Grantee’s obligations under this Agreement.” Furthermore, the grant agreement has an Ethics compliance section that states: “Grantee, by its signature on this document, certifies: (1) it has reviewed and understands the Ohio ethics and conflict of interest laws including, without limitation, ORC Sections 102.01 et seq., 2921.01, 2921.42, 2921.421, 2921.43, and 3517.13(I) and (J), and (2) will take no action inconsistent with those laws, as any of them may be amended or supplemented from time to time. Grantee understands that failure to comply with the ethics and conflict of interest laws, is in itself, grounds for termination of this Agreement and the grant of funds made pursuant to this Agreement and may result in the loss of other contracts or grants with the State of Ohio.”

Interaction with Demolition or Brownfield Grants from FY 2022

93. Q: If we have an existing Building Demolition grant award, and then we receive a second award during this application period, will those funds be comingled, or will we manage each award separately?

A: Award funds are project-specific. The two grants will not be comingled.

94. Q: If costs for a project from the FY 2022 grant exceeded our award amount, would we be able to apply for funding to reimburse these expenses through the new FY 2024 grant?

A: Possibly; the work and costs incurred would need to have occurred within the timeframe of the new award, i.e. after July 4, 2023

95. Q: Are we able to demolish a barn if a house that was previously on the property has already been demolished?

A: The house would need to have been demolished with the previous demolition program funding for this to qualify.

96. Q: If a community procured asbestos surveys and remediation with the previous demolition grant, can they use that same company to do asbestos surveys for this grant? Or must they go through the procurement process again?

A: It is recommended to follow the local procurement policies.

97. Q: Is there any way this money can be used in conjunction with last years' brownfield money?

A: Potentially; If a structure remains and the brownfield was cleaned up to applicable standards and is no longer considered a brownfield, and supporting documentation can be provided (e.g. NFA, CNS, Phase I/II Assessments, etc.), then the structure could potentially be removed using Demolition Program funds.

Replacement Projects

98. Q: Can you speak on the ability to, and logistics around, swapping substitute properties in and out of the grant?

A: Substitutions may be allowed on a case-by-case basis after the grant has been approved.

99. Q: If the final project cost is under the original estimates, will we be able to add additional properties as we did with previous funding?

A: Development will evaluate this need as the program progresses.

100. Q: For replacement requests not yet submitted under the current funding award (FY 2022), do the old Program Guidelines apply or are they subject to the new Program Guidelines?

A: The old Program Guidelines apply to the FY 2022 funding. The new Program Guidelines apply to the FY 2024 funding.

Trainings

101. Q: Is a similar webinar being planned for the next round of Brownfield Remediation grants?

A: Yes, a similar webinar is being planned for the next round of Brownfield Remediation grants.

102. Q: Will the presentation/slides be provided after the webinar?

A: Yes, this presentation's slides and a recording of the webinar will be posted on the Development's (Development) website at www.development.ohio.gov/demolition.

103. Q: Is there going to be a website training webinar or instruction manual?

A: The October 16, 2023, webinar will be posted on the Demolition Program website. Reporting and reimbursement instruction manuals will also be available on the website and will reflect any recent updates. Please reach out to redvelopment@development.ohio.gov with any further questions you may have.
