



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Community Services Group

I.2.

7/11/2023

Subject:

Approval, Re: Tourist Development Council (TDC) FY 2023-2024 Major Event Grant Program Funding, Guidelines, Application and Committee Scoresheet.

Fiscal Impact:

FY 2023-2024: Program funding of \$150,000 from the TDC Cultural Fund # 1446-293020-5820000.

Dept/Office:

Tourism Development Office

Requested Action:

It is requested the Brevard County Board of County Commissioners approve:

- The Tourist Development Council FY 2023-2024 TDC Major Event Grant Program Guidelines, Application and Committee Scoresheet.
- Funding of the FY 2023-2024 Major Event Grant Program applications which shall come before the Board for final funding approval as the grant application cycle commences.
- That the Board make the legislative finding that Tourist Development Tax funds are authorized for each grant pursuant to Section 125.0104(5)(a)3., Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a. of the Brevard County Code of Ordinances, because each grant supports an activity or event which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists from outside Brevard County.
- That the Tourism Development Office Director be authorized to negotiate and sign all necessary grant agreements and related documents upon County Attorney Office, Risk Management and Purchasing Services approval.

Summary Explanation and Background:

These funds are put in place each fiscal year for projects approved by the TDC Cultural Committee, The Tourist Development Council, and the Brevard County Board of County Commissioners. These Major Event Grant projects are verified by the County Attorney's Office to be viable projects to receive support with Tourist Development Tax dollars per State Statute and local ordinance. Reimbursable grant awards are available to support projects that benefit tourism and promote cultural arts on the Space Coast. These Major Event Grant Program projects are approved and supported through the Cultural Committee plan and will serve as safe, world-class projects to promote the Space Coast as a tourism and large event destination that are open and available to both tourists, visitors and the community.

The Cultural Committee at their May 4, 2023 meeting, and the Tourist Development Council and their May 24, 2023 meeting, voted unanimously to recommend the Board approve the FY 2023-2024 TDC Major Event Grant Program Funding, Guidelines, Application and Committee Scoresheet as well as make the necessary legislative

findings. All fiscal year dates and schedules have been updated accordingly. A summary of the revisions to the Major Event Grant Program Application, Guidelines and Scoresheet are: (gray shaded areas are updates/revisions by CAO and yellow is by Cultural Committee).

- Page 2 - TDC Major Event Grant Program Guidelines - 2.0 Statement of Applicant Responsibility, Addition - 'If the grant is awarded, the applicant agrees to be bound by the terms contained in their application, these guidelines and any supporting documents'.
- Page 3 of the TDC Major Event Grant Program Guidelines - Update - 4.0 Application Process and Key Dates. Update schedule with new dates for the cycle.
- Page 4 of the TDC Major Event Grant Program Guidelines - Updated/Clarifying - 5.0 Eligibility
- Page 5 of the TDC Major Event Grant Program Guidelines - Addition - 5.0 Eligibility (f.) 'from date of incorporation'.
- Page 5 of the TDC Major Event Grant Program Guidelines - Update/Addition - 6.0 Available Funds, add wording "Maximum funding per organization, per fiscal year will not exceed \$75,000 or 20% of the most recent budgeted event operating expense actual amount, whichever is less". Funding Award amounts have been updated to \$25,000, \$50,000 & \$75,000.
- TDC Major Event Grant Program Application - Addition - Q2
- TDC Major Event Grant Program Application - Addition - Q8, 9, 10 & 13.
- TDC Major Event Grant Program Application - Addition - Required Attachments 6 & 7
- TDC Major Event Grant Program Scoresheet - all questions reflect a change in score points allocation.
- TDC Major Event Grant Program Scoresheet questions have been re-ordered and re-worked to coordinate with the Application and adjusted scoring to align with the minimum score of 80, deleted "Section" headers.

Clerk to the Board Instructions:

Please return a memo of the Board's action to the Tourism Development Office and CAO.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

July 12, 2023

M E M O R A N D U M

TO: Peter Cranis, Tourism Development Office Director

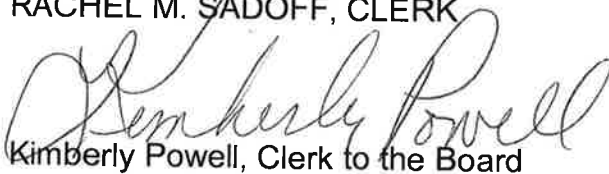
RE: Item I.2., Approval of Tourist Development Council (TDC) FY 2023-2024 Major Event Grant Program Funding, Guidelines, Application, and Committee Scoresheet

The Board of County Commissioners, in regular session on July 11, 2023, approved the TDC FY 2023-2024 TDC Major Event Grant Program Guidelines, Application, and Committee Scoresheet; approved funding of the FY2023-2024 Major Event Grant Program applications which shall come before the Board for final funding approval as the grant application cycle commences; granted legislative finding that Tourist Development Tax funds are authorized for each grant pursuant to Section 125.0104(5)(a)3., Florida Statutes, and Section 102-119(3)a, (5)a, and (6) a. of the Brevard County Code of Ordinances, because each grant supports an activity or event which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists from outside Brevard County; and authorized you to negotiate and sign all necessary grant agreements and related documents upon County Attorney Office, Risk Management, and Purchasing Services approval.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/ds



**Brevard County
Tourism Development Office**

Guidelines

Major Event Grant Program

Fiscal Year 2023-2024

Fiscal Year 2023-2024

Major Event Grant Program

1.0 Introduction

This grant is provided by the Brevard County Board of County Commissioners through the use of the Local Option Tourist Development Act, pursuant to Section 125.0104(5)(a)3., Florida Statutes, and Section 102-119(3)d of the Brevard County Code of Ordinances. The BOCC has authorized Tourist Development Tax funds to be used for tourist-oriented cultural and special events such as visual and performing arts including theater, concerts, recitals, opera, dance, art exhibitions, festivals and other tourist related activities.

The Major Event Grant Program is a program administered by the Space Coast Tourism Development Office, the focus of which is to promote Brevard County as a large event destination.

Goals of the Major Event Grant Program:

1. Promote Brevard County as a destination to both visitors and residents and make a positive impact to Brevard County tourism.
2. Enhance the Space Coast through increased large events and marketing support for the benefit of visitors and residents.

2.0 Statement of Applicant Responsibility

Please read this entire document carefully.

The Tourism Development Office (TDO) and Brevard Cultural Alliance (BCA) staff will work in coordination to review the applications shortly after submission to determine if the application is complete or incomplete (i.e. missing attachments, lack of proper support materials, incomplete or incorrect support documents, etc.) and eligible for the grant. If the grant is awarded, the applicant agrees to be bound by all terms contained in their application, these guidelines, and any supporting documents. Incomplete or incorrect application packages will not be accepted and therefore will not be considered for funding. Applications that arrive after the application due date will not be reviewed or considered. Kindly note the due date, plan accordingly and double check your documents before you submit your application. If you have any question, please contact Deborah Webster at Deborah.Webster@VisitSpaceCoast.com.

3.0 Anti-lobbying

All Tourism grant applicants are restricted from lobbying TDC members and committee members from the time the grant application is open until the Committee finalizes the grant scores. Applicants may not attempt to influence their deliberations or scoring to secure an award, either verbally or in writing. Any questions concerning a grant applicant or the grant process from either applicants or committee members should be directed to the designated staff at the Tourism Development Office.

4.0 Application process and key dates

The 2023-2024 Major Event Grant Program for events occurring between October 1, 2023 and September 30, 2024.

March 9, 2023	Cultural Committee meeting #1, Tourism Development Office @2pm
April 6, 2023	Cultural Committee meeting #2, Tourism Development Office @2pm
May 4, 2023	Cultural Committee meeting #3, Tourism Development Office @3pm
May 24, 2023	TDC for approval of MEGP Guidelines, Application & Scoresheet
July 11, 2023	BoCC for approval of MEGP Guidelines, Application & Scoresheet
July 12, 2023	MEGP Application window opens
July 12, 2023	MEGP non-mandatory online Information meeting @10am
July 19, 2023	Cultural Committee meeting #4, Tourism Development Office @2pm
July 20, 2023	Pre-qualification deadline for new events
August 7, 2023	MEGP Application window closes
August 7-9, 2023	TDO staff reviews applications for completeness
August 10, 2023	Cultural Committee meeting #5, MEGP presentations, Tourism Development Office @2pm
August 10, 2023	Cultural Committee begins scoring; applications & scoresheets submitted to Committee for review & scoring
September 7, 2023	Committee scoring due by 5pm
September 14, 2023	Cultural Committee meeting #6, MEGP Review, Ranking & Recommendations, Tourism Development Office @2pm
September 27, 2023	TDC recommendations for award approvals
October 1, 2023	FY2023-2024 grant period begins
October 10, 2023	Brevard County Board of County Commissioners final approval, Government Center
October 11, 2023	Funding notification to the applicants & executed contracts
September 30, 2024	FY 2023-2024 grant period ends
October 4, 2024	Final Reimbursement requests due
October 31, 2024	Final report due

The above dates are subject to change. Changes will be publicized in advance

The Tourist Development Council will review and recommend approval of the grant program Guidelines, Application, Scoresheets and grant awards. The program will be administered by the Tourism Development Office (TDO). All grant awards are subject to funding and approval by the Brevard County Board of County Commissioners.

5.0 Eligibility

The primary purpose of the Major Event Grant Program is to promote Brevard County as a destination by funding groups which present large special events and market the events to out-of-county tourists. To qualify for the Major Event Grant Program, the event must meet the following criteria:

- Minimum of 25,000 total attendees
- Minimum of 25% of total attendees must be visitors from outside Brevard County
- Minimum of 40:1 Return on Investment (ROI) as measured by TDO staff
- At least 50% of the grant award must be spent on out-of-county advertising.
- Must occur within the same week (7 consecutive days)
- Must have at least 1 year of prior event experience for measurement.
- Events must be held at an ADA compliant facility conducted in compliance within current ADA guidelines.
- All projects, programs and/or exhibits funded by the Brevard County Board of County Commissioners must be suitable for viewing by people of all ages.

To be considered for this grant funding, the events/activities must be held in-person with in-person attendees with the main purpose of attracting out-of-county visitors to Brevard County. Virtual events or media outlets will not qualify for this grant. For applications to be considered for this grant, visitors to the event must account for total attendance of at least 25,000 attendees. The attendee measurement shall be conducted by TDO staff as a combined effort of online tracking tool.

To be eligible to apply for participation in the Major Event Grant Program an organization must also:

- a. Be a corporation registered in Florida (or a governmental entity),
- b. Headquartered in Brevard County or have sponsoring facility in Brevard County
- c. Applicant organization must be the presenting/producing entity of events to be promoted through the Major Event Grant Program.
- d. Provide IRS determination letter and Florida Department of State, Division of Corporations Detail by Entity Name Report.
- e. Supply required documentation – Updated W-9 (IRS Form Rev. October 2018), Certificate of Insurance (COI), Proof of Registration with E-Verify (17-page MOU), SunBiz, and most recent 990 form. If an applicant is a governmental entity, the applicant may be required to supply alternative documentation.

- f. An organization should be in business for a minimum of two (2) years. (Date on IRS 501-c3) from date of incorporation.
- g. An organization must have held the event for at least (1) year to qualify for the Major Event Grant Program.
- h. Fully cooperate with TDO staff post-event on guest information, surveys, and any other requests for information.

6.0 Available Funds

Funds are available for the fiscal year 2023-2024 Major Event Grant Program. These funds will promote large attendance events that happen within and promote Brevard County as a cultural destination. Award funds will be based on total attendance as noted in the chart below. Maximum funding per organization, per fiscal year will not exceed \$75,000 or 20% of the most recent budgeted event operating expense actual amount, whichever is less.

Funding Award amounts;

Total # of attendees	Funding	Grant Program
25,000-49,999	\$25,000	Major Event Grant Program
50,000-99,999	\$50,000	Major Event Grant Program
100,000+	\$75,000	Major Event Grant Program

The Major Event Grant program is a reimbursable grant. This grant is on a reimbursement basis to reimburse grantee for approved expenditures that directly support personnel, marketing, supplies, materials, and other general operating costs. Grantees must initially self-fund approved expenditures, and upon receipt and verification of valid documentation will be reimbursed up to awarded amount.

The Tourism Development Office reserves the right to cancel/withdraw funding to this program at any time without cause. Applicants submit applications at their own cost and risk, without expectation of or reliance on funding award. Applicants may have their requested amounts reduced based on Tourist Development Council recommendations, funding availability, or number and quality of requests submitted. Annual funding of this program is subject to the Brevard County budgeting approval process and receipt of Tourist Development Tax revenues within Cultural fund. At least 50% of the grant award must be spent on out-of-county advertising.

7.0 Eligible Use of Funds

Funds must be used for the project or event as proposed in the applicant's grant application and categorized in the proposal budget worksheet, as well as the grant contract.

Funds also must be used to implement events that promote Brevard County as a destination and make a positive impact to local economy by presenting a large event.

- Funds may **not** be used to finance projects that are already fully funded unless a project can be significantly enhanced with additional funds.
- Funds may **not** be used to pay debt obligations.
- Funds may **not** be used for grant applications or routine maintenance

Allowable and Non-Allowable:

Allowable Costs:

- Expenditures within the grant period specified on the grant application and/or the period specified by the Brevard County Budget Department; and,
- They are solely for the purposes of the grant and can be easily identified as such.

Non-Allowable Costs:

- Expenditures before or after the grant period;
- Lobbying or attempting to influence federal, state, or local legislation;
- Capital improvements, including but not limited to new construction, renovation, and installation or replacement of fixtures in the permanent facility of the organization;
- Bad debts, contingencies, fines and penalties, interest, other financial costs and costs of litigation or tuition;
- Plaques, awards, scholarships, gift cards, prize money or certificates;
- Items for resale
- Projects which are restricted to private or exclusive participation;
- Regranting (using County funds to underwrite local grants programs);
- contributions and donations;
- any other expenditure not authorized by Chapter 112 of the Florida Statutes or Brevard County Codes and Policies or any other law.
- Salaries or event personnel costs excluding support personnel (police, fire, etc.).

8.0 Application Submittal Procedures

The Major Event Grant Program application may only be submitted electronically through a unique link for the on-line application which will be provided to interested organizations on July 12, 2023. All supporting documentation may be uploaded within the application. The application

deadline is no later than 5pm EST on August 7, 2023 to be considered for funding. If you have questions about the application or program, please make them in writing to Deborah Webster at Deborah.Webster@VisitSpaceCoast.com until the application deadline.

A non-mandatory Information meeting to answer any questions you may have about the process or application will be held at 10am on July 12, 2023.

Join Zoom Meeting
<https://us06web.zoom.us/j/85912035843>

Meeting ID: 859 1203 5843
+1 929 205 6099

9.0 Evaluation Criteria and Approval Process

On the close of the application window, August 7, 2023, TDO staff will receive and review all grant applications to ensure:

1. Applications are submitted by the deadline; absolutely no late arrivals will be accepted.
2. Applications are complete and contain all required information.
3. Applications are for eligible activities and expenses.
4. Applications have met the minimum attendee requirement.
5. TDO staff will review the applications and shall have the direction and authority to disqualify those who do not meet the minimum requirements prior to committee review.
6. Each member of the Cultural Committee will receive eligible applications and scoresheets (see attached sample scoresheet) for review. Committee members will be instructed to review each proposal using the scoresheet and assign a numeric score to the project and submit a completed scoresheet for each application to TDO staff.
7. TDO staff will assemble the scoresheets for each project. The highest and lowest scores will be discarded for each application to adjust for possible scoring outliers. TDO staff will rank each project in order based on the remaining scores, and the ranking of project will be by average of the trimmed mean score.
8. Project rankings will be reviewed and discussed in a Cultural Committee meeting that is open to the public.

Cultural Committee meeting – Review, Ranking & Recommendation Meeting-

- TDO staff will distribute the scoring of the applications. Applications will be presented in order of ranking, with total funding level for each application deemed eligible by reaching the average trimmed mean score of 80 or higher.
- The Committee chair will open the floor to validate the scores.
- The Committee chair will open the floor for discussion and funding recommendations.

- Upon completion of the recommendations, the Committee chair will entertain any comments from Committee Members regarding the process or applications.
9. Each recommended project will go to the Tourist Development Council for review and approval of recommended funding levels, if approved, project will be sent to the Brevard County Board of County Commissioners for final approval.

Awards are not final and available for use until final approval by the Board of County Commissioners and contracts have been fully executed.

10.0 Reporting Requirements

Applicants are required to complete one final report for FY 2023-2024 grant cycle. Applicants will be provided a reporting link to complete the final report. In instances of an event (single or multi-day event) a final report and reimbursement request are due within 60 days of the conclusion of the event by using the Event Reimbursement Request Form (RRF).

Reimbursement requests are due October 4, 2024. Failure to comply and submit a final report by due date may impact future funding requests.

11.0 Grant Reimbursement Requests

The funds for these grants are strictly regulated by Florida State Statutes, Brevard County Code of Ordinances, and Brevard County policies/procedures. The aforementioned regulations relate to the use and disbursement of Tourist Development Tax (TDT) revenue funds.

Prior to preparing your reimbursement, ensure that the expenses/costs for which you are requesting reimbursement are consistent with your grant application and grant agreement. Also, note all Tourism Development Office Grants are reimbursement based. They ARE NOT direct vendor payments or pre-payments.

All documents and invoices provided will become subject to Public Records laws.

Please submit your TDO Grant Reimbursement Request Form in Excel provided to you by your liaison and the reimbursement backup listed below in Adobe PDF format.

Submit grant reimbursement paperwork as soon as a project milestone, event or season is complete. Deadline for ALL grant reimbursement requests for FY 23-24 is close of business Friday, October 4, 2024.

Each Grant Reimbursement Submission Package Must Contain the Following Four (4) Items (in this order):

1. The TDO Grant Reimbursement Request Form (RRF, a provided Excel document).
 - A. Vendor invoices must be listed line by line.
 - B. Vendor name, vendor invoice #, description of grant related service and amount of reimbursement being requested must be included.
 - C. Invoice numbers on the form are not the 1, 2,3 numbers shown on the right side of the form, they are the actual vendor invoice number.
2. Vendor Invoices and Receipts for Allowable Expenses.
 - A. Invoices and receipts must have the line # (the 1, 2, 3... numbers shown on the right side of the form) on the top of each page of backup that corresponds with line # on the Grant Reimbursement Request Form.
 - B. This includes the invoice and/or receipt for any grant reimbursable product or service.
3. Financial Proof of Goods and Services purchased with grant funding in the form of cancelled checks (front and back copy), ACH direct payment receipts, credit card receipts and statements. ALL account numbers, bank routing numbers, social security numbers, authorizing signatures and other credit card transactions MUST be redacted (blacked out).
4. Backup Proof of Completed Grant Related Goods and Services which focus on promoting Brevard County tourism to include:
 - Copies of any advertising whose purpose is to drive tourism to Brevard County
 - Photos of rental tents or equipment
 - Photos of equipment purchased in support of the grant
 - Screenshots of website and social media
 - Copies of the printed material
 - Copies or photos of the signs to ensure they were not used for some other purpose
 - If payroll is being requested for reimbursement, the line on reimbursement cover sheet requires an abbreviated personnel description that is grant related along with the pay period dates. Leave the invoice field blank for payroll items
 - Copies of vendor reports or materials lists
 - Any other allowable, reimbursable expense that was listed in the grant application budget and grant agreement.

Refer to Section 7.0 "Eligible Use of Funds" for descriptions of allowable and unallowable expenses that can be reimbursed under this grant program.

12.0 Credit & Logo

Grantees/event organizers must agree to prominently recognize the Space Coast Office of Tourism and Brevard County (where possible) as an event supporter in all marketing materials, advertising, website and other marketing related communications promoting the event/season both in and out of the local market. The Space Coast Office of Tourism logo must be included in all display advertising, printed collateral, email marketing, etc. where appropriate. The logo must be easily legible and should be displayed in a manner which does not distort or warp the original logo file. Logo usage standards will be provided to grantees/event organizers as well as high resolution and/or vector logo files to be included in event materials. Use the following language for all materials;

This event is supported by the Brevard County Board of County Commissioners and the Space Coast Office of Tourism.

Logos available to download <https://bit.ly/SpaceCoastLogo> or by email request to marketing@visitspacecoast.com.

13.0 Grant Benefits

Additional benefits to organizations who are awarded funding;

- Space Coast Office of Tourism will provide a link to the organization to input a free event/season listing on VisitSpaceCoast.com.
- Space Coast Office of Tourism will provide a website pixel for the event organizer to implement on to their website or event landing page (if they have one, instructions will be furnished if needed). This pixel will provide visitor data including demographics and booking information.

14.0 Terms and Conditions

Should the grant be awarded, the applicant agrees to be bound by the following terms and conditions:

Grantor means the Brevard County Board of County Commissioners acting through the TDO and Grantee means the applicant. The term Parties means both the Grantor and Grantee.

This grant is contingent upon the availability of applicable tourist development tax funds and subject to any limitations provided by Section 125.0104, Florida Statutes, and Section 102-119 of the Brevard County Code, as either may be amended from time to time. Should funds no

longer be available, the GRANTOR shall provide written notice to the GRANTEE. This grant is not a lien, either legal or equitable, on any of the GRANTOR's non-tourist development related revenues.

GRANTEE agrees and understands that all funding authorized through this grant shall be used only for eligible activities in accordance with State and Local law, and this grant.

I. Payment Procedures

For work performed by GRANTEE during the cultural grant term, the GRANTEE must submit adequate documentation according to the payment procedures outlined in the grant on or before October 4, 2024. If documentation is submitted after October 4, 2024, the Parties agree the GRANTOR has no obligation to reimburse those expenses and GRANTOR has no further obligation under the grant to GRANTEE.

If a question arises as to the sufficiency of the GRANTEE's documentation, the Parties agree that the Executive Director the TDO shall make the determination on whether or not the documentation is sufficient to support payment of the grant. Funds are only eligible for reimbursement as proposed in the GRANTEE's application or as modified through the grant award. The Parties agree the GRANTOR will reject submissions for reimbursement for items not proposed in the grant application. Funds may not be used to pay debt obligations. Reimbursement requests may be submitted no more frequently than once a month, using the Event Reimbursement Request Form that will be emailed to GRANTEE.

II. Legal Responsibilities and Waiver of Trial by Jury

The Parties agree that, in the case of a dispute, the Parties will first work to resolve the dispute informally. In case of legal action, each Party agrees to the following terms: To bear its own attorney's fees and costs; that venue is in a court of competent jurisdiction in Brevard County; **TO WAIVE ANY RIGHT TO A JURY TRIAL**; and that this grant is governed according to the laws of the State of Florida.

GRANTEE agrees to comply with all federal, state and local laws, and is responsible for any and all permits, fees, and licenses necessary to perform the event or activity. Nothing in this grant shall be construed as a waiver by GRANTOR of any requirements for local permits, fees, and licenses.

GRANTEE shall perform the services independently and nothing contained in this Agreement shall be construed to be inconsistent with this relationship or status. Nothing in this grant shall be interpreted or construed to make GRANTEE, or any of its agents, or employees to be the agent, employee or representative of the GRANTOR.

GRANTEE shall not engage the services of any person or persons now employed by Brevard County, on a private basis, to provide services relating to this grant without written consent from Brevard County. This does not prevent GRANTEE from using, reserving, or renting Brevard County facilities. The waiver by GRANTOR of any of GRANTEE's obligations or duties under this grant shall not constitute a waiver of any other obligation or duty of the other Party under this grant, nor shall a waiver of any such obligation or duty constitute a continuing waiver of that obligation of duty.

This grant shall not obligate or make GRANTOR or GRANTEE liable to any Party other than the Parties. Oversight of any GRANTEE staff will be the responsibility of GRANTEE.

If any provision of this grant is held invalid, the remainder of this grant agreement shall not be affected if such remainder continues to conform to the terms and requirements of applicable law.

III. Indemnification and Hold Harmless

GRANTEE shall indemnify, defend, and hold harmless GRANTOR for the negligent acts and omissions of GRANTEE's own employees and agents in the performance of event or activity sponsored by this grant, to the extent permitted by law, and against any and all third-party claims, suits, proceedings, losses, liabilities, damages, fees and expenses (including reasonable attorney's fees and expenses) related to the event or activity. GRANTEE expressly agrees that GRANTOR has no liability to GRANTEE for GRANTEE's event or activity or GRANTEE's operation. GRANTOR's indemnity and liability obligations hereunder shall be subject to GRANTOR's right of sovereign immunity and limited to the extent of the protections of and limitations on damages as set forth in Section 768.28, Florida Statutes. Nothing in this grant is intended to inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under the doctrine of sovereign immunity or by operation of law. Nothing herein shall constitute a waiver of GRANTOR's sovereign immunity. The Parties acknowledge specific consideration has been exchanged for this provision.

IV. Amendment, Assignment of Agreement

Amendments to this grant may be initiated by either Party. Amendments shall be formally ratified and approved by written amendment to the grant by both Parties. GRANTEE shall not assign any portion of this grant without the written permission of GRANTOR. All conditions and assurances required by this grant are binding on the Parties and their authorized successors in interest.

V. Insurance

If you are awarded a grant you will be required to procure and maintain, at your own expense and without cost to the BOCC, a General Commercial Liability Insurance policy with a \$1,000,000 combined single limit for each occurrence to include personal injury, contractual liability covering the project performed pursuant to the grant. Including errors and omissions coverage upon TDO request. Depending on the event sponsored, the TDO may require additional insurance. Award recipients shall provide the TDO with a Certificate of Insurance prior to contract execution. The insurance coverage enumerated above constitutes the minimum requirements and shall in no way lessen or limit the liability of grantee under the terms of the Grant. The following items are required of each COI;

- Box labeled "Certificate Holder" – shall read "Brevard County, 150 Cocoa Isles Blvd, St. 401, Cocoa Beach, FL 32931"
- Box labeled "Description of Operations/locations/vehicles" – shall read "Brevard County is listed as an Additional insured"
- Provide Endorsements pages which provide that your entity is endorsed as an additional insured

It is the responsibility of the applicant to provide insurance documents to the TDO staff and to re-submit updated insurance prior to their expiration if this occurs during the grant period.

GRANTEE agrees to procure and maintain, at its own expense and without cost to GRANTOR, the following types of insurance. In the sole discretion of the TDO, the TDO may require additional amounts or types of insurance depending on the type of event or activity. Any additional requirements will be included in the notice of grant award. The policy limits required are to be considered minimum amounts:

- a. General Liability Insurance policy with a \$1,000,000 combined single limit for each occurrence to include personal injury, contractual liability, and errors and omissions coverage.
- b. Auto Liability Insurance policy which includes coverage for all owned, non-owned and rented vehicles with a \$1,000,000 combined single limit for each occurrence, as well as, Full Coverage Vehicle Insurance to include Liability (as above), Collision, Comprehensive, PIP and Uninsured Motorists.
- c. Workers' Compensation and Employers Liability Insurance policy covering all employees of GRANTEE that work on this Grant, as required by law. Coverage shall be for all employees directly or indirectly engaged in work on this Grant, with limits of coverage as required by State law.
- d. GRANTEE will provide certificates of insurance to GRANTOR demonstrating that the insurance requirements have been met prior to the commencement of work under this grant.

The insurance coverage enumerated above constitutes the minimum requirements and shall in no way lessen or limit the liability of GRANTEE under the terms of the grant.

VI. Termination

If either Party fails or refuses to perform any of the provisions required under the grant guidelines, application, or otherwise fails to timely satisfy the grant provisions, either Party may notify the other Party in writing of the nonperformance and terminate the grant or such part of the grant award as to which there has been a delay or a failure to properly perform. Such termination is effective upon the Party's receipt of the Notice of Termination. Upon termination, GRANTOR has no further obligation to GRANTEE.

VII. Right to Audit Records

In performance of this grant, GRANTEE shall keep books, records, and accounts of all activities related to this grant, in compliance with generally accepted accounting procedures. All documents, papers, books, records and accounts made or received by GRANTEE in conjunction with and the performance of this grant shall be open to inspection during regular business hours by an authorized representative of the office and shall be retained by GRANTEE for a period of five (5) years after the end of the grant period, unless returned to GRANTOR sooner.

VIII. Scrutinized Companies

A. The GRANTEE certifies that it and its Subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, Florida Statutes, the COUNTY may immediately terminate this grant at its sole option if the GRANTEE or its Subcontractors are found to have submitted a false certification; or if the GRANTEE, or its Subcontractors are placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel during the term of this grant.

B. If this grant is for more than one million dollars, the GRANTEE further certifies that it and its Subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, Florida Statutes.

C. Pursuant to Section 287.135, Florida Statutes, the COUNTY may immediately terminate this grant at its sole option if the GRANTEE, its affiliates, or its Subcontractors are found to have submitted a false certification; or if the GRANTEE, its affiliates, or its Subcontractors are placed on the Scrutinized Companies that Boycott the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the grant.

D. The GRANTEE agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this grant.

E. As provided in Subsection 287.135(8), Florida Statutes, if federal law ceases to authorize these contracting prohibitions, this section shall become inoperative and unenforceable.

IX. Employment Eligibility Verification (E-Verify)

A. The GRANTEE shall comply with the applicable provisions of section 448.095, Florida Statutes. Upon request, GRANTEE shall provide acceptable evidence of their enrollment in the U.S. Department of Homeland Security's E-Verify system. Acceptable evidence shall include, but not be limited to, a copy of the fully executed E-Verify Memorandum of Understanding for the business. If applicable, a GRANTEE may alternatively provide an affidavit as to compliance with section 448.095(3)(b)(2), Florida Statutes.

B. A GRANTEE meeting the definition of a contractor in section 448.095, Florida Statutes shall require its subcontractors to provide the affidavit specified at section 448.095 (2)(b), Florida Statutes.

C. As applicable, GRANTEE agrees to maintain records of its participation and compliance with the provisions of the E-Verify program, including, if applicable, participation by its subcontractors as required by section 448.095(2)(b), Florida Statutes, and to make such records available to the GRANTOR consistent with the terms of GRANTEE's enrollment in the program.

D. Compliance with the terms of this section is made an express condition of this Grant and the GRANTOR may treat a failure as grounds for immediate termination of this Grant.

E. A GRANTEE who registers with and participates in the E-Verify program may not be barred or penalized under this section if, as a result of receiving inaccurate verification information from the E-Verify program, the GRANTEE hires or employs a person who is not eligible for employment.

F. Nothing in this section may be construed to allow intentional discrimination of any class protected by law.

G. GRANTOR will not intentionally award a publicly-funded Grant to any GRANTEE who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 United States Code (USC) section 1324a(e)(section 274A(e) of the Immigration and Nationality Act (INA)). GRANTOR shall consider a GRANTEE's intentional employment of unauthorized aliens as grounds for immediate termination of this Grant.

X. Public Records Disclosures

GRANTEE agrees that Florida has broad public disclosure laws, and that any written communications with GRANTEE, to include emails, email addresses, a copy of this grant, and any supporting documentation related to this grant are subject to public disclosure upon request,

unless otherwise exempt or confidential under Florida Statute.

Public records are defined as all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. In this case, the portion of the GRANTEE's records relating to the acceptance and use of the GRANTOR grant are public records that may be subject to production upon request. The GRANTEE agrees to keep and maintain these public records until completion of the event or activity. Upon completion, GRANTEE may continue to retain the public records for five years, or transfer, at no cost, to the GRANTOR, any public records in its possession in an electronic format readable by GRANTOR.

Upon a request for public records related to this grant, GRANTEE will forward any such request to the GRANTOR. GRANTOR will respond to any public records request. Upon request, as to records in the GRANTEE possession, GRANTEE will provide access or electronic copies of any pertinent public records related to this grant to GRANTOR within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes.

GRANTEE agrees that GRANTOR will consider all documentation the GRANTOR submits to Brevard County to support payment of this grant to be subject to public records disclosure.

IF GRANTEE HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO GRANTEE'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT THE OFFICE OF TOURISM, C/O ADMINISTRATIVE SECRETARY, 150 Cocoa Isles Blvd. Cocoa Beach, FL 32931, PHONE (321) 433-4470.

XI. Notices

Any notices required or permitted by this grant shall be in writing and shall be deemed delivered upon hand delivery, or three (3) days following deposit in the United States postal system, postage prepaid, return receipt requested, addressed to the parties at the following addresses:

GRANTOR:
Brevard County Office of Tourism
c/o Executive Director
150 Cocoa Isles Blvd.
Cocoa Beach, Florida 32931
Phone: (321) 433-4470

GRANTEE:

Contact information listed on GRANTEE's application.

XII. Effective Date

The grant shall be effective on the last day the Parties execute the grant award (the "Effective Date"). The Parties agree that all work performed by GRANTEE prior to the effective date but during the term of the grant is subject to the provisions of this Agreement.

XIII. Entirety, Construction of Agreement, and Counterparts

The grant guidelines, application, Clerk to the Brevard County Board of County Commissioners memorandum ("Clerk's Memo"), any included exhibits or required documentation and the grant award represents the entire understanding between the Parties in its entirety and no other agreements, either oral or written, exist between GRANTOR and GRANTEE. The application, grant guidelines, grant award are attached and incorporated into the grant by this reference. The Parties acknowledge that they fully reviewed all requirements and had the opportunity to consult with legal counsel of their choice, and that this grant shall not be construed against any Party as if they were the drafter of this grant. This grant may be executed in counterparts all of which, taken together, shall constitute one and the same. GRANTEE warrants that it is possessed with all requisite lawful authority to apply for and accept this grant.

XIV. Foreign Disclosures.

GRANTEE will complete GRANTOR's foreign disclosure form and make any required disclosures to the State of Florida.

15.0 GRANT AWARDS

Upon approval by the Brevard County Board of County Commissioners, the GRANTOR will issue a Notice of Award to the Grantee listing the grant award amount and any additional conditions or restrictions that may differ from the grant Guidelines, grant Application, Clerk's Memo, and other accompanying documents. Should there be any conflict, the Notice of the Award shall control to the extent of said conflict.

EXHIBIT (A) Grant Scoring Sheet

Tourism Development Council FY 2023-2024 Major Event Grant Program – Evaluation Form		
<i>Requests must achieve a minimum rank score of 80% (80 points/100 points) to be considered for funding.</i>		
REVIEWER (SIGNATURE)		
REVIEWER (PRINT)		
Applicant Information (TDO staff will complete this section)		
Name of the Event & Organization:		
Project Number:		
Total Attendance:		
Eligible for funding amount:		
Evaluate Criteria	Points Available	Points Earned
(1) Application clearly describes the proposed event. How will the proposed event promote the Space Coast as a cultural destination? <i>(Reference question #8)</i>	10	
<i>Reviewer: Please select the appropriate score, on a scale ranging from 1-10. (poorly presented – excellent).</i>		
(1) Comments:		
(2) Application clearly describes how the proposed event will have a positive impact on Brevard County tourism. The application describes in detail how the applicant measures and evaluates the success of the event. <i>(Reference question #9)</i>	10	
<i>Reviewer: Please select the appropriate score, on a scale ranging from 1-10. (poorly presented – excellent)</i>		

<p>(2) <u>Comments:</u></p>		
<p>(3) The applicant has submitted a detailed Marketing/Advertising plan. <i>Suggested elements of your Marketing/Advertising plan shall include but not be limited to: goals and objectives, target audience(s), specific marketing activities, timeline and detailed Marketing/Advertising budget worksheet itemizing how you will spend 50% of the grant award on out-of-county advertising for your proposed event.</i> <i>(Reference question #10)</i></p>	<p>20</p>	
<p><i>Reviewer: Please select the appropriate score, ranging on a scale from 1-20. (poorly presented – excellent)</i></p>		
<p>(3) <u>Comments:</u></p>		
<p>(4) Application clearly describes what will create publicity opportunities on a regional or national level to promote the Space Coast as a destination. <i>(Reference question #11)</i></p>	<p>10</p>	
<p><i>Reviewer: Please select the appropriate score, ranging on a scale from 1-10. (poorly presented – excellent)</i></p>		
<p>(4) <u>Comments:</u></p>		

<p>(5) Application clearly describes event sponsors and their roles and their importance in the success of the event or has uploaded a satisfactory Sponsor Package kit. <i>(Reference question 12)</i></p>	<p>10</p>	
<p><i>Reviewer: Please select the appropriate score, ranging on a scale from 1-10. (poorly presented – excellent)</i></p>		
<p>(5) Comments:</p>		
<p>(6) The applicant has submitted a detailed operating budget worksheet reflecting both revenue & expenses for the proposed event. <i>The operating budget worksheet is complete. The applicant itemizes revenues & expenses for the proposed event (projected), the actuals from most recent event and an itemized accounting of how the applicant intends to spend the funding award including how at least 50% of the grant award will be spent on out-of-county advertising.</i> <i>(Reference question #13)</i></p>	<p>20</p>	
<p><i>Reviewer: Please select the appropriate score, ranging on a scale from 1-20. (poorly presented – excellent)</i></p>		
<p>(6) Comments:</p>		
<p>(7) Application clearly defines other revenue streams. Additionally, applicant describes why the additional funding is important to the success of the proposed event. <i>(Reference question #14)</i></p>	<p>10</p>	
<p><i>Reviewer: Please select the appropriate score, ranging on a scale from 1-10. (poorly presented – excellent)</i></p>		

(7) <u>Comments:</u>		
(8) To the extent not scored elsewhere, evaluate the required attachments that the applicant submitted to support their application. (Reference Required Supporting documents)	10	
Reviewer: Please select the appropriate score, ranging on a scale from 1-10. (poorly presented – excellent)		
(8) <u>Comments:</u>		
Total Points	/100	

Major Event Grant Program

FY 2023-2024

(1)

Proposed name of the event - _____

Name of Organization - _____

Mailing Address - _____

City, State, Zip Code - _____

Federal Employer ID # - _____

Website Address - _____

Organization Telephone - _____

Organization Email - _____

Primary Contact person (first & last name) - _____

Primary Contact person Phone - _____

Primary Contract person Email - _____

Job Title: _____

Alternative Contact person (first & last name) - _____

Alternative Contact person Phone - _____

Alternative Contact person Email - _____

Job Title: _____

(2)

Where is your proposed event location? What is the name of the facility where your proposed event will be held? (TEXTBOX)

Please identify the event location including parking lots, restrooms, etc.

- (3) Which best describes your organization.....?
- ☐ Government
- ☐ Non-Profit
- ☐ Academic Institution
- ☐ Other – Please specify: _____
- (4) Please indicate your desired first day of the event. (DATE PICKER)
- (5) What is the alternative first day of the event. (DATE PICKER)
- (6) How many days will your event be held? (DROPDOWN)
- ☐ 1
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5
- ☐ 6
- ☐ 7
- ☐ 8+ - LOGIC – disqualify, re-direct to VSC.com
- (7) Please provide a description of your organization, this is for information only you will not be scored on this. (TEXTBOX)
Answer the question fully but be concise, 500-word limit.
- (8) Please describe the proposed event for which you are seeking funding from for the FY 2023-2024 Major Event Grant Program. How will your proposed event promote the Space Coast as a cultural destination. (TEXTBOX)
Answer the question fully but be concise, 500-word limit
- (9) Please demonstrate how your proposed event will have a positive impact on Brevard County tourism. Describe in detail how you will measure and evaluate the success of the event. (TEXTBOX)
Answer the question fully but be concise, 500-word limit

- (10) Upload your Marketing/Advertising plan.
Suggested elements of your Marketing/Advertising plan shall include but not be limited to: goals and objectives, target audience(s), specific marketing activities, timeline and detailed Marketing/Advertising budget worksheet itemizing how you will spend 50% of the grant award on out-of-county advertising for your proposed event.

(TEXTBOX)

Answer the question fully but be concise, 500-word limit

- (11) Referring to your proposed event, please describe what will create publicity opportunities on a regional or national level to promote the Space Coast as a destination. (TEXTBOX)

Answer the question fully but be concise, 500-word limit

- (12) Please list event sponsors and their roles.

Sponsor name (A)

Sponsor role (A)

Sponsor name (B)

Sponsor role (B)

Sponsor name (C)

Sponsor role (C)

- (13) Upload your detailed operating budget worksheet to reflect both revenue & expenses for your proposed event.
The operating budget template is provided to you on the first page of the application. Please download the template, complete it and upload it here. You will be asked to itemize revenue & expenses for your proposed (projected) event, your most recent event actuals and an itemized accounting of how you intend to spend the funding award including how at least 50% of the grant award will be spent on out-of-county advertising.
- (14) Please describe other revenue streams that you have in place now. Explain why additional funding is important to the success of your proposed event.
Answer the question fully but be concise, 500-word limit

Required Supporting Documents-

- 1- Label as Attachment (1) – Event Map
- 2- Label as Attachment (2) – Event Timeline with Milestone and Deadlines
- 3- Label as Attachment (3) – Upload a minimum of five creative Advertising/Marketing assets, for example a screenshot of a Facebook or other social media, text or MP3 link from a radio spot, poster, brochure, etc.
- 4- Label as Attachment (4) – Letter(s) of commitment from sponsor(s) if you have any secured at this point for the proposed event
- 5- Label as Attachment (5) – Upload three letters of professional reference from prior events
Each letter should include the name and date of the event on county, municipality or other such entities letterhead specifically addressing the reputation of the event promoter and quantify the success of the event. Please include contact information for the person writing the reference so TDO staff can follow-up.
- 6- Label as Attachment (6) - Sponsor Package kit
- 7- Label as Attachment (7) – Event History. If the application is a new event from outside Brevard County, please submit an Event History document. Required elements the Event History document; a detailed description of the event, dates & locations from the most recent event and number of attendees. All new applications must contact TDO staff by July 20, 2023 for pre-qualification eligibility and to submit their Event History document. If the event is deemed eligible the remainder of the application is due August 7, 2023.