

**TEAM KENTUCKY  
FOOD AND BEVERAGE RELIEF FUND**

**PROGRAM ELIGIBILITY GUIDELINES AND CRITERIA**

The Team Kentucky Food and Beverage Relief Fund will make one-time grant awards for reimbursement of eligible expenses of up to \$10,000 per restaurant or bar with a maximum of \$20,000 to a business entity that operates multiple restaurants and bars that were required to close for on-site consumption pursuant to Executive Order 2020-968.

The TK-FBRF website will accept electronic applications beginning on Monday, November 30, 2020. Each applying entity must complete the online application and supply all requisite information and documentation. The program website is [teamkyfbrf.ky.gov](http://teamkyfbrf.ky.gov).

Definitions

A “**bar**” is defined as an establishment within the Commonwealth of Kentucky that primarily serves alcoholic beverages by the drink for on-site consumption pursuant to a valid liquor license issued by the Kentucky Department for Alcoholic Beverage Control.

A “**restaurant**” is defined as an establishment which, as its primary source of revenue, sells prepared meals in single serving quantities (but also includes businesses that serve meals by use of a buffet line) for on-site, indoor consumption within the Commonwealth of Kentucky.

A “**business entity**” is defined as any entity that is owned or controlled by the applicant or his immediate family, either directly or through parent/subsidiary relationships, or through common ownership of multiple entities. For example, if an applicant owns or controls three separate corporations, partnerships, or limited liability companies, which each own or control one or more restaurants or bars, then all such restaurants or bars shall be considered a single business entity.

A “**location**” is defined as a discrete location of one bar and/or restaurant within the Commonwealth of Kentucky. Each location is eligible for an award of up to \$10,000, subject to the maximum amount per entity limitation of \$20,000.

“**Eligible expenses**” are expenses incurred by the business entity between March 6, 2020 and December 31, 2020 for the following items: mortgage/rent for the business location, salaries/wages for employees or contractors, employer contribution for employee health insurance costs, business supplies or equipment, inventory, utility payments for the business location, personal protective equipment, or measures implemented to protect employees or customers from COVID-19 and to comply with the Commonwealth’s Healthy at Work requirements. Eligible expenses must NOT include expenses that have been or will be reimbursed by another governmental loan or governmental grant or from insurance proceeds.

Eligibility Criteria

1. Only bars and restaurants, as those terms are defined above, are eligible for an award.

2. The business entity that owns and/or controls the bar or restaurant must certify that the bar or restaurant is currently in compliance with all existing Executive Orders and public health orders and will continue to comply with all existing or future Executive Orders, Executive Branch Cabinet Orders, and all mandates of the local health department or local officials.
3. The business entity must supply all information and documentation required by the Team Kentucky Food and Beverage Relief Fund Application.
4. An eligible business entity must not be owned or controlled by a publicly traded company.
5. Each eligible location must certify that it does not receive more than fifty percent (50%) of its gross receipts through operation of a drive-thru window.
6. Complete applications must be received no later than 11:59:59 PM on December 18, 2020.

### Program Operations and Guidelines

1. Total awards made under the program shall not exceed \$40,000,000.00.
2. Each eligible location may receive an award of up to \$10,000.00.
3. Each eligible business entity may receive a total of no more than \$20,000.00, regardless of the number of eligible locations it owns or controls.
4. Completed applications will be reviewed in the order they are received, and funds awarded until they are exhausted.
5. Awards are made purely as a matter of grace, and the approval or denial of an application shall not be subject to appeal.
6. An applicant must upload invoices or documentation of eligible expenses in the portal. These expenses:
  - a. Must be for the purposes as specified in paragraph 7 and not for the purposes as specified in paragraph 8, below.
  - b. Must have been incurred between March 6 and December 31, 2020.
7. Awards shall reimburse for the following expenses/items:
  - a. Personal protective equipment to protect employees or customers
  - b. Measures to protect employees or customers from COVID-19 and to comply with the Commonwealth's Healthy at Work requirements
  - c. Mortgage or rent payments for business premises (which shall not include personal residences)
  - d. Utility payments for the business premises (which shall not include utilities for personal residences or cellular phones not used primarily for business purposes)
  - e. Salaries, wages, or compensation paid to contractors or employees, including an employer's share of health insurance costs
  - f. Business supplies or equipment, including inventory.
8. The following are costs/expenses which are ineligible for reimbursement through awards:
  - a. Expenses not specifically enumerated in paragraph 7
  - b. Cost incurred for federal, state, or local tax obligations
  - c. Cost incurred for non-business purposes
  - d. Cost incurred for political purposes

- e. Cost incurred for which the business has or will receive reimbursement from another source, including any other governmental loan or grant program or insurance proceeds.
9. The business entity shall keep and maintain records of all specific expenses for which it was reimbursed for a period of five (5) years from the date of award. These records shall include, but are not limited to, paid invoices, cancelled checks, payroll records, and other documentation acquired when the permissible expense occurred.
10. Upon request, the business entity shall provide records to the Commonwealth of Kentucky, its agencies, agents, directors, and/or any party who has contracted with the Commonwealth for the purposes of ensuring compliance with state and federal legal requirements. At its own expense, a business entity shall prepare photocopies of all requested records and provide them to the Commonwealth or any of the aforementioned parties upon written request of the Commonwealth within thirty (30) days of receiving such request.
11. Any business entity that accepts an award but does not abide by the program requirements shall be required to repay the total amount of any award to the Commonwealth within twenty (20) days of receiving a demand for repayment from the Commonwealth.

#### Necessary Documentation and Application Information

1. Business entity information, including:
  - a. The name of the entity
  - b. D/B/A information, as applicable
  - c. Contact information for the business entity
  - d. Federal tax information (SSN, FEIN or Tax ID)
2. Restaurant/Bar information, including:
  - a. The address(es) of the specific bar and restaurant location(s)
  - b. A photograph of the establishment(s)
  - c. A copy of the establishment's liquor license (if applicable)
  - d. A copy of the establishment's food service permit (if applicable)
3. Invoices or documentation of eligible expenses for which the applicant is seeking reimbursement.
4. Applicants will be required to certify that they are in compliance with the Program Eligibility Guidelines and Criteria. This certification is completed as part of the online application process. There is no requirement to upload a document.

**ANY APPLICATION THAT DOES NOT INCLUDE ALL REQUIRED INFORMATION WILL BE DEEMED INCOMPLETE AND WILL NOT BE CONSIDERED FOR AN AWARD.**