SOUTH CAROLINA
OFFICE OF
RESILIENCE

State Funded Mitigation Program

Policy and Procedure Manual

Effective 11/06/2026

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The South Carolina Office of Resilience will conduct statewide mitigation activities to increase resilience and reduce potential impacts from future storm events. This program will be administered within the authorities provided by South Carolina law, applicable appropriations, budget provisos, grant or intergovernmental agreements, and other controlling state requirements.

This program consists of five general program areas to include:

- Stormwater Improvements
- Stormwater Restoration
- Plans & Studies
- Project Scoping
- Voluntary Residential Buyouts
    - Units of General Local Government (UGLG)
    - Non-profit 501(c)(3)
    - Property Owners

Each program area has its own purpose, eligibility criteria, technical review standards, scopes of work, and performance measures.

The Strategic Statewide Resilience and Risk Reduction Plan (Resilience Plan), established pursuant to S.C. Code Ann. § 48-62-30(1), serves as a framework for state investment in planning, projects, programs, and policies to protect people and property from extreme weather and natural hazards. Consistent with this framework, the 2026 State-Funded Mitigation funding opportunity focuses on stormwater mitigation. As the program evolves, future funding opportunities may address other risks identified in the Resilience Plan, subject to applicable authorities and available funding.

SCOR's Mitigation Department will implement mitigation activities to advance statewide resilience by reducing risk; supporting vulnerable and capacity-constrained communities; encouraging watershed and regional coordination; considering future conditions; protecting prior public investments; promoting nature-based and hybrid solutions where appropriate; and moving projects from problem identification toward implementation.

ABBREVIATIONS

AGI	Adjusted Gross Income
AMI	Area Median Income
APE	Area of Potential Effects
ASTM	American Society for Testing and Materials
BCA	Benefit-Cost Analysis
BFE	Base Flood Elevation
COG	Councils of Government
DOB	Duplication of Benefits
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ERR	Environmental Review Record
FEMA	Federal Emergency Management Agency
FOIA	Freedom of Information Act
GIS	Geographic Information System
ICC	Increased Cost of Compliance
LMI	Low-to-Moderate Income
LSO	Labor Standards Officer
MOD	Method of Distribution
MSCP	Mitigation Special Case Panel
NEPA	National Environmental Policy Act
NOFA	Notice of Funding Availability
NOGA	Notice of Grant Award
NOAA	National Oceanic and Atmospheric Administration
OSE	Office of State Engineer
PII	Personal Identifiable Information
POP	Period of Performance
QPR	Quarterly Performance Report
RFP	Request for Proposal
RFQ	Request for Qualification
SAM	Federal System of Award Management
SCDES	South Carolina Department of Environmental Services
SCDNR	South Carolina Department of Natural Resources
SHPO	State Historic Preservation Office
SOR	System of Record
THPO	Tribal Historic Preservation Office
UGLG	Units of General Local Government
USACE	US Army Corps of Engineers
USFWS	US Fish and Wildlife Service

DEFINITIONS

Area Median Income (AMI) - Calculated limits based on HUD-estimated median family income with adjustments based on family size. Based on limits that are current at the time of application. See Income Limits Data for HUD Housing Assistance Programs | HUD USER.

Awardee – An eligible applicant selected by SCOR to receive an award under the State Funded Mitigation Program. An awardee may participate in a project under either the state-run or awardee-run management model.

Awardee-Run Management Model – An arrangement under which SCOR designates an awardee as the recipient through a written agreement to receive and administer State Funded Mitigation Program Funds and implement an approved project or a defined portion of a project. The recipient is responsible for the implementation in accordance with the agreement, while SCOR retains oversight and monitoring responsibilities.

Binding Offer to Purchase Contract – The Voluntary Buyout Program's Offer to Purchase Real Estate is not considered a binding agreement on the purchaser unless the following items are documented 1) a title opinion has been provided by the closing attorney certifying that that title to the property is clear; and 2) a title insurance commitment letter has been issued for the property

Heirs' Property – Property passed down through generations without probate, estate planning, or other legal proceedings to formally transfer ownership, resulting in shared ownership interests among the heirs of the owner of record.

Disaster Risk Reduction Area (DRRA) – *A* geographic area not located within a Special Flood Hazard Area or floodway as identified on the Flood Insurance Rate Map (FIRM), or pre-firm, but is still at high risk due to verifiable documentable repetitive flooding events or the area is listed in a draft FEMA map.

Duplication of Benefits – The payment, reimbursement, or provision of program assistance for a cost, activity, or portion of a project that has been, or will be, paid for by another source of financial assistance. Other sources may include insurance proceeds, grants, loans, or public or private assistance. A duplication occurs when assistance from multiple sources covers the same eligible cost or purpose beyond the actual eligible cost. Assistance for distinct eligible costs or project components is not duplicative.

Environmental Review- The process to ensure that State-Funded Mitigation activities will not result in a significant impact on the quality of the human environment and will comply with other applicable state and federal laws. The environmental review process will be completed in accordance with the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance*.

Low-to-Moderate Income - *Household income classification is determined through the U. S. Housing of Urban Development (HUD) AMI limits. LMI households are classified as those who have an income of 80% or less of the AMI for the county in which they reside.*

Manufactured Housing Unit (MHU) – A structure, transportable in one or more sections which, in the traveling mode is eight body-feet or more in width, or forty body-feet or more in length, or when erected on site, is at least 320 square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent

foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Owner – An individual, group of individuals, or a legal entity (such as a family trust) that holds an ownership interest in the legal title to a parcel of real property, as evidenced by a recorded deed in the county register of deeds or clerk of court office where the parcel is located. If there is more than one owner of the property, all owners are required to complete an application for program services.

Rental Property – A tenant-occupied property that is verified through a written lease agreement and/or a demonstrable payment history. SCOR strictly enforces tenant protections as mandated by the South Carolina Residential Landlord-Tenant Act.

Responsible Entity (RE) - Under no circumstances will SCOR acquire ownership of the properties purchased through the Buyout program. A Responsible Entity (further known as RE) must be identified by the applicant. As a condition of the buyout, the RE must accept legal ownership and agree to maintenance of the buyout properties at closing. A RE may be a unit of local government or a SCOR approved non-profit entity such as a land trust or a nature conservancy group. If no governmental or non-profit group accepts the role of RE, the applicant may reach out to a neighboring property owner to determine interest in acquiring legal ownership and accept the RE role. If an RE cannot be identified, the applicant should contact SCOR staff to discuss options. SCOR will assist the applicant in identifying a RE.

Second Home – For State Funded Mitigation, a second home is defined as a home that is not the primary residence of the owner, a tenant, or occupant at the time of application. Second homes are not eligible for program incentives.

Recipient – An awardee designated by SCOR under a written agreement to receive and administer State Funded Mitigation Program funds and carry out an approved project, or a defined portion of a project, under the awardee-run management model. Recipients must pay project costs with their own funds and then submit invoices and supporting documentation to SCOR for reimbursement. Cities, Counties, Indian Tribes, local governmental agencies (including COGs), private non-profits (including faith-based organizations), or a for-profit entity authorized under 24 CFR 570.201(o).

State-Run Management Model – An arrangement under which SCOR directly administers and manages an approved project, including the applicable procurement, contracting, and payment functions. The awardee provides the cooperation, information, access, approvals, or other support required by the executed award letter, resolution or authorizing order, and application, but does not receive and administer program funds to implement the project.

Subrogation Agreement– An agreement executed by an Owner or program recipient entity, conveying to SCOR the legal right to recovery or reimbursement for any duplicative assistance later received from any source for the same purpose.

Tax Sale Purchase - A dwelling or parcel that was purchased from a tax sale. If a dwelling was purchased at a tax sale and is used as a primary residence, the dwelling will be appraised using ~~a~~ Current Market Value, unless it is damaged and will require a Pre-Disaster Value. If the dwelling has not been occupied after the purchase, the Offer to Purchase price will be determined using the tax sale purchase price, verified tax payments, and any documented improvements completed on the property. Unoccupied properties purchased through a tax sale are not eligible for Buyout incentives. Appraisals will not be requested for unoccupied dwellings, undeveloped lots, and/or vacant lots purchased at tax sales.

Tribal Nation – A Federally-recognized American Indian tribe that has a government-to-government relationship with

the United States with responsibilities, powers, limitations, and obligations that are attached to that designation.

Tribal Nations Recognized by S.C. – A State-recognized Indian Tribe with a tribal council and governmental authority that is unique to Native American Indians that governs and is able to bind the Tribe as its authorizing entity.

Undeveloped Residential Parcels - Undeveloped or vacant residential lots that are unaccompanied by a dwelling unit. To be considered for program incentive, the parcel must be developable for residential use and of sufficient size to accommodate a dwelling unit alongside all required infrastructure, including electricity, water, and a sewer or septic system. To determine if a vacant or undeveloped parcel meets these requirements, SCOR will refer to the local ordinances of the jurisdiction where the property is located. Undeveloped and/or vacant lots that are unaccompanied by a dwelling unit will be appraised using Current Market Value.

Units of General Local Government – UGLGs are political subdivision of the state, including but not limited to Cities, Counties, Indian Tribes, local governmental agencies, or Council of Governments (COGs).

REVISION HISTORY

Version	Date	Summary of Revision	Approved By
1.0			

FUNDING AND FUNDING NOTICES

Program funding is subject to legislative appropriation, authorization, availability, and any conditions imposed on the use of funds. SCOR may issue a Notice of Funding Availability (NOFA), program announcement, direct solicitation, intergovernmental request, or other authorized funding notice for each cycle.

Each funding notice may establish available funding, maximum and minimum awards, cost-share requirements, application deadlines, geographic or project priorities, special eligibility requirements, expenditure deadlines, and cycle-specific scoring adjustments. When a funding notice conflicts with this manual, SCOR shall identify the controlling provision and document the basis.

ELIGIBLE APPLICANTS - COMMON STANDARD

Unless a program chapter provides otherwise, potentially eligible applicants include South Carolina counties, incorporated municipalities, councils of governments acting on behalf of eligible jurisdictions, recognized Tribal Nations, non-profit organizations, and other governmental entities authorized by the applicable appropriation or SCOR.

An eligible applicant may apply on behalf of, or in partnership with, a community-based organization to address needs affecting that community. This may include Gullah Geechee communities, State-recognized Indian tribes, and other historically underserved communities. The eligible applicant must submit the application on behalf of the community, and if awarded, remains responsible for compliance with program requirements, managing the assistance, and completing the project. The application must describe the community's involvement, and the project's anticipated benefits to the community, and provide appropriate documentation of the community's support or participation.

State agencies are not included as eligible applicant types for the 2026 opportunity but may be eligible under future funding opportunities if allowed by the applicable appropriation, program requirements, or SCOR.

Potentially eligible applicants for the Voluntary Buyout program include units of local government as well as property owners.

Applicants must have legal authority to undertake the proposed activity and must identify the entity that will own, operate, maintain, accept, or use the funded infrastructure and parcels, as applicable.

APPLICATION INTAKE AND COMPLETENESS REVIEW

SCOR will use a standardized intake process. Each submission will receive an application identification number and be entered into the program system of record.

Program staff will conduct a completeness review before technical scoring, unless SCOR determines that limited technical screening is necessary to resolve questions of completeness.

Missing or unclear information may be requested from the applicant. SCOR may establish cure periods and may reject materially incomplete applications.

ELIGIBILITY REVIEW

Eligibility will be documented separately from technical merit. Program staff will confirm applicant eligibility, activity eligibility, geographic eligibility where applicable, funding eligibility, ownership or legal authority, duplication or other-funding concerns, and any program-specific prerequisites.

An eligibility determination does not create an entitlement to funding. A project may be eligible but not selected because of a number of factors, including but not limited to scoring, readiness, available funds, risk, duplication, or other program considerations.

TECHNICAL REVIEW, SCORING, AND FUNDING DECISIONS

Where applicable, each program will use a program-specific technical review and scoring criteria. Numerical scores support consistent decision-making but do not replace professional judgment. SCOR may consider statewide priorities, geographic equity and distribution, regional coordination, urgency, funding availability, implementation risk, and other programmatic factors. Deviations from the scoring criteria will be justified and documented.

DUPLICATION, OTHER FUNDING, AND COORDINATION

Applicants and recipients shall disclose other public or private funding for the same activity. SCOR shall take reasonable steps to avoid paying the same cost twice and to avoid unnecessary duplication of publicly funded work.

Existing studies, designs, inspections, data, prior grants, and other relevant investments should be incorporated where technically appropriate rather than recreated. SCOR may coordinate with other entities when coordination improves efficiency or technical quality.

RECAPTURE AND SUBROGATION

State Funded Mitigation Program funds may not duplicate another funding source and any duplication must be accounted for and collected. Therefore, awardees and beneficiaries must execute a legally binding Subrogation Agreement. If a project or homeowner receives subsequent insurance payouts or federal hazard mitigation funds or other sources for the same purpose after the State Funded Mitigation Program award is finalized, they must immediately notify SCOR and return the duplicative portion of the funds.

As a condition of accepting an award from a SCOR State Funded Mitigation Program, applicants are required to sign subrogation and recapture/repayment clauses and agreements as set in policy for each SCOR State Funded Mitigation Program. Further, SCOR will not disburse funds to an applicant until such agreements are signed by the applicant. The required Subrogation and Award Agreement requires that applicants notify the program of any Duplication of Benefits (DOB) received and repay any duplicative assistance received, including repayment of any assistance received later that is for the same purpose as the statewide Mitigation program funds awarded. The subrogation agreement/clause also states that such DOB funds may affect the applicant's award amount by reducing it by the amount of the DOB (at the time of application, award, or time of duplication).

AWARDS AND CONDITIONS

Selected projects shall be governed by an award letter, a recipient grant agreement (if applicable), and local council resolution or other recipient entity authorizing order. The award agreement will identify the scope, budget, period of performance, environmental compliance, payment method, reporting requirements, procurement responsibilities, records requirements,

and special conditions.

No work is eligible for payment or reimbursement before written authorization unless SCOR expressly approves pre-award costs in an award letter and the grant agreement.

PROCUREMENT AND CONTRACTING

Procurement shall comply with applicable South Carolina procurement law, ethics requirements, and the executed award agreement. Recipients may follow their local procurement policies, if SCOR determines the local policy is in compliance with principles found in S.C. Code § 11-35-50. The procurement file shall document the procurement method, solicitation, evaluation, selection, negotiation where applicable, contract, amendments, approvals, and required determinations.

SCOR may procure services directly, authorize a recipient or another governmental entity to procure, use statewide or term contracts where legally permissible, or employ another authorized mechanism. Program-specific chapters may establish standard scopes of work or minimum technical qualifications.

SCOR reserves the right to require the awardee to consent to SCOR having a single voting member on all project procurements for or related to the awarded project. Failure to agree to SCOR's participation is grounds for SCOR to not award a project, or if after the award is made, for SCOR to unilaterally terminate the award.

PROJECT MANAGEMENT

Each project will have a designated SCOR Project Manager and a designated applicant/recipient point of contact for subrecipient and state run projects. Project management will be based on an approved scope, budget, schedule, deliverable or work-completion milestones, reporting expectations, and a documented communications protocol.

SCOR may use internal technical staff, another state agency, or qualified third-party reviewers to support technical review, inspections, quality assurance, or acceptance.

PERSONALLY IDENTIFIABLE INFORMATION (PII)

SCOR's State Funded Mitigation program will follow SCOR's policies on handling and securing PII. The Mitigation program will maintain office and operational security at all times during its day-to-day operations and interactions with the public. This policy includes physical, information and cyber security. All SCOR employees, any contractors, and any sub-contractors will adhere to all elements of SCOR's policies related to PII.

FINANCIAL MANAGEMENT AND PAYMENT

SCOR may use reimbursement, direct payment, milestone payment, or another legally authorized payment method identified in the grant agreement. Payment requests must be supported by sufficient documentation to establish that costs are eligible, reasonable, within scope, timely, properly procured, and associated with completed work or an authorized milestone.

Leverage funds shall be documented in a fully executed Funds Commitment Letter. Leverage funds shall be paid to SCOR upon net 10 days of SCOR invoicing.

A payment plan will be executed for Recipient run projects. See Recipient Policy Manual.

SCOR may withhold payment for unsupported costs, unresolved deficiencies, missing reports, work outside the approved scope, missing deliverables, or other noncompliance. Program-specific chapters may establish additional supporting documentation.

MONITORING AND QUALITY ASSURANCE

SCOR may perform desk monitoring, financial monitoring, procurement review, technical review, site visits, field inspections, deliverable reviews, and post-completion reviews.

Findings, concerns, corrective actions, and resolutions will be documented. Technical acceptance does not waive legal, financial, or contractual requirements.

RECORDS MANAGEMENT AND FILE STRUCTURE

SCOR will maintain a complete project record in accordance with applicable South Carolina records-retention requirements. The official record should include application materials, eligibility and scoring records, funding approval, award letter, recipient agreement, procurement, contracts, amendments, reports, invoices, payment documentation, technical reviews, correspondence, site or inspection records, deliverables, closeout, and post-completion documentation.

REPORTING REQUIREMENTS

Recipients will be required to provide Monthly Progress Reports to the SCOR project manager by the 5th day of each month. Additionally, recipients will be required to submit Quarterly Progress Reports (QPRs) to the SCOR Project Manager, due by October 5th, January 5th, April 5th, and July 5th each year, until the project is completed. (Refer SCOR Recipient Policy Manual)

SCOR Project Managers will complete QPR reports for state-run projects by October 5th, January 5th, April 5th and July 5th each year, until the project is completed. (Refer SCOR Recipient Policy Manual)

ETHICS, CONFLICTS OF INTEREST, FRAUD, WASTE, AND ABUSE

SCOR employees, applicants, recipients, consultants, professional services providers, contractors, and others involved in program administration and implementation shall comply with applicable South Carolina ethics and conflict-of-interest requirements. Actual or potential conflicts shall be disclosed and addressed before participation in an affected decision.

Suspected fraud, waste, abuse, falsification, misuse of funds, collusion, or other misconduct shall be referred through appropriate SCOR and state reporting channel, including but not limited to SC Office of Inspector General, the SCOR internal Auditor. SCOR may suspend payment or other activity when necessary to protect state funds.

NONCOMPLIANCE AND CORRECTIVE ACTION

When SCOR identifies noncompliance, it may require corrective action, additional documentation, repayment, suspension of payment, modification of the award, termination, or other remedies authorized by law or the grant agreement. Corrective action should be proportionate to the nature, severity, recurrence, and financial or programmatic impact of the issue.

RECORD KEEPING

A separate file must be created for documentation records. Recipients must maintain and make available all documentation utilized during the procurement process, including but not limited to:

- Policies and procedures for procurement
- Copies of all Invitation for Bids ("IFB") and RFP/Qs published and mailed
    - Proof of advertisement, if applicable
    - Proof that an adequate number of firms/individuals were directly contacted for proposals (e.g., copies of sent emails, certified mail receipts, and/or fax confirmations)
- Copies of bidding and/or proposal packages
- Bid and proposal responses
- Records of bid and proposal evaluation evidencing method of selection used
- Evidence of cost and price analysis, if applicable
- Market research
- Verification that the vendor is not on the SAM.gov debarred list
- Other procurement correspondence
- Minutes of award or hiring resolution
- Executed contract including all required contract provisions
- Record of equipment purchases, if applicable; and
- Disposition/sales procedures for equipment purchased with State Funded Mitigation funds

CLOSEOUT

Projects may be closed when SCOR determines that the approved scope is complete, final deliverables or work have been accepted, costs are reconciled, required documentation is complete, outstanding findings are resolved or appropriately carried forward, and program-specific closeout requirements are met.

Closeout does not eliminate continuing obligations such as records retention, maintenance commitments, warranties, data access, repayment obligations, or post-completion reporting.

EXCEPTIONS AND POLICY INTERPRETATION

Administrative exceptions, when legally permissible, will be presented to the SCOR Mitigation Special Case Panel (MSCP).

ENVIRONMENTAL CRITERIA AND STANDARDS

All State Funded Mitigation projects must complete an environmental review in accordance with the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance* to ensure that the proposed project is compliant with state and federal environmental regulations. Accordingly, environmental review activities will be carried out for each funded Program activity to ensure the activity does not negatively impact the property or surrounding social, cultural, and physical environment including historic and cultural resources. SCOR, or its identified Recipients, will be responsible for performing all required environmental reviews for SCOR State funded projects, as applicable. See Appendix A for additional information regarding the criteria and standards for environmental reviews.

SCOPE, BUDGET, AND SCHEDULE CHANGES

Changes that materially affect scope, budget, schedule, technical methodology, project location, deliverables, ownership, or expected outcomes require written SCOR review and approval before implementation unless emergency procedures apply.

Routine administrative adjustments that do not materially alter the award may be documented by the SCOR Project Manager.

EMERGENCY CHANGE ORDERS

The emergency change order process is used when a previously approved mitigation project requires a time sensitive change to the existing contract that cannot wait for the next MSCP meeting. An emergency change order will be reviewed for determination in a compressed timeframe to avoid project delays. An example of an emergency change order is the repair of an unexpected watermain break. All actions not included in the approved scope or any increase to the approved cost for a scoped action, MUST be submitted for review and approval. An Emergency Change Order request can be submitted for two reasons:

- To prevent a major delay or impact to the process, a critical system/service, or community; and
    - The action to resolve the issue cannot be delayed until the next scheduled Mitigation Special Case Panel Meeting
- Immediate action required due to fault or action of contractor or firm (Break-Fix)

If an Emergency Change Order is requested for a Break-Fix scenario, it should be accompanied by a written record of the incident for review and to determine the responsible party.

Emergency Change Order Process

1. The awarded project contractor must notify the respective Mitigation Project Manager of the need for an emergency change order.

2. The contractor provides details about the required change to include but not limited to the cause and cost.

3. The Mitigation Project Manager will consult with the Program Manager determines if the request is, indeed, an emergency and if the request is feasible. The Program Manager will consider the scope, level of urgency, and cost of request. If approved, the Mitigation Program Manager may approve additional work for a cost “not to exceed” based on the nature of the scope.

4. The Mitigation Program Manager approves or denies the emergency change order.

5. All approved emergency change orders must be presented by the approving Mitigation Program or Project Manager for an official MSCP review at the next scheduled Mitigation Special Case Panel Meeting. If approved or disapproved, a determination is recorded for the record.

6. Denied emergency change order requests will be presented at the next scheduled Mitigation Special Case Panel Meeting. An official MSCP review is performed, and the determination is recorded.

7. The MSCP Decision Memorandum is added to the System of Record.

MITIGATION SPECIAL CASE PANEL (MSCP)

During the activities of the Programs, many decisions will be made involving each project. These decisions will be made based on the interpretation of:

- Applicable state statutes
- State and local codes and ordinances
- Local guidelines; and
- SCOR State Funded Mitigation Program Policies and Procedures Manual
- SCOR State Funded Mitigation Program Recipient Policy Manual; and
- Relevant Standard Operating Procedures (SOP)

SCOR will consider and respond to concerns, suggestions, requests, cases with exceptional excessive costs, and other issues pertaining to State Funded Mitigation Program by utilizing the Mitigation Special Case Panel (MSCP). The MSCP must review the following:

- Any proposed voluntary buyout award more than the establishment program guidelines.
- Any appeal of the voluntary buyout program appraised value of the home/property.
- Any request to review an incentive award that causes the voluntary buyout award to be more than program guidelines.
- Any items the demolition contractor believes are truly excessive, and outside the scope of the standard fixed price.
- Infrastructure Stormwater Improvement, Stormwater Restoration, Voluntary Buyout, Plans and Studies, Project Scoping project change orders that exceed project contingency budget.

Requests that are within the project contingency budget, time extensions, and/or no cost to SCOR, do not require MSCP review and will be approved or denied through the following process:

- The SCOR Program Manager and Mitigation Director will review, and either approve or deny all time extension requests that do not exceed the overall program period of performance for all project types. Such requests do not need to be brought to or approved by the Mitigation Special Case Panel.
- The SCOR Program Manager and Mitigation Director will review, and either approve or deny all no cost change orders. Such requests do not have any financial impact on SCOR's award amount or financial commitment to the project.

The SCOR Internal Audit Department (Audit) will review all MSCP agenda items prior to meetings. Audit may challenge the proposed item as submitted. Audit will forward any concerns regarding the information, findings, and proposal to the South Carolina Chief Resilience Officer (CRO). The CRO will make a final determination as to whether the State will fund any items designated as inappropriate by Audit. Audit must submit documentation of the audit review to the Mitigation Director and upload the audit report as well as all supporting documentation into the System of Record.

The MSCP consists of four voting members—a SCOR Mitigation Program Manager, a SCOR Attorney, the SCOR Disaster Recovery Program Manager, and a SCOR Finance Representative—and is led by the Mitigation Director as a non-voting Chair, except in the event of a tie, where they will cast the deciding vote. A minimum of three voting members constitute a quorum.

Other required attendees include: a SCOR Auditor and a SCOR Watershed Coordinator.

A decision memorandum or equivalent will document the Panel's decisions on each matter it considers. The decisions memorandum is signed by the Mitigation Director and the Director of Operations. The signed decision memorandum will be uploaded to the System of Record.

RECIPIENTS

SCOR may choose to obligate funds to Recipients to implement eligible activities or programs. A SCOR approved Recipient must be a Unit of General Local Government (UGLG) or state agency to undertake eligible activities.

Applications for Recipient status will be reviewed for program eligibility and to assess the applicant's capacity and capability to manage and complete the proposed project. Approved Recipients will be responsible for managing their SCOR-funded projects in accordance with applicable requirements, program policies, and the terms of their grant agreements.

Recipients must pay project costs with their own funds and then submit invoices and supporting documentation to SCOR for reimbursement. SCOR will review submitted costs for eligibility and compliance with program requirements before processing payment.

The SCOR Mitigation Department will monitor each awarded Recipient's implementation, execution, and completion of approved projects within the agreed-upon scope, schedule, and budget. The Department will provide technical assistance as needed.

All Recipients must adhere to the program guidelines and policies set forth in this manual. Additionally, SCOR has adopted a Recipient Administrative Manual, which must be adhered to by all Recipients.

Recipients are responsible for remaining updated on changes to this manual, the recipient policy manual and their recipient agreement.

APPLICATION OVERVIEW

Applications submitted under the 2026 State Funded Mitigation Program will be categorized into one of the following program areas: (1) Plans and Studies, (2) Project Scoping, (3) Stormwater Improvements, (4) Stormwater Restoration, or (5) Voluntary Buyouts.

SCOR will accept applications for all five project categories from October 15, 2026, through January 15, 2027.

All Applications

Applications must be submitted electronically. SCOR may authorize an alternative submission method only when electronic submission is not feasible. All applications must include the following, unless otherwise specified in the program chapter:

- Project location and description
- Proposed project scope of work narrative
- Long-term planning and risk-mitigation considerations
- An explanation of how the project will mitigate current and future flood risks
- Information on the project area's low- and moderate-income (LMI) status
- Proposed project schedule
- Proposed project cost estimate
- Permit requirements and the status of any required permits, if known

The proposed project description and scope of work narrative are primary requirements of the grant application that includes three elements: project description, scope of work, a work schedule, and a cost estimate. SCOR uses the description and narrative to determine whether the activities or projects are eligible, whether the activities can be completed within the period of performance, and whether the proposed costs are reasonable.

The narrative and description of activities must include the proposed approach, how the outcomes will be reached, the level of effort anticipated (including key milestones and work schedule), and the relationship of each activity to the cost estimate.

The narrative will become part of the conditions of the award; therefore, sufficient detail is required so SCOR can monitor progress as the work is accomplished.

1. **Plan & Studies Applications**
    - SCOR will solicit applications from Units of General Local Government (UGLGs), regional Councils of Government (COGs) and Tribal Nations eligible for assistance
    - The application must show how the plan or study intends to identify causes of flooding and/or develop potential flood reduction strategies

2. **Project Scoping Applications**
    - SCOR will solicit applications from Units of General Local Government (UGLGs) and Tribal Nations for eligible assistance
    - The application must show that the scoping project intends to meet SCOR design standards and will reduce future flood risks from surface, riverine, and/or tidal flooding.

3. **Stormwater Improvements**
    - SCOR will solicit applications from Units of General Local Government (UGLGs) and Tribal Nations for eligible assistance
    - The application must show a public infrastructure project that can reduce future flood risks from surface, riverine, and/or tidal flooding.

4. **Stormwater Restoration**
    - SCOR will solicit applications from Units of General Local Government (UGLGs) and Tribal Nations for eligible assistance
    - The application must show a demonstrated need for stormwater restoration activities that will reduce future flood risks from surface, riverine, or tidal flooding.

5. **Voluntary Residential Buyouts Applications**
    - SCOR will solicit applications from Units of General Local Government (UGLGs), Tribal Nations, and property owners for eligible assistance.
    - Application periods will be established by SCOR based on funding availability.
    - The application must target the acquisition of residential parcels in the floodplain, floodway, or in a designated Disaster Risk Reduction Area (DRRA).

APPEALS

Applicants have the right to appeal any determination issued by the SCOR State Funded Mitigation Program that affects the applicant's eligibility or assistance determination.

If an applicant chooses to appeal, the appeal must be submitted in writing within thirty (30) calendar days of the eligibility or assistance notice of determination. The appeal must include contact information for the appellant or complainant, address, and project number (if applicable), a detailed letter explaining the reason for the appeal and any supporting documents related to the appeal. The appeal may be submitted through one of the following methods below:

Address: South Carolina Office of Resilience
ATTN: Mitigation Appeals
2100 Bull Street
Columbia, South Carolina 29201

Email: Mitigation@scor.sc.gov

The SCOR Mitigation Department is responsible for responding to complaints and appeals in a timely and professional manner. The appeals procedure will provide a timely and efficient review of concerns or disputes. The Mitigation Special Case Panel will review appeals. SCOR will keep a record of each complaint or appeal that it receives to include all communications and their resolutions.

STATE FUNDED MITIGATION PLANS AND STUDIES ACTIVITY

The State-Funded Plans and Studies program provides funding for studies, assessments, and plans that allow South Carolina communities to better understand flooding challenges and identify strategies to reduce future flood risk. The program funds watershed and drainage studies, flood-risk assessments, technical modeling, local land use and comprehensive planning, and the evaluation of potential flood mitigation projects and resilience strategies. Funding is intended to help communities develop technically sound, actionable, prioritized flood-reduction strategies that can move communities from identification and understanding of risk to guide future investments and support the advancement of mitigation and resilience initiatives towards adoption and implementation. Priority will be given to multi-jurisdictional applicants covering areas with significant flood risks vulnerable populations, critical infrastructure concerns, and demonstrated needs for technical planning assistance.

In alignment with the watershed-planning and coordination approach outlined in the Resilience Plan, priority will be given to plans and studies whose analysis is based on hydrological boundaries as opposed to jurisdictional boundaries alone. This includes analysis on hydrological boundaries for modeling and studies, as well as consideration beyond jurisdictional boundaries for plans that incorporate resilience into land use planning or non-structural solutions.

Eligible applicants: UGLGs, recognized Tribal Nations, COGs and non-profit organizations 501(c)(3).

PROGRAM OBJECTIVES

- Identify and quantify existing and future flood risk.
- Improve flood-risk data and drainage-system understanding, as well as other data to inform local policy and decision-making regarding risk reduction
- Develop actionable structural, nonstructural, land use, nature-based, and hybrid mitigation alternatives (strategies).
- Prioritize strategies using transparent, risk-based criteria.
- Support multi-jurisdictional and watershed-scale planning coordination.
- Create reusable models, GIS data, planning frameworks and technical products.
- Move high-priority strategies toward feasibility, design, permitting, funding, adoption and construction.

ELIGIBLE GEOGRAPHIC AREAS

Eligible study areas may include watersheds, sub watersheds, drainage basins, multi-jurisdictional drainage systems, municipalities, counties, or other logical hydrologic or planning boundaries in South Carolina. SCOR may prioritize areas based on flood risk, data gaps, regional significance, vulnerable populations, prior studies, disaster history, or statewide resilience priorities.

PLANS & STUDIES ACTIVITIES

ELIGIBLE PLANS & STUDIES ACTIVITIES

- Hydrologic and hydraulic modeling and model updates, and other floodplain or flood risk analyses
- Comprehensive planning, land use planning and policy development.
- Hazard mitigation, disaster recovery, and community resilience plan development or updates.
- Drainage, bridge, and culvert capacity analysis.
- Floodplain and flood-risk analysis.
- Topographic, field, land use, and drainage-infrastructure surveys and inventories.
- GIS development, mapping, and data-gap analysis.
- Existing and future conditions assessment.
- Evaluation and modeling of structural, nonstructural, policy, nature-based, and hybrid alternatives.
- Development of conceptual project sheets, planning-level cost estimates, and implementation pathways.
- Stakeholder and interagency coordination necessary to complete the plan or study.

Ineligible Plans & Studies Activities

- General governmental operating expenses.
- Studies unrelated to flood or watershed resilience.
- Substantially duplicative studies without documented justification.
- Costs incurred before written authorization.
- Lobbying, fines, penalties, or activities primarily benefiting a private entity.

DEFINING PLANS & STUDIES ELIGIBLE ACTIVITIES

Local and Regional Land-Use Plans (Comprehensive Plans)

- Considers existing and future land use by categories, including residential, commercial, industrial, agricultural, forestry, mining, public, recreation, parks, open space, and vacant or undeveloped.
    - Plans or studies that recognize and address the fact that flood mitigation, and the resulting risk to life and property, can be achieved by the plan directing residential and commercial growth away from flood-prone areas, and returning parcels to green or open space that can provide assets to the community, such as recreation, while also managing stormwater.

- Comprehensive plans which follow the SC Local Government Comprehensive Planning Enabling Act (S.C. Code § 6-29-310, et seq.) and integrate resilience throughout
    - Resilience and mitigation must be integrated into the statutorily required elements: population, economic development, natural resources, cultural resources, community facilities, housing, land use, transportation, priority investment and resiliency. This recognizes that mitigation may be a part of any of all elements really, from siting economic development, housing, and transportation, to identifying projects (like stormwater improvements) for priority investment.
    - mitigation should play a central role in the following elements:
        - Natural Resources element: by law, this element must consider coastal resources, slope characteristics, prime agricultural and forest land, plant and animal habitats, parks and recreation, scenic views and sites, wetlands, and soil.
        - Land Use Element: considers existing and future land use by category: residential, commercial, industrial, agricultural, forest, mining, public recreation, parks, open space, and vacant or undeveloped.

- Development of the resiliency element of comprehensive plan specifically. This is a relatively new element requirement in SC. This element must consider the impact of flooding, high water, and natural hazards on communities, individuals, institutions, businesses, economic development, public infrastructure & facilities, and public health, safety, and welfare. The element should outline existing conditions, promote resilient planning, design, and development. This element should be coordinated with adjacent and relevant jurisdictions and agencies.
- Such plans can be implemented by creating a zoning ordinance or including a future land use map in a community's comprehensive plan and the adoption of other land use, land conservation or development policy at the local level.

Stormwater Master Plan

- In addition to investigating flooding issues, assessing current stormwater system, & developing and prioritizing projects, a stormwater master plan includes a broader implementation plan that can be used by the municipality to make further decisions and update on a regular basis.
- Focus goes beyond stormwater system improvements, and considers broader strategies such as governance (land use regulations for instance)
- May consider issues beyond stormwater capture and conveyance such as water quality and regulatory compliance.

Drainage & Stormwater Study

- Investigates flooding issues, assesses current stormwater system (if there is one), develops and prioritize projects
- focus is in a small, specific problem area(s) to further define observed issues, through a hydrology and hydraulics analysis, resulting in implementable project proposals that will address the specific problems a locality is experiencing.

Community Recovery Plan

- A plan that focuses on strategies to coordinate a jurisdiction's efforts to recover from a disaster: physically, socially, environmentally, and financially.

Resilience Plan

- In addition to including resilience in their comprehensive plan, a community (perhaps those who have more specific issues, or a smaller area), may want to develop a stand-alone resilience plan.
- A resilience plan should have similar elements to the Resilience element required by the state of SC, and reference to and coordination with the Statewide Resilience Plan, but may have a larger or smaller scope to meet community needs.

Hazard Mitigation Plan (& Update)

- Plans to reduce loss of life and property by minimizing the impacts of future disasters
- Includes identifying natural disaster risks and vulnerabilities that are common in an area, and then developing long-term strategies for protecting people and property from similar events.
- Local jurisdictions must update their FEMA approved hazard mitigation plans every 5 years to be eligible for FEMA mitigation project grant funding.
- The State may wish to earn enhanced status for their mitigation plan, which makes them eligible to receive more funding under the HMGP following a disaster declaration. To receive approval of an enhanced plan, the state must

show that it has developed a comprehensive mitigation program and can manage increased funding for its mitigation goals. In an effort to receive this designation, eligible activities may include an evaluation of the current hazard mitigation plan, updating a Hazard Identification/Risk Assessment (see Disaster Risk Analysis/Reduction study below) or other plans & studies to enhance mitigation programs.

Disaster Risk Analysis/Reduction Study

- A study that investigates the degree to which an area is exposed to certain types of risk. Based on this assessment, reduction measures to reduce the degree of risk are proposed.
- Considers potential consequences and impacts to people, property, and the environment.
- Could be done on a state (SCEMD HIRA), regional (Central Midlands All Hazards Risk Assessment), or municipal level (City of Charleston All Hazards Vulnerability and Risk Assessment)
- This kind of study may be a portion of a Hazard Mitigation Plan update or be done to reach the goal of receiving Enhanced Status (see Hazard Mitigation Plan above).

The MSCP (see Mitigation Special Case Panel section) will review all requests for funding. The MSCP will consider eligibility requirements, the amount of funds requested, the planning/study activity, location of the planning/study activity, and any other pertinent information. After the request for funding is approved or denied by the MSCP, the Mitigation Program Director will notify the entity of the decision and next steps.

Applicants may request to be a recipient or have the state run the project. If an applicant wants to be a recipient, they must submit a recipient application along with the Plans & Studies application. If awarded, recipients will also have to enter into and sign a recipient agreement.

PLANS & STUDIES APPLICATION REQUIREMENTS

- Applicant and participating jurisdictions.
- Proposed plan/study boundary and map.
- Description and history of flooding.
- Known affected infrastructure, properties, populations, roadways, or critical facilities.
- Known existing studies, plans, models, data, and known gaps.
- Study objectives and preliminary scope.
- Estimated cost and schedule.
- Known stakeholders and participating agencies.
- How study results will be used in known/anticipated mitigation projects or strategies.
- Local or regional support when requested.
- Other funding and duplication of benefits.

PLANS & STUDIES PRIORITIZATION

Plans & Studies Program	
Prioritization Category	**Maximum Points**
Flood Risk History Extent, frequency, and severity of existing or anticipated flooding, including	**20**

documented flood events, recurring flooding, historical damages, and affected areas	
Data Gap and Technical Need Extent to which existing flood-risk data, studies, models, or infrastructure information are insufficient or outdated, limiting effective flood mitigation planning and decision-making	**15**
Watershed/Regional Significance and Cross-Jurisdictional Benefit Degree to which the proposed study addresses interconnected flooding challenges, supports watershed-scale planning, or provides flood mitigation benefits across multiple communities or jurisdictions.	**15**
Vulnerable Populations and Limited Local Capacity Degree to which the study area includes populations vulnerable to flooding and communities with limited financial, administrative, or technical resources to independently address flood risks.	**10**
Flood Exposure to Critical Facilities, Infrastructure and Essential Services Extent to which flooding threatens critical facilities, infrastructure, emergency access, or essential services, considering the number and significance of affected assets and documented or anticipated service disruptions.	**10**
Implementation Potential Likelihood that the proposed study will produce actionable, prioritized mitigation recommendations with a clear pathway toward future project development, funding, and implementation.	**10**
Partnership, Coordination and Leveraged Resources Extent of meaningful collaboration among relevant jurisdictions, agencies, and stakeholders, including opportunities to leverage existing data, technical expertise, funding, or other resources.	**5**
Scope, Readiness and Schedule Clarity and feasibility of the proposed study objectives, geographic boundaries, scope of work, anticipated deliverables, schedule, and readiness to initiate study activities	**5**
Cost Reasonableness Degree to which the proposed budget is reasonable, adequately supported, and proportionate to the study's scope, technical complexity, geographic coverage, and anticipated deliverables	**5**
Nature-Based and Multiple-Benefit Potential Potential for the study to evaluate appropriate nature-based or hybrid flood mitigation strategies that provide additional environmental, economic, or community benefits.	**5**

DUPLICATION AND EXISTING STUDY REVIEW

Before approving a study, SCOR shall determine whether substantially similar work has been completed, is underway, or is funded through another source. Existing work should be incorporated where appropriate rather than unnecessarily recreated. A new study may still be funded when existing information is outdated, incomplete, incompatible, geographically insufficient, or otherwise inadequate for current decision-making.

TECHNICAL STANDARDS

Studies shall use generally accepted professional engineering, hydrologic, hydraulic, GIS, surveying, and planning practices. SCOR may establish or adopt technical standards addressing rainfall data, design storms, model platforms, calibration, terrain data, future-condition assumptions, sea-level-rise assumptions where applicable, freeboard, GIS formats, cost estimating, benefit-cost screening, and QA/QC. Methodologies shall be documented sufficiently to allow another qualified professional to understand and reproduce the analysis.

MODEL AND DATA OWNERSHIP

Unless otherwise restricted by law or third-party licensing, final models, GIS files, technical data, reports, and other work products developed with Program funds shall be provided to SCOR. Consultant contracts shall provide SCOR sufficient rights to use, reproduce, modify, update, and distribute study products for governmental purposes. Proprietary model formats should be avoided when a reasonable transferable alternative exists.

DELIVERABLE REVIEW AND ACCEPTANCE

SCOR shall review each required deliverable for completeness, technical adequacy, consistency with the approved scope, responsiveness to prior comments, and usefulness for implementation. Deliverables are not accepted until SCOR provides written acceptance. Acceptance may be conditioned on comment resolution or submission of final electronic files.

STUDY-TO-IMPLEMENTATION PIPELINE

Completed studies shall produce prioritized mitigation recommendations for SCOR and participating jurisdictions. SCOR may use completed studies to inform future state-funded scoping/design, construction, voluntary buyout, federal funding, or other resilience investments.

PLANS & STUDIES PROGRAM PERFORMANCE MEASURES

- Watersheds and square miles studied.
- Participating jurisdictions and regional partnerships established
- Communities receiving first-time or materially improved flood risk data, watershed modeling, planning or resilience decision making tools.
- Flood-risk areas and critical constraints or needs identified.
- Potential mitigation strategies identified and estimated value.
- Nature-based or hybrid projects identified.
- Projects advanced to feasibility, design, permitting, adoption, or funding.
- Subsequent funding secured and dollars leveraged for recommended projects

PLANS & STUDIES PERIOD OF PERFORMANCE

Projects will be given a period of performance not to exceed 425 days (14 months). MSCP will consider all timeline extension requests (see Mitigation Special Case Panel section).

PLANS & STUDIES– PROJECT SELECTION AND APPROVAL

The SCOR Mitigation staff will score plans and studies applications, consider program priorities and input from other SCOR departments to inform its recommendation to the SCOR Chief Resilience Officer (CRO). The CRO will have final authority for the approval of plans and studies applications.

The SCOR Mitigation staff will notify all applicants of the CRO's decision regarding its Plans & Studies application in writing within 30 days of a decision.

Plans & Studies– Price Guide Methodology Overview

The South Carolina Office of Resilience (SCOR) utilizes a 2-part pricing methodology to ensure conformity with cost reasonableness guidelines set forth by the Housing and Urban Development guidelines and the South Carolina Office of Resilience Mitigation Action Plan.

Part I

Part I takes into account industry standards by identifying similar, relevant studies and calculating an adjusted price based on project cost and area size with proportional mathematics. The resulting data offers a range with which the new price should sit.

Part II

Part II guides price by multiplying a pre-determined base-price with 2-3 variables, contingent upon applicant-type. The variables used are complexity, scope, and number of focus areas. These variables were weighted differently in different scenarios to obtain the most accurate prices. At the time of price guide development, the Plans and Studies Program had 10 ongoing studies, meaning that 10 data points were available for use as a starting point for developing base-prices.

STATE-FUNDED PROJECT SCOPING PROGRAM

The State-Funded Project Scoping program provides funding for project scoping, engineering design, and development of Construction Documents for stormwater improvement projects that address critical infrastructure needs, improve public safety, and strengthen community resilience. Awarded projects should design stormwater improvements that provide flood protection for a 25-year, 24-hour storm event, or higher, if feasible. Project Scoping funds may not be used towards existing design contracts, or to design stormwater projects for the sole benefit of privately owned property(ies) or developments.

The program is intended to advance priority infrastructure improvement projects from conceptual design to construction document readiness, reducing project development risks and positioning projects for successful funding, permitting, procurement and construction. Awarded projects will provide local governments with a "shovel-ready" set of construction documents to include technical drawings, project specifications, opinions of construction cost (OPCC), and project schedules.

PROGRAM OBJECTIVES

- Fund development of infrastructure improvement projects from conceptual design through preliminary and final design.
- Evaluate engineering alternatives, site conditions, design constraints and technical requirements to ensure technical feasibility.

- Identify permitting requirements, environmental considerations, and any applicable required codes, standards and regulatory approvals
- Develop construction documents to include drawings, project specifications, and an Opinion of Probable Construction Costs (OPCC).
- Prioritize projects that demonstrate public benefit, cost-effectiveness, and alignment with program and/or community priorities.
- Incorporate nature-based, or green, infrastructure solutions, where feasible, to increase resilience and provide additional project benefits

ELIGIBLE GEOGRAPHIC AREAS

Eligible applicants include Units of General Local Government (UGLG) and Tribal Nations from all 46 counties in South Carolina, and non-profit organizations 501(c)(3).

PROJECT SCOPING ACTIVITIES

Eligible Project Scoping Activities

- Engineering and design fees
- Survey activities
- Geotechnical activities
- Utility Location and Relocation Design
- Environmental Review fees (as applicable)
- Permitting fees (as applicable)
- Public Meeting/Public Engagement Costs

Ineligible Project Scoping Activities

- Engineering and design fees associated with an existing (pre-award) contract
- Costs associated with the design of stormwater improvements for the sole benefit of privately owned property(ies) or developments.
  - Construction costs
  - Routine maintenance or repair of existing infrastructure
  - Material Testing and Inspection associated with construction activities
  - General governmental operating expenses.
  - Substantially duplicative scope of work without documented justification.
  - Property and/or easement acquisition costs
  - Costs incurred before written authorization
  - Lobbying, fines, penalties, or activities primarily benefiting a private entity.
  - Assistance to private utility companies, or privately owned utility systems.
- Attorney fees for acquisitions of easements or parcels

PROJECT SCOPING PROJECT TYPES

Applicants may apply for either a State-Run or Awardee-Run Project Scoping grant.

State-Run Projects: SCOR acts as the Owner (Grantee) representative for the project. SCOR staff manage the implementation of the project on behalf of the awardee. The awardee participates in regular project coordination meetings and is consulted on all project-related decisions including scoping, procurement, contract negotiations, and design decisions. SCOR conducts all procurements through the South Carolina Office of State Engineers (OSE) in accordance with state procurement requirements. SCOR executes contracts with project vendors, and issues payments directly to the vendor.

Awardee-Run Projects: The Awardee (Recipient) manages the implementation of the project in accordance with approved local policies and procedures and SCOR program requirements. SCOR staff provide grant monitoring and technical assistance and participate in regular project coordination meetings with the project team. The Recipient executes contracts with project vendors, and issues payments directly to the vendor. The Recipient may submit requests for reimbursement to SCOR on a quarterly basis. Recipients are required to complete quarterly reports to SCOR.

Applicants that apply for a Recipient-Run Project Scoping grant must also complete and submit the Recipient Application. SCOR will review the Recipient application and the required supporting documentation and make a recommendation to the Chief Resilience Officer (CRO). SCOR may elect to award a project scoping grant but deny the Recipient application. In this case, the scoping project would be awarded as a state-run grant. The applicant may elect to accept or reject the state-run award.

PROJECT SCOPING APPLICATION REQUIREMENTS

Project Scoping application must be submitted electronically. SCOR may authorize an alternative submission method only when electronic submission is not feasible. A complete Project Scoping application includes, but is not limited to, the following:

- Applicant Information, to include State-Run or Recipient-Run request
- Project location, including Low-and-Moderate Income (LMI) percentage of the project area
- Description of existing system and ownership/access rights
- Description of existing problems, including history of flooding impacts
- Known affected infrastructure, properties, populations, roadways, or critical facilities
- Proposed project scope narrative
- Identify the anticipated community lifeline
- Estimated project cost and schedule
- Alignment with local and/or regional long-term planning, policies, and priorities
- Community support for the proposed project
- Funding identification and duplication certification

At the conclusion of the application period, SCOR will conduct an internal evaluation of all applications received to determine whether the proposed projects meet the program eligibility requirements. If the applications are incomplete, or if additional information is required to determine the project eligibility, SCOR will reach out to the applicants to request additional information or clarification as needed.

PROJECT SCOPING PRIORITIZATION

Project scoping applications will be prioritized based on their potential to reduce flood risk from surface, riverine, and/or tidal flooding and support the overall objectives of the Program in alignment with the Strategic Resilience and Risk Reduction Plan. In addition to program eligibility requirements, available funding, and project-specific application scores, priority factors may include:

- Projects that provide enhanced protection from future flood events (25-year, 24-hour storm minimum, where applicable)
- Projects identified through a plan or study within the past ten years, which include but are not limited to:
    - Hazard Mitigation Plan
    - Stormwater Plan/Master Plan
    - Comprehensive Plan
    - Hydrologic & Hydraulic (H&H) Report
- Projects that provide flood reduction benefit for locations within a flood zone, or areas that have experienced documented repetitive flooding
- Projects that reduce flooding for residential, commercial and/or civil buildings, and roadways, and/or provide risk reduction benefits to critical community lifelines
- Projects with documented community support
- Projects that provide benefit to service areas with an LMI of 50% or greater
- Projects that incorporate nature-based, or green infrastructure, improvements
- Projects that can reasonably be completed within the timeframe and funding available

PROJECT SCOPING APPLICATION SCORING

SCOR will use a methodology for prioritizing feasible projects that will be consistently applied to all State-Funded Project Scoping applications received. The feasibility prioritization is based on a 100-point scale with a higher point total indicating a more feasible project.

Project Scoping	
Prioritization Category	**Maximum Points**
Flood Risk Reduction The anticipated level of flood protection resulting from the proposed infrastructure improvement project	**20**
Flood Protected Structures The number of residential, commercial, and /or civic buildings that are expected to see flood reduction benefits from the proposed project	**20**
LMI % Area Served Low-to-moderate services area percentage using the current (based on time of application) LMISD Map Application 2016-2020.	**15**
Consistency with Plans, Policies and Priorities The extent to which the proposed project aligns with federal, state, or local hazard mitigation planning efforts, regionally or locally established plans and policies to reduce future risk to the jurisdiction, and local mitigation and resilience priorities.	**10**
Nature-Based Solutions (Green Infrastructure)	**10**

How much, if any, of the proposed project utilizes nature-based, or green infrastructure, improvements to manage stormwater and improve community resilience.	
Community Lifeline Improvements The anticipated secondary benefits of the project on community lifelines	**10**
Feasibility (Schedule/Cost) The reasonableness of the proposed project to be completed within the established budget and period of performance.	**10**
Leveraged Resources/Coordination Additional funds or resources are available to support the completion of the project and maximize the beneficiaries/benefits.	**5**

PROJECT SCOPING – PROJECT SELECTION AND APPROVAL

The SCOR Mitigation Staff will score UGLG Project Scoping applications, consider program priorities and input from other SCOR departments to inform its recommendation to the SCOR Chief Resilience Officer (CRO). The CRO will have final authority for the approval of UGLG Project Scoping applications.

The SCOR Mitigation staff will notify all applicants of the CRO's decision regarding its project scoping application in writing within 30 days of a decision.

PROJECT SCOPING – AWARD AGREEMENTS

Applicants awarded a State-Run Project Scoping grant will receive grant agreement documents within 45 days of project approval. For state-run projects, the grant agreement documents will include the project application, an Award Letter and Resolution/Authorizing Order. For Recipient-run projects, the agreement documents will include the project application, an Award Letter, Resolution/Authorizing Order, and Recipient Agreement. All grant agreement documents must be signed and returned to SCOR within 30 days of receipt, unless additional time is requested by the Awardee and approved by SCOR.

Awarded applicants will be assigned a SCOR Infrastructure Project Manager to assist in the implementation of the project and/or grant monitoring and compliance. The Project Manager will be identified in the grant agreement documents, and will serve as the Grantee's primary point of contact for the grant award.

DUPLICATION AND EXISTING SCOPE REVIEW

Before a Project Scoping award is granted, SCOR shall determine whether substantially similar work has been completed, is underway, or is funded through another source. Existing work should be incorporated where appropriate rather than unnecessarily recreated. SCOR may still award a project scoping project when previously completed design is outdated, incomplete, incompatible, geographically insufficient, or otherwise inadequate for current decision-making. Awardees will be required to sign a subrogation agreement.

PROJECT SCOPING TECHNICAL STANDARDS

Project Scoping shall use generally accepted professional engineering, hydrologic, hydraulic, GIS, surveying, and

planning practices. SCOR may establish or adopt technical standards addressing rainfall data, design storms, model platforms, calibration, terrain data, future-condition assumptions, sea-level-rise assumptions where applicable, freeboard, GIS formats, cost estimating, benefit-cost screening, and QA/QC. Methodologies shall be documented sufficiently to allow another qualified professional to understand and reproduce the analysis.

Projects receiving Project Scoping Funds should design stormwater improvements to provide flood protection for a 25-year, 24-hour storm event or greater. Where this minimum design standard is not feasible, the project engineer must inform SCOR and the Grantee to determine whether a design to service lesser storm events is allowable.

MODEL AND DATA OWNERSHIP

Unless otherwise restricted by law or third-party licensing, final models, GIS files, technical data, reports, and other work products developed with Program funds shall be provided to SCOR and the Grantee. Consultant contracts shall provide SCOR sufficient rights to use, reproduce, modify, update, and distribute study products for governmental purposes. Proprietary model formats should be avoided when a reasonable transferable alternative exists.

DELIVERABLE REVIEW AND ACCEPTANCE

SCOR and the Awardee shall review each required deliverable for completeness, technical adequacy, consistency with the approved scope, responsiveness to prior comments, and usefulness for implementation. Deliverables are not accepted until SCOR and the Grantee provides written acceptance. Acceptance may be conditioned on comment resolution or submission of final electronic files.

PROJECT SCOPING TO IMPLEMENTATION PIPELINE

Completed Project Scoping grant awards will produce construction-ready documents. Awardees may use these completed project design documents to submit applications to federal, state and/or local funding opportunities for construction of the designed improvements.

PROJECT SCOPING PROGRAM PERFORMANCE MEASURES

SCOR will use the following performance measures for awarded scoping projects:

- Level of estimated flood risk protection achieved by the project in a 25-year, 24-hour storm event
- Estimated number of residential, commercial and civic buildings that receive flood reduction benefits from the proposed project
- LMI percentage served by the proposed project benefits
- Number and type of community lifeline benefits anticipated from the proposed project
- Estimated cost to implement the proposed project
- Estimated monetary benefit of the proposed project
- Extent of the proposed project design that includes nature-based, or green infrastructure improvements

Additional performance measures may be identified on a case-by-case basis.

PROJECT SCOPING PERIOD OF PERFORMANCE

Projects will be given a period of performance not to exceed two (2) years. MSCP will consider all extension requests

(see Mitigation Special Case Panel section).

PROJECT SCOPING – ENVIRONMENTAL REVIEW

State-funded Project Scoping projects must comply with all applicable requirements in the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance* to ensure the proposed project is compliant with state and federal environmental regulations. If federal funding is used to supplement a state-funded project or federal permits are required, the environmental review process must align with NEPA (National Environmental Policy Act) requirements.

Upon award, SCOR will coordinate with Awardees, or Recipients, to determine the appropriate type of environmental review required for the project, if applicable. For additional information about environmental review requirements, refer to the "Environmental Criteria and Standards" section of this manual.

PROJECT SCOPING – PERMITTING

SCOR, or its Recipient, will competitively procure professional engineering services to complete the awarded project scoping engineering and design development. The project engineer's scope of work will include identification of all required permits, and consultation with the applicable regulatory agencies, as needed, to ensure the completed design is of sound design and permittable. However, permit applications and fees will not be included in the project engineer's scope of work unless the Awardee has a funding source identified for the implementation (construction) of the project following conclusion of the project scoping phase. Without identified funds for construction, any permits obtained may expire before the project can begin construction and therefore, fees spent on obtaining such permits would not be an effective use of funds.

Awarded applicants that have identified and secured funding for the construction of the designed project may request approval SCOR to use project scoping grant funds on permitting fees to obtain the necessary permits. Documentation must be provided that identifies the source, amount, and timing of the availability of funds. SCOR will review the request and issue a decision in writing to the Awardee. Prior approval must be received from SCOR for permitting fees or the costs incurred will not be eligible for use with the project scoping funds.

PROJECT SCOPING – PROJECT CHANGES

Proposed amendments to the Awardee's project award, or vendor contracts associated with the awarded project, including changes to scope, schedule, or award amount, will follow the procedures outlined in the Mitigation Special Case Panel (MSCP) section of this manual.

STATE-FUNDED STORMWATER IMPROVEMENT PROGRAM

The State-Funded Stormwater Improvement Program provides funding for implementation, or construction, of "shovel-ready" stormwater infrastructure projects that address critical infrastructure needs, improve public safety, and strengthen community resilience. Projects are considered shovel-ready when the construction-document drawings and specifications are completed, a construction schedule and cost estimate developed, permits are obtained, and any necessary permissions or easements have been granted. Stormwater Improvement projects should provide flood protection for a 25-year, 24-hour storm event, or higher, if feasible. Stormwater Improvement funds may not be used towards existing construction contracts, or to construct stormwater projects for the sole benefit of privately owned property(ies) or developments.

Eligible stormwater improvement projects shall utilize grey- and/or green- stormwater infrastructure improvements to increase resilience to disasters and reduce or eliminate long-term risk of loss of life, injury, damage to and loss of property, etc. by mitigating future tidal, riverine and/or surface flooding. Examples of grey infrastructure include, but are not limited to, new or upsized stormwater pipes, culverts, ditches and channels, curbing, catch basins, stormwater storage systems. Examples of eligible green infrastructure, or nature-based solutions may include, but are not limited to, rain gardens, bioswales, bioretention cells, stormwater ponds, stream restoration, pervious surfaces, and floodplain/wetlands restoration.

The program is intended to advance priority infrastructure improvement projects from design to construction. Awarded projects will provide local governments with stormwater improvements that improve the community's resilience and decrease the risk for adverse impacts from future flooding events.

STORMWATER IMPROVEMENTS PROGRAM OBJECTIVES

- Fund the construction of stormwater improvement projects from bid through final inspection to significantly reduce, or alleviate, future risk from surface, riverine, and/or tidal flooding.
- Prioritize funding for construction-ready, cost-effective stormwater improvement projects that leverage other funding sources where appropriate and provide demonstrable returns on public investment.
- Complete projects that address significant documented needs, protect public health and safety, benefit vulnerable or underserved communities, provide measurable benefits to the greatest number of people and properties.
- Incorporate nature-based or hybrid solutions to manage stormwater at its source, enhance watershed resilience, and provide additional environmental benefits, where feasible.
- Promote alignment of local, regional, and/or state planning efforts, resilience strategies, and identified priorities.

ELIGIBLE STORMWATER IMPROVEMENTS GEOGRAPHIC AREAS

Eligible applicants include Units of General Local Government (UGLG) and Tribal Nations from all 46 counties in South Carolina, and non-profit organizations 501(c)(3).

STORMWATER IMPROVEMENTS ACTIVITIES

Eligible Stormwater Improvement Activities

- Construction costs
- Material Testing and Inspection costs
- Construction Administration/Observation (CEI), (as applicable)
- Public Meeting/Public Engagement materials related to construction activities

Ineligible Stormwater Improvements Activities

- Engineering and design fees
- Costs associated with the design of stormwater improvements for the sole benefit of privately owned property(ies) or developments
- Construction-related costs associated with existing (pre-award) contracts

- Routine maintenance or repair costs for existing infrastructure
- General governmental operating expenses
- Substantially duplicative scope of work without documented justification
- Property and/or easement acquisition costs
- Lobbying, fines, penalties, or activities primarily benefiting a private entity

- Assistance to private utility companies, or privately owned utility systems
- Attorney fees for acquisitions of easements or parcels

STORMWATER IMPROVEMENTS - PROJECT TYPES

Applicants may apply for either a State-Run or Awardee-Run Project Scoping grant.

- **State-Run Projects:** SCOR acts as the Owner (Grantee) representative for the project. SCOR staff manage the implementation of the project on behalf of the awardee. The awardee participates in regular project coordination meetings and is consulted on all project-related decisions including scoping, procurement, contract negotiations, and scope decisions. SCOR conducts all procurements through the South Carolina Office of State Engineers (OSE) in accordance with state procurement requirements. SCOR executes contracts with project vendors, and issues payments directly to the vendor.

- **Recipient-Run Projects**: The Awardee (Recipient) manages the implementation of the project in accordance with approved local policies and procedures and SCOR program requirements. SCOR staff provide grant monitoring and technical assistance and participate in regular project coordination meetings with the project team. The Recipient executes contracts with project vendors, and issues payments directly to the vendor. The Recipient may submit requests for reimbursement to SCOR on a quarterly basis. Recipients are required to complete quarterly reports to SCOR.

Applicants that apply for an Awardee-Run Stormwater Improvement grant must also complete and submit the Recipient Application. SCOR will review the Recipient application and the required supporting documentation and make a recommendation to the Chief Resilience Officer (CRO). SCOR may elect to award a project scoping grant but deny the Recipient application. In this case, the stormwater improvement would be awarded as a state-run grant. The applicant may elect to accept or reject the state-run award.

STORMWATER IMPROVEMENTS - APPLICATION REQUIREMENTS

The Stormwater Improvements application must be submitted electronically. SCOR may authorize an alternative submission method only when electronic submission is not feasible. A complete Stormwater Improvements includes, but is not limited to, the following:

- Applicant Information, to include State-Run or Awardee-Run request
- Project location, including Low-and-Moderate Income (LMI) percentage of the project area
- Description of existing system and conditions
- History of flooding, source, and the impacts on infrastructure, properties, populations, or roadways
- Scope of work narrative and copies of the project plans and specifications
- Anticipated flood reduction and community lifeline benefits

- Estimated project cost and schedule
- Permitting, Environmental, and Easement/Access requirements
- Alignment with local and/or regional long-term planning, policies, and priorities
- Community support for the proposed project
- Funding identification and duplication certification

At the conclusion of the application period, SCOR will conduct an internal evaluation of all applications received to determine whether the proposed projects meet the program eligibility requirements. If the applications are incomplete, or if additional information is required to determine the project eligibility, SCOR will reach out to the applicants to request additional information or clarification as needed.

STORMWATER IMPROVEMENTS - PROGRAM PRIORITIZATION

Stormwater Improvement applications will be prioritized based on the project's project flood risk reduction from surface, riverine, and/or tidal flooding and support the overall objectives of the Program in alignment with the Strategic Resilience and Risk Reduction Plan. In addition to program eligibility requirements, available funding, and project-specific application scores, priority factors may include:

- Projects that reduce flooding frequency, depth, duration, and/or severity and provide flood protection for a 25-year, 24-hour storm event, or greater (If applicable)
- Projects that utilize nature-based, or hybrid stormwater solutions to mitigate flooding, improve water quality, and provide other environmental benefits that collectively enhance the community's resilience
- Projects that reduce flooding for residential, commercial and/or civil buildings, and roadways, and/or provide risk reduction benefits to critical community lifelines
- Projects with documented community support
- Projects that provide benefit to service areas with an LMI of 50% or greater
-
- Shovel-ready projects ready for construction. Project design is complete, permits have been obtained, easements/permissions have been granted, a funding plan is in place for anticipated construction costs and overages, and a sustainable maintenance plan has been developed for the improved system.

STORMWATER IMPROVEMENTS - APPLICATION SCORING

SCOR will use a methodology for prioritizing feasible projects that will be consistently applied to all State-Funded Stormwater Improvement applications received. The feasibility prioritization is based on a 100-point scale with a higher point total indicating a more feasible project.

Stormwater Improvement Program	
Prioritization Category	**Maximum Points**
Flood Risk Reduction The anticipated reduction in flood risk resulting from the proposed infrastructure improvement project	**20**
Project Readiness Project is designed, permitted, and ready for construction. Project schedule and cost align with available funding and period of performance.	**20**
Flood Protected Structures	**15**

The number of residential, commercial, and /or civic buildings that are expected to see flood reduction benefits from the proposed project	
LMI % Area Served Low-to-moderate services area percentage using the current (based on time of application) LMISD Map Application 2016-2020.	**10**
Consistency with Plans, Policies and Priorities The extent to which the proposed project aligns with federal, state, or local hazard mitigation planning efforts, regionally or locally established plans and policies to reduce future risk to the jurisdiction, and local mitigation and resilience priorities.	**10**
Nature-Based Solutions (Green Infrastructure) How much, if any, of the proposed project utilizes nature-based, or green infrastructure, improvements to manage stormwater and improve community resilience.	**10**
Community Lifeline Improvements The anticipated secondary benefits of the project on community lifelines	**10**
Leveraged Resources/Coordination Additional funds or resources are available to support the completion of the project and maximize the beneficiaries/benefits.	**5**

STORMWATER IMPROVEMENTS – PROJECT SELECTION AND APPROVAL

The SCOR Mitigation Staff will score Stormwater Improvement applications, consider program priorities and input from other SCOR departments to inform its recommendation to the SCOR Chief Resilience Officer (CRO). The CRO will have final authority for the approval of Stormwater Improvement applications.

The SCOR Mitigation staff will notify all applicants of the CRO's decision regarding its stormwater improvements application in writing within 30 days of a decision.

STORMWATER IMPROVEMENTS – AWARD AGREEMENTS

Applicants awarded a State-Run Project Scoping grant will receive grant agreement documents within 45 days of project approval. For state-run projects, the grant agreement documents will include the application, an Award Letter, and Resolution/Authorizing Order and Subrogation Agreement. For Awardee-run projects, the grant agreement documents will include an Award Letter, Resolution/Authorizing Order, and Recipient Agreement. All grant agreement documents must be signed and returned to SCOR within 30 days of receipt, unless additional time is requested by the Awardee and approved by SCOR.

Awarded applicants must agree to own and maintain the improved stormwater system for the duration of the system's lifespan or identify another entity that has agreed to be responsible for maintenance of the system. If another entity is responsible for maintenance, the awarded applicant must provide documentation of the maintenance agreement to SCOR with the executed grant agreement documents.

Awarded applicants will be assigned a SCOR Infrastructure Project Manager to assist in the implementation of the project and/or grant monitoring and compliance. The Project Manager will be identified in the grant agreement

documents and will serve as the Awardee's primary point of contact for the grant award.

STORMWATER IMPROVEMENTS - DUPLICATION AND EXISTING WORK REVIEW

Before a Stormwater Improvement project award is granted, SCOR shall determine whether substantially similar work has been completed, is underway, or is funded through another source. Existing work should be incorporated where appropriate rather than unnecessarily recreated. Awardees will be required to sign a subrogation agreement.

STORMWATER IMPROVEMENTS -TECHNICAL STANDARDS & REQUIREMENTS

Stormwater Improvement shall use generally accepted professional engineering, material testing, and construction standards. All stormwater improvement projects must be constructed in accordance with all applicable federal, state, and local regulations.

All stormwater improvement projects are subject to the requirements of SC Code Ann. § 11-35-5350 (AIS), which requires public works contractors to include a provision mandating that any iron or steel product permanently incorporated into the project be produced in the United States, subject to defined exceptions.

Awarded Stormwater Improvement projects must obtain all required permits prior to commencement of construction. Additionally, awarded projects must have all necessary easements, rights-of-way, or other permissions acquired and documented prior to commencement of construction.

STORMWATER IMPROVEMENTS - MODEL AND DATA OWNERSHIP

Unless otherwise restricted by law or third-party licensing, as-built files, survey files, GIS files, technical data, reports, record drawings and other work products developed with Program funds shall be provided to SCOR and the Awardee. Consultant contracts shall provide SCOR sufficient rights to use, reproduce, modify, update, and distribute study products for governmental purposes. Proprietary model formats should be avoided when a reasonable transferable alternative exists.

STORMWATER IMPROVEMENTS - DELIVERABLE REVIEW AND ACCEPTANCE

SCOR and the Awardee shall review each required deliverable for completeness, technical adequacy, consistency with the approved scope, responsiveness to prior comments, and usefulness for implementation. The designated Project Engineer may be assigned responsible for review of technical deliverables such as shop drawings, on behalf of SCOR and the Awardee. Deliverables are not accepted until SCOR and the Awardee, or the designated Project Engineer representative provides written acceptance. Pay Applications for construction must be reviewed for accuracy and completeness, and approved by the Project Engineer, SCOR and the Awardee before payment will be made. Acceptance may be conditioned on comment resolution or submission of final electronic files.

STORMWATER IMPROVEMENTS – RESPONSIBLE ENTITY REQUIREMENTS

Recipients of a State Funded Stormwater Improvement grant must accept responsibility for ownership and maintenance of the improved stormwater system for the lifespan of the system. If the recipient is unable or unwilling to maintain the improved system, the Awardee may provide SCOR with documentation that they have entered into a management agreement with another entity to perform the maintenance responsibilities. If the Awardee does not

accept responsibility of the system, and the recipient does not have an agreement in place with another entity to accept the maintenance responsibilities of the system, SCOR will not issue a Stormwater Improvement grant to the recipient.

The project engineer and/or contractor must supply the Owner (Grantee) and SCOR with any applicable Operation & Maintenance (O&M) manuals at the conclusion of construction.

STORMWATER IMPROVEMENT PROGRAM PERFORMANCE MEASURES

SCOR will use the following programmatic performance measures, where applicable:

- Number of funded projects that reach substantial completion
- Percentage of funded projects completed on schedule
- Percentage of funded project completed on budget
- Average number of months from funding award to construction completion
- Pipeline projects that received planning and/or scoping funds from SCOR prior to receiving stormwater improvement funding

SCOR will use the following performance measures for awarded stormwater improvement projects, where applicable:

- Level of flood risk protection achieved by the project (ex: gallons or acre-feet of runoff waters managed during a defined storm event such as 25-year, 24-hour storm event)
- Quantity of improvements installed to include linear feet of stormwater pipe installed, number and type of structures installed, acre-foot of water storage, number of bioretention cells and rain gardens, linear feet of stream restoration, etc. installed.
- Number of buildings, road segments, or properties with reduced modeled flood risk
- LMI percentage served by the project
- Number and type of community lifeline benefits achieved by the project
- Construction costs and calculated monetary benefit of the project
- Water quality improvements (ex: estimated or measured quantity of sediment and other targeted pollutants prevented from reaching receiving waters annually)

Additional performance measures may be identified on a case-by-case basis.

STORMWATER IMPROVEMENTS - PERIOD OF PERFORMANCE

Projects will be given a period of performance not to exceed two (2) years. SCOR will consider all extension requests (see Mitigation Special Case Panel section).

STORMWATER IMPROVEMENTS – ENVIRONMENTAL REVIEW

State-funded Stormwater Improvement projects must complete an environmental review in accordance with the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance* to ensure the proposed project is compliant with state and federal environmental regulations. Construction activities funded through this program shall not negatively impact the property site(s), or surrounding social, cultural, and physical environment including historic and cultural resources. If federal funding is used to supplement a state-funded project or federal permits are required, the environmental review process must align with NEPA (National Environmental Policy Act) requirements.

Upon award, SCOR will coordinate with Awardees, or Recipients, to determine the appropriate type of environmental

review required for the project. If an environmental review conducted under NEPA, or other funding-specific environmental review requirements has previously been completed for the project or project activities, it may be submitted to SCOR for review and consideration to meet or supplement the environmental review requirement. For additional information about environmental review requirements, refer to the "Environmental Criteria and Standards" section of this manual.

STORMWATER IMPROVEMENTS – PROJECT CHANGES

Proposed amendments to the Grantee's project award, or vendor contracts associated with the awarded project, including changes to scope, schedule, or award amount, will follow the procedures outlined in the Mitigation Special Case Panel (MSCP) section of this manual.

STATE-FUNDED STORMWATER RESTORATION PROGRAM

The State-Funded Stormwater Restoration Program provides funding to eligible applicants to maintain, restore, and optimize existing stormwater infrastructure that reduces flood risk and protects people, property, public infrastructure, communities, and natural resources. The Program funds restoration activities for publicly owned stormwater infrastructure to restore drainage capacity to existing infrastructure to improve system performance, reduce flooding, and extend the useful life of existing stormwater infrastructure. The Stormwater Restoration program is a cost-effective way to assist eligible applicants with unmet maintenance needs like inspections, cleaning, and debris removal, which can restore drainage capacity, decrease or eliminate flooding impacts, protect water quality, and increase community resilience.

Stormwater Restoration funds may not be used for improvements that increase system capacity beyond the original design. For existing stormwater infrastructure that is publicly managed but not publicly owned, applicants should read out to SCOR for a review and determination of eligibility prior to applying. The Program is a preservation and performance program, not a substitute for ordinary local public-works responsibilities.

STORMWATER RESTORATION PROGRAM OBJECTIVES

- Restore and preserve hydraulic function of existing stormwater systems
- Reduce repetitive flooding and drainage failures
- Prevent minor deficiencies from becoming major capital failures
- Extend useful life and protect public investment
- Increase reliability before major rainfall events
- Improve local inspection, preventive-maintenance, and asset-management practices
- Prioritize investment using flood risk, condition, criticality, vulnerability, and cost effectiveness
- Support watershed-scale and multi-jurisdictional resilience

ELIGIBLE STORMWATER RESTORATION GEOGRAPHIC AREAS

Eligible applicants include Units of General Local Government (UGLG) and Tribal Nations from all 46 counties in South Carolina, and non-profit organizations 501(c)(3).

STORMWATER RESTORATION ACTIVITIES

Eligible Stormwater Restoration Activities

- System Inspection/Assessment Costs to include CCTV, culvert inspection, structural inspection, survey, asset inventory/GIS
- Sediment/Debris removal from storm pipes, drainage structures, outlets, headwalls, etc.
- Sediment Debris removal from drainage ditches, minor grading to restore channels, minor erosion repair, etc.
- Curb and Gutter Sweeping
- Vegetation Removal
- Systems Management activities related to eligible work including conditions ratings, maintenance and inspection protocols, and life-cycle planning
- Other restoration activities*

Applicants may request an eligibility determination from SCOR for restoration activities that are not listed. SCOR will review the request and issue an eligibility determination to the applicant in writing. Activities not listed above must have written prior approval from SCOR or any costs incurred for the activities will not be eligible.*

Ineligible Stormwater Restoration Activities

- Engineering and design fees
- Construction of an entirely new stormwater system
- Existing system expansion of size, capacity, and/or service area
- Routine mowing/maintenance primary for aesthetic benefit
- General street maintenance or unrelated operating costs
- Equipment purchases, unless otherwise authorized
- General governmental operating expenses
- Substantially duplicative scope of work without documented justification
- Property and/or easement acquisition costs
- Debt service, fines, penalties, lobbying, or unsupported pre-award costs
- Assistance to private utility companies, or privately owned utility systems
- Attorney fees for acquisitions of easements or parcels
- Maintenance of private infrastructure without an enforceable public interest and maintenance responsibility.
- Activities that transfer or worsen flooding.

STORMWATER RESTORATION - PROJECT TYPES

Stormwater restoration programs are only awarded as state-run projects.

STORMWATER RESTORATION - APPLICATION REQUIREMENTS

The Stormwater Restoration application must be submitted electronically. SCOR may authorize an alternative submission method only when electronic submission is not feasible. A complete Stormwater Restoration application includes, but is not limited to, the following:

- Applicant Information

- Project location, including Low-and-Moderate Income (LMI) percentage of the project area
- Existing system(s) descriptions, conditions, and concerns
- Existing system ownership and permissions
- Flooding impacts on structures, roadways, and other community resources
- Proposed restoration activities
- Maintenance plans following completion of restoration activities
- Estimated project cost and schedule
- Permitting, Environmental, and Easement/Access requirements
- Alignment with local and/or regional long-term planning, policies, and priorities
- Community support for the proposed project
- Funding identification and duplication certification

At the conclusion of the application period, SCOR will conduct an internal evaluation of all applications received to determine whether the proposed projects meet the program eligibility requirements. If the applications are incomplete, or if additional information is required to determine the project eligibility, SCOR will reach out to the applicants to request additional information or clarification as needed.

STORMWATER RESTORATION - PROGRAM PRIORITIZATION

Stormwater Improvement applications will be prioritized based on the project's flood risk reduction from surface, riverine, and/or tidal flooding and support the overall objectives of the Program in alignment with the Strategic Resilience and Risk Reduction Plan. In addition to program eligibility requirements, available funding, and project-specific application scores, priority factors may include:

- Projects that address recurring flooding, drainage deficiencies, or stormwater systems that contribute to localized flooding.
- Cost-Effective projects that restore stormwater system function and reduce the duration, depth, and/or frequency of flooding through low-cost restoration activities.
- Preventative restoration projects that addresses maintenance needs before they result in more costly repairs, infrastructure failure, increased flooding, or the need for full system replacement.
- Stormwater systems with documented maintenance needs, reduced capacity, blockages, erosion, or other conditions that limit system function and directly contribute to flooding impacts on the local community.
- Restoration projects that improve water quality by reducing pollutant discharge and preventing sediment and debris from stormwater infrastructure and/or entering receiving waters.
- Projects with documented community support that benefit multiple properties, flood-prone areas, environmentally sensitive resources, and/or other high-priority community needs.
- Projects that provide benefit to service areas with an LMI of 50% or greater
- Projects with clearly identified maintenance needs, achievable scopes of work within the period of performance and funding available, and measurable benefits relative to the requested funding.

STORMWATER RESTORATION - APPLICATION SCORING

SCOR will use a methodology for prioritizing feasible projects that will be consistently applied to all State-Funded Stormwater Restoration applications received. The feasibility prioritization is based on a 100-point scale with a higher

point total indicating a more feasible project.

Stormwater Restoration Program Prioritization Category	Maximum Points
Flood Risk Reduction The anticipated reduction in flood risk resulting from the proposed restoration activities	**20**
Cost-Effectiveness The overall cost and long-term value of system restoration including restoration costs, and savings realized by extending the lifespan of the existing system	**15**
System Condition and Urgency Demonstrated need based on condition of the existing system, and the level of urgency associated with the requested restoration activities	**15**
LMI % Area Served Low-to-moderate services area percentage using the current (based on time of application) LMISD Map Application 2016-2020.	**10**
Consistency with Plans, Policies and Priorities The extent to which the proposed project aligns with federal, state, or local hazard mitigation planning efforts, regionally or locally established plans and policies to reduce future risk to the jurisdiction, and local mitigation and resilience priorities.	**10**
Public Safety and Property Protection The anticipated protections or improvements to public safety and properties from the proposed restoration activities.	**10**
Long-Term Maintenance and Sustainability Plan Plan and capacity to fund and perform ongoing regular maintenance after the grant-funded restoration activities are complete.	**10**
Project Readiness Scope is identified, necessary permissions granted, permits obtained, and the project is otherwise ready for implementation.	**10**

STORMWATER RESTORATION – PROJECT SELECTION AND APPROVAL

The SCOR Mitigation Staff will score Stormwater Restoration applications, consider program priorities and input from other SCOR departments to inform its recommendation to the SCOR Chief Resilience Officer (CRO). The CRO will have final authority for the approval of Stormwater Restoration applications.

The SCOR Mitigation staff will notify all applicants of the CRO's decision regarding its project scoping application in writing within 30 days of a decision.

STORMWATER RESTORATION– AWARD AGREEMENTS

All selected Stormwater Restoration applications will be awarded as State-Run projects. Awarded projects will receive grant agreement documents within 45 days of project approval to include, an Award Letter, and a Resolution/Authorizing Order. All grant agreement documents must be signed and returned to SCOR within 30 days of

receipt, unless additional time is requested by the Awardee and approved by SCOR.

Awarded applicants must agree to own and maintain the improved stormwater system for the duration of the system's lifespan or identify another entity that has agreed to be responsible for maintenance of the system. If another entity is responsible for maintenance, the awarded applicant must provide documentation of the maintenance agreement to SCOR with the executed grant agreement documents.

Awarded applicants will be assigned a SCOR Infrastructure Project Manager to assist in the implementation of the project and/or grant monitoring and compliance. The Project Manager will be identified in the grant agreement documents and will serve as the Awardee's primary point of contact for the grant award.

STORMWATER RESTORATION - DUPLICATION AND EXISTING WORK REVIEW

Before a Stormwater Restoration project award is granted, SCOR shall determine whether substantially similar work has been completed, is underway, or is funded through another source. Existing work should be incorporated where appropriate rather than unnecessarily recreated. Grantees will be required to sign a subrogation agreement.

STORMWATER RESTORATION - COST EFFECTIVENESS AND INFRASTRUCTURE PRESERVATION

Applicants should demonstrate that the proposed maintenance is a reasonable investment relative to continued deterioration, emergency repair, or replacement. SCOR may consider replacement value, maintenance cost, remaining useful life, useful life added, assets/roads/facilities benefited, avoided emergency work, reduction in service disruption, and other measurable resilience benefits. If this information is not available at the time of application, SCOR may include an evaluation of the system to identify this information as part of an awarded project scope.

STORMWATER RESTORATION - REGIONAL AND SYSTEM-BASED MAINTENANCE

SCOR may prioritize system-based applications such as neighborhood storm-drain cleaning, watershed culvert maintenance, countywide critical-culvert inspection, multi-jurisdiction drainage maintenance, regional pond maintenance, or coordinated upstream/downstream maintenance. Applicants are encouraged to coordinate across ownership boundaries.

STORMWATER RESTORATION -TECHNICAL STANDARDS & REQUIREMENTS

Stormwater Restoration projects shall use generally accepted professional engineering, material testing, and construction standards. All stormwater restoration activities must be conducted in accordance with all applicable federal, state, and local regulations.

Awarded Stormwater Restoration projects must obtain all required permits and have all necessary easements, rights-of-way, or other permissions acquired and documented prior to commencement of the awarded scope of work.

STORMWATER RESTORATION - MODEL AND DATA OWNERSHIP

Unless otherwise restricted by law or third-party licensing, as-built files, survey files, GIS files, technical data, reports, record drawings and other work products developed with Program funds shall be provided to SCOR and the Grantee. Consultant contracts shall provide SCOR sufficient rights to use, reproduce, modify, update, and distribute study products for governmental purposes. Proprietary model formats should be avoided when a reasonable transferable

alternative exists.

STORMWATER RESTORATION - DELIVERABLE REVIEW AND ACCEPTANCE

SCOR and the Awardee, or a designated representative, shall review each required deliverable for completeness, technical adequacy, consistency with the approved scope, responsiveness to prior comments, and usefulness for implementation. Deliverables are not accepted until SCOR and the Awardee, or the designated representative provides written acceptance. Payments for work must be reviewed for accuracy and completeness, and approved by SCOR and the Awardee, and/or the designated representative before payment will be made. Acceptance may be conditioned on comment resolution or submission of final electronic files.

STORMWATER RESTORATION - MAINTENANCE RESPONSIBILITY AND ANTI-SUPPLANTING

State funding is intended to supplement and strengthen local maintenance, not permanently replace local responsibility. Applicants shall disclose current maintenance practices, typical annual expenditures, dedicated stormwater revenues if any, staff and equipment capacity, and how the proposed work exceeds, accelerates, or strategically supplements ordinary maintenance.

The intent of this program is limited to one-time restoration to prior functionality. All award agreements shall include strict maintenance obligations to be borne solely by the recipient for all completed restoration projects.

To this end, each recipient shall establish an inspection and maintenance schedule for funded infrastructure based on asset type, condition, criticality, local experience, manufacturer guidance, sediment accumulation, watershed characteristics, and significant rainfall events. High-criticality assets should receive more frequent inspection. The recipient shall maintain funded infrastructure after completion and retain records of subsequent inspection and maintenance.

STORMWATER RESTORATION PROGRAM PERFORMANCE MEASURES

SCOR will use the following programmatic performance measures, where applicable:

- Percentage of funded projects completed within the grant period
- Percentage of funded projects completed on schedule
- Percentage of funded projects completed on budget
- Average number of months from funding award to project completion
- Percentage of identified existing system deficiencies resolved using the funds
- Communities/counties assisted.

SCOR will use the following performance measures for awarded stormwater restoration projects, where applicable:

- Linear feet of pipe/culvert and ditch/channel restored or cleaned
- Ponds, green-infrastructure, and critical drainage assets restored
- Known flood locations addressed
- Estimated drainage function/capacity restored, where measurable
- Estimated replacement value preserved or deferred
- Reduction in emergency maintenance or recurring blockages where documented

- Communities implementing preventive-maintenance schedules
    - Percentage of funded assets entered into an inventory and assigned future inspection dates.
    - Estimated volume of accumulated sediment, trash, and other debris removed from stormwater infrastructure
    - Number of percentage of assets upgraded from poor or deficient condition to acceptable condition, or better
    - Number of buildings, road segments, or properties with reduced flood impacts after project activities are completed
    - LMI percentage served by the project

Additional performance measures may be identified on a case-by-case basis.

STORMWATER RESTORATION - PERIOD OF PERFORMANCE

Projects will be given a period of performance not to exceed one (1) year. SCOR will consider all extension requests (see Mitigation Special Case Panel section).

STORMWATER RESTORATION – ENVIRONMENTAL REVIEW

State-funded Project Restoration projects must comply with all applicable requirements in the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance* to ensure the proposed project is compliant with state and federal environmental regulations. If federal funding is used to supplement a state-funded project or federal permits are required, the environmental review process must align with NEPA (National Environmental Policy Act) requirements.

Upon award, SCOR will coordinate with Awardees, or Recipients, to determine the appropriate type of environmental review required for the project, if applicable. For additional information about environmental review requirements, refer to the “Environmental Criteria and Standards” section of this manual.

STORMWATER RESTORATION – PROJECT CHANGES

Proposed amendments to the Awardee’s project award, or vendor contracts associated with the awarded project, including changes to scope, schedule, or award amount, will follow the procedures outlined in the Mitigation Special Case Panel (MSCP) section of this manual.

Residential Voluntary Buyout

SCOR’s Voluntary Buyout Program is a state-run initiative, open to both UGLG, non-profit 501(c)(3) entities, and individual property owners, for the purpose of removing citizens from hazardous areas, safeguarding property, and restoring the natural function of the floodplain. Voluntary buyouts will be conducted strategically to enable citizens to move from a repetitively flooded area and as a means of acquiring parcels of land by a responsible entity for uses compatible with open space, passive recreational space, and floodplain/wetlands management practices. After acquiring the parcel, the dwelling will be demolished and will be subject to a permanent covenant on its continued use to preserve the floodplain.

SCOR will not acquire properties through eminent domain. Withdrawal from the Buyout is permitted throughout the buyout process up until the purchase contract is considered to be a binding agreement.

The program has a maximum cap per property of $400,000, including any eligible incentives. Exceptions must be presented to the Mitigation Special Case for review and determination.

The application period may vary depending upon funding source and amount of available funding. The period of performance for each buyout project is three years.

RESPONSIBLE ENTITY (RE)

Under no circumstances will SCOR acquire properties that were purchased through the Buyout. The applicant must identify a Responsible Entity (RE) that will accept ownership and maintenance of the buyout properties at closing.

The UGLG applicant should first consider whether it is willing to be the RE. If not:

- Look to the county or other local governments where the property resides to determine if it will be the RE; or
- Determine if there are any non-profit entities such as land trusts or nature conservancy groups that will accept responsibility for the properties, if no governmental groups accept the role of responsible entity.

The citizen applicant should first look to the local municipality in which the property resides. If not:

- Look to the respective local government or county to determine if it will be the RE; or
- SCOR will help determine if there are any non-profit entities such as land trusts or nature conservancy groups; or
- SCOR will help determine if a neighboring property owner to determine interest in accepting the RE role.

If an RE cannot be identified, the applicant should contact SCOR staff to discuss options.

OBJECTIVES

- Eliminate future flood damage along with health and safety risks for residents and rescuers;
- Facilitate buyouts of properties that have been subject to repetitive flooding or damage that can be used for public space, green space, and/or flood control measures;
- Reduce repetitive subsidized flood insurance payments and federal disaster assistance.

VOLUNTARY WITHDRAWAL

When an owner (Owner) elects to withdraw from the Buyout:
Owner must provide a request in writing to their assigned Case Manager. If the Owner has not signed an Offer to Purchase, the property will be considered withdrawn upon request. When there are multiple owners, the Case Manager will notify each Owner of the withdrawal through certified mail. The file status will be marked as withdrawn in the SOR.

If the Owner has signed an Offer to Purchase, the Case Manager will forward the file to the Project Coordinator for review in consultation with SCOR legal department for determination if the Offer to Purchase may be rescinded.

The file will be reviewed to determine if a recorded survey and complete title search has been completed. This review process shall be initiated within one week of receipt of the withdrawal request. Any delays in this process will be memorialized in the file (ex: closing attorney or county records not available within a week's time). Results of the review will be sent to the Owner

and saved to the SOR.

If SCOR determines that the Offer may be rescinded, the property status will be marked as withdrawn and the property owner notified.
If SCOR determines that the Offer to Purchase cannot be rescinded and the purchase contract is binding, the Case Manager will notify the Owner that it is too late to withdraw from the program, and the signed purchase contract shall be enforced.

All correspondence regarding withdrawal must be recorded in the System of Record.
When applicable, the System of Record Property Status will be updated to Withdrawn.

ELIGIBILITY

Applicants will be held to the following criteria as conditions of eligibility:

- Single-family dwelling, multi-family residential dwelling, or vacant parcel intended for residential use;
- Properties adjacent to an eligible parcel may also be eligible;
- Property must lie within the floodplain, floodway, an area of repetitive flooding, experienced repetitive flooding, or prone to future flooding;
- Participation of all deedholders of a property are required; and
- One person with an ownership interest in part or in whole on the property must be able to demonstrate U.S. Citizenship.

Properties purchased in tax sales and used as a primary residence, will be appraised using the Current Market Value, unless it is disaster-damaged and will require a Pre-Disaster Value.

If the property obtained through a tax sale has not been occupied after the purchase, the Offer to Purchase amount will be determined using the tax sale purchase price, verified tax payments, and any documented improvements completed on the property. Unoccupied dwellings or vacant properties purchased through a tax sale are not eligible for Buyout incentives. Appraisals will not be requested for unoccupied dwellings, undeveloped lots, and/or vacant lots purchased at tax sales.

FUNDING SOURCE SPECIFIC REQUIREMENTS

Funding through the Hurricane Helene Disaster Relief and Resilience Reserve Fund Program is limited to serving residents affected by Hurricane Helene and in the following counties as well as the Catawba Indian Nation: Abbeville, Aiken, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Cherokee, Chester, Edgefield, Fairfield, Greenville, Greenwood, Hampton, Jasper, Kershaw, Laurens, Lexington, McCormick, Newberry, Oconee, Orangeburg, Pickens, Richland, Saluda, Spartanburg, Union, York.

Funding through the 2026 State Funded Mitigation Program is open to all 46 South Carolina counties and the Catawba Indian Nation.

PRIORITIZATION

Properties considered for acquisition will be prioritized based on their potential to reduce flood risk and support the overall

objectives of the Program in alignment with the Strategic Statewide Resilience and Risk Reduction Plan. Priority factors include:

UGLG and Non-profit 501(c)(3) Prioritization

Priority shall be given to projects that offer enhanced protection from future flood events or that utilize or incorporate natural features to achieve protections.

- Location within a flood zone, flood risk reduction, and repetitive flooding.
- Buyouts identified through a plan or study within the past ten years, which include:
  - Hazard Mitigation Plan
  - Stormwater Plan/Master Plan
  - Comprehensive Plans
  - H&H Studies
- Community Engagement Support identified through public engagement, council meetings, town halls, or other community forums;
- Size of projected contiguous greenspace post buyout;
- Geographic Equity - Communities that have not been previously assisted through SCOR mitigation projects may be prioritized with higher consideration; and
- Low -to-Moderate% of service area.

Citizen Prioritization

- Location within a flood zone, or flood risk reduction, or repetitive flooding;
- Parcel type (primary residence, vacant dwelling, undeveloped parcel)
- Connectivity to former buyout parcel or vacant parcel;
- Low-to-Moderate household income; and
- Current condition of dwelling.

These factors will be considered collectively when establishing buyout priorities. No single factor will necessarily determine a property's priority, and consideration may also be given to site-specific conditions, available funding, program eligibility requirements, and other factors necessary to advance flood-risk reduction objectives.

SCORING

UGLG / Non-profit 501(c)(3) Scoring	100 Total Points
Flood Hazard/ Risk The property's location within a flood area, frequency and severity of flooding, and the level of flood risk associated with the property.	30 Points
Flood Risk Reduction The anticipated reduction in flood risk resulting from the acquisition and removal of the property, which can lead to benefits to surrounding properties, infrastructure, and the broader community.	25 Points
Impact to Community Lifelines The extent to which flooding impacted access to community lifelines.	15 Points
Contiguous Green Space The extent to which the acquisition would create, expand, or connect contiguous	10 Points

areas of permanently protected green space.	
Community Engagement Community members have received clear information, been offered the opportunity to ask questions, and are aware the UGLG is applying for a buyout.	10 Points
Low-to-Moderate% Service Area Low-to-moderate services area percentage using the current (based on time of application) LMISD Map Application 2016-2020.	10 Points

Citizen Scoring	100 Total Points
Flood Hazard/ Risk The property's location within a flood area, frequency and severity of flooding, and the level of flood risk associated with the property.	50 Points
Parcel Type Owner-occupied, tenant-occupied, damaged, abandoned, vacant parcel.	30 Points
Greenspace connectivity Located to surrounding properties that are protected from future development.	10 Points
Low-to-Moderate Household Households that have an income of 80% or less. Moderate-Income households are classified as those who have an income 120% or less of the AMI for the county in which they reside.	10 Points
Primary residence breaks any tie.	

Unique or extenuating circumstances may be submitted to the Mitigation Special Case Panel for review and consideration.

At the conclusion of the application period, SCOR will conduct an internal evaluation of all applications received to determine whether the proposed projects meet the program eligibility requirements. If the applications are incomplete, or if additional information is required to determine the project eligibility, SCOR will reach out to the applicants to request additional information or clarification as needed.

PROJECT APPROVAL

The SCOR Mitigation Staff will make recommendations to the Chief Resilience Officer (CRO) based on project application scoring, program priorities and input from other SCOR departments. The CRO will have final authority for the approval of UGLG applications for the Buyout.

The SCOR Mitigation staff will notify all UGLG of the Chief Resilience Officer's decision with regards to its application in writing, to include Award Letter and Resolution/Authorizing Order within 30 days of project approval.

- The UGLG must sign the Award Letter and Resolution/Authorizing Order and return it to the Program Manager within 30 days of receipt.
- Awarded UGLG applicants will be required to attend a SCOR Resilience 101 training within twelve months of the award date, if they have not previously done so. If the project is projected to be less than twelve months, training will need to be completed prior to project completion. Training will be scheduled through SCOR Watershed Coordinators.

ENVIRONMENTAL

An environmental review will be initiated once it has been determined that the subject property and the Owner are eligible for the Buyout. The environmental review will be completed through application review, desktop research, direct field observation inspection, and agency coordination/consultation, as necessary in accordance with the Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance. Reviews will be documented in the environmental review checklist, and documentation will be maintained in the Environmental Review Record (ERR). Any resultant minimization or mitigation measures resulting from the environmental review will become part of the project contract and/or agreements.

SCOR will need to access the Owner's property during the direct field observation. The inspection will not include a need to enter a dwelling. The Case Manager will notify the Owner prior to the field inspection.

THE ENVIRONMENTAL REVIEW WILL:

- Determine the appropriate level of review based on the project scope. A Level I review will be completed for individual scattered sites and a Level II review and the development of a site-specific checklist may be required for multiple, concentrated sites with the same vicinity.
- Evaluate key environmental considerations, as required by the level of review, including land use and zoning, water resources, biological resources, historic and cultural resources, resilience to natural hazards, and public health and safety.
- Ensure testing and proper removal and disposal of hazardous materials, including asbestos, when required by local, state or federal regulations.

SCOR shall utilize this environmental review process when exercising its authority and discretion to accept or decline applications for program services based on factors including, but not limited to, potentially prohibitive costs, excessive permitting delays, or other unforeseen regulatory issues.

MAXIMUM BUYOUT ASSISTANCE

The maximum Offer to Purchase for an individual property is capped at $400,000, inclusive of eligible incentives. An Offer to Purchase greater than the Maximum Buyout Assistance will be submitted to the MSCP for consideration.

Eligible costs included in the Buyout Maximum Assistance are:

- Purchase price of property
- Buyout incentive(s)

ELIGIBLE ALLOWABLE EXPENDITURES

The following allowable expenditures are paid by SCOR, unless the Owner requests an appeal:

- Appraisal
  - Report
  - Review
- Asbestos and/or Hazardous Waste

    - Testing
    - Monitoring
    - Plan Design for demolition
    - Abatement
- Boundary Survey
- Closing Costs
    - Attorney Fees
    - Recording Fees
    - Settlement Fees
    - Other costs outlined on the settlement statement
    - Title searches/commitments
- Demolition related costs/fees
- Document Signing Fees
- Engineering Design
- Incentives
- Inspection Costs
- Permitting

PROPERTIES OWNED BY NON-INDIVIDUAL ENTITIES

If the owner is an LLC, corporation, business, partnerships or other non-individual entity, such as a family trust, the following may be requested:

- Current and/or past tax return forms;
- C-Corp – Form 1120 to include all forms and schedules;
- S-Corp – Form 1120S to include all forms and schedules;
- Partnership – Form 1065 to include all forms and schedules;
- LLC Owners- Individual tax return Form 1040 to include Schedule C and E;
- Trust Agreement or Declaration of Trust and Trust Deed.

LLCs, Corporations, businesses, partnerships and non-individual entities will not be considered LMI and will not be eligible for any LMI incentive. Proof of furnished rental must be provided to be eligible for a moving incentive.

CONCERNS, REQUESTS, SUGGESTIONS, AND APPEALS

It is possible that citizens may decide they have a legitimate concern, request, suggestion, or appeal. To allow for such circumstances, the Owner is allowed the opportunity to communicate their concerns, requests, and suggestions, and appeal decisions related to eligibility determination, Offer to Purchase determination, survey results, and/or incentives. Concerns should be addressed a member of the buyout team verbally or in writing. Appeals should be submitted to the Mitigation Special Case Panel. (Refer to Mitigation Special Case Panel for submissions.)

DWELLING RELOCATION

The Buyout will not pay to relocate or move existing structures from the buyout property. If an Owner would like to relocate their home, they must be responsible for the costs and logistics of moving the structures prior to the purchase of the parcel. The property will be appraised only for the value of the land and any remaining structures. The Owner must

provide a written notice that includes:

- Identification of all existing structure(s) to be moved, and all existing structures to remain;
- Address residential structure will be relocated to (new address cannot be in the floodplain);
- Date move of structure will be completed.

CONTRACT FOR DEED/LAND LEASES/MOBILE HOMES

Properties where there is a different owner of the land than the owner of the dwelling unit(s), such as in Contracts for Deed, long-term land leases, and often with mobile homes, may be assisted through the Buyout only if the Owner converts the contract to full ownership. SCOR reserves the right to review each application on a case-by-case basis through the MSCP.

OWNERS WITH MORTGAGE

Owners with existing mortgages will be required to satisfy their mortgage with their mortgage provider prior to closing or at the purchase (closing) of the property. The funds provided to buy the owner's property under the program may be used to satisfy the mortgage and/or any other liens if sufficient to cover the amount of the liens.

OWNERS WITH NEGATIVE EQUITY ON MORTGAGE

The buyout program may assist Owner who owes more on their mortgage than their house is worth, also known as negative equity mortgage or being underwater on their mortgage, but assistance amounts are capped at the maximum total buyout assistance amount. The MSCP will review such situations on a case by-case basis and provide final determination.

OWNERS WITH REVERSE MORTGAGE

The Buyout may assist Owners who have a reverse mortgage, but assistance amounts are capped at the maximum total buyout assistance amount. Assistance will only be provided if the assistance will allow the household to pay off the reverse mortgage and move from the at-risk home to an area of reduced flood risk. The MSCP will review such situations on a case by-case basis and provide final determination.

OWNERS IN FORECLOSURE

Owners currently in foreclosure may not be provided with buyout assistance.

COMMUNICATION

Applicants will be assigned to a Project Coordinator and a Case Manager who will be available to work with them throughout the process. The Team will explain the benefits, processes, and requirements, and will be available to answer any case-specific questions. They will also assist the Applicant in completing all necessary application

documents.

All communication with applicants must be uploaded into the System of Record throughout the life of the project. All entries should include appropriate language, describe the nature of the communication, and describe the nature of transmitting documentation. No entries should be negative about the applicants.

All communication with, or inquiries from, elected officials, the media, or attorneys must be referred to and coordinated with the SCOR Strategic Communications Director. No personnel may make public statements about the Program without first coordinating and clearing such communication with the SCOR Strategic Communications Director.

UNRESPONSIVE OWNER

An Owner may be withdrawn from the Buyout due to not providing required documentation or not responding to communication requests by the Team. Owner is considered unresponsive after three unsuccessful attempts at communication, within one month's time. The Case Manager will send a Notification Letter to the Owner advising communication is required.

The following may prompt withdrawal from the Program:

- Owner supplies insufficient documentation;
- Owner supplies no documentation;
- Owner unresponsive to requests for documents and/or communication.

Withdrawn files will be reviewed on a case-by-case basis to determine reactive status, as applicable. A Withdrawal Letter will be generated and sent certified mail to the applicant. This letter will include the reason for the withdrawal and contact information. Owner may appeal the withdrawal within two weeks of the date of the Withdrawal Letter.

BUYOUT AWARD DETERMINATION

The Buyout award will be based on a Third-Party Appraisal valuation and presented through an Offer to Purchase Contract. The Offer to Purchase will include eligible incentives which will be submitted through a Just Compensation Form which is included in the Offer to Purchase. (See Offer to Purchase for further explanation)

BUYOUT INCENTIVES

SCOR will provide incentives to encourage relocation to an area with reduced risk of flooding, while not making an Owner worse off financially or in terms of housing quality by participating in the Buyout. Incentives must be justified and reasonable. Eligible incentives are available one time per household, regardless of number of dwellings or parcels the applicant has in the Buyout.

EXCEPTION:

- If an owner owns more than one dwelling, the moving incentive may be offered for each dwelling. Proof of furnished dwelling is required.
- Properties owned by multiple owners that do not reside in the same household are not eligible for the LMI incentive.

Incentive payments will only be provided to qualifying eligible owners:

- At or after the real estate closing for the purchase of the buyout property
- After all supporting documentation is provided to verify eligibility for each incentive
- One time per household, for each eligible incentive.
    - Example: The buyout of an owner-occupied primary residence with an LMI household of 4 people will receive one (1) LMI incentive of $25,000 incentive and one (1) $5,000 Moving incentive for a total of $30,000.

MOVING - $5,000

Eligibility Requirements:
Owner-occupant with primary residence established in the buyout property
If rental property, proof of furnished rental

Low-to-Moderate Income - $25,000

LMI citizens are classified as those who have an income of 80% or less of the AMI for the county in which they reside.

Eligibility Requirements:
Household must be LMI
Owner-occupant/primary residence

Undeveloped Residential Parcel – Up To $10,000

A Current Market Appraisal will be used to determine an undeveloped or vacant residential parcel value. If the appraised value is less than $10,000, an incentive may be offered based on the delta of $10,000 and the appraised value. This incentive will help encourage removal of the parcel from future risk of damage through restrictive covenants placed in perpetuity. The Undeveloped Residential Parcel Incentive cannot be combined with any other incentive. Undeveloped residential partials accompanying an adjoining dwelling parcel in the buyout program is not eligible for this incentive.

Ex: If the appraised value of the undeveloped residential parcel is $7,000, an incentive of $3,000 may be offered. The total Offer to Purchase price would be $10,000.

RENTAL PROPERTIES – UP TO $5,000

To remove tenants from a dwelling that lies within a repetitively flooded area, the tenant or tenant household may be offered a one-time rehoming payment of $5,000, if:

- The tenant is residing in the rental property prior to the dwelling being approved into the buyout program and lease does not expire until at or after the time of acquisition; and
- Both parties agree to the lease termination.
- Proof of lease and payment are required.

Rehoming Payment Breakdown

- One tenant household = $5,000 rehoming payment.
- Two tenant households = $2,500 rehoming payment.

- Three tenant households = $1,650 rehoming payment per tenant.
- Greater than three tenant households will be divided by number of tenant households.

Examples:
If a family of five (parents and children) reside in the dwelling as one household, the household would be eligible for one rehoming payment of $5,000.
If two adults reside in the dwelling as roommates, then each adult will be eligible for a $2500 rehoming payment.

Exceptions where a rehoming payment will not be made:

- After being accepted into the Program, the owner/landlord renews an expiring lease or continues the lease on a month-to-month basis; and/or
- The tenant is evicted for breaking the terms of the lease, per the Landlord Tenant Act.
- A tenant moves into the dwelling after the owner/landlord applies for the Buyout.

APPLICANTS

UGLG APPLICANTS

Units of Local Government (UGLG) are required to apply directly to SCOR on behalf of their community. If the UGLG application is approved, then SCOR will work directly with the property Owner. While the Buyout will be state-run, there may be times when a member of the Team asks the UGLG point of contact to accept intake or other required documentation from owners, research deed information at the county level, attend Town Halls or other in-person meetings with Owners.
The Buyout will be conducted in two phases.

PHASE 1- UGLG
The UGLG application must be complete and should:

- Identify and complete the Targeted Property Card portion of the application for each property to be included in the buyout project. Only properties identified in the Buyout Application will be considered for approval;
- Identify if each property is in a floodway, a floodplain, or Disaster Risk Reduction Area (DRRA). Provide a copy of the appropriate FEMA FIRM maps. If the properties are not located in the floodplain, the applicant should provide a determination or request SCOR for determination
- If SCOR is to make DRRA determination, it must be presented to the Mitigation Special Case Panel (MSCP) for review;
- Identify the LMI% of the buyout project area using the current (based on time of application) LMISD Map Application 2016-2020;
- Identify a Responsible Entity (RE) to own the property post closing; and
- Provide a project budget.

The identified RE must acknowledge and accept that a permanent deed restriction will be placed on all buyout properties that prevent future residential or commercial development on the land.

TARGET PROPERTIES

When identifying target properties for inclusion in the proposed project, the UGLG should consider parcels that will create a

contiguous buyout area to the greatest extent possible. A designated number of parcels permitted within the project area will be determined according to the approved budget.

Due to the voluntary nature of the buyout, owners may withdraw from the program. In such cases, the Program Manager may "swap in" a parcel from a waiting list. See the Swap-In/ Swap-Out Process.

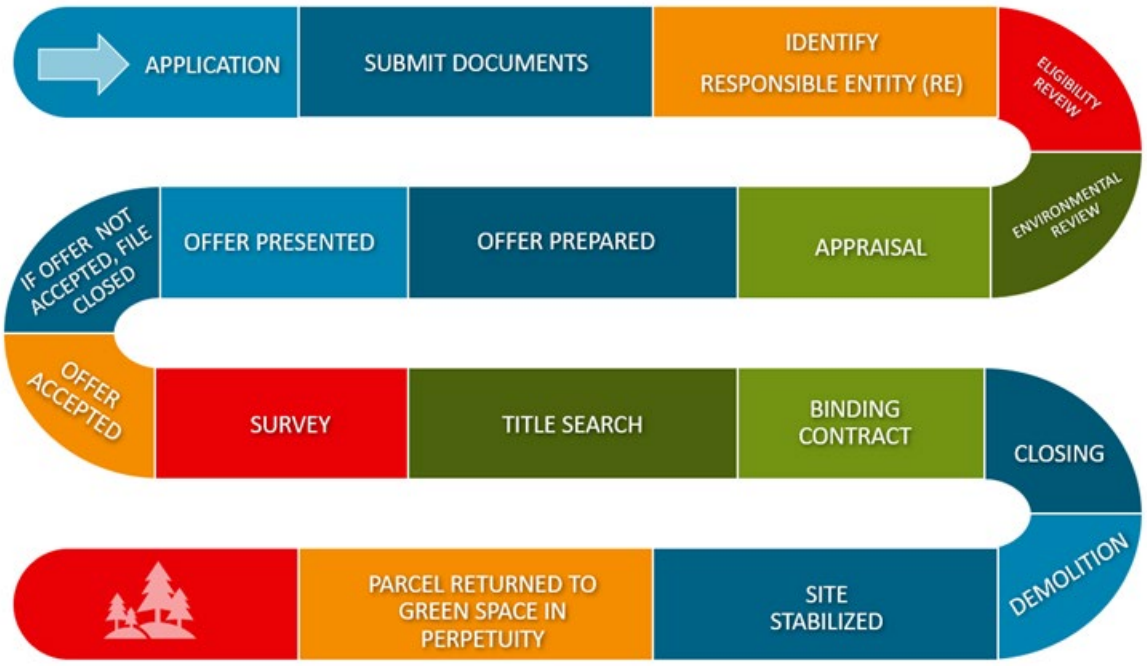
Units of Local Government (UGLG) are required to apply directly to SCOR on behalf of their community. If the UGLG application is approved, then SCOR will work directly with property the Owner. While the Buyout will be state-run, there may be times when a member of the Team asks the UGLG point of contact to accept intake or other required documentation from owners, research deed information at the county level, attend Town Halls or other in-person meetings with Owners.
The Buyout will be conducted in two phases. See the chart below for steps included in each phase.

PHASE 2 – Targeted Property Applicant (Owner)

The Buyout Team will correspond with the owner of the listed Targeted Property. If the owner wishes to participate in the Program, the Owner will be assigned a Case Manager. All deedholders must agree to participate in the Program for the application to be valid. Phase 2 intake will follow the Voluntary Buyout Program process below.

U.S. Citizens or lawful permanent residents are eligible to receive benefits under this Program. At least one owner on the deed must be able to demonstrate U.S. Citizenship or Lawful Permanent Residence.

VOLUNTARY BUYOUT PROCESS FLOW



BUYOUT PROCESS

OWNER INTAKE

Owner will be asked to bring documentation to their scheduled in-person appointment, where a member of the Team can assist in completing the application and verifying required documentation is provided. Virtual appointments are provided at the Owner's request. The Owner will be provided a secure link when submitting Personal Identifiable Information (PII) via electronic means.

The owner will be asked to provide and/or agree to the following, which make up the intake Application:

- Household Composition
- Tenant Occupancy
- Disaster Assistance Disclosure
- Subrogation Agreement
- Release of Personal Information
- Storage of Confidential Information in the system of record
- Declaration of Lawful Presence
- Certification of Truthfulness

The application requires the Owner to acknowledge, through signature, false or misleading information provided in the application will result in termination in the Program and may be subject to civil or criminal penalties under S.C. Code § 16-9-10 and S.C. Code § 16-8-30 for perjury and false swearing and where applicable, Title 18 United States Code Section 1001, violation of federal law to knowingly and willfully falsify or cover up a material fact, or make false, fictious, or fraudulent statements or representations or present documents knowing they contain false, fictitious, or fraudulent information .

Following the appointment, the Team will begin the eligibility review, ensure the application is signed and complete and all required documentation has been provided. When necessary, the Team will request any missing documentation within 30 days of receiving the application. The Owner will have 30 days to provide needed documents (See Documentation for further explanation.)

SPECIAL NEEDS

Applicants who are unable to sign their name may sign with an "X" if there is:

- Third-party witness at the signing;
- Photo identification of the applicant/owner in the file; and
- A proper notarized notation on documents that address special circumstances.

Accommodations will be made when it is determined that an owner is out-of-state and unable to attend their signing event appointment or homebound due to disability or illness.

POWER OF ATTORNEY (POA)

A member of the Team will verify that if the person completing the Intake Application is not the Owner, that person has executed a POA or Communication Designee prior to communicating with third parties or before allowing the alleged POA to make decisions on the owner's behalf.

If the owner has designated someone as their legal representative, as indicated by an executed, notarized Power of

Attorney (POA), a copy of the POA must be provided before the designee can make any decisions or complete an application on the owner's behalf. SCOR will maintain a copy of the POA in the system of record.

COMMUNICATION DESIGNEE

Owners can request a member of the buyout team to communicate with a Communication Designee for general communication. The option to designate a representative must be in writing and identify any information not authorized to share. A non-POA communication designee does not have the authority to make any decisions or sign any forms on behalf of the owner.

An owner will need to supply a copy of approved photo identification along with a written request to appoint a communication designee. The communication designee will need to acknowledge the request in writing and supply a copy of their photo identification. If the buyout team believes the designee is not acting in the best interest of the owner, the team member will make the owner aware. The owner can revoke permission to the designee at any time.

ALTERNATE CONTACT

The project coordinator may ask the owner(s) to provide information for an Alternate Contact if the Project Coordinator has difficulty contacting the owner. If program staff cannot reach the owner, they may attempt to reach the Alternate Contact and inform them that the program is trying to the reach the owner. Information on the owner's application status or other private information will not be shared with the Alternate Contact unless the person is also the Communication Designee.

DOCUMENTATION

Owner must submit all required documentation for their application to be complete. Only after all documentation has been received can an application be processed to completion and a final eligibility determination to be made. Documentation should be submitted within 30 days of receipt.
After all required documentation has been received, a review for the following eligibility and benefit determination criteria will be performed:

The Owner will be required to submit the following:

- Completed and signed Application
- Proof of Identification for all Owners (submit one):
    - State issued Driver's license
    - State issued Identification Card
    - Valid Passport
    - Military ID Card
- Proof of Citizenship, as determined by the USCIS 1-9 Form:
    - U.S. Birth Certificate
    - Current South Carolina Real ID
    - Current U.S. Passport
    - Certificate of Naturalization, Form N-550
    - Additional options as noted on USCIS I-9 Form
- Proof of Homeownership (submit one):

- Deed
- Life Estate or Trust Ownership
- Recorded Purchase Agreement

- Proof of Primary Residence, if applicable:
  - Submit one from List A or two from List B:

    List A
    - Income Tax Return
    - Property Tax Homestead Exemption

    List B
    - Utility Bill
    - Vehicle Registration
    - Government Benefits Letter
    - Proof of Taxable Income for all household members 18 years or older through the most recent Income Tax Return. If Tax Return was not filed, then provide all that apply from the following:
      - Current Year W2 & 1099
      - Former Year W2 & 1099
      - Three most recent consecutive paystubs
      - Current Benefit Letter (Social Security, Veteran Administration)
      - Pension/Annuity Benefit Letter
      - Unemployment Award Letter

If the property is used as a rental property, Owner to provide:

- Written lease and/or verified rental payments from the tenant
- Photos of damage caused by disaster, if available

If the Owner does not respond during the above-mentioned timeframe, the application may result in a withdrawn status if any of the following conditions exist:

- Insufficient documentation has been submitted to verify all eligibility requirements.
- An applicant has not been responsive.

TIME EXTENSION

Time extensions may be granted on a case-by-case basis. The Owner must request an extension and state why the extension is needed (e.g. Deed is not available and must rely on county to help). The request may be in writing or through a verbal request to the Case Manager and will be stored in the SOR. For verbal requests, the Case Manager will create a memo to the file and store in the SOR.
The Case Manager will present the Project Coordinator with the extension request within two business days of receipt of the request. The Project Coordinator will have one week to approve or deny the extension. The Case Manager will provide the Owner with the decision, via USPS or electronic means, within two business days of the Project Coordinator's decision. The decision will be stored in the SOR.

INCOME VERIFICATION

The Buyout will utilize the most current tax return forms for each adult household member to determine the taxable income of the household. If a household member is not required to file, has filed an extension, has zero income, or is unable to file a tax return, alternative methods to calculate and certify income may be used. When a household member has filed a tax return but does not have proof, the program may request that the applicant obtain a copy of their 1040 transcript.

Homeowners are responsible for advising SCOR of any household or financial changes while participating in the program. SCOR will verify household and financial changes on a yearly basis. If household members 18 years or older are not employed and do not provide proof of taxable income, a No Income Affidavit will be required.

Income verification will be requested on a yearly basis.
Low to Moderate Income (LMI) for individual citizens is determined by using the Adjusted Gross Income (AGI) from the 1040 tax form.

HOUSEHOLD INCOME

A household is defined as all persons occupying the same housing unit, regardless of their relationship with each other. The occupants could consist of a single family, two or more families living together, or any other group of related or unrelated persons who share living arrangements. Household members are all persons (minors and adults) who are living in the damaged home. The test of meeting the LMI objective is based on the total adjusted gross income of all the household members.

The Program will use the following rules to determine the income of household members to be included in the household income calculation: Minors - Earned income of minors, including foster children (under 18) is not counted. Unearned income attributable to a minor is included in the household income calculation (Examples include payments from trusts, stocks, bonds, etc. if the payments are taxable at the Federal level).

The income of temporarily absent family members is counted in the annual income, regardless of the amount the absent member contributes to the household. Temporarily absent family members are also counted as a member of the household when determining the household size.

In situations where family members are permanently absent such as when a spouse is in a nursing home, the head of household has the choice of excluding the individual in the household composition, as well as any taxable income they receive. However, if the absent family member is included in the household composition, the taxable income must also be included in the total household income calculation.

If one of the following special circumstances applies, the income of the referenced individuals will be excluded from the total household income calculation:

- Persons who are temporarily living with the applicant.
- Persons who are employed by the household as a live-in aide and/or are a child of that aide. Note: A live-in aide/caregiver that is related does not qualify. In such cases, their income will be included in the total household income calculation and the live-in aide, and any child of the aide will be included in the total household composition.
- If an applicant is married and their spouse is absent from the household, the income of the absent spouse will not be included in the total household income if documentation of a separate residence for the absent spouse is

provided.

APPRAISALS

Appraisals will be performed by a third-party appraiser licensed in South Carolina. In areas of an increasing housing market, the appraisal must be carried out within 120 days or less of the Offer to Purchase.
Exceptions:

- If the Current Market Value is less than the Owner purchase price, in order to keep the owner whole, the Offer to Purchase price may be based on the original purchase price plus any documented improvements. In the event the purchase price was minimal due to a deed transfer through love and affection, the base offer to purchase price may be based on highest value using comparable sales in the neighborhood/surrounding area or county assessed value;
- Purchased through a tax sale; and/or
- If appraisal exceeds the established maximum assistance limit, the Owner may receive more than the established limit. Such cases will be evaluated on a case-by-case basis and a final determination made by the MSCP.

Exceptions are reviewed on a case-by-case basis. Owner has a right to request appraisal if one is not provided.

APPRAISAL APPEAL

When the Owner believes the appraisal is unjust, they may appeal the appraisal. The appealed appraisal will be at the Owner's expense and must be conducted by a third-party South Carolina-licensed appraiser.

The Owner should make a written or verbal request to the Project Coordinator to appeal. The Project Coordinator will discuss the parameters to be used for the appraisal. The date of appraisal must be the same date as the original SCOR appraisal. If the two appraisals are within 10% of each other, the appraised value will be considered the average of the two appraisals.

For example: The SCOR appraisal determines the value of the property is $150,000. The Owner appraisal determines the value of the property is $160,000. The Program Manager will review the appeal. If the documentation is found to be complete and the appeal to be just, the Owner may be offered an appraised value of $155,000.

If the second appraisal is greater than 10% of the first appraisal, the case will be presented to MSCP. The Project Coordinator will submit the appeal, supporting documentation, and a recommendation on how to move forward. Owner will be notified within one week of the MSCP decision.

OFFER TO PURCHASE

The Offer to Purchase is based on the appraised value of the property plus any eligible incentives. Owner will have 30 days to review the offer and submit any questions or appeals to the Team. Questions or appeal requests should be submitted in writing (See Appeal for further explanation)

OFFER TO PURCHASE MEETING

An offer meeting will be scheduled with the Owner once eligibility has been determined and the purchase price of the

acquisition has been determined. The meeting will be held in-person, unless the Owner lives out of state or prefers to meet virtually. During the meeting, the following documents will be presented:

- Statement of Meeting Attendance
- Offer Letter
- Determination of Just Compensation
- Subrogation Agreement
- Contract for Purchase of Real Estate
- Statement of Voluntary Participation
- Non-Participation Form
- Pre-Closing Lien Disclosure Worksheet
- Appeals Process
- Frequently Asked Question Flyer
- S.C. Legal Services General Brochure

OFFER TO PURCHASE CONTRACT

The Owner will enter into an agreement with SCOR and the Responsible Entity acquiring the land to confirm that they will participate in the Buyout. This is represented by the Offer to Purchase contract.

Properties listed for sale by the Owner must be removed from the market prior to signing the purchase contract. SCOR may request documentation to verify the listing has expired or been released by the selling agent prior to closing.

If Owner is unable to complete the Offer to Purchase documents, which includes the Offer to Purchase contract, the offer will expire after 30 days. If the Owner has remained active during the 30 days, the contract may be extended. If in the 30 days, the Owner has not responded to communication, the Purchase Contract will expire. The Owner may appeal the decision to reopen the case. All determinations will be recorded in the SOR.

If Owner withdraws from the Buyout but wishes to reenter at a later date, the case will need to be presented to the MSCP. Determination will be based on number of openings and remaining budget. If an Offer to Purchase was presented prior to the time of withdrawal, the Offer to Purchase will remain as originally presented.

ACCEPTING OFFER TO PURCHASE CONTRACT

After Owner has accepted the Contract, it will be submitted to the Responsible Entity for signature. Upon receipt of a fully executed Contract, a member of the Buyout Team will procure a boundary survey and request a title search from the closing attorney.

The Owner and closing attorney are to work together to schedule a closing date, to commence after the boundary survey has been recorded with the county and the closing attorney has issued a title commitment.

PRE- CLOSING

SCHEDULING

After the Offer to Purchase contract has been fully executed, the real estate closing should be scheduled within 90 days.

The Owner and closing attorney will work together to establish the closing date. Concurrently, a member of the Buyout Team will request the closing attorney begin the title search and will also request a boundary survey from a state-procured surveyor. Delays in closing due to the title search or recorded survey will be noted.

If an Owner requires additional time to close, a written extension should be requested. The request will be reviewed. A determination will be sent via USPS or electronic means and stored in the SOR. If property is a rental property, exceptions may be made to correspond with the end of tenant's lease.

SCOR will provide the total buyout purchase price amount, including any eligible incentives, to the closing attorney who will hold the payment in trust until closing. Any amount owed on mortgages or other liens will be paid by the closing attorney. Any remaining funds will be provided to the Owner by the closing attorney at or after closing.

TITLE SEARCH

A title search of the property's land records and assessor records of the county in which the subject property is located will be performed for each buyout property. The title report will indicate all current owners, any parties with an interest in the subject property, and all opened and un-cancelled liens, mortgages, deeds of trust, judgments, easements, adverse inscriptions, or other encumbrances, and property tax history, and amount or current status.

If the property title is not vested in the Owner, or there is an obstacle that prevents clean, merchantable, and insurable title, actions will need to be taken to fix the identified issues. SCOR will work with the Owner to assist in obtaining a clear title, when and if possible.

BOUNDARY SURVEY

SCOR will request a boundary survey to determine the legal boundaries of each property prior to closing the property. The survey will verify the legal boundaries of the property to ensure there are no conflicts within the legal records. If the survey identifies an encumbrance on the subject property, it must be curable by the Owner, or the property may be ineligible for buyout.

PRE-CLOSING INSPECTION (PCI)

Occupants must vacate and remove all personal property from the dwelling unit and/or parcel at least four (4) hours prior to closing. A property inspection will be conducted by a member of the SCOR Compliance Team, a member of the Buyout Team, or the RE representative. A PCI worksheet will be completed and photographs taken to document the property is vacant. All utilities should be turned off and disconnected prior to the inspection.

If the property is occupied, the closing will be delayed and SCOR reserves the right to withdraw the Offer to Purchase. If utilities have not been disconnected at the time of closing, they must be disconnected before demolition.

Any personal property remaining after closing will be included in the demolition. Homes that are deemed unhabitable and documented as such through photographic evidence may not require a PCI.

CLOSING

The closing attorney will be responsible for the closing of the property. The Owner may elect to use an attorney of their choice, at their own expense.

DOCUMENT EXECUTION AT CLOSING:

- Settlement Statement
- Deeds (to include deed restrictions)
- Other closing documents as required

POST CLOSING

The attorney files the appropriate deed and restrictive covenant with the Clerk of Court or Register of Deeds (as applicable) in the county in which the property is situated. A covenant will be placed on the property being acquired to maintain it as greenspace in perpetuity.

The identified Responsible Entity receiving the deed-restricted property is responsible for the maintenance of the property in accordance with any local, state, and federal environmental laws, rules, and regulations. Additionally, the RE must ensure that no development occurs on the property that violates the deed restriction in place.

Copies of the executed closing documents will be stored in the SOR.

ASBESTOS TESTING

When required, an asbestos survey will be performed by a certified inspector in accordance with South Carolina requirements. For information on state regulations, refer to the SC DES Regulations 61-86.1 Standards of Performance for Asbestos Projects . A copy of the inspector's certification must be attached to the asbestos inspection results and must have been current at the time of inspection. For additional information on asbestos testing of buyout properties, refer to the Asbestos and Lead-Based Paint Testing section.

Removal of hazardous materials must follow regulatory guidelines. When testing is required, testing will be performed after the real estate closing but prior to demolition. Properties identified as containing ACM, requiring air monitoring and/or a project design will be identified in the Demolition Project Manual. Copies of Asbestos testing reports will be kept in the SOR and ERR.

DEMOLITION AND SITE STABILIZATION

SCOR will oversee and procure all services related to demolition. Once the property is acquired and all necessary documents have been signed, completed, and appropriately filed, the Responsible Entity should place "No Trespassing" signs on the site and must secure all entries to the residence until the time of demolition, either through boarding or padlocking exterior doors.

Generally, all structures and impervious surfaces will be demolished, including piers, tie downs and footers, and all piping for septic drain fields, piping for electrical lines and around all pools. All buildings, garages, car ports, sheds, fences, fence posts, porches, decks, steps, walks, curbs, patios, impervious drives, and any other frame or masonry structures must be removed. Wells must be capped, well pump and all associated well piping must be removed. Existing in-ground pools and underground storage tanks (USTs) must be removed and properly disposed of, unless removal would result in adverse environmental impacts. In such cases, determination will be made by SCOR's Certifying Environmental Officer prior to bidding of the work. All rubbish, debris, abandoned vehicles, etc. within the property line boundaries of the parcel to be demolished must be removed and disposed of properly.

No impervious surface may remain on the site unless approved by SCOR's Certifying Environmental Officer prior to completion of the demolition. No demolished material may be buried within or remain on the site.

Photographic evidence of the demolition process will be documented in the System of Record. Following demolition, the property will be graded and seeded to stabilize the site. A final inspection will be scheduled between the contractor, SCOR, and the RE to ensure the demolition is compliant prior to property turn over.

If lot appears to have settled/sunk, then the demolition contractor will return to stabilize the soils. Final grade shall not direct precipitation runoff toward adjacent or nearby homes. Final grade shall not unreasonably increase the volume or velocity of runoff. Final grade shall generally direct runoff to nearest existing stormwater system or natural watercourse.

A substantial completion on-site walkthrough will be performed.

INSPECTION PRIOR TO DEMOLTION

A pre-demolition inspection must be conducted within 48-hrs of the commencement of demolition to confirm that the property is vacant, and all utilities have been turned off and disconnected. Detailed photographs of the site must be recorded in the project file in the SOR prior to demolition. Any additional hazards should be identified and documented in the file. This includes any fire hazards or public health concerns. If environmental hazards such as asbestos or LBP are identified, then the demolition process must comply with applicable federal environmental and SCDES regulations for demolition involving such materials. The contractor will be responsible for obtaining required demolition permits.

NOTICE TO PROCEED

Contractor may not begin demolition until a Notice to Proceed has been issued.

Utility Site Walk-Through

Prior to demolition, the demolition contractor will be required to coordinate with the applicable county to identify and make safe utilities to the property. This includes:

- Marking easements and underground utilities
- Removing utility meters
- Capping wells, water, sewer, and septic lines to the mains; and/or
- Disconnecting electrical and gas service and propane tanks

SUBSTANTIAL AND FINAL COMPLETION

After completion of ground disturbing and site-stabilization activities, a substantial completion inspection will be performed. Following substantial completion, a final completion site inspection will be performed. Final site stabilization will be considered complete once either of the following have been met:

- Perennial vegetative cover with a density of 70% of native background vegetative cover has been established on all unpaved areas and areas not covered by permanent structures; or
- Equivalent permanent measures (riprap, gabions, or geotextiles) have been employed.

Future maintenance of the site is the sole responsibility of the Responsible Entity or its designee.

DEMOLITION RECORDS

All demolition-related documents must be captured and retained in the SOR. Records include photo documentation of the process before, during, and post-demolition. Once lot grading and seeding has been complete, a demolition inspection will be conducted to verify quality and confirm that the process has been completed. Post-demolition photos will be taken and stored in the SOR.

POST FINAL COMPLETION

The Responsible Entity will take ownership of the property and will be responsible for the maintenance of the property. The RE must ensure that no development occurs on the property that violates the deed restriction in place. SCOR will complete close out reviews for tenants, beneficiaries, and the completed buyout project. The close out reviews will be uploaded into the system of record.

CLOSEOUT

The closeout process is designed to ensure all activities are completed and funds are expended in accordance with program rules and state requirements.
Once property has been demolished and/or met final completion, the file will be marked as Demolished, indicating file is closed.

SCOR will complete close out reviews which will be stored in the System of Record (SOR).

INTERNAL AUDIT & MITIGATION PROGRAM

The Internal Audit Department is independent of SCOR's State Funded Mitigation Program and reports directly to the Chief Resilience Officer. Internal Audit is responsible for ensuring that SCOR's State Funded Mitigation program follows all required state requirements and mirrors the requirements of Federal Audit principles. Internal Audit ensures that SCOR's Mitigation Program adheres to what SCOR has promised the citizens and communities of South Carolina in its policies and procedures.

Internal Audit will utilize risk-based programmatic auditing of the activities and procedures throughout the process of implementing all four program areas in the State Funded Mitigation Program. Auditing activities involve a direct review of the actions pertaining to the following:

1. Infrastructure Program:
    a. Project Application/Eligibility
    b. Project Selection/Approval
    c. Environmental Review
    d. Procurement of Services
    e. Project Management
    f. Monitoring of Recipients
    g. Financial Transactions

2. Buyout Program
    a. Intake

b. Project Application/Eligibility
c. Project Selection/Approval
d. Procurement of Services
e. Project Management
f. Monitoring of Recipients
g. Financial Transactions
h. Lead-based Paint Reviews
i. Asbestos Reviews Construction Standards
j. Environmental Review
k. Demolition
l. Appraisals
m. DOB
n. Financial Incentives

3. Plans & Studies Program:
   a. Project Application/Eligibility
   b. Project Selection/Approval
   c. Project Management
   d. Monitoring of Recipients
   e. Financial Transactions

4. Transparency and Access:
   a. Citizen Participation
   b. Citizen Accessibility

5. Mitigation Special Case Panel

Other activities conducted by Internal Audit include:

- Review of specific program pricing policies to ensure that the decisions that are made are in the best interest of the Program, Applicants, and Taxpayer.
- Review of any items received through the Fraud Hotline (844-506-5436).
- Review of any items received through the Fraud email account (fraudreporting@scor.sc.gov).

Internal Audit will specifically monitor the following:

1. Infrastructure
   a. 25% of all applicant files
   b. Review files to verify applicant program eligibility
   c. Review construction files to ensure consistent and appropriate documentation, including evidence of permits
   d. Cost reasonableness of infrastructure projects as they are approved
   e. 25% of completed construction projects

2. Buyout
   a. 25% of all applicant files
   b. Review files to verify applicant program eligibility

c. Review files to verify incentive eligibility

3. Plans & Studies
   a. 25% of all applicant files
   b. Review files to verify applicant program eligibility
   c. Review files for cost reasonableness

4. Mitigation Special Case Panel Monitoring
   a. 100% of the files submitted to the Mitigation Special Case Panel will be reviewed. These reviews will focus on Eligibility, Cost Containment, and appropriate and timely scope of work items.

The Mitigation Program Director, in coordination with the Internal Audit Director, can temporarily increase the percentage of files reviewed in a program as required.

On a weekly basis, Internal Audit reports the number of cases reviewed to the Program as a metric of Internal Audit progress. Internal Audit reports any issues identified through daily monitoring activity to the SCOR Mitigation Director to facilitate expeditious corrections.

On an as-needed basis, other audits or reviews will be completed using an approved audit program. The results will be reported through a formal report along with any findings.

Semiannual Reports are provided to the Chief of Resilience to ensure they are aware of Internal Audit's progress.

SINGLE AUDIT

The State of South Carolina is in full compliance with Single Audit requirements as provided under Federal grant management requirements. The Internal Audit procedures for the State Funded Mitigation Program will mirror the Federal grant management requirements. The State's annual expenditures are consistently reviewed every year by the Office of the State Auditor to evaluate whether the State's major federal programs follow laws, regulations, contracts, and grant rules as applicable to each program. The State maintains reports and working papers for each annual report for a minimum of three years from the date of submission to the Federal Audit Clearinghouse.

Recipient compliance with audit requirements has been and will continue to be maintained through an internal monitoring tracking system updated on a routine basis

The State's Single Audit is available at: https://osa.sc.gov/wp-content/uploads/2019/03/18-Single-Audit-Report.pdf

AUDITEE RESPONSIBILITIES

SCOR must:

-
- Promptly follow up and take corrective action on Internal Audit findings, including preparation of a summary schedule of prior audit findings and a corrective action plan; and

- Provide the auditor with access to personnel, accounts, books, records, supporting documentation, and other

information as needed for the auditor to perform the audit required by this part.

TECHNICAL ASSISTANCE

SCOR will provide Mitigation technical assistance to participants and recipients as needed. During the activities of the Programs, many decisions will be made involving each project. Technical assistance may be provided by SCOR staff, or the State may contract with other technical assistance providers. Technical assistance may be delivered through a variety of methods to include in-person visits, virtual meetings, and written guidance. Requests for technical assistance must be submitted in written through one of the following methods below:

Address: South Carolina Office of Resilience
ATTN: Mitigation Department
2100 Bull Street
Columbia, South Carolina 29201

Email: Mitigation@scor.sc.gov

COMPLIANCE AND MONITORING

SCOR must ensure compliance with applicable regulations, which include but are not limited to regulations regarding recordkeeping, administrative and financial management, environmental compliance, conflict of interest, procurement, diversity and civil rights regulations, property acquisition and management, displacement, relocation, and replacement. Monitoring will be carried out by SCOR program staff and auditors as well as recipient administrators. All projects will be monitored quarterly will be scheduled well in advance with the appropriate administrators.

Technical assistance may also be given by SCOR staff, if requested or determined that it would best suit the recipient and the State's investment of grant dollars. Technical assistance visits are made to assist the grantee toward achieving successful project completion.

Infrastructure projects shall be monitored by SCOR through schedules and project expenditures. At the initiation of a project a detailed project schedule will be developed covering the design and construction of the project. This schedule will be maintained through the life of the project and shall be updated no less than quarterly.

Project schedule and budget changes shall be documented in a Project Change Log and include the following:

- Description of the change made
- Reason for the change
- Any ramifications resulting from the change, i.e., additional funding must be sought, change to project expenditure projects etc.

The Project Change Log will be included in the project file and updates will be provided to the Mitigation Director and Mitigation Program Manager.

Project expenditures will be tracked through the monthly consultant/contractor payment approval process and through the quarterly update.
Rejected payment requests shall be saved in the project files and include on the rejected payment application, or within attached correspondence, the date and nature of the rejection. Digital files shall be clearly named to differentiate the rejected applications from those approved for payment.

Monitoring review activities are conducted to ensure compliance with the following objectives:

- Review Recipient Agreement compliance. A Recipient or contracted vendor will be monitored to ensure all funded activities are eligible; beneficiaries served are accountable; and funds have been expended in accordance with SCOR, state and federal requirements, as outlined in the Recipient Agreement. Compliance area reviewed by C&M include financial management, advance payment, acquisition, infrastructure change orders, equipment, procurement, environmental approvals, and labor standards
- Procedures to detect fraud, waste, and abuse. SCOR, a Recipient, or contracted vendor's processes or systems and other policies and procedures used to administer SCOR State Funded Mitigation will be monitored for adequate protections against fraud, waste, and abuse
- Identify any necessary corrective actions. A review could result in prescribed corrective measures to be carried out by SCOR, the Recipient or contracted vendors up to and including repayment
- Identify technical assistance needs. A review may reveal a need for additional technical assistance.

MONITOR REVIEW TYPES

The Mitigation Team performs two types of reviews: desk or on-site monitoring.

Desk Review

A desk review requires the Mitigation Team to sufficiently review selected project(s) or activities and the related compliance area(s) via electronic means. A desk review is generally conducted in the following situations:

- The size, scope, or complexity of the review allows a desk review
- An interim review or a complaint is received and warrants a desk review
- The Recipient or contracted vendor requests a desk review, and this request is approved by SCOR

On-site Review

An on-site review requires the Mitigation Team to sufficiently review selected project(s) or activities and the related compliance area(s) during a scheduled visit at the Recipient or contracted vendor project location. An on-site review is generally conducted in the following situations:

- The size, scope, or complexity of the review would benefit from an on-site review
- An interim on-site review or a complaint is received that warrants an on-site review
- The Recipient or contracted vendor requests an on-site review, and the request is approved by SCOR

At minimum, one annual review, **per each infrastructure project**, must be completed by the Mitigation Team.

- Monitoring Professional Services

SCOR will monitor all procured professional services and those procured by recipients. SCOR may have to procure professional expertise from another entity to monitor procured professional services. This procurement and compliance monitoring is part of activity or program delivery of the project but is separate from any award to a recipient. This compliance monitoring can include but is not limited to:

- Surveying
- Appraisals

- Demolition
- Lead Based Paint Testing/Mitigation
- Asbestos Testing/Mitigation

GENERAL MONITORING METHODOLOGY

Prior to an on-site monitoring review, a written notification will be provided to the Recipient or the contracted vendor from SCOR of the type of review that will be conducted. Selected compliance areas, projects or activities, and duration of the visit are examples of information that will be provided in the notification letter. The following steps are integral to conducting a monitoring review:

- Conducting an entrance conference with the appropriate representatives to explain the purpose of review
- Applying the applicable requirements through documented work papers
- Reviewing the applicable files
- Interviewing members of staff, engineers, and/or consultants, as appropriate to discuss project related issues
- Conducting an exit conference with the appropriate representatives to present the preliminary conclusions identified during the review
- Issuing a formal written report summarizing the conclusions of the review
- SCOR retains the right to modify the monitoring procedures and monitoring tools as deemed necessary

DECISION CATEGORIES

One or more conclusions may result from a monitoring review that indicates the following:

- The performance complied with the requirements of the SCOR program
- Findings that require corrective actions by the Recipient or contracted vendor
- Concerns about the performance of the projects or activities
- Observations for efficiencies or items of note
- Technical assistance is necessary

NON-COMPLIANCE PROCEDURES

The results of the monitoring review may require corrective action by the Recipient or contracted vendor. A monitoring report will be issued which outlines the findings, concerns, and/or observations and identifies corrective actions to be carried out to remedy identified deficiencies.

If corrective actions are identified, the Recipient or contracted vendor must respond to SCOR by the date indicated on the report. Issues identified in the report must be resolved prior to the close-out of the Recipient or vendor contract. A clearance monitoring letter will be issued to the Recipient or contracted vendor stating that corrective actions address the issues noted within the monitoring report. Depending on the severity of the issues identified in the report, corrective actions may include remedies for non-compliance that include:

- Temporary withholding of cash payments until correction of the deficiency
- Disallowed cost recovery
- Wholly or partly suspend the Recipient Agreement
- Initiate suspension or debarment proceedings
- Withhold further Recipient Agreements

- Other legal remedies as available

COMPLAINTS

When a complaint or appeal is received, a Constituent Service Representative will respond to the complainant or appellant within fifteen (15) business days where practicable. For expediency, the SCOR Mitigation staff shall utilize telephone communication as the primary method of contact; however, email and postmarked letters will be used as necessary.

RESPONSIBILITIES

SCOR has identified the SCOR Constituent Services staff section to handle all property owner and homeowner inquiries.

These staff will be responsible for:

- Determining whether complaints and appeals relate to the business or authority of SCOR
- Ensuring that a response to all complaints and appeals are within the appropriate time frame (response must be provided within 15 working days of the receipt of the complaint)
- Ushering all complaints and appeals through to a resolution
- Maintaining all documentation related to each appeal and complaint. Each file must include the following:
  - Results of the investigation, together with any notes, letters, or other investigative documentation
  - The date the complaint or appeal was closed; and
  - Any other action is taken.

CLOSEOUT

The closeout process is designed to ensure all mitigation activities are completed and funds are expended in accordance with either the grant and recipient agreements, contracted vendor agreement, program rules, and state requirements. This means any financial, administrative, and performance issues related to the Mitigation Program stipulated as part of the applicable contract have been resolved to the satisfaction of SCOR, and the recipient or contracted vendor. The closeout process also certifies that the persons benefiting from the activities are receiving services or a benefit from the use of the new or improved project, facilities and/or activities.

The closeout process must be initiated by SCOR for State-run projects and by recipients for recipient-run project.

Closeout begins when:

- All costs to be paid with State Funded Mitigation have been expended and payment requests, submitted, with the exception of closeout costs (final administrative and audit costs), and other costs approved in writing by SCOR
- The work described in the currently approved Performance Statement has been completed

Prior to the closeout of a completed project, SCOR will conduct a review to ensure that each case:

- Was an eligible activity
- Had no outstanding issues

CLOSEOUT PROCESS

The program activity closeout process consists of a thorough review and determination that all costs, with certain exceptions, paid with State Funded Mitigation Set-aside funds have been incurred, the work has been completed, and the national objective has been met. This process is documented in the Grant Closeout Report (GCR) and the required supporting documentation identified. Other information may be required and requested by the SCOR. The GCR must be submitted within 60 calendar days after the project is completed.

GRANT CLOSEOUT REPORT (GCR)

The following must be included in the GCR:

- A project map showing the location(s) of the project
- Certificate of Expenditures (COE)
- Performance Statement Checklist
- Owner Detail Report
- Any other documentation as required

After the GCR has been reviewed by the necessary departments, it will be signed by the Environmental Certifying Officer and the Mitigation Director. The signed GCR will be included in the respective project file.

Certificate of Expenditures (COE)

This section of the GCR documents financial status of the applicable completed agreement or contract, including both State Funded Mitigation Program and any other funds used for the project. All budget activity is listed in the following columns:

- SCOR Budget: State Funded Mitigation Program allotted to each budget activity including all amendments and revisions
- Unutilized Funds: Total grant funds that will NOT be requested including all funds not Drawn to Date or requested for Reserve. All funds included in this column will be de-obligated by SCOR
- Local Contribution: All funds or local contribution other than State Funded Mitigation used to complete the project

Actual Accomplishments

The GCR reports all work completed by the activity. The work reported must correspond to the project described in the Performance Statement and be reported in the same quantitative terms as those used in the applicable agreement or contract (if the Performance Statement describes a project without using linear feet, report the item as a linear foot metric).

Owner Detail Report

Complete Owner Detail Reports for all activities in the Performance Statement (excluding engineering, administration, and acquisition if incidental to the project). The total number of persons benefiting, and the number of households benefiting if applicable, must equal the total activity beneficiaries or households listed in the Performance Statement.

If multiple projects/activities benefit exactly the same group of persons, the detailed Owner information may be reported once for the group of activities in order to minimize the length of the report. Indicate all activities to which the report applies at the top of the report.

FAIR HOUSING

The South Carolina Office of Resilience (SCOR) during the operation of its State Funded Mitigation Programs, will comply with Federal Fair Housing laws and regulations when applicable.

Other Disadvantaged Populations

In addition to LMI communities, special efforts should be made to include hard to reach populations in outreach activities. These groups include

- Non-English-Speaking Persons Senior Citizens

- Persons with Disabilities

Use the following checklist to ensure an effort has been made to reach these populations. The items in it should be considered for each outreach event.

- Ensure the meeting location is ADA compliant with the Americans with Disabilities Act
- Provide reasonable accommodations for disabilities with reasonable advanced notice
- Consider best time and location for stakeholder access, convenience, and participation
- Research size of non-English speaking population of community and prepare translated resources accordingly

Standard Outreach Event Types For Use at SCOR's Discretion

	Public Hearings	Town Halls	Road Shows
Purposes/Use	Held when creating and making substantial amendments to the State Funded Mitigation Program.	Educating citizens on the opportunities for State Funded Mitigation available to their communities.	Educate potential applicants in a particular geographic area about State Funded Mitigation funding opportunities and processes.
Main Audience(s)	Key regional stakeholders including Councils of Government (COGs), county administration, legislators, public representatives, academic institutions & state agencies.	Citizens of a community within one of the approved State Funded Mitigation Projects.	Elected officials and administration of towns, cities and counties, state agencies or Council of Governments. Be sure to provide a sign in sheet so that it can be referenced later.
Content	Participant focused: collecting of input from citizens and stakeholders on the planning, development, and execution of the State Funded Mitigation program.	An overall description of the State Funded Mitigation program, content should be presented in an approachable way to the average citizen. Content may also be targeted to one program area of interest to community. May also include content from other programs that service the communities, such as SCOR's Disaster case Management Program.	More detailed information of requirements, application processes & recipient responsibilities. May include information about other programs of interest (SC DNR, SC EMD).
Event Location	SCOR Office, or various other accessible, central locations across the state. This will most likely require larger venues such as auditoriums.	A location that provides enough space for citizens, depending on the population of the community. Location should be familiar and accessible to all citizens of the community, such as the town hall, recreation center, library, etc.	Public offices in the target area, or via Zoom, allowing attendance from multiple locations.
Scheduling	To be held after regular working hours to allow for maximum attendance. Use the following checklist for notice requirements:	Should be scheduled in the evening, allowing for the most citizen attendance. Time should be left for citizen questions,	With the focus on officials and staff these shows may be held during regular business hours.

	• Draft language to include disclaimer that those needing auxiliary aid or special assistance should all 48 hours before the hearing to request aid • Announced on agency website • Ad in local newspaper • Announced on social media	explanations, and discussion. Could also coincide with regular community meeting schedule.	

Other Methods

The Mitigation Program may perform other outreach activities in addition to previously described outreach events. While our applicants are units of governments, greater community awareness will also result in encouraging applicants. Therefore, SCOR will communicate information about the program and public meetings through community organizations and news outlets, including but not limited to:

- Advertisements in local news media outlets, including newspapers and broadcast media that provides unique access for persons who are considered members of a protected class under the Fair Housing Act or have Limited English Proficiency (LEP). *See the Language Access & Special Needs section.*
- Informational flyers or door hangers advertising the program
- Distribution of informational flyers through government agencies, the faith community, schools, public and/or non-profit organizations, and other community groups.
- Outreach to municipal associations and legislators who represent eligible counties

Partners in Outreach

SCOR will coordinate outreach efforts with other state agencies, non-profits, and other entities to assist South Carolina local governments in securing funding for mitigation studies, plans and projects. At some outreach events, such as Road Shows, the SCOR Mitigation team presents alongside other state agencies such as DNR & EMD, who present complementary mitigation programs.

LANGUAGE ACCESS & SPECIAL NEEDS

The South Carolina Office of Resilience (SCOR) is committed to providing all citizens with equal access to information about its State Funded Mitigation programs, including persons with Limited English Proficiency (LEP) and disabilities. SCOR has adopted a Language Assistance Plan (LAP) to provide meaningful access to its programs and activities by persons with LEP. In accordance with federal guidelines, SCOR will make reasonable efforts to provide or arrange free language assistance for its LEP persons. When a significant number of non-English speaking residents can be reasonably expected to participate in public hearings or open comment periods, materials to be handed out will be translated into the appropriate language, citizen comments in a language other than English will be translated, and translators will be present. These populations will be identified through the mapping of the Census and other data or non-profit or stakeholder identification of need. The SoVI® Targeted, specialized outreach will be conducted to these populations to ensure proper notice of the opportunity to attend hearings or provide input on all proposed plans. This includes all South Carolina residents who are interested or are already participating in a current or announced State Funded Mitigation Program.

The LAP focuses on plans for individuals with limited English proficiency. Plans to meet the communication needs of clients who are deaf, hard-of-hearing, or blind are also important and will be properly addressed by reasonably complying with applicable legislation such as Section 504 and the Section 508 Amendment to the Rehabilitation Act of 1973, and Title II and Title III of the Americans with Disabilities Act (1990).

Meaningful access is free language assistance in accordance with federal guidelines. The number and proportion of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be encountered by the program or grantee are based on U.S Census Bureau American Community Survey (ACS) 2006-2010 population. Based on the eligible population, it was concluded that Spanish is the only majority language spoken. As a result of this initial population analysis, all Action Plans, any ensuing amendments, outreach materials, and any application and related guidance materials will be published in both English and Spanish.

PROCUREMENT

SCOR's State Funded Mitigation Program's Procurement policy and procedures are governed by the South Carolina Consolidated Procurement Code and Regulations (S.C. Code Ann. § 11-35-10 et seq.). Furthermore, the State shall ensure that each procurement occurs with full and open competition.

SCOR Procurement

The full set of South Carolina procurement processes and the laws and regulations applicable thereto can be located at http://procurement.sc.gov/legal/procurement-law.

Recipient Procurement

Recipients of SCOR's State Funded Mitigation program must comply with the South Carolina Consolidated Procurement Code (S.C. Code Ann. § 11-35-10, et. seq.). Additionally, all political subdivisions must follow their own ordinances or procedures as provided under S.C. Code Ann. § 11-35-5320, which establishes that expenditures of public dollars must embody sound principles of appropriately competitive procurements.

The standards and guidelines outlined in this manual are being furnished to ensure Recipients of the State Funded Mitigation grant procure materials and services in an efficient and economical manner that is in compliance with the applicable provisions of State laws and regulations. The foregoing standards do not relieve Recipients of any contractual responsibilities under its contracts, or applicable local and state laws. Recipients are responsible, in accordance with good administrative practice and sound business judgement, for the settlement of all contractual and administrative issues arising out of procurements entered in support of the grant.

The SCOR staff will relay the information contained herein to Recipients via the SCOR website, www.scor.sc.gov, through trainings and checklists, and during onsite monitoring and reviews.

Procurement for Recipients establishes standards and guidelines for procurement of supplies, equipment, construction, engineering, activity administration, architectural, consulting, and other professional services. Recipients must comply with the South Carolina Consolidated Procurement Code, S.C Code Ann. § 11-35-10, et. seq.

Conflicts of Interest

A conflict of interest is, by definition, a conflict between the private interests and the official or professional responsibilities of a person in a position of trust. It is the intent of SCOR to encourage confidence in the integrity of all Program staff.

This includes all members of the SCOR management team, program staff, South Carolina State Employees, Recipients, Contractors, Subcontractors, and any additional team members. SCOR has a firm expectation that all staff will be diligent in the avoidance of potential and actual conflicts of interest, as well as perceptions of conflicts of interest. A conflict of

interest may occur when the private interests of a person in a position of trust are inconsistent with or impede his/her official responsibilities. This is especially true when applicants are selected to receive assistance and when contracts for goods or services are awarded.

To establish internal controls for identifying potential conflicts of interest, all team members, employees, and other parties participating in the determination of eligibility and/or the distribution of funds, are expected to practice good judgment when presented with a situation, which may involve a potential or actual conflict.

All Program staff are required to make full disclosure to their supervisor of any interests (economic or otherwise) relationships, and/or holdings, which could potentially result in a conflict of interest. Potential conflicts of interest may include relationships with neighbors, acquaintances, friends, family members, and other members of the community., as well as prior business dealings or other associations with the entity or person in question. As soon as a project team member is aware they have a current or prior relationship or familiarity with a potential applicant, vendor, contractor, service provider, or other entity involved with the project, they are required to immediately notify their supervisor. The supervisor will ensure that project team members do not process, interact, or implement the project wherein potential conflicts of interest are present.

This separation and sequestration of a conflicted employee to project responsibility will ensure an unbiased approach to the processing of all applications and final eligibility determinations and project implementation. The goal is for every South Carolina citizen and local government to have confidence their application is being processed with expedient efficiency and integrity. In the event a potential or actual conflict is reported, the Program Manager will review the circumstances in-depth and be responsible for determining the course of action to be taken if a conflict is found to exist. If a team member has any doubt as to whether a current or prior relationship poses a potential conflict of interest, they should request guidance from their supervisor.

Local Procurement Policies

Recipients of SCOR's State Funded Mitigation program must use the State's procurement process to secure contract services. Additionally, all political subdivisions must follow their own ordinances or procedures as provided under S.C. Code Ann. § 11-35-5320, which establishes that expenditures of public dollars must embody sound principles of appropriately competitive procurement. Recipients are also bound by Rules of Ethical Conduct as enumerated in S.C. Code Ann. § 8-13-700).

1. Oversight. Recipient must maintain oversight of contractors to ensure their perform is in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

2. Standards of Conduct. Every Recipient must maintain written procedures covering conflicts of interest and governing the actions of its employees, agents, consultants, and elected officials engaged in the selection, award and administration of vendor contracts, under the award of SCOR State Funded Mitigation Program assistance.
    - For the procurement of goods and services, no employee, officer, or agent of the Recipient may participate in the selection, award, or administration of a vendor contract supported by the state award if he/she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in a tangible personal benefit from a firm considered for a vendor contract. (S.C. Code Ann. § 8-13-100 et seq. Ethics, Government Accountability, and

Campaign Reform and where applicable, 24 CFR § 570.489(g) Procurements, and 2 CFR § 200.318(c)(1) conflicts of interest)

- The officers, employees, or agents of the Recipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
- The standards of conduct must also provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the Recipient
- SCOR reserves the right to require the Recipient to consent to SCOR having a single voting member on all project procurements for or related to the awarded project. Failure to agree to SCOR's participation is grounds for SCOR to not award a project, or if after the award is made, for SCOR to unilaterally terminate the award.

3. Avoidance of Unnecessary or Duplicative Items. Recipients must avoid the acquisition of unnecessary or duplicative items by giving consideration to consolidating or breaking out procurements to obtain a more economical purchase.

4. Value Engineering Clauses. Recipients are encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.

5. Awarding to Responsible Contractors. Recipients must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contactor integrity, compliance with public policy, record of past performance, and financial and technical resources.

6. Record Keeping. Recipients must maintain records sufficient to detail the history of procurement. These records shall include, but are not limited to, the following:
   - Rationale for the method of procurement
   - Selection of contract type
   - Contractor selection or rejection; and
   - The basis for the contract price

7. Time and Materials Contracts. Recipients may not use a time and materials contract for the purposes of this Mitigation Program.

8. Dispute Resolution. Recipients alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve Recipients of any contractual responsibilities under its contracts.

Local Procurement Procedures

Recipients must have written procedures for procurement transactions that ensure all solicitations:

- Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured
- Identify all requirements which the offerors must fulfill
- Identify all other factors to be used in evaluating bids or proposals; and
- Are conducted in a manner providing full and open competition
    - In order to ensure objective contractor performance and eliminate unfair competitive disadvantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or request for proposals must be excluded from competing for such procurements

- Some situations considered to be restrictive of competition include, but are not limited to, the following:
  - Placing unreasonable requirements on firms in order for them to qualify to do business
  - Requiring unnecessary experience and excessive bonding
  - Noncompetitive pricing practices between firms or between affiliated companies
  - Noncompetitive contracts to consultants that are on retainer contracts
  - Organizational conflicts of interest
  - Specifying only 'brand name' products instead of allowing an equal product to be offered and describing the performance or other relevant requirements of the procurement; and
  - Any arbitrary action in the procurement process
- SCOR reserves the right to require the awardee to consent to SCOR having a single voting member on all project procurements for or related to the awarded project. Failure to agree to SCOR's participation is grounds for SCOR to not award a project, or if after the award is made, for SCOR to unilaterally terminate the award.

When using prequalified lists, Recipients must ensure that all lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, Recipients must not preclude potential bidders from qualifying during the solicitation period.

Cost and Price Analysis

For procurement actions in excess of the small purchase threshold, Recipients must perform a cost or price analysis. This requirement also applies to contract modifications and change orders.

Price Analysis

Price analysis is the process of evaluating and comparing prices for goods or services and should be documented in the procurement file. In conducting a proper price analysis, Recipients must request an adequate number of bids, proposals, or quotes for the materials, supplies, or services being procured for comparison. When comparing prices, Recipients should review for significant discrepancies to determine if the goods or services are comparable.

Cost Analysis

Recipients will utilize this process to help determine if proposed costs are allowable, reasonable, and allocable as described in 2 CFR 200.403-405. Prior to receiving bids or proposals, Recipients should establish an independent estimate for the goods or services to be procured. When conducting a cost analysis, Recipients must review and evaluate the separate elements of cost and negotiate profit in a received proposal.
A cost analysis is required when price competition does not exist. The following are examples of when cost analysis is used:

- The competitive proposal method is used
- The sole source procurement method is used
- Only one bid is received during a sealed bid procurement and
- A contract modification is requested that changes the price or total estimated cost (either upwards or downwards)

Conducting a Price and Cost Analysis

Recipients should include the following in their analysis:

- Check the accuracy of the prices submitted
- Evaluate the necessity of the proposed cost items
- Evaluate the separate elements of cost

- Review proposal for potential cost overruns, taking into consideration the vendor's past performance
- Compare proposed prices to Recipient's independent cost estimate; and
- Compare proposed prices to previous cost estimates or actual costs incurred for similar work

Profit Negotiation

Recipients must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. The following criteria must be considered when negotiating profit:

- Complexity of the work to be performed
- Amount of risk the contractor may be exposed to (performance and/or cost)
- Contractor's investment and resources dedicated to performing the contract (labor, oversight, etc.)
- Use of subcontractors by the prime contractor and the nature of the work to be performed
- Quality of the contractor's past performance for similar work and
- Industry profit rates in the surrounding area for similar work

Recipients are responsible for maintaining records and any documentation used to support the profit negotiation.

Contracting with Historically Under-Utilized Businesses (HUB), Small and Minority Businesses, Women's Business Enterprises, And Labor Surplus Firms

Recipients must take all necessary steps to affirmatively assure HUBs, small and minority businesses, women's business enterprises, and labor surplus firms are notified of bidding opportunities and utilized whenever possible. Affirmative steps must include the following:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises
- Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce and
- Require the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in parts (1)-(5) above

Suspension and Debarment

SCOR will follow the procurement debarment and suspension regulations through the S.C. Consolidated Procurement Code (S.C. Code Ann § 11-35-10 et seq., and where applicable, implementing Executive Orders 12549 and 12689, 2 CFR part 180. These state and federal regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

Recipients must ensure, prior to award, that all contractors receiving State Funded Mitigation have met all the eligibility requirements outlined in state and Federal law. At a minimum, the following steps must be taken to ensure contractor eligibility for all services procured.

- Contractors: All contractors, including professional consulting and engineering firms, must be cleared via a search of the Federal System of Award Management ('SAM') to ensure the contractor is in good standing and has not been

debarred. The SAM portal can be found here: https://sam.gov/SAM/pages/public/searchRecords/search.jsf. A copy of the Sam search result must be kept in the recipients file on that contractor.

- Subcontractors: Recipients must notify the selected prime contractors that it is the sole responsibility of the prime contractor to verify subcontractor eligibility based on factors such as past performance, proof of liability insurance, possession of a federal tax number, debarment, and state licensing requirements

After a contactor has been verified in the Federal System for Award Management (SAM) and the State's Debarment List, a memorandum noting the checks and their findings will be prepared and placed into the project file. It should be noted that per this policy and procedure, if any of the listed parties are deemed ineligible to receive State Funded Mitigation after award of contract, the contract will be immediately terminated. The matter must be reported to SCOR for further action.

Methods of Procurement

The methods of procurement should follow the South Carolina Consolidated Procurement Code (S.C. Code Ann. § 11-35-10 et seq.). If it appears requirements contradict state, federal or local procurement standards, Recipients may request Technical Assistance to determine the best method of procurement. Below are the minimum requirements that Recipients must utilize:

Small Purchases

The small purchase method is used for the acquisition of supplies or services greater than the micro-purchase threshold and less than or equal to the small purchase threshold. Small purchase procedures are relatively simple and do not require a formal solicitation for securing services, supplies, or other property. For local governments, the State small purchase threshold is $10,000.

If small purchase procedures are used, price or rate quotations must be obtained from a minimum of three qualified sources. Documentation of the rate quotations must be maintained for record-keeping requirements.

Sealed Bids (Formal Advertisement)

Sealed bids, bids that are publicly solicited and a firm fixed price contract (lump sum or unit price) are awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest price. This is the preferred method for construction contracts.

Competitive Proposals

The procurement by competitive proposals technique is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. A Request for Proposal (RFP) is used when qualifications and price are used in evaluating proposals and is the preferred method for administrative services. A Request for Qualification (RFQ) is used to procure architectural or engineering professional services where qualifications are used in evaluating proposals and price is not used as a selection factor.

Noncompetitive Proposals (Sole Source)

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source, (S.C. Code Ann. § 11-35-1560), and may only be used when one or more of the following circumstances apply:

- The item is available only from a single source
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation
- Where applicable, the federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity
- After solicitation of several sources, competition is determined inadequate

The following table outlines the four procurement methods used to procure materials, supplies, construction, and services.

Procurement Type	Cost Reasonableness	Contract Type	Solicitation Method	Applications
Small Purchase	• Price Analysis	• Purchase Order • Fixed Price	• Quotations • Submitted Bids	• Supplies • Produced items • Single-task service
Sealed Bid (formal advertising)	• Price Analysis • Cost Analysis	• Fixed Price	• Submitted Bids	• Construction items • Produced or designed items
Competitive Proposals	• Price Analysis • Cost Analysis	• Cost Reimbursement • Fixed Price • Time & Materials	• Submitted proposals	• Professional services • Multi-task services • Designed items
Noncompetitive proposals	• Cost Analysis	• Cost Reimbursement • Fixed Price • Time & Materials	• Submitted proposals	• Produced items • Single task service • Professional services • Multi-task services • Designed item

Small Purchase Procedures

Prior to utilizing the Small Purchase method of procurement, Recipients should consider the aggregate cost of the goods or services. To use this method of procurement, the aggregate dollar amount of the goods or services cannot exceed the small purchase threshold (see previous section).

Recipients cannot use the small purchase procurement method to make separate, sequential, or component purchases of goods or services with the intent of avoiding the competitive bidding and competitive proposal requirements.
When seeking quotes, Recipients must clearly explain to all vendors providing quotations that the information provided is being sought for informational purposes only and the request for quotation does not constitute a formal solicitation. Extra care must be given to avoid giving a vendor any competitive advantage in a future procurement initiative.

Step 1: Comply with Davis-Bacon Act requirements, if Applicable

Recipients must obtain prevailing wage rates as required by the Davis-Bacon and Related Acts and incorporate those wage rates into the procurement for construction (see Davis-Bacon section).

Step 2: Contact a Minimum of Three (3) Vendors

Recipients must use the Small Purchase Procurement Record to document quotes received. Quotations may be requested via telephone, fax, email, mail, or any other reasonable method.

Recipients must take all necessary steps to affirmatively assure HUBs, small and minority businesses, women's business enterprises, labor surplus firms, and Section 3 businesses are notified of bidding opportunities and utilized whenever possible (see Section Contracting with HUBs, SMBs, WBEs and labor Surplus Firms section).

Step 3: Award the contract.

Recipients should conduct a price analysis and award to the lowest responsible bidder (see Cost and price Analysis section). If the recipient does not award the contract to the lowest bidder, the reasoning must be documented and in compliance with federal, state, and local regulations. Recipients must verify that the vendor is not debarred under the System for Award Management (see Section Suspension and Debarment Section).

Step 4: Execute the contract.

Recipients must submit the Small Purchase Procurement Record and Financial Interest Report to SCOR within 30 days of executing a prime contract. For subcontractors, the Financial Interest Report is due before the final draw.

Sealed Bid Procedures (Formal Advertisement)

Procurements for materials, equipment, and construction services with a total cost over the small purchase threshold (see Small Purchase Procedures section) must formally advertise for sealed bids. Procurement by sealed bids is the preferred method for procuring materials, equipment, and construction services if the following conditions apply:

- A complete, adequate, and realistic specification or purchase description is available
- Two or more responsible bidders are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price

Step 1: Creation of Sealed Bid Packages

Recipients must create a bid package, usually written by an architect or engineer and based off prepared plans or working drawings, that provides a clear and accurate description of technical requirements for materials and products and/or services to be provided on the project. This package must:

- Be sealed by an architect or engineer registered in The State of South Carolina and, if the project falls under the jurisdiction of another state agency, approval is required prior to construction
- For fire stations, garages, and/or buildings that will be accessible to the public once constructed, a certification that applicable standards of accessibility by the handicapped have been or will be satisfied must be executed and co-signed by a local jurisdictional official, filed in the contract documents file, and a copy must be sent to the State
- Contain all properly obtained lands, rights-of-way, and easements necessary for carrying out the project
- Contain all forms and contract provisions applicable to the project and required by federal and state laws and regulations

The base bid should include all components of the approved project and should not include any items which were not included in the approved applications or which have not received subsequent approval. SCOR approval should be received prior to awarding a bid that includes items not listed in an approved performance statement. Note: For fixed price contracts with unit cost pricing, the bid specifications should delineate some type of item, estimated quality, unit price, and total cost.

Step 2: Comply with Davis-Bacon Act Requirements

Where required, Recipients must obtain prevailing wage rates as required by the Davis-Bacon and Related Acts and incorporate those wage rates into the procurement for construction (see Davis-Bacon section).

Step 3: Advertise for Bids

The invitation for bids must be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time prior to the date set for opening the bids. The invitation for bids, which will include any specifications and pertinent attachments, shall define the items or services in order for the bidder to properly respond.

Recipients must take all necessary steps to affirmatively assure HUBs, small and minority businesses, women's business enterprises, labor surplus firms, and Section 3 businesses are notified of bidding opportunities and utilized whenever possible (see Section Contracting with HUBs, SMBs, WBEs and labor Surplus Firms section).

Step 4: Public Opening of Sealed Bid Packages

All bids will be publicly opened at the time and place prescribed in the invitation for bids. All sealed bid packages must be opened in accordance with the following standards in addition to any requirements imposed by local, state, and federal law:

- All bids shall be opened and read aloud during the bid opening and the apparent low bidder should be determined during this time
- Bids shall undergo a review for both technical and legal responsiveness
- Bidders must be evaluated as having the capacity to furnish the products and/or services required; and
- Minutes of bid opening along with tabulation of bids shall be placed in the contract file

Recipients should take action within 45 days of the bid opening, or as otherwise specified in the bid documents, to either award a contract to the lowest responsible bidder or reject any and all bids for just cause. Any or all bids may be rejected if there is a sound documented reason.

If accepted, the Recipient and the lowest responsible bidder may, by mutual written consent, agree to extend the deadline for award by one or more extensions of 30 calendar days. Where applicable, any final contracts awarded must be done so in compliance with the most recent federal wage decision. Recipients must maintain documentation of the date, time, and location of the public bid opening.

Step 5: Award the Contract

A firm, fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually opportune.

Recipients must verify that the vendor is not debarred under the System for Award
Management prior to awarding a contract. If only one bid is received, the Recipient must receive approval from the SCOR before awarding the applicable contract.

Procedures for Bids that Exceed Cost Estimates:

In some instances, the lowest bid received will exceed the amount of funds estimated for a particular project. If this occurs, the Recipient shall consult with SCOR to determine the best course of action. Options include:

- Reject all bids received and re-advertise the project
- Revise or reduce specifications and re-advertise the project, if approved by SCOR
- Reallocate funds to cover the overage
- Seek other funding sources such as local funds to cover the overage; and

Step 6: Execute the Contract

Recipients must submit the Financial Interest Report to SCOR within 30 days of executing a prime contract. For subcontractors, the Financial Interest Report is due before the final draw.

Competitive Proposal Procedures

Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids.

Request for Proposals (RFPs)

RFPs are used to procure professional services such as grant administrative services. This does not include architectural and engineering ("A/E") professional services where the competitive negotiation method is utilized.

Request for Qualifications (RFQs)

RFQs are used to procure professional services such as engineering or architectural firms (A/E). RFQs use a competitive negotiation method. The selection is made based upon the competitor's qualifications, subject to negotiation of fair and reasonable compensation.

This method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort. RFQs cannot be used to procure project management or construction management services.

All A/E contracting fees, even those provided for under either a fixed price contract or a cost reimbursement contract must be deemed reasonable and justifiable. If, after a project has been funded, there is a substantial change in the scope of the project, then SCOR must review and approve these changes and determine whether any additional funds are allowable.

The provision of funds for A/E services is entirely contingent upon the amount of funds deemed allowable by SCOR. Firms will not be compensated from the applicable SCOR State Funded Mitigation Program in the event of a project not receiving funding.

Conducting an RFP/RFQ

Step 1: Develop the Request for Proposals (RFP)/Request for Qualifications (RFQ) package

The RFP/RFQ should include a clear and accurate description of the technical requirements for the material, product, or service to be procured. At a minimum, the RFP/RFQ package should include the following:

- Description of Recipient's requirements and the scope of services. Recipients must utilize Scopes of Work provided by SCOR in their contracts for grant administrators, engineers, and environmental service providers
- Factors and significant sub-factors that will be used to evaluate the proposal and their relative importance
- Detailed instructions on proposal requirements
- Deadline for submission; and
- Anticipated terms and conditions that will apply to a contract awarded under the solicitation
    - A solicitation may authorize offerors to propose alternative terms and conditions. When alternative terms and conditions are permitted, the evaluation approach should consider the potential impact on other terms and conditions or the requirement

Step 2: Advertise the RFP/RFQ

Requests for proposals/requests for qualifications must be publicized and identify all evaluation factors and their relative importance. Recipients should allow sufficient time between the solicitation date and proposal deadline. Any response to publicized requests for proposals must be considered to the maximum extent practical.

Proposals must be solicited from an adequate number of qualified sources. Recipients must take all necessary steps to affirmatively assure HUBs, small and minority businesses, women's business enterprises, labor surplus firms, and Section 3 businesses are notified of bidding opportunities and utilized whenever possible.

Step 3: Evaluate and rate the proposals

Recipients must have a written method for conducting technical evaluations of the proposals received and for selecting respondents. Materials received in response to RFPs and/or RFQs are typically reviewed in accordance with one of the following processes:

- Competitive Point Range. In using this review process, the Recipient shall establish a predetermined range of points for proposals that would be considered adequate for qualifying a responder for a particular solicitation. All responders whose proposals or qualification statements score within that range would be invited to an oral interview and asked to submit a best and final offer. The proposals would then be re-evaluated, and the highest scoring firm would be selected
- Highest Point Earner. In using this review process, the Recipient shall evaluate all proposals or qualification statements in accordance with predetermined selection criteria and award the contract to the overall highest scoring firm.

For counties, municipalities, and other public entities the local governing body has the final authority to award contracts and may select another respondent if the minutes of the local governing body meeting include justification for the selection. Recipients must maintain documentation of the date, time, and location of the public bid opening.

Step 4: Award the contract

Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

Recipients must also verify that the vendor is not debarred under the System for Award Management prior to awarding the contract. If only one bid or proposal is received, the Recipient must receive approval from the SCOR before awarding the applicable contract.

Step 5: Execute the Contract

Recipients submit the Financial Interest Report to SCOR within 30 days of executing the contract.

Noncompetitive Proposal Procedures (Sole Source)

Recipients MUST obtain written approval from SCOR prior to using this procurement method. All requests to utilize non-competitive procurement must be submitted in writing by the Recipient to SCOR and include a justification as to why the contractor is the only known source to provide the goods or services under the contract. The justification and SCOR approval must be maintained for record-keeping requirements.

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may only be used when one or more of the following circumstances apply:

- The item is available only from a single source
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation
- When applicable, the federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Recipient; or

- After solicitation of a number of sources, competition is determined inadequate
- Recipients should conduct a cost analysis to determine if proposed costs are allowable, reasonable, and allocable
- Recipients must also verify that the vendor is not debarred under the System for Award Management.

CONTRACTING

Types of Contracts

Purchase Orders:
Purchase orders are a form of contract utilized for the purchase of supplies, single task services, and produced items procured through the small purchase method. A Purchase Order should contain, at a minimum, the following:

- Agency name and address
- Agency contract or Purchase Order number
- Date of the order
- Term of contract (delivery period after receipt of order or beginning and end dates)
- Contractor's name, payee/vendor identification number, address, and zip code
- NIGP class/item for each item
- Purchase Code Category
- List of contract documents and their order of precedence
- List of awarded items with quantity, unit of measure, unit price with extended totals, and
- Signature of authorized/certified purchasing representative

Fixed Price Contract:
A fixed price contract is suitable for the acquisition of commercial items, including construction, or for the acquisition of other supplies or services on the basis of reasonably definite functional or detailed specifications and when the contracting officer can establish fair and reasonable prices at the outset. This contract type:

- Places maximum risk and full responsibility for costs and resulting profit loss on the contractor
- Provides maximum incentive for the contractor to control costs and perform effectively and
- Imposes and minimum administrative burden upon the contracting parties.

Cost Reimbursement Contract:
A cost reimbursement contract is suitable for situations in which uncertainties are involved in contract performance that do not permit costs to be estimated with sufficient accuracy to establish a fixed contract price. These types of contracts establish an estimated total cost for the purpose of obligating funds and establishing a ceiling that the contractor may not exceed (except at their own risk).

Required Contract Provisions

State Funded Mitigation Program Requirements. All contracts executed between the Recipient and a contractor must include the following State Funded Mitigation Program requirements:

- Performance requirements and penalties

- Project schedule including the performance period and completion date
- Recipients must ensure contracts do not contain any cost plus or incentive savings provisions. No contracts must refer to compensation adjustments for cost plus or incentive savings provisions
- All contracts shall address termination for cause and for convenience by the Recipient including the manner by which it will be affected and the basis for settlement

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Bonding Requirements

Recipients are encouraged to accept the bonding policy and requirements of the SCOR for construction and facility improvement contracts and subcontracts exceeding the simplified acquisition threshold. For contracts over $150,000, Recipients should require a bid guarantee from each bidder equivalent to five percent of the bid price consisting of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified:

- For contracts over $100,000, Recipients should require a performance bond on the part of the contractor for one hundred percent of the contract price as executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract

- Recipients should require a payment bond on the part of the contractor for one hundred percent of the contract price as executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract:

    - Municipalities: A payment bond is required if the contract exceeds $50,000
    - Counties: A payment bond is required if the contract exceeds $25,000

Workers' Compensation Requirements

Recipients that enter into a building or construction contract shall require the contractor to certify in writing that the contractor provides workers' compensation insurance coverage for each employee of the contractor employed on the public project. Each subcontractor on the public project shall provide such a certificate relating to coverage of the subcontractor's employees to the general contractor, who shall provide the subcontractor's certificate to the Recipient. Recipients are responsible for compliance with all applicable statutory policies under the S.C. Code Ann § 42-1-10 et seq., Workers' Compensation

Changes to an Executed Contract

When changes to an executed contract are necessary which would result in a change to the Recipient Agreement, the Recipient should request an adjustment to contract documents including the Recipient Agreement, the Resolution or Authorizing Order, and the Award Letter.

When changes to an executed construction or contract are necessary, the Recipient must submit a Construction Change Order Form to SCOR prior to executing the change order. SCOR must review all change orders to ensure costs are eligible and procured according to all applicable state, federal, and local laws and regulations. SCOR will notify the Recipient in writing upon review. The Change Order must meet the following requirements:

- Sufficient grant or local funds are available to meet any increased costs

- The original contract price has not been increased by more than 25% or decreased (without the consent of the contractor) by more than 25%
- All items listed on the Change Order were competitively procured through the original bid or SCOR has approved an exception and
- All items listed on the Change Order are eligible and comply with the Recipient Agreement, including the Performance Statement, Implementation Schedule, Budget, and environmental review requirements

Asbestos and Lead-Based Paint Testing

Asbestos Containing Materials (ACM)

SCOR, its Recipients, its contractors and sub-contractors will familiarize themselves with SC DES Regulation 61-68.1 regarding Standards of Performance for Asbestos Projects and provide notice to SC DES and secure all required proper permitting.

The EPA National Emissions Standards for Hazardous Air Pollutants (NESHAP) identifies air toxics regulations under the Clean Air Act which specify work practices for asbestos to be followed during demolitions and renovations of all facilities, including, but not limited to, structures, installations, and buildings (excluding residential buildings that have four or fewer dwelling units). The regulations require a thorough inspection where the demolition or renovation operation will occur. Performing the work in accordance with the Asbestos NESHAP helps to ensure that areas in use during the renovation are not contaminated and that the area under renovation, when it is complete, is also free of contamination.

An ACM assessment will be conducted, if needed, by a certified ACM assessor. Mitigation buyout projects include demolition of the existing structures and therefore, must follow the ACM policies and procedures as described in this manual. When an ACM assessment is needed, the following will take place:

- The ACM assessor will be notified of houses qualifying for an assessment by the agency or contractor completing the environmental review.
- The ACM assessor will prepare an assessment report and provide the completed reports to the agency or contractor completing the environmental review. The ACM assessment reports will be included in the environmental review report and will be uploaded into the ERR and System of Record.
- The report will include at a minimum:
  a. Delineation of existing ACM areas within the building
  b. List of requirements for ACM remediation as required by EPA and SC DES regulations, and any other EPA regulations; and
  c. In the cases where ACM is found and remediation is required, the demolition contractor will retain an ACM remediation contractor to prepare an estimate of the remediation. This estimate will be included in the demolition contractors estimate provided to SCOR, or its Recipients.
  d. Upon approval of demolition contract, the ACM assessor will make interim and/or final inspections and prepare a clearance report at the end of the demolition construction project.

For each buyout project, ACM is to be disposed of in accordance with applicable EPA, and any other applicable regulations unless an ACM inspection and testing have been performed to show the building does not contain ACM.

Prior to the demolition of any regulated facility, written notification must be submitted to SC DES no less than 10 working days in advance, even if an inspector determines that asbestos is not present at the facility. The DES Notification of Demolition Form (D-3428) must include certain required items of information about the owner, the contractor, the facility, and the demolition project. Required fees and a copy of the inspection report must be submitted along with notification of demolition. The demolition contractor, or its subcontractor, must obtain from SC DES prior to the demolition activity. This notification is in addition to any other demolition permits that may be issued by other local municipalities or county offices.

The demolition of private residences containing four or fewer units is exempt from the demolition notification requirements unless certain conditions apply including demolition that involves multiple private residences within a compact area under ownership and/or control of a single owner and/or operator. It is expected that Mitigation Buyout projects will not qualify for residential exemption and must following the demolition notification process with SC DES for removal of ACM.

Copies of all ACM assessment estimates, ACM assessment reports, ACM remediation estimates, and ACM remediation must be kept in the system of record.

Lead-Based Paint (LBP)

For houses built before 1978 (when EPA banned LBP) that are to be demolished as part of a housing buyout program, demolition contractors must properly demolish and dispose of construction debris. Where necessary, an LBP assessment will be conducted by a licensed LBP assessor. This assessment will most often occur in conjunction with an ACM assessment during the environmental review process.

The LBP assessor will be notified of houses qualifying for an assessment by SCOR, its Recipient, or its consultant. The LBP assessor will prepare an assessment report to be included in the environmental report and uploaded to the ERR and System of Record.

The LBP assessment report will include at a minimum:

- Delineation of existing lead-based paint areas within the structure
- List of Requirements for disposal of lead-based paint as required by HUD, EPA, and the SC DES regulations; and
- Any other required section based on HUD, EPA, and SC DES regulations.

For houses built before 1978 that will be demolished as part of the buyout program, if lead-based paint is present, it shall be disposed of in accordance with all applicable HUD, EPA and SC DES and any other applicable regulations. For houses that were built in or after 1978, when EPA banned LBP, it is assumed that lead is not present.

APPENDIX A- ENVIRONMENTAL CRITERIA AND STANDARDS

All State Funded Mitigation projects must complete an environmental review in accordance with the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance* to ensure that the proposed project is compliant with state and federal environmental regulations. Accordingly, environmental review activities will be carried out for each funded Program activity to ensure the activity does not negatively impact the property or surrounding social, cultural, and physical environment including historic and cultural resources. SCOR, or its identified Recipients, will be responsible for performing all required environmental reviews for SCOR State funded projects, as applicable

A key factor in performing an environmental review is the process to consider the ultimate effect/end result of a proposed project. For example, if State Funded Mitigation funds are being used to acquire a site for a new construction project, the ultimate effect/results of the project are not solely the acquisition of the site, but also the construction of the project, including infrastructure. Therefore, the environmental review must address the impacts of both the SCOR State Funded land acquisition and any new construction/ additions of the project. The environmental review must address the impacts to the actual project site and the surrounding area.

If federal funding is used to supplement a state-funded project or federal permits are required, the environmental review process must align with NEPA (National Environmental Policy Act) requirements. If an environmental review conducted

under NEPA, or other funding-specific environmental review requirements has previously been completed for the project or project activities, it may be submitted to SCOR for review and consideration to meet or supplement the environmental review requirement Since this SCOR environmental review framework mirrors many aspects of NEPA, this ensures consistency in compliance, minimizes duplication of effort, and streamlines requirements when both funding sources and/or federal permitting are involved.

Key Environmental Considerations

The environmental review requires evaluating key factors that may affect the project's feasibility, compliance, and potential environmental impacts. The following sections provide an overview of key environmental considerations, including the need to obtain permits and approval related to: water resources, such as permits under the Clean Water Act and stormwater regulations; air quality and noise, including air emissions permitting and local ordinances; hazardous materials, solid waste, and contaminated land, encompassing hazardous waste management permits and site remediation approval, and community engagement with may involve public hearings and local approvals.

Land Use

During environmental reviews, surrounding land uses and local land use plans, policies, and regulations will need to be assessed against the proposed project. Coastal counties may have different regulations than non-coastal counties under the Coastal Zone Management Act and coordination with the SC Department of Environmental Services- Bureau of Coastal Management. Important farmland, and impacts to adjacent public parks, recreation areas, and wildlife/waterfowl refuges will also be evaluated.

Water Resources

If water resources are within the project area or immediately adjacent to the project area, then those resources will be described. Impacts should be quantified based on temporary or permanent fill. The US Fish and Wildlife Service (USFWS) National Wetlands Inventory Mapper provides a baseline to determine potential water resources within individual project areas. The Federal Emergency Management Agency (FEMA) Flood Mapper provides information about flood hazards and flood maps. Additional field surveys may be required to accurately delineate water resources within a project area if resources are potentially present based on the desktop review of available sources. While project applicants are required to provide information on a project's impacts to water resources, the U.S. Army Corps of Engineers (USACE) is responsible for determining whether the resource is regulated under federal statutes (i.e., whether it is a "waters of the United States"). If proposed actions require a Clean Water Act permit, the project applicant is responsible for working with the USACE and the state to obtain such authorization. Impacts to water quality and proximity to state scenic rivers and federal wild and scenic rivers will also be described. All permit applications with USACE and the South Carolina Department of Environmental Servies (SCDES) Bureau of Water should be coordinated with SCOR during the environmental review.

Resilience to Natural Hazards

To ensure State Funded Mitigation projects are resilient to current and future natural hazards, applicants will utilize the SCOR Resilience Atlas to assess potential risks and consult the Resilience Plan to incorporate appropriate mitigation measures, as applicable. This will aid in assessing a project's useful life and consider whether designs are likely to withstand anticipated environmental stressors and minimize long-term vulnerabilities. This tool provides critical data, including FEMA flood zones, First Street Foundation flood risk projections, and social vulnerability information, to help assess a project's resilience.

Biological Resources

Project applicants will provide information to SCOR related to state and federally listed species and critical habitat based on data obtained from the South Carolina Department of Natural Resources (SCDNR) Natural Heritage Trust Program, the USFWS Information for Planning and Consultation (IPaC), and National Oceanic and Atmospheric Administration (NOAA) Fisheries Database for the project. The review will document any measures that will be taken to minimize or avoid impacts to listed species or critical habitat. Based on a review of this information, the applicant will conduct consultation with SCDNR and USFWS if SCOR determines a project has the potential to affect listed species or critical habitat.

Historic and Cultural Resources

SCOR will consider the impact of projects for which they provide funding on historic and archaeological properties in alignment with Section 106 of the National Historic Preservation Act. Applicants will review SC ArchSite data and prepare the required documentation for consultation with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer(s) (THPO), and interested State Recognized Tribes. This documentation will include a SHPO Section 106 Project Review Form including a project description and Area of Potential Effects (APE) map, photographs of the project area and nearby properties, a summary of consultation and outreach efforts, any cultural resources survey reports (if conducted), an inventory of historic properties in the project area, and a determination of potential effects on listed or eligible properties.

Air Quality and Noise

If the project will generate significant air emissions or is located in a non-attainment or maintenance area, additional detail will need to be provided describing mitigation measures for minimizing impacts to air quality. An assessment of noise impacts, local ordinances, and any necessary mitigation measures will also be evaluated.

Hazardous Materials/Solid Waste and Contaminated Land

To ensure the safety of communities, the environmental review will address potential risks associated with hazardous materials and waste. This includes a comprehensive evaluation of the project site to identify any existing or potential sources of contamination. If hazardous materials are anticipated to be encountered, generated, or disturbed within the project site, then a Phase I and/or II Environmental Site Assessment conducted under the American Society for Testing and Materials (ASTM) standards (ASTM 2021) may be necessary to identify and characterize the extent of contamination within the project area.

Community

The environmental review will include an analysis assessing the potential impacts, both positive and negative on communities. Applicants may use the SCOR Resilience Atlas or other census data to determine socioeconomic characteristics of communities in the project area. SCOR will work with applicants to examine and document meaningful public outreach activities to identify the potential impacts, both positive and negative, of the project on a diverse range of stakeholders. The review should document any applicable avoidance, minimization, and/or mitigation efforts agreed to during the public outreach process to reduce effects to communities.

Environmental Review Process

Once a project has been approved by the SCOR Chief Resilience Officer for State Funded Mitigation funding, the Applicant, in coordination with SCOR, will determine the level of environmental review required for the project based on the project's

scope and potential environmental impact.

For State run projects, SCOR will solicit proposals from qualified professional firms to complete the environmental checklist, coordinate with regulatory and consulting agencies, and fulfill all public notification requirements. SCOR will review the completed environmental checklist for compliance with the requirements of the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance.*

For Recipient run projects, the recipient must evaluate whether they have staff with the appropriate expertise to complete the environmental review checklist or whether they need to procure professional services. All procurement must follow State of South Carolina procurement requirements (See [Procurement] section of this manual). The recipient, or its contractor, will complete the required level of environmental review and submit the following to SCOR for review:

- A completed environmental review checklist for the appropriate review level.
- Documentation of the environmental review, including Project Area maps, plans, and applicable GIS Review Maps.
- Proof of all required notices and publications.
- A copy of all public comments received, and all responses issued. If no comments were received during the public comment period, provide a written statement certifying such.
- A copy of all agency coordination, and all responses received.

Following the completion of the environmental review, SCOR may approve the project or approve the project, with conditions if it determined that the project will not result in significant impacts on the quality of the human environment. This determination is based on a thorough evaluation of the provided documentation, including the project's purpose and need, the analysis of key environmental considerations, the alternatives analysis and proposed mitigation measures, and the record of agency coordination, public involvement and stakeholder engagement. SCOR will provide written documentation of the determination, outlining any required conditions or modifications. SCOR, and its recipients, will ensure all necessary permits and mitigation measures are in place before project-implementation work begins.

SCOR, and its Recipients, are responsible for fully completing the required environmental reviews and working in good faith with the State where additional documentation may be necessary to resolve any outstanding environmental/historic preservation compliance factors. SCOR will monitor the environmental review implementation and audit the Environmental Review Record (ERR). SCOR will retain copies of all completed ERRs.

Timing the Environmental Review with Project Activity

Integrating the environmental review process early in project planning is essential for keeping projects on schedule and ensuring efficient permitting approvals. By proactively coordinating with SCOR, applicants can identify potential environmental concerns in advance, avoid regulatory roadblocks, and facilitate a smoother approval process. A well-prepared review helps prevent costly delays, enhances project credibility, and ensures that state funds are allocated effectively to support South Carolina’s resilience goals. The review must be completed during the planning and design stage. A determination from SCOR that the project will not have a significant impact on the quality of the human environment must be made before any project implementation related activities, such as land acquisition or construction, commence.

Any money spent on project implementation related activities prior to the completion of the environmental review may not

be reimbursed with State Funded Mitigation. If an applicant has taken a project implementation related activity on an approved project prior the applicant must contact the SCOR Mitigation Program Manager immediately for guidance.

Type of Environmental Review

The environmental review level for the project is selected based on factors such as the project's size, location, potential to affect environmental or cultural resources, and the complexity of the work. Establishing the correct review level at the outset ensures that the process is thorough, efficient, and proportionate to the project's potential impacts. Projects will be evaluated using one of two levels of environmental review – Level I or Level II – based on the project's scope and the potential for environmental impact.

Level I- Category I (Excluded from Environmental Review Requirements)

Project activities that are typically categorically excluded from further environmental review due to their minimal environmental impact are defined under Level I – Category I in Appendix A of the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance.* These projects do not have to complete an environmental review checklist, and no determination of environmental impact from SCOR is required prior to the drawdown of funds to carry out these activities.

If project activities are determined to be excluded, documentation of project eligibility will be provided to SCOR explaining which Level I-Category I review category is applicable and meets the conditions specified for such an exclusion. SCOR will have ultimate decision-making authority to determine if the action and categorization apply to the project prior to commencement of project activities.

Level I-Category II (Categorical Exclusion with Lesser Level of Review)

Project activities that require a Level I Environmental Review but are generally excluded from detailed environmental review, unless extraordinary circumstances exist, are defined under Level I- Category II in Appendix A of the *Disaster Relief and Resilience Reserve Fund State Environmental Review Guidance.*

SCOR, or its Recipient, is responsible for documenting its determination that each activity or project meets the conditions specified for a Level I Environmental Review under this section. SCOR will have ultimate decision-making authority to determine if the action and categorization apply to the project prior to commencement of project activities.

SCOR, or its Recipient, will complete the Level I Environmental Review Checklist. The Level I Environmental Review Checklist includes a description of the project, scope, the project purpose and need, a brief discussion of how the project aligns with the state's resilience and mitigation goals, and a review of the following key environmental considerations: Water Resources, Historic and Cultural Resources, Biological Resources, and Resilience to Natural Hazards. The completed review will be submitted to SCOR for review and approval by the Environmental Certifying Officer prior to commencement of project activities.

Level II Review (Environmental Assessment)

All project activities that are not covered under Level I must complete a more detailed Level II Review and Environmental Assessment.

SCOR or its Recipient, will complete the Level II Environmental Review Checklist. The Level II Environmental Review Checklist includes all of the Level I key environmental considerations, in addition to: Land Use, Air Quality and Noise, Hazardous Materials/ Solid Waste and Contaminated Land, and Community. Project alternatives to reduce potential environmental

impacts must also be evaluated during Level II Environmental Reviews. The completed review will be submitted to SCOR for review and approval by the Environmental Certifying Officer prior to commencement of project activities.

Environmental Impact Statement (EIS)

Following the completion of the environmental review, if it is determined that the project may result in significant impacts, an Environmental Impact Statement (EIS)-level review will be required before the project proceeds.

It is not anticipated that any SCOR State Funded Mitigation projects will require an EIS-level review. If it is determined that an awarded project requires an EIS-level review, SCOR will provide guidance on the required format.

Flow Chart of the SCOR Reserve Fund Environmental Review Process

