

REHABILITATION SERVICES ADMINISTRATION  
Randolph-Sheppard Financial Relief and Restoration Payments (FRRP) Appropriation  
ASSURANCES and USE of FRRP FUNDS

Name of State licensing agency (SLA): STATE OF FLORIDA  
DUNS: 112095575

**A. Assurances**

The State licensing agency (SLA), responsible for administering the Randolph-Sheppard Act program in the State, assures it will (check if yes):

- (1) cooperate with the Secretary in applying the requirements of the Randolph-Sheppard Act in a uniform manner when administering the FRRP, pursuant to 34 C.F.R. § 395.3(a)(11)(i), and will comply with all applicable Federal statutory and regulatory requirements for Federal recipients, as well as the terms and conditions of the grant award;
- (2) use all funds received under the FRRP in accordance with the terms of the Consolidated Appropriations Act of 2021, PL 116-260, Division H, Title III, section 318, specifically for the purposes of:
- offsetting losses of blind vendors that occurred during calendar year 2020, to the extent that such losses were not otherwise compensated; and
  - other purposes authorized under 34 C.F.R. § 395.9 for set-aside funds, but only to the extent any funds remain available after offsetting losses that were incurred by blind vendors during calendar year 2020.
- (3) actively participate with the State Elected Committee of Blind Vendors in developing for RSA approval how it will use the FRRP funds, consistent with the information required by Part B of this document, pursuant to 34 C.F.R. §§ 395.3(a)(2), 395.3(a)(6), 395.3(a)(11)(iii), 395.4(a), and 395.14, and Technical Assistance Circular RSA-TAC-21-01. The SLA understands that this information in Part B is required since receipt and use of the FRRP funds represent a change in the SLA's procedures covering the operation of vending facilities in accordance with Federal laws and its sources of funds for the administration of the program;
- (4) expend all FRRP funds, including for administrative purposes, in a manner that is allowable, reasonable, and allocable as required by 2 C.F.R. §§ 200.403 through 200.405;
- (5) not use Vocational Rehabilitation (VR) program funds, either Federal or non-Federal, to cover the administration of the FRRP funds unless such costs are also allowable under the VR program in accordance with section 103(b)(1) of the Rehabilitation Act of 1973 (Rehabilitation Act) and 34 C.F.R. § 361.49(a)(5) (*i.e.*, "financial relief and restoration payments to offset losses of blind vendors that occurred during calendar year 2020" are

not allowable expenses under the VR program), and allocable to that program in accordance with the Federal cost principles at 2 C.F.R. §§ 200.403 through 200.405. In the unusual event an activity under the FRRP funds is also authorized under the VR program and the SLA wants to use VR program funds, either Federal or non-Federal, to pay the administrative costs, the SLA assures it will allocate those costs proportionately across all benefitting programs in accordance with 2 C.F.R. §§ 200.403 through 200.405;

- (6) not use expenditures paid with these FRRP funds to meet the non-Federal share of the VR program, because these are Federal – not non-Federal – funds; and
- (7) satisfy all applicable requirements under the Randolph-Sheppard Vending Facility Program, including those set forth at 34 C.F.R. § 395.3(a)(11) (viii) and (ix), as well as those of 2 C.F.R. part 200, including those governing internal controls (§ 200.302), financial management (§ 200.303), financial reporting (§ 200.328), performance reporting and monitoring (§ 200.329), and grant closeout (§ 200.344).

## **B. Use of FRRP Funds**

1. Explain briefly how the SLA will distribute the FRRP funds to blind vendors to offset losses incurred during the 2020 calendar year (e.g., proportional to losses incurred, based on losses due to vendor's spoiled or expired stock, etc.).

FL SLA Response: A blind vendor's losses were calculated using the following method for the months of March-December 2020 compared to March-December 2019. Utilizing the Monthly Business Reports submitted by FL blind vendors, the blind vendor's net profits/proceeds from 2020 at a facility or facilities were compared with the same vendor's net profit/proceeds at the same facility or facilities in 2019. The difference would provide the loss or gain. In cases where blind vendors moved to another facility, their net profits in 2020 were compared to the net profits of the previous vendor that had the facility in 2019 for corresponding months. If vendors acquired additional temporary facilities during the time period of Mar-Dec 2020 in order to boost revenue, net profits from those facilities were used to offset the losses of their primary facility for the period.

2. Does the SLA anticipate using any of the FRRP funds to cover administrative costs?  
 Yes  No
3. If yes, what percentage of the FRRP funds do you anticipate expending on administrative costs? N/A percent
4. How will the SLA ensure blind vendor losses were not previously compensated (e.g., attestation, financial reports, inventory reports, documentation of losses due to spoilage, etc.)?

FL SLA Response: FL blind vendors were required to complete and sign an attestation survey on line declaring the dollar amount compensation they received during the Mar-Dec 2020 timeframe from the following sources: 1) Unemployment, 2) Public or private Grants, and 3) SSDI that was applied for and received during the Mar-Dec 2020 timeframe, but not to include any ongoing SSDI they received.

5. Does the SLA anticipate having any FRRP funds remaining after distributing funds to the blind vendors to cover losses incurred in calendar year 2020?  Yes  No

6. If yes, please identify for which authorized set aside purposes under 34 C.F.R. § 395.9 the SLA anticipates using the funds (check all that apply):

<input type="checkbox"/> purchase of equipment	<input type="checkbox"/> fair minimum return to vendors
<input checked="" type="checkbox"/> maintenance of equipment	<input type="checkbox"/> establishment and maintenance of
<input type="checkbox"/> management services	<input type="checkbox"/> retirement or pension funds*
<input type="checkbox"/> paid sick leave*	<input type="checkbox"/> health insurance contributions*
<input type="checkbox"/> paid vacation time*	

\*Use of funds for these purposes would also require a majority vote of the blind vendors licensed by the SLA in accordance with 34 C.F.R. § 395.9(b)(5).

7. Explain briefly how the SLA actively participated with the State’s Elected Committee of Blind Vendors to develop the Use of FRRP funds under Part B of this document and the result of their active participation (e.g., was there consensus on the use of the funds). Documentation, such as meeting minutes when the use of FRRP funds was discussed, must be available upon request.

FL SLA Response: A five member Appropriations Subcommittee was formed at the direction of the Chairman of the State Committee of Vendors (SCV) comprised of three member of the SCV and two members of the SLA non-leadership staff. SLA leadership staff also participated by providing data, guidance from the Law and RSA, along with the Committee Chairman. All meetings were conducted via Microsoft Teams and according to FL “open meetings” law, the Sunshine Law. Seven Subcommittee meetings were conducted between Jan. 27, 2021 and Mar 24, 2021, one of which was a public forum where non-members could speak for three min. by appointment. Two meetings were conducted that involved the SLA and the entire body of the Committee, one in March and one in April,

8. Please identify the date by which the SLA anticipates obligating all FRRP funds, making sure all funds will be obligated by September 30, 2022.

FL SLA RESPONSE: September 1, 2021

**C. Certification**

As a duly authorized representative of the applicant, I hereby certify that the applicant will comply with the Assurances in Part A. I also attest that the information provided in Part B regarding the Use of FRRP Funds is true and accurate.

Printed name and title of authorized representative: ROBERT L DOYLE III, Director, Florida Division of Blind Services

Signature:



Date:

04/19/2021

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This form should be emailed to: [randolph-sheppardvfprestorationfunds@ed.gov](mailto:randolph-sheppardvfprestorationfunds@ed.gov).