

Texas General Land Office

2018 South Texas Floods 2019 Disasters

CDBG-DR Infrastructure Competitions Application Guide





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1 Introduction

The Texas General Land Office Community Development and Revitalization (GLO-CDR) program will oversee the administration of Community Development Block Grant disaster recovery (CDBG-DR) funds provided by the U.S. Department of Housing and Urban Development (HUD) for recovery from the 2018 South Texas Floods (DR-4377) and the 2019 Disasters (DR-4454 and DR-4466). There are three (3) counties eligible for 2018 South Texas Floods recovery funding and ten (10) counties eligible for 2019 Disasters recovery funding through this infrastructure competition process.

Table 1: 2018 South Texas Floods Infrastructure Competitions Counties

2018 South Texas Floods Infrastructure Competition	
HUD MID County	State MID Counties
Hidalgo	Cameron
	Jim Wells

Table 2: 2019 Disasters Infrastructure Competitions Counties

2019 Disasters Infrastructure Competition	
HUD MID Counties	State MID Counties
Cameron	San Jacinto
Chambers	Willacy
Harris	
Hidalgo	
Jefferson	
Liberty	
Montgomery	
Orange	



1.1 2018 South Texas Floods and 2019 Disasters CDBG-DR Action Plans

The requirements and procedures specified in the 2018 South Texas Floods and 2019 Disasters State of Texas Action Plans for Disaster Recovery, as amended, and HUD 85 FR 4681 of the Supplemental Appropriations for Disaster Relief Action, 2019 (Pub. L. 116-20, approved June 6, 2019) will govern this application process.

Applicants are strongly encouraged to read the entire 2018 South Texas Floods and 2019 Disasters State of Texas Action Plans (which includes the full explanation of the plan to recover from the applicable disasters) prior to completing and submitting an application for funding assistance. A copy of the Action Plans and all applicable amendments may be obtained on the GLO website:

- 2018 South Texas Floods Action Plan
 - <https://recovery.texas.gov/documents/action-plans/2018-floods/2018-floods-sap.pdf>
- 2019 Disasters Action Plan (as Amended)
 - <https://recovery.texas.gov/documents/action-plans/2019-disasters/2019-disasters-sap-amend-1.pdf>

1.2 General Steps to a Successful Application

1.2.1 TIGR Access

- Register with the Texas Integrated Grant Reporting System (TIGR) and establish access well before attempting to enter application data and uploading required documentation.

1.2.2 Project Selection

- Determine if the project consists of eligible activities as defined in the applicable section (Project Eligibility) of this document.
- Provide unmet housing needs or how economic revitalization or infrastructure activities will contribute to long-term recovery and restoration of housing in the most impacted and distressed areas.
- Clearly identify and document beneficiary identification methodology.
- Secure appropriate and thorough Interlocal Agreements/Memoranda of Understanding/etc. as required for joint projects.

1.2.3 Local Preparation

- Access TIGR and begin entering application data and uploading all required documentation. Once an application has been created, an applicant can access and update it as needed until it is officially submitted.
- Identify all key signatories, decision-makers, and other relevant stakeholders to show and ensure local capacity.
- Ensure the SF-424 Form amounts match the budgets in TIGR.
- Prepare and provide narratives that fully describe the proposed project and how it meets eligibility criteria for the given application.



- Ensure project service area maps identify and support all aspects of the proposed project and beneficiary mapping is complete.
- Ensure beneficiary documentation accurately identifies beneficiaries within the project service area.
- Ensure that local citizen participation plan requirements, as well as those imposed by the specific allocation, are being met and documented to show public involvement.
- Update local processes and procedures, especially regarding financial management and procurement, to prepare for the receipt of federal funding.
- Follow federal requirements identified in 2 CFR 200.318 to 200.327 when procuring goods and services to ensure compliance and potential reimbursement.
- Read and understand all requirements of the local certifications as defined in the applicable section (Completing the Application – Local Certifications) of this document, have them signed by an authorized signatory, and have it ready for upload when filling out the application.
- Prepare and upload all supporting documentation to ensure efficient review.
- Ensure all data and documentation are complete.
- Complete application in its entirety.**

1.2.4 Application Submission

- The application must be submitted in TIGR by the subrecipient or an authorized designee.
- All supporting documentation must be uploaded to TIGR.
 - SF-424 must be signed by the Chief Elected Official or a designee authorized to contractually obligate the applicant.
- TIGR will record the time and date of the submission.
- Application due dates and times are firm.**



2 TIGR Access

All applications, along with the completed and signed Application for Federal Assistance SF-424 form and all other accompanying documentation, **must be electronically submitted via the Texas Integrated Grant Reporting (TIGR) System no later than the applicable competition due date. All due dates will be posted on the GLO's recovery website at: recovery.texas.gov.**

Once an eligible applicant has selected a project and knows what competition(s) they would like to apply to, an electronic application via TIGR is required. Advance registration for TIGR access is required by completing the TIGR access form.

2.1 TIGR Access Form

Applicants for CDBG-DR funding must complete a TIGR Access Form **a minimum of ten (10) business days in advance of creating an application** and must be aware of the potential impact on application deadlines. Applicants who already have valid/active subrecipient access will not need a new request for the 2018 South Texas Floods or 2019 Disasters CDBG-DR Infrastructure Competitions.

The TIGR Access Form provides general information about the applicant/subrecipient and identifies the Primary Contact, Authorized Representatives, and a General User, along with contact information for each. Once access has been granted, this form is also used to request changes to those contacts.

TIGR Access Forms may be filled out by an applicant or Grant Administrator (GA) but can ONLY be submitted by the applicant. The application may be submitted by an authorized third-party vendor on behalf of the applicant. Email completed forms to TIGRhelp@recovery.texas.gov

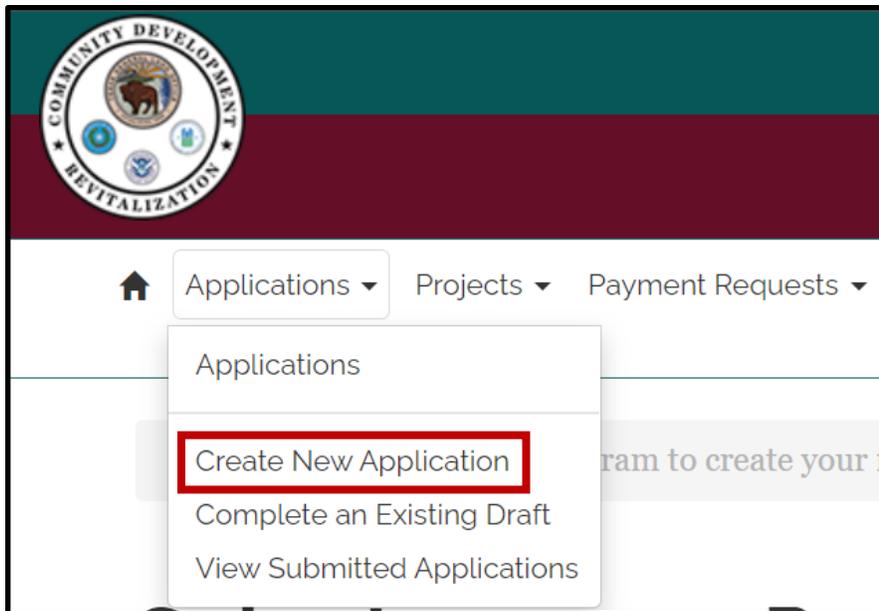
The TIGR Access Form and instructions are available on the GLO's Recovery website.

Upon successful registration, applicants may begin the application entry process. It is highly recommended that applicants read this Guide and prepare supporting documentation that will require upload. The TIGR system will allow applicants to access and work on an application as many times as necessary. However, once officially submitted, access to change/correct/update the application will be closed. Ensure that all required attachments, including signed documents, are uploaded to the application module prior to officially submitting.

3 Competition Programs

Once an application has been submitted and a final score has been established, changes that alter the score will not be allowed should the project be awarded.

The TIGR application will begin with the selection of a program, after Create New Application has been selected. Applicants should know prior to accessing the TIGR system which programs they are eligible for and how the proposed project fits the program. Applicants must select carefully to ensure application eligibility.



The Program Options are:

State Competition - SIC: HUD MID (2018 South Texas Floods)
State Competition - SIC: HUD MID (2019 Disasters)
State Competition - SIC: State MID (2018 South Texas Floods)
State Competition - SIC: State MID (2019 Disasters)

Due to the competitive nature of these funds, it is vital that applicants complete the TIGR application in its entirety and upload all documentation that supports the proposed project. While many forms of documentation are required, as indicated in this guide, applicants are encouraged to include any additional documentation that supports their proposal.



Be aware that the **2018 South Texas Floods Infrastructure Competition and 2019 Disasters Infrastructure Competition** are two (2) separate competitions. Within each of these competitions, there is then a sub-set of competitions for a HUD MID competition and a State MID competition. The applicant needs to note if their eligibility falls within an applicable HUD or State MID eligible area and apply to the correct competition.

Applying for the wrong competition may lead to disqualification of the application.

3.1 2018 South Texas Floods Infrastructure Competition Eligibility

3.1.1 Eligible Applicants

Any eligible applicant located in a 2018 South Texas Floods HUD or State Most Impacted or Distressed (MID) County may apply for the 2018 South Texas Floods Infrastructure Competition.

The chart below shows the 2018 South Texas Floods Infrastructure Competition HUD and State MID Counties.

Eligible applicants include any entity below located in the 2018 South Texas Floods Infrastructure Competition’s HUD and State MID Counties:

- Units of local government (cities and counties),

Table 3: 2018 South Texas Floods Infrastructure Competition Counties

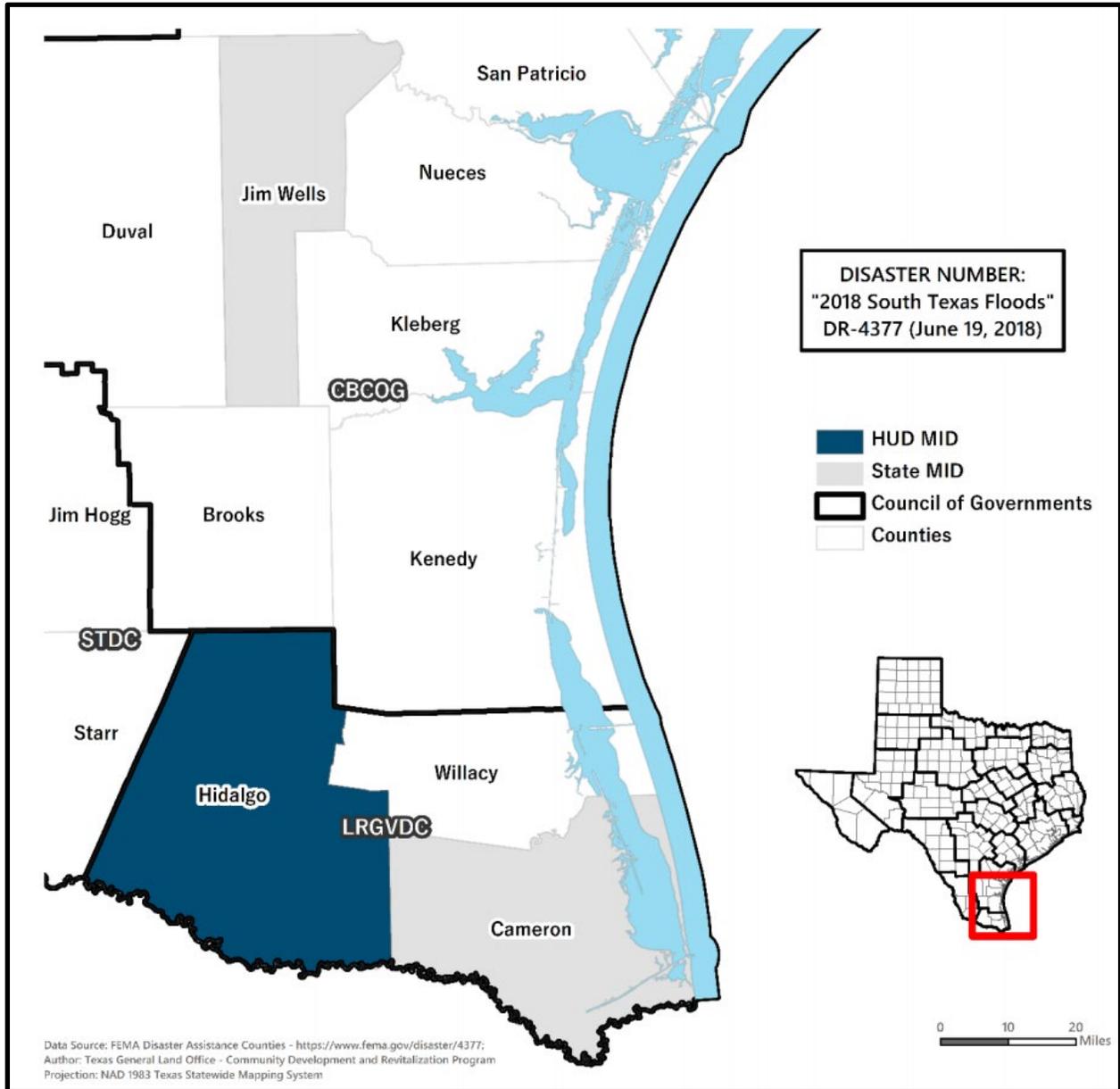
2018 South Texas Floods Infrastructure Competition	
HUD MID County	State MID Counties
Hidalgo	Cameron
	Jim Wells

3.1.2 Distribution of Funding Allocation

Table 4: 2018 South Texas Floods Infrastructure Competition Funding Amounts

Competition	Funding
HUD MID	\$15,752,000.00
State MID	\$3,938,000.00

Figure 1: 2018 South Texas Floods CDBG-DR Eligible Areas





3.2 2019 Disasters Infrastructure Competition Eligibility

3.2.1 Eligible Applicants

Any eligible applicant located in a 2019 Disasters HUD or State Most Impacted or Distressed (MID) Counties may apply for the 2019 Disasters Infrastructure Competition.

The chart below shows the 2019 Disasters Infrastructure Competition HUD and State MID Counties.

Eligible applicants include any entity below located in the 2019 Disasters Infrastructure Competition’s HUD and State MID Counties:

- Units of local government (cities and counties),

Table 5: 2019 Disasters Infrastructure Competition Counties

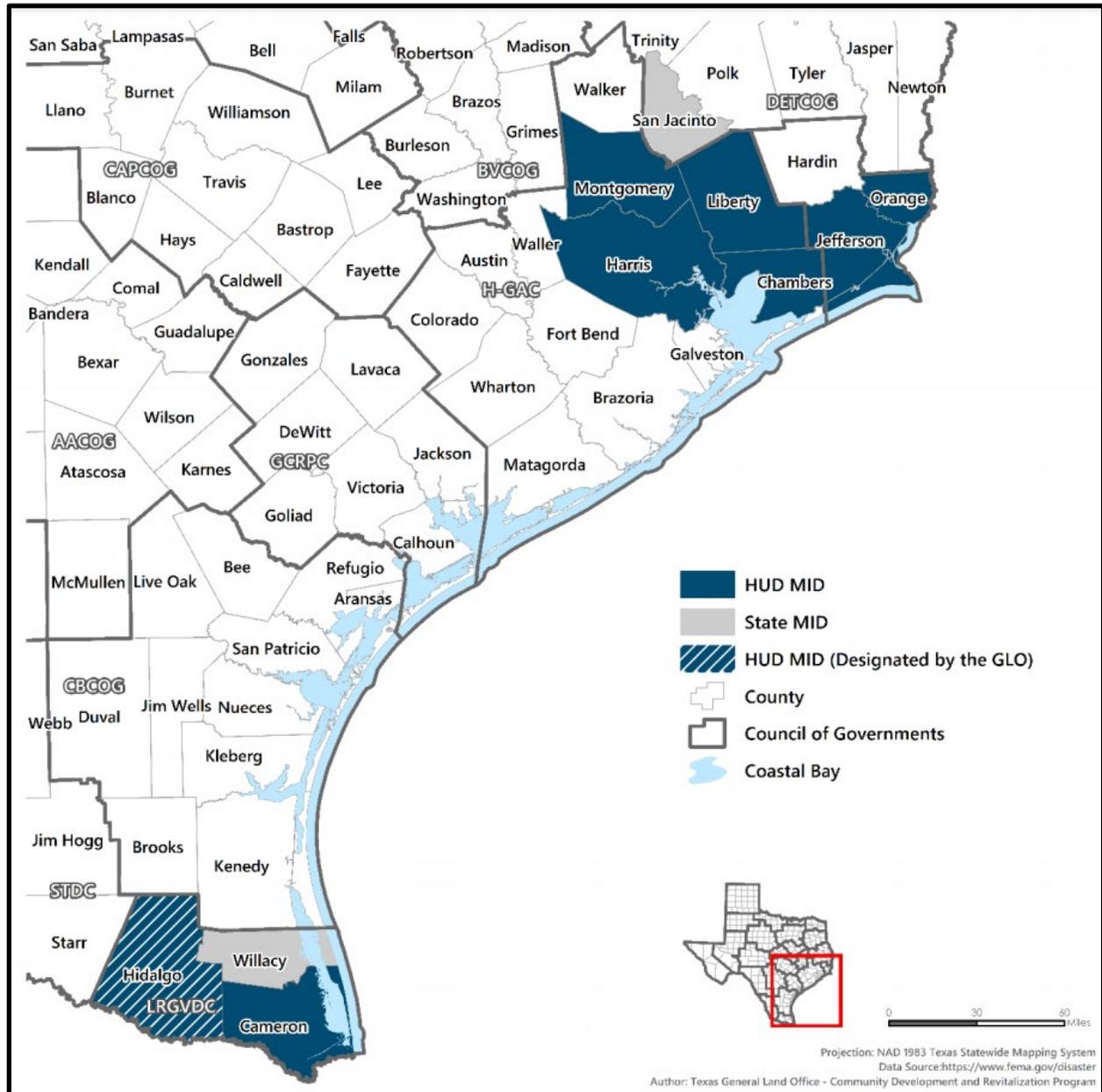
2019 Disasters Infrastructure Competition	
HUD MID Counties	State MID Counties
Cameron	San Jacinto
Chambers	Willacy
Harris	
Hidalgo	
Jefferson	
Liberty	
Montgomery	
Orange	

3.2.2 Distribution of Funding Allocation

Table 6: 2019 Disasters Infrastructure Competition Funding Amounts

Competition	Funding
HUD MID	\$49,144,000.00
State MID	\$12,286,000.00

Figure 2: 2019 Disasters CDBG-DR Eligible Areas



3.3 Maximum and Minimum Award Amounts

The 2018 South Texas Floods and 2019 Disasters Infrastructure Competitions each have a maximum and minimum application amount.

- Maximum Award Amount Per Application: \$1,000,000
- Minimum Award Amount Per Application: \$250,000
- Number of projects allowed per application: 1

3.4 Number of Applications Allowed Per Applicant

Each applicant may submit a total of **two (2)** applications, whether applying as the single applicant or jointly with another eligible jurisdiction(s). Depending on demand, no applicant will be awarded a second application until all successful eligible applicants have been awarded funding at least once.

The GLO reserves the option to delay award(s) to ensure that at least seventy (70) percent of funds benefit LMI persons and at least eighty (80) percent of funds address identified risks in the HUD MID areas of the 2018 South Texas Floods and 2019 Disasters, respectively.

3.5 Scoring

Applications will be scored based on the following criteria. A link to the scoring criteria documents is available below for additional information. In the case of scores resulting in a tie, the application with the higher poverty rate will rank higher.

Table 7: Scoring Criteria for the 2018 and 2019 Infrastructure Competitions

Criteria	Maximum Points
1. What is the applicant’s total damage per capita?	25
2. Does the project meet the low to moderate income (LMI) HUD National Objective?	30
3. What is the cost per person benefiting?	20
4. What is the applicant’s county Social Vulnerability Index (SoVI) score?	15
5. Is the applicant leveraging funds from other source(s)?	10
Total	100
Tie-Breaker: Higher Poverty Rate	

The scoring methodology is in the 2018 South Texas Floods and the 2019 Disasters Infrastructure Competitions Scoring Criteria documents.

- 2018 South Texas Floods Infrastructure Competition Scoring Criteria
 - <https://recovery.texas.gov/2018-floods-2019-disasters/programs/2018-floods-infrastructure-competition/index.html>
- 2019 Disasters Infrastructure Competition Scoring Criteria
 - <https://recovery.texas.gov/2018-floods-2019-disasters/programs/2019-disasters-infrastructure-competition/index.html>



3.6 Joint Applications

While multiple eligible jurisdictions may subject a joint application, one of those entities must take “lead” responsibility for a contractual relationship with the GLO to include application entry and submission, contract execution, project implementation, and closeout. For this type of project, applicants must provide clear delineation of ownership.

Joint applicants must provide at least a draft of an Interlocal Agreement, Memorandum of Understanding, or similar document with every entity involved to define roles and responsibilities including at a minimum: application submission, tasks related to project implementation throughout the life of the contract, ongoing maintenance and upkeep, local financial contributions, liability for and transfer of property acquired for the project, and local processes for final acceptance and closeout, as applicable.

4 Project Eligibility

This section provides information regarding the types of projects that are eligible, including definitions and details regarding application requirements. Applicants must develop their CDBG-DR projects in a manner that considers an integrated approach to housing, fair housing obligations, infrastructure, economic revitalization, and overall community resiliency. A 2018 South Texas Floods project application must address an unmet need in response to damage sustained by the 2018 South Texas Floods (DR-4377). A 2019 Disasters project application must address an unmet need in response to damage sustained by the 2019 Disasters (DR-4454 and DR-4466).

All activities proposed in an application must have documented proof of an impact by the 2018 South Texas Floods or the 2019 Disasters as applicable. CDBG-DR funds must be used for disaster-related expenses in the most impacted and distressed areas. An activity underway prior to a Presidential disaster declaration will not qualify unless the disaster impacted the project.

Applicants must provide sufficient detail about each proposed project to identify the HUD National Objective, the population that will receive benefit, the estimated costs and materials needed, the projected schedule to completion, duplication of benefits, any potential environmental impact, other details specific to the type of project involved, and any information required to prove eligibility.

Economic revitalization or infrastructure activities must contribute to the long-term recovery and restoration of housing. Applicants are encouraged to develop their community recovery projects in a manner that addresses housing needs, incorporates fair housing, and supports economic revitalization to build community resilience.

Applicants should ensure the submitted application is accurate and thorough to facilitate eligibility review. Failure to respond to ANY question in the application is likely to delay review.

4.1 GLO Application Project Definition

For application purposes, A *project* is defined as a discrete combination of:

- one entity (i.e., city or county),
- one activity (i.e., water, sewer, etc.),
- one project service area (beneficiary population)
- one HUD national objective.

A *site* is defined as a discrete location for the activity within a project. A project can have one or more sites.

Example: A City proposes sewer system improvements at three lift stations within their sewer service area. The entire sewer system is serviced by these three lift stations. The City is 58.42% LMI according to the current HUD LMISD. Each lift station is defined as a site for the sewer system improvements activity. The project service area is defined as city-wide, and the national objective is LMI.

Each project detail must provide sufficient information to clearly identify the proposed project, define the location, indicate whether acquisition (i.e., real property, easements, or rights-of-way) is required, clearly describe the scope of work, specify the populations who will receive benefit from the project, identify environmental assessment information, and outline funding detail to include any non-CDBG-DR funds to be used.

4.1.1 Eligible Activities

Economic revitalization or infrastructure activities must contribute to the long-term recovery and restoration of housing. All activities allowed under CDBG-DR; HCDA Section 105(a)(1-5), 105(a)(7-9), and 105(a)(11), including but not limited to:

- Flood control and drainage repair and improvements, including the construction or rehabilitation of storm water management system;
- Restoration of infrastructure (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.);
- Public facilities;
- Buyouts or Acquisition with or without relocation assistance, down payment assistance, housing incentives, and demolition;
- Activities designed to relocate families outside of floodplains;
- Demolition, rehabilitation of publicly or privately owned commercial or industrial buildings, and code enforcement;
- Economic development (such as microenterprise and small business assistance, commercial rehabilitation, and special economic development activities, including prioritizing assistance to businesses that meet the definition of a small business). Any projects funding for-profit entities must be evaluated and selected in accordance with guidelines (established in Appendix A to 24 CFR part 570) developed by HUD and comply with HUD underwriting guidance;



- Public service (such as job training and employment services, healthcare, childcare, and crime prevention within the 15 percent cap) and;
- Planning.

4.1.2 Ineligible Activities

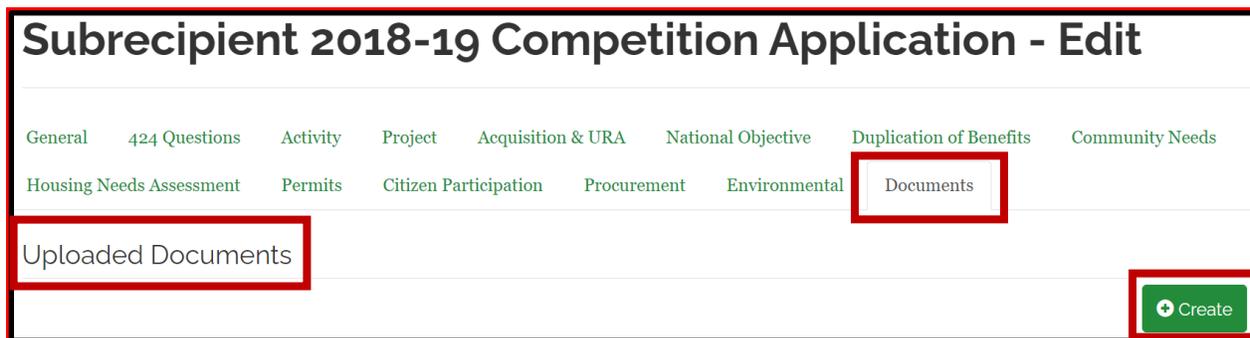
- CDBG-DR funds may not be used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. CDBG-DR funds for levees and dams are required to:
 - Register and maintain entries regarding such structures with the USACE National Levee Database or National Inventory of Dams;
 - Ensure that the structure is admitted in the USACE PL 84–99 Rehabilitation Program (Rehabilitation Assistance for Non-Federal Flood Control Projects);
 - Ensure the structure is accredited under the FEMA NFIP; and d. Maintain file documentation demonstrating a risk assessment prior to funding the flood control structure and documentation that the investment includes risk reduction measures.
- Funds may not be used to assist a privately owned utility for any purpose. A private utility, also referred to as an investor-owned utility, is owned by private investors and is for-profit as opposed to being owned by a public trust or agency (e.g., a coop or municipally owned utility).
- Funds may not be provided to a for-profit entity for an economic development project under section 105(a)(17) of the HCDA unless such project has been evaluated and selected in accordance with guidelines developed by HUD pursuant to section 105(e)(2) of the HCDA for evaluating and selecting economic development projects.
- Buildings and facilities used for the general conduct of government (e.g., city halls, courthouses, and emergency operation centers);
- No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by FEMA, the USACE, insurance, or another source due in part to the restrictions against duplication of benefits outlined in this Action Plan. An activity underway prior to the Presidential disaster declaration will not qualify unless the disaster directly impacted said project;
- By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG–DR funds that may be contributed to a USACE project is \$250,000 or less;
- Section 582 of the National Flood Insurance Reform Act of 1994, as amended, (42 U.S.C. 5154a) prohibits flood disaster assistance in certain circumstances. In general, it provides that no Federal disaster relief assistance made available in a flood disaster area may be used to make a payment (including any loan assistance payment) to a person for “repair, replacement, or restoration” for damage to any personal, residential, or commercial property if that person at any time has received Federal flood disaster assistance that was conditioned on the person first having obtained flood insurance under applicable Federal law and the person has subsequently failed to obtain and maintain flood insurance as required under applicable federal law on such property. No disaster assistance may be

provided for the repair, replacement, or restoration of a property to a person who has failed to meet this requirement;

- If the property is purchased through the use of eminent domain, the ultimate use of that property may not benefit a particular private party and must be for a public use.

Applicants will be required to provide full and thorough descriptions and supporting documentation for every element of the proposed project.

Applicants are advised to prepare all project documentation prior to application entry, with easily identifiable file names and indicators. Documentation that is not requested in a specific section of the TIGR application, may be uploaded in the “Documents” section of the TIGR application.



Subrecipient 2018-19 Competition Application - Edit

General 424 Questions Activity Project Acquisition & URA National Objective Duplication of Benefits Community Needs

Housing Needs Assessment Permits Citizen Participation Procurement Environmental Documents

Uploaded Documents

Create

Should an applicant need more space for project descriptions or narratives than the TIGR system allows, upload the full description separately but reference the document by specific name in the space provided in TIGR. Do not leave any questions unanswered in TIGR.



5 Completing the Application

Please be sure to follow the instructions below when filling out each application for CDBG-DR funding.

5.1 General

Applicant Information will be collected under this section. The Application Number, Applicant Name, and Program selection will auto-generate or auto-populate based of previous selections. Applicant information can be edited by clicking “Edit Applicant Info on File.”

General	424 Questions	Activity	Project	Acquisition & URA	National Objective	Duplication of Benefits	Community Needs
Housing Needs Assessment Permits Citizen Participation Procurement Environmental Documents							

Applicant Information

App #	Applicant	Program *
CDR17-3954-APP	Texas General Land Office	State Competition - SIC: HUD MID (2018 South Texas Floods)

Is the applicant an eligible county applying in conjunction with or on behalf of another entity (non-city) within the county? *

Is the application being submitted as a joint application or a single application? *

Applicant Information

[Edit Applicant Info on File](#)

EIN *	DUNS *	SAM.GOV Registration Expiration *	Applicant (Jurisdiction) *
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Applicant Address *	Applicant Address 2	FY End Date *	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Applicant City *	Applicant State *	COG	County *
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Phone Number *	Website	Applicant Zip *	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Chief Elected Official *	Primary Contact *	Grant Administrator	Engineer
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Texas House District *	Texas Senate District *	U.S. Congressional District *	Authorized Representative *
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

5.2 Application for Federal Assistance Standard Form-424 (SF-424)

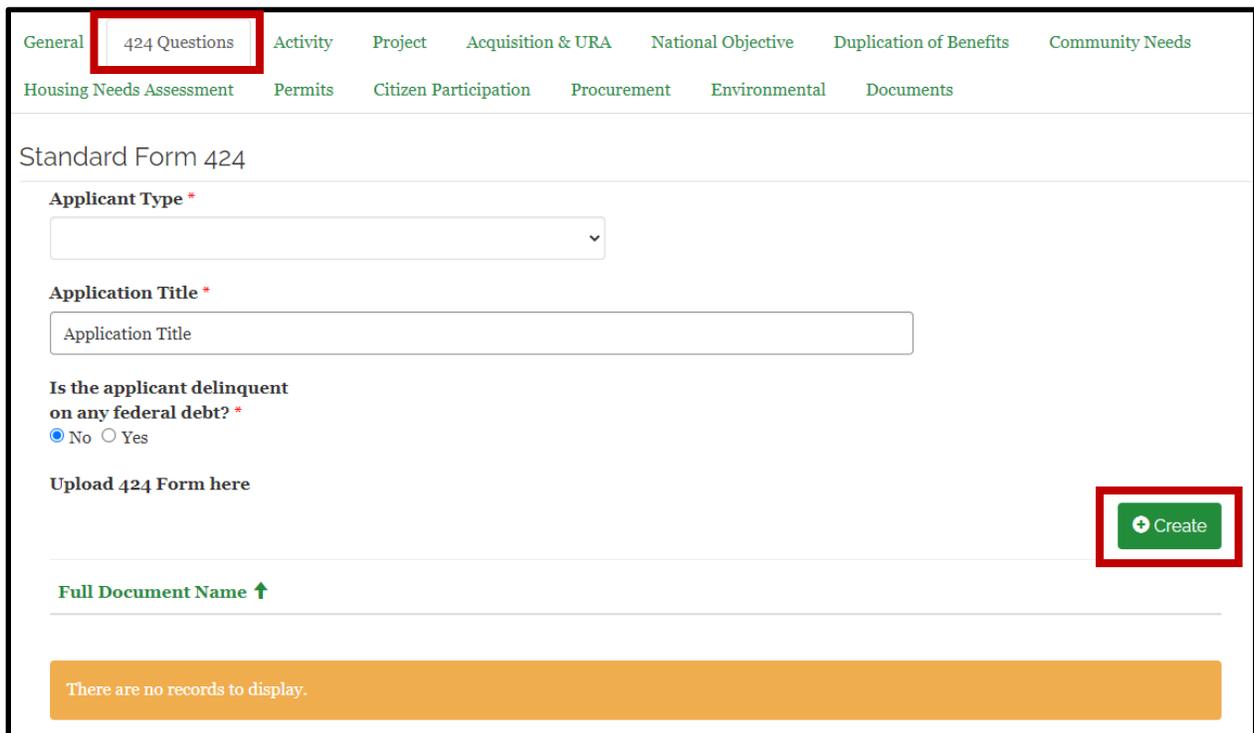
All applications must be accompanied by a completed and signed Application for Federal Assistance SF-424, OMB Number: 4040-0004, Expiration Date: 12/31/2022. SF424_

The SF-424 must be signed by an individual authorized to contractually obligate the applicant. This is typically a county judge, mayor, or city manager.

By completing, signing, and submitting the SF-424 with the application, each applicant for CDBG-DR funding is providing local certifications indicating that the application guide has been followed in the preparation of any CDBG-DR program application, and that they will continue to be followed in the event of funding. False certification can result in legal action against the jurisdiction and disqualification from program eligibility.

The SF-424 form is available on the GLO Recovery website.

Within the SF-424 Questions section, the applicant will be able to upload the completed and signed Application for Federal Assistance SF-424 by clicking “Create.”



The screenshot shows a web application interface for the SF-424 form. At the top, there is a navigation menu with tabs: General, 424 Questions (highlighted in red), Activity, Project, Acquisition & URA, National Objective, Duplication of Benefits, and Community Needs. Below this, there are sub-tabs: Housing Needs Assessment, Permits, Citizen Participation, Procurement, Environmental, and Documents. The main content area is titled 'Standard Form 424'. It contains the following fields and controls:

- Applicant Type ***: A dropdown menu.
- Application Title ***: A text input field with the placeholder text 'Application Title'.
- Is the applicant delinquent on any federal debt? ***: Radio buttons for 'No' (selected) and 'Yes'.
- Upload 424 Form here**: A text input field.
- Full Document Name ↑**: A text input field.
- Create**: A green button with a plus sign, highlighted in red.

At the bottom of the form, there is a message: 'There are no records to display.'

5.3 Activity

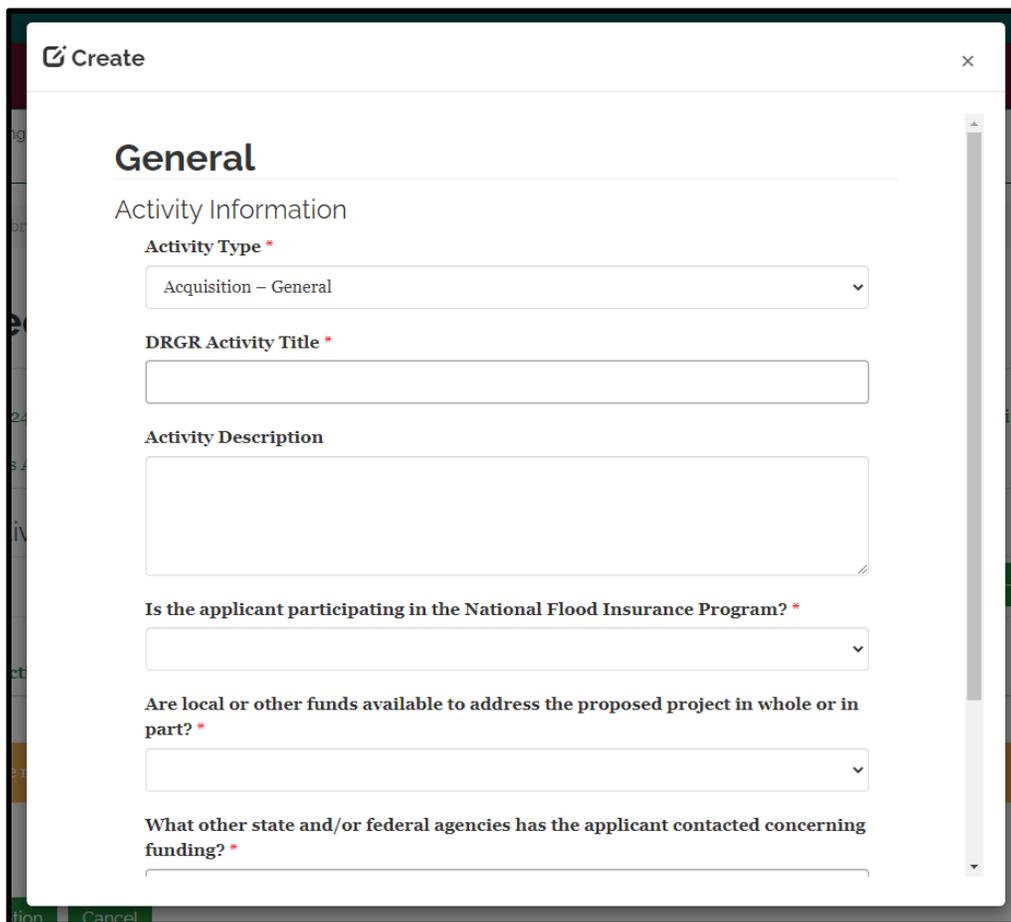
All activities proposed in an application must have documented proof of an impact by the 2018 South Texas Floods or the 2019 Disasters. CDBG-DR funds must be used for disaster-related expenses in the most impacted and distressed areas. An activity underway prior to a Presidential disaster declaration will not qualify unless the disaster impacted the project.

Activity information must be created by the applicant. This is completed by selecting “Create 2018-19 Activity.”



The screenshot shows a web application interface with a top navigation bar containing several tabs: General, 424 Questions, Activity, Project, Acquisition & URA, National Objective, Duplication of Benefits, and Community Needs. Below this is a secondary navigation bar with links for Housing Needs Assessment, Permits, Citizen Participation, Procurement, Environmental, and Documents. The main content area is titled "DRGR Activities with Target Areas, Project & Budget Info" and features a table with columns for DRGR Activity Number, DRGR Activity Title, DRGR Activity Description, Application, and Created On. A green button labeled "Create 2018-19 Activity" is positioned in the top right corner of the table area. Below the table, an orange message box states "There are no records to display."

The General pop-up window will appear where the applicable Activity information can be entered and saved by scrolling to the bottom of the pop-up window.



The screenshot shows a "Create" pop-up window with a "General" section. The "Activity Information" sub-section includes the following fields:

- Activity Type ***: A dropdown menu with "Acquisition - General" selected.
- DRGR Activity Title ***: A text input field.
- Activity Description**: A large text area.
- Is the applicant participating in the National Flood Insurance Program? ***: A dropdown menu.
- Are local or other funds available to address the proposed project in whole or in part? ***: A dropdown menu.
- What other state and/or federal agencies has the applicant contacted concerning funding? ***: A text input field.

At the bottom of the window, there are "Cancel" and "Save" buttons.



Once saved, further information will need to be collected. This can be completed by selecting the dropdown arrow and selecting “Edit 2018-19 Activity.”

General 424 Questions **Activity** Project Acquisition & URA National Objective Duplication of Benefits Community Needs
Housing Needs Assessment Permits Citizen Participation Procurement Environmental Documents

DRGR Activities with Target Areas, Project & Budget Info

DRGR Activity Number ↑	DRGR Activity Title	DRGR Activity Description	Application	Created On
CDR17-3954-APP - DRGR-001385	DRGR Activity Title		Application Title	1/6/2022 11:42 AM

Edit 2018-19 Activity

The Budget pop-up window will appear. The budget is built by selecting the applicable dropdown arrow and entering the appropriate amounts. Save all information and confirm the “Total Planned Budget” field adds up correctly. If the applicant is leveraging funds from other sources, enter the amount in the “Non-CDBG Amount” field and add a description for the use of non-CDBG funds.

Edit

Budget: Planned & Contracted

Planned Budget Summary

Total Planned Budget	Non-CDBG Amount	Use of Non-CDBG Funds
—	<input type="text"/>	<input type="text"/>

Name ↑	Planned/Requested Amount
Acquisition - Project - - CDR17-3954-APP - DRGR-001385	<input type="text"/>
Construction - Project - - CDR17-3954-APP - DRGR-001385	<input type="text"/>
Engineering - Project - - CDR17-3954-APP - DRGR-001385	<input type="text"/>
Environmental - Project - - CDR17-3954-APP - DRGR-001385	<input type="text"/>
Grant Administration - Project - - CDR17-3954-APP - DRGR-001385	<input type="text"/>
Special Environmental - Project - - CDR17-3954-APP - DRGR-001385	<input type="text"/>



5.3.1 Budget/Funding Disclosure

The Total Project Budget represents a summary of data provided for each activity.

Table 8: Example of Summary Data

Sites	>	Activity	>	Project
Lift Station Repair #1	>	Sewer system improvements		Total Project Budget
Lift Station Repair #2				
Lift Station Repair #3				

Applicants are expected to present a thorough budget that includes all elements required for an eligible and successful project.

5.3.2 Cost Verification

Each proposed project will undergo cost verification. The GLO may use an independent, qualified third-party engineer, architect, construction manager, or other professional (e.g., a cost estimator) to verify the planned project costs are reasonable.

5.3.3 CDBG-DR Project Caps

Project Delivery may include, but is not limited to, grant administrator fees, costs associated with environmental clearance, and eligible costs for in-house grant administration efforts.

Project Delivery (Grant Administration/Environmental) costs per application should not exceed the prescribed fee caps applicable to the total CDRB-DR amount requested in the application. The maximum allowable project delivery cost per grant shall be less than or equal to the caps as outlined in the table below.

Table 9: CDBG-DR Project Delivery Caps

Total CDBG-DR Award	Percentage Cap
\$250,000-\$499,999.99	15%
\$500,000 - \$749,999.99	12%
\$750,000-\$1,000,000.00	10%

Project delivery completed by the applicant with in-house staff for reimbursement is considered self-administration. Applicants may choose to self-administer eligible grant administration and/or environmental review tasks, procure a third-party vendor to perform grant administration and/or environmental services, or pursue a combination of the two.

To accurately reflect project delivery costs, the applicant must determine the portion of CDBG-DR funds to be used to pay for third-party project delivery services, and the portion of CDBG-DR funds to be used to reimburse the applicant for in-house project delivery costs, as applicable.

For instance, applicants may choose to utilize a portion of their project delivery grant funds to supplement costs for their single audit, pay for staff administration efforts, and associated publication costs.

If an application is submitted solely for housing-related activities which is limited to buyouts or acquisition with or without relocation assistance, down payment assistance, housing incentives, and demolition activities, project delivery costs are allowable up to 12 percent of program amounts for costs directly related to implementation.

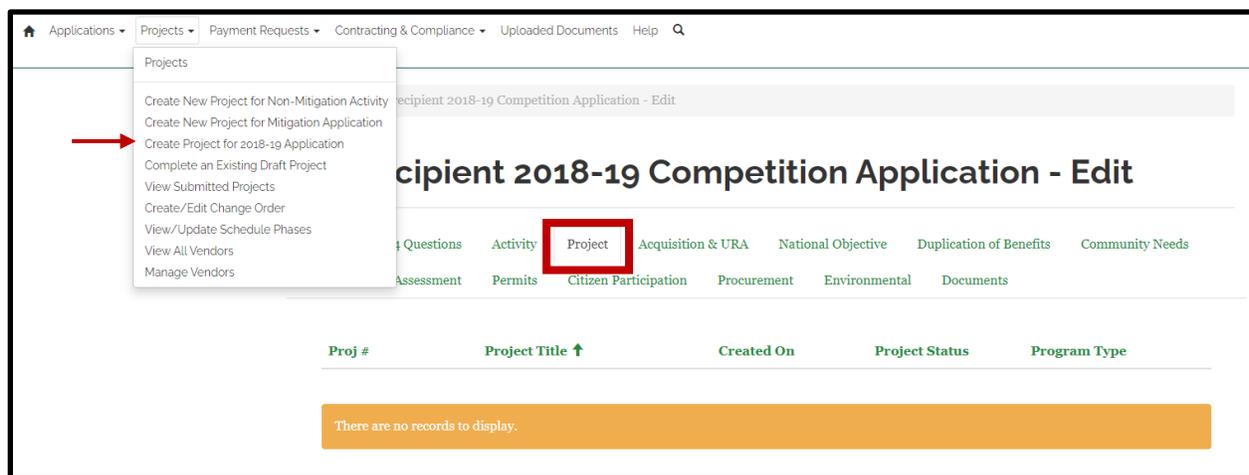
Engineering and design activities will be capped at 15 percent of the total construction cost.

Applicants must ensure that all budgeted CDBG-DR funds remain within the eligible caps. Any expenses in excess of the caps detailed above will not be eligible for payment from the CDBG-DR funds and must be paid with non-CDBG funds.

If third-party vendors have already been procured, applicants must ensure the local file includes documentation to demonstrate compliance with 2 CFR 200.318–200.327 standards as previously indicated. Refer to Procurement Checklist available on recovery.texas.gov.

5.4 Project

Project information must be created by the applicant in TIGR. This is completed by selecting “Create Project for 2018-19 Application” under the “Projects” dropdown near the top left area of the screen.



The screenshot displays the TIGR application system interface. At the top, there is a navigation bar with dropdown menus for 'Applications', 'Projects', 'Payment Requests', 'Contracting & Compliance', 'Uploaded Documents', and 'Help'. The 'Projects' dropdown menu is open, showing options such as 'Create New Project for Non-Mitigation Activity', 'Create New Project for Mitigation Application', 'Create Project for 2018-19 Application', 'Complete an Existing Draft Project', 'View Submitted Projects', 'Create/Edit Change Order', 'View/Update Schedule Phases', 'View All Vendors', and 'Manage Vendors'. A red arrow points to the 'Create Project for 2018-19 Application' option. Below the navigation bar, the main content area shows the title 'Recipient 2018-19 Competition Application - Edit' and a navigation bar with tabs for 'Questions', 'Activity', 'Project', 'Acquisition & URA', 'National Objective', 'Duplication of Benefits', and 'Community Needs'. The 'Project' tab is highlighted with a red box. Below the navigation bar, there is a table with columns for 'Proj #', 'Project Title', 'Created On', 'Project Status', and 'Program Type'. The table is currently empty, and a message at the bottom states 'There are no records to display.'



The Activity that was created as instructed in 5.3 should be visible. The applicant must then select the dropdown for the Activity and select “Open 2018-19 Activity Form.”

Add New 2018-19 Project to Competitions Activity and edit Draft Projects

My ▾

DRGR Activity Number ↑	DRGR Activity Title	DRGR Activity Description	Application	Created On	
CDR17-3954-APP - DRGR-001385	DRGR Activity Title		Application Title	1/6/2022 11:42 AM	<input checked="" type="checkbox"/> Open 2018-19 Activity Form

This is where the applicant will be able to add information on the project by selecting “Create 2018-19 Project.”

Add New Project to this Activity

Click on 'Create' button to add a New Project to Activity. After Creating a new Project, Edit it to provide additional required information

Activity Number	Activity Title	Activity Type	Total Obligated
CDR17-3954-APP - DRGR-001385	DRGR Activity Title	Administration	\$0.00

Application Name *
Application Title

Projects

Proj #	Project Title ↑	Created On	Project Status	Program Type
There are no records to display.				



Once the page loads, information can be entered and saved by scrolling to the bottom of the page and saved.

Project 2018/19 Competition - Create

Project Title (NOTE: For the project title, the spelling and capitalization together with any associated site number(s) identified in the application must be consistently used throughout the application to ensure clear identification of the full project scope, e.g., a project title of "Green Acres, Site 3" here should appear as "Green Acres, Site 3" at every other reference in this application. A reference to some other title such as "green acres subdivision" or "#3 Green Street" elsewhere in the application could cause delays in the eligibility review process.)

Project Title *

Applicants are required to provide sufficient detail about the proposed project to identify the national objective, the population that will receive benefit, the estimated costs and materials needed, the projected schedule to completion, any potential environmental impact, and other details specific to the type of project involved. Please be thorough in completing this application to ensure a successful review.

Project Type *

Does the project include rehabilitation or replacement with a new facility?

Provide a detailed description of the scope of work proposed. For proposed work involving a length of road, ditch, channel, etc. report the scope of the project in linear feet (lf). Please describe the project.

5.4.1 Project Detail

Project Detail is required.

Provide a response for each question. Any questions not answered will be considered incomplete and may result in a deficiency notice to the applicant.

A *project* is defined as a discrete combination of: one entity (i.e., city or county), one activity (i.e., water, sewer, etc.), one project service area (beneficiary population), and one HUD national objective. A *site* is defined as a discrete location for the activity within a project. A project can have one or more sites.

Example: A City proposes sewer system improvements at three lift stations. The entire system is only serviced by these three lift stations. The City is 58.42% LMI according to the current HUD LMISD. Each lift station is a site for the sewer system improvements activity. The project service area is defined as city-wide, and the national objective is LMI.

Each Project Detail must provide sufficient information to clearly identify the proposed project, define the location, indicate whether acquisition (i.e., real property, easements, or rights-of-way) is required, clearly describe the scope of work, specify the populations who will receive benefit from the project, identify environmental assessment information, and outline funding detail to include any Non-CDBG-DR funds to be used.

A new Project Site can be added by clicking “Add New 2018-19 Project Site.”

Project Sites - For proposed work involving a length of road, ditch, channel, etc., use the approximate midpoint coordinates for latitude and longitude, but identify the entire length of the proposed work and the assigned site number on the project map. Identify these type of sites in the application by completing the On-From-To fields. For instance, "On Main Street From Sycamore Street To Elm Street"

Site Title ↑

Add New 2018-19 Project Site

A pop-up window will appear where a site description can be entered.

Create

Project Sites & Locations

Please re-open Project Sites & Locations and provide required additional information

Site Description

Submit

Once a site description has been entered and “submit” has been selected, the applicant must re-open Project Site and edit by selecting the dropdown arrow and provide required additional information.

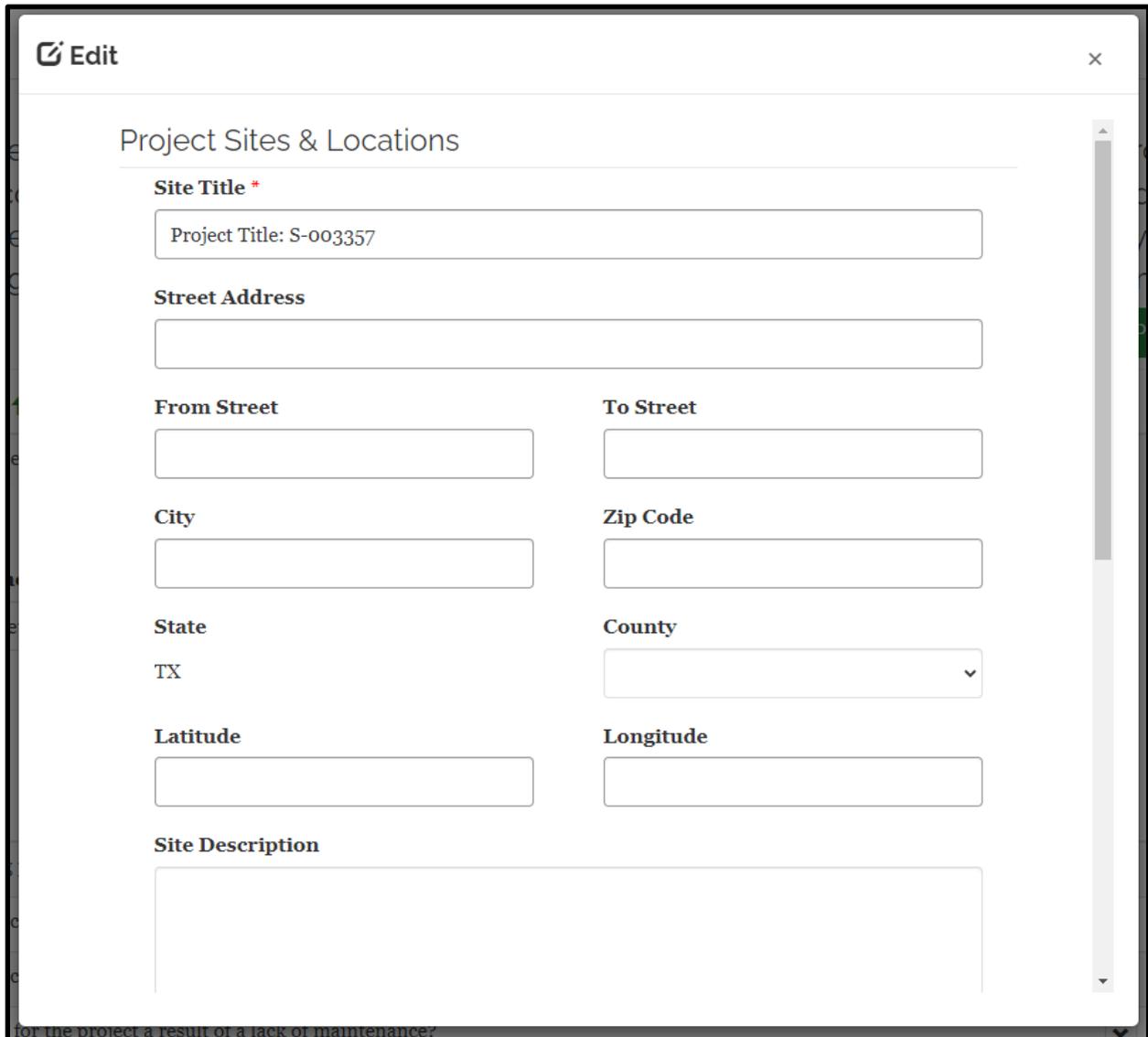
Site Title ↑

Project Title: S-003357

▼

Edit Project Site

When the “Edit” window opens, it is important to provide all information and scroll to the bottom on the window to save.



The screenshot shows a web application window titled "Edit" with a close button (X) in the top right corner. The main heading is "Project Sites & Locations". Below this, there are several input fields and a dropdown menu:

- Site Title ***: A text input field containing "Project Title: S-003357".
- Street Address**: An empty text input field.
- From Street**: An empty text input field.
- To Street**: An empty text input field.
- City**: An empty text input field.
- Zip Code**: An empty text input field.
- State**: A dropdown menu with "TX" selected.
- County**: A dropdown menu with a downward arrow.
- Latitude**: An empty text input field.
- Longitude**: An empty text input field.
- Site Description**: A large empty text area.

A vertical scrollbar is visible on the right side of the form, indicating that the content can be scrolled vertically.

Performance Measure information must be documented in Linear Feet or Public Facilities, whichever is selected by the applicant. Supplemental questions are then presented. It is important that all questions are answered by the dropdown arrow on each page.

Performance Measures * <input type="text"/>	If you selected "Linear Feet," provide the proposed number of linear feet. <input type="text"/>	If you selected "Public Facilities", provide the number of proposed public facilities. <input type="text"/>
Name ↑		
For scoring purposes, does the project fall wholly within the applying jurisdiction?		<input type="text"/>
If the project is a phase of a larger project, please explain how it is functionally independent		<input type="text"/>
If the project is not a result of a lack of maintenance, please describe maintenance efforts.		<input type="text"/>
Is the need for the project a result of a lack of maintenance?		<input type="text"/>
<input type="text"/> <input type="text"/> <input type="text"/>		

5.4.2 CDBG-DR Budget Preparation

Comprehensive budget information must include total project costs for construction, engineering, acquisition, and project delivery (grant administration and environmental services). Budget costs are entered directly into TIGR with supporting documentation provided. Furthermore, the budget should reflect a breakdown of such costs between CDBG-DR funds and leveraged funds (local or other funds).

CDBG-DR Construction

Construction or public facilities budgetary information must be provided by a professional engineer or architect licensed to practice in the state of Texas using the *CDBG-DR Budget Justification of Retail Costs* (formerly Table 2) form on the GLO Recovery website.

See the Instructions section for details to complete the *CDBG-DR Budget Justification of Retail Costs* (formerly Table 2).

Data should be provided at the activity level to ensure proper budgeting for all necessary elements of the project. Original sealed construction and public facilities budgetary information must be uploaded in support of the application using the *Budget Justification of Retail Costs* (formerly Table 2) form.

CDBG-DR Engineering

Engineering costs include fees for all engineering services associated with the design, bidding, construction, and closeout phases. This includes but is not limited to surveying, materials testing, onsite inspections, mapping, construction oversight, environmental support required to deliver the



approved project, completion of required documentation and reporting for program compliance, and coordination to ensure timely expenditures and on-schedule completion. If proposed engineering fees exceed the fee cap of fifteen percent of the total construction cost, the applicant must include justification in support of the proposed budget. The GLO reserves the right to review such costs and justification for cost reasonableness during the application eligibility review phase.

The calculated amount of CDBG-DR engineering funds requested for each project must be consistent with the construction costs identified in the *Budget Justification of Retail Costs Form* (formerly Table 2) provided for each activity.

CDBG-DR Acquisition

Costs associated with acquiring real property or easements required to complete the proposed project must be documented in the budget per project or activity. Provide the amount of CDBG-DR acquisition funds required for real property, easements, right-of-way, etc.

Acquisition totals must be consistent with the acquisition costs identified in the *Budget Justification of Retail Costs* (formerly Table 2) provided for each activity.

CDBG-DR Grant Administration (Project Delivery)

Costs associated with administrative tasks and related costs required to implement the proposed project are documented as administration costs in the application budget.

General grant administration costs should not exceed the prescribed fee caps defined for this program. Refer to the section above regarding CDBG-DR Project Caps for more information.

Applications should identify those tasks that will be administered locally and those that will be procured. The applicant must clearly establish the portion of CDBG-DR funds to be used to pay for third-party vendor grant administration services, and the portion of CDBG-DR funds to be used to reimburse the applicant for in-house grant administration services and/or costs.

CDBG-DR Environmental (Project Delivery)

Costs associated with completing the required environmental review record, associated requests for information, subsequent assessments, and re-evaluations required to achieve and maintain environmental clearance in compliance with applicable state and federal guidance are identified as Environmental Costs. Applicants should consider and include costs for any special reviews, permitting, or studies that will be required to secure the Authority to Use Grant Funds.

An applicant should assess the appropriate environmental review needs per project with consideration to project description, geographic location, special environmental requirements, budget, and schedule.

The total environmental costs should be within the project delivery fees cap.



Other Funds

Specific use of Other Funds (FEMA, insurance, local, etc.) committed to the proposed project must be identified in the appropriate line of the proposed budget. Applicants must disclose all funding sources to be utilized on the proposed project and identify the use of other funding sources in the application budget.

If the budget includes local or other funding to leverage CDBG-DR funds, the applicant must upload documentation indicating the commitment of other funds including at a minimum, the source, amount, and project description for each additional funding source contributing to the proposed project.

Acceptable documentation to support leveraged costs includes, but is not limited to the following:

- Commitment letter from an elected or appointed official with the ability to allocate the funds
- Resolution from the applicable governing body
- Meeting minutes indicating the amount and approval from the applicable governing body

The leverage documentation from a federal, state, local, nonprofit, or private funding source will be reviewed in the scoring process to determine the amount of leveraged funds utilized for the proposed project.

In reviewing the budget components of the application, the applicant must ensure that the budget total equals the amounts entered on the required Application for Federal Assistance SF-424 (SF-424).

Instructions for: CDBG DR-Budget Justification of Retail Costs (formerly Table 2)

Completion of the *CDBG-DR Budget Justification of Retail Costs* (formerly Table 2) is required for all construction/public works projects. Costs related to non-construction activities, such as public services, do not have to be reflected on this form.

This form requires the Signature and Seal of the Registered Engineer/Architect responsible for the construction and acquisition budget justification. It is generally completed by the staff engineer or procured engineer for the project. Refer to the Procurement section of this guide for other documentation required for procured engineering services.

A separate form must be submitted for each activity.



Eligible Activity

Select from the list below.

- Infrastructure: Flood control and drainage improvements
- Infrastructure – Water facilities
- Infrastructure – Sewer facilities
- Infrastructure – Street improvements
- Infrastructure – Clearance and Demolition
- Infrastructure – Code Enforcement
- Infrastructure – Debris Removal
- Infrastructure –Dike/Dam/Stream-River Bank repairs
- Natural or Green Infrastructure
- Communications Infrastructure
- Public Facilities
- Buyouts or Acquisitions

Materials/Facilities/Services Table

In determining actual construction costs, the engineer must provide the following:

- The material or facility component (**Materials/Facilities**) for each line item. For example, “36 PVC pipe” or “50 kW generator.” Applicants must provide a reasonable level of detail regarding project materials or components. A material line item of “Wastewater System Improvements” is too broad to determine size, unit, or composition, and greater detail would be required.
- The unit price (**\$/Unit**), type of unit (**Unit**), and the number of units (**Quantity**) for each activity. The units used (e.g., linear feet, cubic yards, etc.) must be priced to include all proposed improvements related to and necessary for the major construction activity.
- Contingency Costs/Allowances are not to be included as separate line items. All estimated costs must be considered and built into the materials/facilities/services details.

Budget Columns (Construction, Acquisition, and Total)

Project costs should be developed using the parametric cost estimating method (or equal) to develop a high confidence estimate. Please keep in mind that localities are prohibited from levying special assessments, fees, and service connection/tap-on costs on low- and moderate-income persons to recover the CDBG-DR financed portion of a public improvement when CDBG-DR funds are used to pay all or part of the cost of the public improvement. Localities can, however, levy special assessments, fees, and service connection/tap-on costs on low- and moderate-income persons to recover the portion of a public improvement financed from other funding sources, provided that CDBG-DR funds are used to pay these costs for the low- and moderate-income beneficiaries.



For public improvements that were not initially assisted with CDBG-DR funds, such funds may be used to pay special assessments and fees for low- and moderate-income persons when certain conditions exist. The payment of special assessments/fees constitutes CDBG-DR assistance to the public improvement; therefore, CDBG-DR funds may be used to pay the assessments/fees on behalf of low- and moderate-income persons provided that: 1) the installation of the public improvements was carried out in compliance with requirements applicable to activities assisted under the CDBG-DR program, including labor, environmental, and citizen participation, 2) the installation of the public improvement meets a CDBG-DR national objective, and 3) CDBG-DR funds are used to pay the assessment/fees on behalf of low- and moderate-income persons.

Force account labor costs must be based on the estimated CDBG-DR contract-related construction hours to be worked by force account workers and the hourly wages to be paid and cannot be based on labor costs estimated through the bid/contract method.

The value of materials/supplies to be provided by the applicant, and already owned by the applicant, must be based on the purchase price of the materials, and supplies at the time of purchase, and cannot be based on the current purchase price of such materials/supplies.

Equipment costs for equipment owned by the locality must be based on a use allowance or depreciation (only if the equipment is not already fully depreciated and based on acquisition cost).

Acquisition \$ Column

Any proposed activity involving the acquisition of real property, easements, rights-of-ways, etc., must have the projected costs of this acquisition broken out by the activity for which the acquisition is needed. In developing these costs, compliance with the requirements of the Uniform Real Property Acquisition and Relocation Policies Act of 1970, and exemptions as allowed under this appropriation, must be taken into consideration.

Construction \$ Column

Construction cost will be computed automatically by multiplying the \$/Unit column by the Qty column.

TOTAL \$ COLUMN

Total costs per line item will be computed automatically by adding the construction and acquisition costs.

Summary totals for the three budget columns will be computed automatically by adding all line items per column.

TIGR – Project Budget and Project Schedule



Within TIGR, scroll to the bottom on the “Project 2018/19 Competition” page and add project budget and project site information by using the dropdown arrows and adding information on the project schedule. It is important to always save information that has been inputted.

Project Budget

Total Estimated Project Budget
\$0.00

Name ↑	Planned/Requested Amount
Acquisition - Project - - GLO17-27403-P	▼
Construction - Project - - GLO17-27403-P	▼
Engineering - Project - - GLO17-27403-P	▼
Environmental - Project - - GLO17-27403-P	▼
Grant Administration - Project - - GLO17-27403-P	▼
Special Environmental - Project - - GLO17-27403-P	▼

Project Schedule

[Add 2018-19 Project Schedule](#)

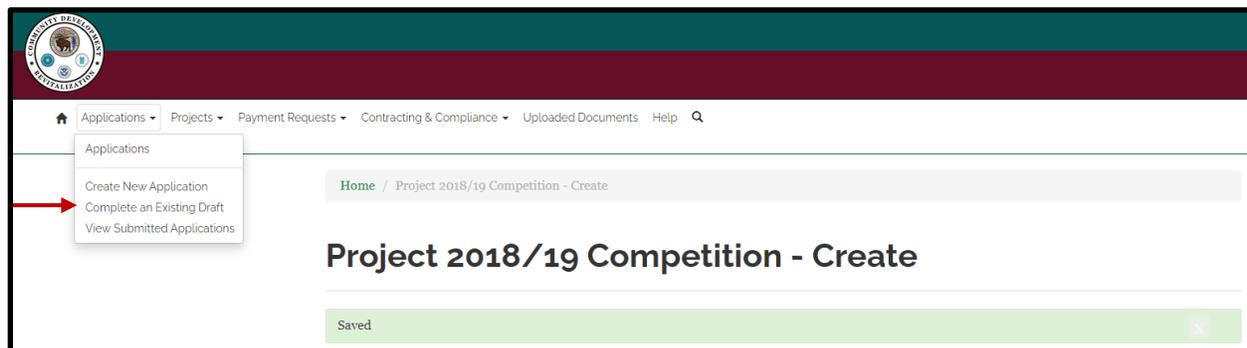
Project Completion Status	Start Date ↑	Date Completed	Project Phase	Length (months)	End Date (calculated) ↑	Phase Status	Original Duration (months)	Project	Phase - Completion % Status
There are no records to display.									

Project Schedule

Applicants must provide a single Project Schedule that represents the entire proposed scope of work. For instance, if three different activity types are included, the “Engineering Design” phase should encompass the amount of time needed to complete “Engineering Design” for all three activity types. If there are Infrastructure, Buyout, or Acquisition activities included, provide the scheduled time allotted for “Program Guideline Development” in the schedule.

Applicants must consider any factors, such as special permitting/migratory patterns/seasonal issues, that may impact completion of the project.

Once the information is saved, navigate to the “Applications” dropdown near the top left area of the screen and select “Complete an Existing Draft.”



Once selected, a new page will load where the applicant may complete and edit the remaining portion of their application by clicking the dropdown tab associated with the application and then selecting “Edit 2018-19 Competition Application.”



5.4.3 Project Service Area Detail

A *project* is defined as a discrete combination of:

- one entity (i.e., city or county),
- one activity (i.e., water, sewer, etc.),
- one project service area (beneficiary population)
- one HUD national objective.

A *site* is defined as a discrete location for the activity within a project. A project can have one or more sites.

A Project Service Area consists of the eligible activity required to complete and provide specific successful recovery needs to a common population and geographic location.

Each Service Project Area Detail must satisfy the requirements identified above by providing sufficient information to clearly identify the proposed project, specify the location to the greatest extent possible, specify the populations who will receive benefit from the recovery project, indicate



whether acquisition (i.e., real property, easements or rights-of-way) is required, clearly describe the scope of work, identify environmental assessment expectations, provide realistic timelines and deliverables, and outline funding detail to include any other funding to be used.

5.4.4 Project Mapping

Maps must be provided for each project and/or site proposed in the application that clearly plot GPS coordinates and includes project/site numbers with any other necessary identifying information. Maps should be titled and/or numbered with the corresponding project title. GPS coordinates are required for each site. Latitude and longitude must be entered in Decimal Degrees (DD) to five decimal places (e.g., 0.00001).

5.4.4.1 Latitude

Guidance: Enter the latitude point of the project. If the project performance is to be measured in linear feet, enter the latitude point for the center of the project. To find the latitude point of a project, go to Google Maps (<https://www.google.com/maps>), find the location of the project based on address or other geographic information and right-click on the point. When the menu appears over the cursor, click on “What’s here?” A box will appear at the bottom of the screen with latitude and longitude points below the address. Enter the first sequence of numbers into this field of the application. You may click on the latitude and longitude numbers below the address that will then open the point in the top left search field. You can copy and paste the latitude numbers from this view. *Note:* Be sure to enter the latitude point in decimal degrees.

Example: 30.358606

5.4.4.2 Longitude

Guidance: Enter the longitude point of the project. If the project performance is to be measured in linear feet, enter the longitude point for the center of the project. To find the longitude point of a project, go to Google Maps (<https://www.google.com/maps>), find the location of the project based on address or other geographic information and right click on the point. When the menu appears over the cursor, click on “What’s here?” A box will appear at the bottom of the screen with latitude and longitude points below the address. Enter the second sequence of numbers into this field of the application. You may click on the latitude and longitude numbers below the address that will then open the point in the top left search field. You can copy and paste the longitude numbers from this view. *Note:* Be sure to enter the longitude point in decimal degrees.

Example: -97.747471

Maps must be legible and reproducible. Care should be taken in copying maps so that project activities which may have been designated by a colored mark are still identifiable.

Project Area Mapping is a required element for every proposed project. Project Area Map information must coincide with and be supported by Beneficiary Map information. You will upload these documents in the “Documents” tab of the TIGR application once your project has been created.



Upload all necessary Project Area Maps along with any explanatory documentation.

- Document Group: Project
- Document Type: Maps indicating latitude and longitude for a proposed location
- Document Title: Use a unique descriptive title for each map or explanatory document

While site photos are not required, they are often helpful in project identification. Upload site photos.

- Document Group: Project
- Document Type: Site photos
- Document Title: Use a unique descriptive title for each photo

5.5 Acquisition and Uniform Relocation Act (URA)

Activities and projects assisted by CDBG-DR funding are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 et seq.), and section 104(d) of the HCD Act (42 U.S.C. 5304(d)) (Section 104(d)). The implementing regulations for the URA are at 49 CFR part 24. The regulations for Section 104(d) are at 24 CFR part 42, subpart C.

Acquisition and URA information are to be provided by the applicant. Documentation can be uploaded by selecting the “Create” button.

General 424 Questions Activity Project **Acquisition & URA** National Objective Duplication of Benefits Community Needs

Housing Needs Assessment Permits Citizen Participation Procurement Environmental Documents

Activities and projects assisted by CDBG-DR funding are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 et seq.), and section 104(d) of the HCD Act (42 U.S.C. 5304(d)) (Section 104(d)). The implementing regulations for the URA are at 49 CFR part 24. The regulations for Section 104(d) are at 24 CFR part 42, subpart C.

Does the project require acquisition of property, purchase of easements, relocation, or any other activity requiring compliance with URA outside the listed waived activities? *

What type of acquisition will be required?

Describe the type and purpose of all acquisitions (easements, real property, etc.) associated with the proposed project. For acquisitions "Previously Acquired" or "Acquisition in Progress," include the date of acquisition, detailed information and supporting documentation to ensure compliance with all URA, 42 U.S.C. 4601 et seq., and environmental review processes.

Full Document Name ↑

5.6 National Objective

Each proposed project included in an application for CDBG-DR funds must meet one of HUD's CDBG-DR national objectives. Below is a brief description of each national objective.

1. Principally benefit low-and moderate-income persons. To qualify an application activity under the national objective of principally benefitting low- and moderate-income (LMI) persons, at least fifty-one percent (51%) of the beneficiaries of the activity must be LMI.

- The “Upper Quartile” or “Exception Criteria” exception for Low- and Moderate-Income Area Benefit Activities, HUD permits an exception for specific communities that are allowed to use a percentage that is less than 51 percent to qualify activities under the LMI area benefit national objective criteria. In these communities, activities must serve an area that contains a percentage of LMI residents that is within the upper quartile of all census-block groups within its jurisdiction in terms of the degree of concentration of LMI residents.
- On September 28, 2020, HUD published Federal Register Notice 85 FR 60821. This notice established an “Upper Quartile” or “Exception Criteria” for the State of Texas for non-entitlement counties.

2. Slum and Blight. To qualify an application activity under the national objective of Slum and Blight, activities need to address one or more of the conditions which have contributed to the deterioration of an area designated as a slum or blighted area.

3. Urgent Need. To qualify an application activity under the national objective of Urgent Need, activities need to alleviate emergency conditions.



General 424 Questions Activity Project Acquisition & URA **National Objective** Duplication of Benefits Community Needs
Housing Needs Assessment Permits Citizen Participation Procurement Environmental Documents

Identify the National Objective to be met upon completion of the proposed project.

LMI
Principally benefit low- and moderate-income persons. (To qualify an application activity under the national objective of principally benefitting low- and moderate-income (LMI) persons, at least fifty-one percent (51%) of the beneficiaries of the activity must be LMI.)

Slum and Blight
Prevention or elimination of slums or blight (To qualify an application activity under the national objective of Slum and Blight, activities need to address one or more of the conditions which have contributed to the deterioration of an area designated as a slum or blighted area.)

UN
Urgent Need (To qualify an application activity under the national objective of Urgent Need, activities need to alleviate emergency conditions. For instance, the acquisition of property located in a floodplain that was severely damaged by a recent flood may be considered an urgent need activity.)

5.6.1 Meeting the LMI National Objective

Applicants can meet the low- and moderate-income national objective through demonstrating an area, limited clientele, or a direct benefit of the proposed project. These are discussed in detail below along with how to document LMI populations.

Activities principally benefiting low- and moderate-income persons determinations:

5.6.1.1 Area Benefit

- Projects, of which the benefits are available to all the residents in a particular area, where at least 51 percent of the residents are low- and moderate-income persons. The residents claimed as beneficiaries in the target area must be based on the entire area served by the project. A project that serves an area that is not primarily residential in character shall not qualify under the area benefit criterion.

5.6.1.2 Limited Clientele Benefit

- A low- and moderate-income (LMI) limited clientele project is a project that provides benefits to a specific group of persons rather than everyone in a defined service area. It may benefit particular persons without regard to the area in which they reside, or it may be a project that provides benefit on an area basis but only to a specific group of persons who reside in the area. In either case, at least 51 percent of the beneficiaries of the project must be LMI. Due to certain statutory limitations, the regulations preclude various activities from qualifying under this subcategory, so contact the GLO to see if limited clientele is applicable.
 - To qualify under this subcategory, a limited clientele project must exclusively benefit a clientele who are generally presumed by HUD to be principally LMI persons. The following groups are currently presumed by HUD to be comprised principally of LMI persons:
 - Abused children;
 - Elderly persons;
 - Battered spouses;
 - Homeless persons;
 - Adults meeting Bureau of Census' definition of severely disabled adults;
 - Illiterate adults;
 - Persons living with AIDS; and
 - Migrant farm workers.

5.6.1.3 Direct Benefit

- For applicants using CDBG-DR surveys to establish benefit, all forms (survey questionnaires, survey tabulation form(s), and the survey locations form(s)) must be submitted with the application for GLO verification.

An activity will be regarded as addressing the national objective of principally benefitting low- and moderate-income persons if it meets the criteria described here unless there is substantial evidence that the activity does not principally benefit low- and moderate-income persons.

5.6.2 Beneficiary Identification Methods

A project that addresses the national objective of principally benefitting low- and moderate-income persons must provide documentation as to the income status of those persons (also called beneficiaries).

Low- and moderate-income individuals are those whose income is 80 percent or less of the area median family income (AMFI). Clear documentation of an applicant's beneficiary identification method must be received with the application. *Incomplete beneficiary documentation could render an application incomplete and ineligible.*

The basis for determining which residents are to be considered as beneficiaries of a proposed project can be achieved through the use of current LMISD information, or by conducting a survey of the area with approved CDBG-DR forms. Applications for the 2018 South Texas Floods



Infrastructure Competition and the 2019 Disasters Infrastructure Competition must use currently available CDBG LMISD.

The “Upper Quartile” or “Exception Criteria” exception for Low- and Moderate-Income Area Benefit Activities for FY 2021 Non-entitlement Upper Quartile Counties and FY 2021 Entitlement Upper Quartile Communities are posted on the GLO’s recovery website.

The method(s) used by the applicant to identify the beneficiaries of a project are based on the type of project proposed, and the persons that are projected to benefit from the proposed project.

Applicants must provide the total number of project beneficiaries identified through either CDBG-DR surveys, LMISD, direct benefit, or limited clientele methods. If beneficiaries were identified using a survey as opposed to using LMISD, the applicant must provide an explanation why the survey was necessary.

GLO staff will review the beneficiaries reported in the application for (1) accuracy, (2) the acceptability of the method(s) used to identify the beneficiaries for the project, and (3) compliance with the criteria for national objectives.

For project service areas that cover multiple jurisdictions, scoring will require beneficiary identification per jurisdiction. A Project Beneficiaries Calculator can be found at the CDR recovery website.

The method used in determining the low-and moderate-income beneficiary race/ethnicity information is as follows:

Use of Census Data (LMISD)

Census data should be used to the maximum extent feasible for determining the income of persons residing in service areas; therefore, the boundaries of the service area determined by the applicant for the project need to be compared with the boundaries of census divisions (tracts, block groups, etc.). The census divisions that best fall within the service area should be used for documenting the percentage of low- and moderate-income persons residing in that area. HUD-based LMISD spreadsheets are used to document this beneficiary information.

Applicants must submit the most current LMISD available at the time of application.

When an applicant’s project will only benefit a portion of a Census Geographic Area (CGA), the applicant must demonstrate that a significant number of the persons in the CGA will benefit from the project. HUD will not allow a CDBG-DR program applicant to use the LMISD data for a block group unless a significant portion of the persons located in that block group will benefit from the project.

HUD will only allow the use of the census-based information to qualify an activity and to document the activity beneficiaries under the following conditions:



1. The project will benefit all the persons within a CGA or a significant number of the persons within a CGA. The CGA could be a county, place, census tract, block group, or logical record number.
2. If only census-based information is used to document the LMI beneficiaries of an application project, the LMI percentage must be at least 51.00 percent (not 50.99 percent) for a single CGA, or for combinations of two or more CGAs.

In the event that an applicant's project does not benefit an entire CGA, or a significant number of the persons within a CGA, then the applicant must use another method to document the beneficiaries. The applicant should then consider conducting a local CDBG-DR survey to document the beneficiaries and the LMI percentage for the project. A local survey is usually the best way to document the beneficiaries of direct benefit activities.

See the infrastructure beneficiary documentation on the application page of the GLO's Recovery website, recovery.texas.gov, for detailed information on census and survey methods.

Use of Survey Data

The CDBG-DR survey methodology must be used to identify the beneficiaries for a project. Refer to the GLO recovery website for details regarding the required Survey Methodology and all associated forms.

Applicants using CDBG-DR surveys to identify beneficiaries should tabulate race, gender, and ethnicity data. Applicants must also identify the survey dates and number of households benefitting. Survey forms must be complete, dated, and signed by the surveyor. Incomplete surveys could render the application incomplete and ineligible.

Provide an explanation for the use of Surveys, as opposed to LMISD data.

Race/Ethnicity/Gender and Census Geographic Area Data:

The race, ethnicity, and gender for the total beneficiaries claimed for the proposed project must be tabulated and provided.

Applicants must list all census tracts and block groups benefitting from the project when using census data.

Appropriate census maps are required for data verification.

5.6.3 Project Beneficiary Map(s)

All applications must include a project map(s) identifying the benefit area. Project service area maps must clearly show all the census geographic areas (e.g., census tract, block group) within the project service area.

Maps must clearly show:

- Boundaries of the city, county;
- Locations of the service area community or communities within the city, county; and



- Locations of all proposed project sites per activity within the service area (e.g., sewer/water lines, lift stations, street pavement, water storage tanks, wastewater treatment plants etc.)
- Identifiable features such as named streets, railroads, streams, etc.
- Legible labels of all applicable census geographic areas (e.g., census tracts, block groups).

Applicants using CDBG-DR surveys to document project beneficiaries must provide maps which clearly show:

- All the street names where surveys were used to document project beneficiary locations of the project activities on the same map;
- Legend on the map that identifies the residences surveyed; and
- Proposed project service area(s) and survey area(s) clearly identified.

Map locations of all proposed project activities should match the description of the locations provided. If project beneficiaries are determined on the basis of area benefit, the project service area (the area where the residents benefitting from the project live, which may or may not correspond exactly to the physical project site(s)) must also be clearly delineated on the map. The applicant is required to use maps based on one of the three following options:

- GIS and/or AutoCAD maps produced by the grantee or its designee (e.g., grant administrator or engineer). Electronic files of maps produced through GIS or AutoCAD should also be submitted with the application.
- Census Bureau maps based on entire cities or census designated places (CDPs); or
- Another comparable map format.

Maps must be legible and reproducible. Care should be taken in copying maps so that project activities that may have been designated by a colored mark are still identifiable.

Applicants must consistently use the correct project and site identification at all references to a particular site on maps, supporting documentation, and in the application. Multiple maps may be submitted to show overall site, details by sections, etc., if applicable.

5.6.4 Beneficiary Information

The basis for determining accurate project beneficiary data is achieved through the currently available LMISD or by conducting a survey of the area in conformance with the CDBG-DR methodology, applicable forms, and required maps.

The applicant must define the beneficiary identification method used to determine this National Objective.

Upload supporting beneficiary maps, census maps, appropriate DP05, and/or thorough survey documentation. Failure to upload complete supporting beneficiary data could result in disqualification of competition applicants.

- Document Group: Beneficiary Information



- Document Type: U.S. Census Bureau data and/or CDBG-DR Survey documentation
- Document Title: Use a unique descriptive title for each document

Beneficiary Information

What method was used for Beneficiary Identification? *

Beneficiary Identification Provide a brief description of the beneficiary identification method used to determine this national objective and upload supporting beneficiary maps, census data, and/or survey documents. Failure to upload supporting beneficiary data could result in disqualification of competition applicants. *

[+ Create](#)

Full Document Name ↑

There are no records to display.

The applicant must ensure that all beneficiaries of the proposed project are identified. The race, gender, and ethnicity for the total beneficiaries claimed for the proposed project must be tabulated in the space provided.

It is important to update the metric for each race and ethnicity as appropriate. Hispanic and Non-Hispanic will auto-calculate based on data entered and the applicant must provide gender information. Providing the Census Geographic Area Data to identify the census tract and block group(s) in the project service area is also needed. Providing this information can be done by a combination of filling out the applicable answer boxes and submitting data by clicking the “Create” buttons.

Provide Total Number of Beneficiaries. *	Provide number of LMI beneficiaries. *	Percentage of LMI Beneficiaries *
<input type="text"/>	<input type="text"/>	<input type="text"/>
Is the applicant a HUD Exception Grantee? *		
<input type="text"/>		
Beneficiary Identification Identify the census tract and block group(s) in which the project will take place.		
<input type="button" value="+ Create"/>		
Census Tract ↑	01	02
	03	04
	05	06
	07	08
	09	10
There are no records to display.		

Total Number of Non-Hispanic Beneficiaries	Total Number of Hispanic Beneficiaries	Total Beneficiaries (Hispanic + Non-Hispanic)
—	—	—
Beneficiary Demographics By Race and Ethnicity		
<input type="button" value="+ Create"/>		
Race ↑	# of Hispanic Beneficiaries	# of Non-Hispanic Beneficiaries
		Total Beneficiaries for Race
There are no records to display.		
Total Number of Female Beneficiaries	Total Number of Male Beneficiaries	
<input type="text"/>	<input type="text"/>	

5.7 Duplication of Benefits

As stated in the Continuing Appropriations Act, 2017 (Pub. L. 115– 56, approved September 8, 2017) prohibits the use of funds for activities reimbursable by, or for which funds are made available by, FEMA, the Army Corps of Engineers, or any other Federal program. This non-duplication of benefits restriction that prohibits the use of funds for activities reimbursable by other means remains in effect and cannot be waived.

Therefore, GLO must ensure that disaster recovery projects comply with this restriction.

Note: FEMA did not issue Public Assistance (PA) disaster declarations for 2018 South Texas Floods (DR-4377) and the 2019 Disasters (DR-4454 and DR-4466).



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Any and all FEMA funds received for benefit of any project proposed in this application must be fully disclosed and detailed to ensure the best cross-agency coordination and that duplication of benefits does not occur.

Did you receive FEMA PA? / Was the proposed project eligible for FEMA PA? *

Was FEMA contacted regarding the proposed project's eligibility? *

Is this project a proposed FEMA nonfederal share?

If FEMA funds were not requested, provide an explanation as to why.

Provide all relevant FEMA project worksheets, FEMA project type, and evidence of funds committed/received/expended on the proposed project. Any project that sustained direct damage must have applied for FEMA Public Assistance.

[+ Create](#)

Full Document Name ↑

There are no records to display.

Common sources of potentially duplicative funding are:

- FEMA (non-PA)
- Small Business Administration (SBA)
- Insurance
- Other sources of local, state, and federal funding
- Therefore, the GLO must ensure that projects comply with this restriction.

Indicate whether any project in the application is a proposed FEMA (non-PA) funding match.

Small Business Administration (SBA) - All SBA proceeds received for benefit of any project proposed in this application must be fully disclosed and detailed to ensure that funds are used most efficiently, and that duplication of benefit does not occur.

If SBA funding was received, provide all relevant documentation and evidence of funds committed/received/expended on the proposed project.

Insurance Coverage - All insurance proceeds received for benefit of any project proposed in this application must be fully disclosed and detailed to ensure that funds are used most efficiently, and that duplication of benefit does not occur.



If insurance proceeds were received, provide all relevant insurance documentation and evidence of funds committed/received/expended on the proposed project. Also, explain why funds are needed above and beyond the insurance funding.

If a policy was in place for the proposed project, but a claim was not made, provide an explanation as to why.

Other Local, State, or Federal Funding - All funds identified for use on any project proposed in an application must be fully disclosed and detailed to ensure accuracy in the budget, eligible use of all funds, schedule coordination, and that a duplication of benefit does not occur.

If other funds are available to address the proposed project in whole or in part, report all sources of that funding and reflect the specific uses (i.e., construction, engineering, administration, environmental).and amounts in the application budget.

A brief narrative or list of other state and/or federal agencies contacted for funding and the results of the funding must be provided.

Overall, all insurance proceeds received for benefit of any project proposed in this application must be fully disclosed and detailed to ensure that funds are used most efficiently, and that duplication of benefit does not occur. All funds identified for use on any project proposed in an application must be fully disclosed and detailed to ensure accuracy in the budget, eligible use of all funds, schedule coordination, and that a duplication of benefit does not occur. Make sure information is complete and matches the budget provided. Documentation should also be uploaded by using the “Create” button.

Any and all insurance proceeds received for benefit of any project proposed in this application must be fully disclosed and detailed to ensure that funds are used most efficiently, and that duplication of benefit does not occur.

Did the applicant have insurance coverage on the proposed project?

+ Create

Full Document Name ↑

There are no records to display.

Are there any persons/entities with a reportable financial interest to disclose? *

Any and all funds identified for use on any project proposed in an application must be fully disclosed and detailed to ensure accuracy in the budget, eligible use of all funds, schedule coordination, and that a duplication of benefit does not occur. Make sure information is complete and matches the budget provided.

Any and all funds identified for use on any project proposed in an application must be fully disclosed and detailed to ensure accuracy in the budget, eligible use of all funds, schedule coordination, and that a duplication of benefit does not occur. Make sure information is complete and matches the budget provided.

Are local or other funds available to address the proposed project in whole or in part? *

Have any other state and/or federal agencies been contacted concerning funding for the proposed project? *

+ Create

Agency ↑	Program	Award Information	Award Amount	Regarding Application
There are no records to display.				

Disclose source(s) and use(s) of non-CDBG-DR funds. (Each row is a funding source)

+ Create

Source of Funds	Use of Funds	Amount of Funds ↑
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5.8 Community Needs

5.8.1 Disaster Impact

The Disaster Impact provides the applicant an opportunity to establish direct damage related to the specific declaration(s) and provide a narrative as to how the community would be affected should no action be taken to repair the damaged facilities.

5.8.2 Description of the Damage

Provide information about how the declared disaster impacted the community and the overall plan for recovery and resiliency. Descriptions should identify the specific disaster (date and duration), describe how the disaster threatened health and safety in the community, the facilities that were damaged, the current condition of those facilities, and detail of how the specific project will resolve the issue and ensure a more safe and resilient community.

Provide a thorough response for each question. Any responses considered incomplete will likely result in a deficiency notice to the applicant and delays in review.



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The Disaster Impact provides the Applicant an opportunity to establish direct damage related to the specific declaration(s) and provide a narrative as to how the community would be affected should no action be taken to repair the damaged facilities.

Were damages to the proposed project unanticipated and beyond the control of the local government? *

The date the situation addressed in this application first occurred: *

Describe the consequences of taking no action to repair the damaged facilities. *

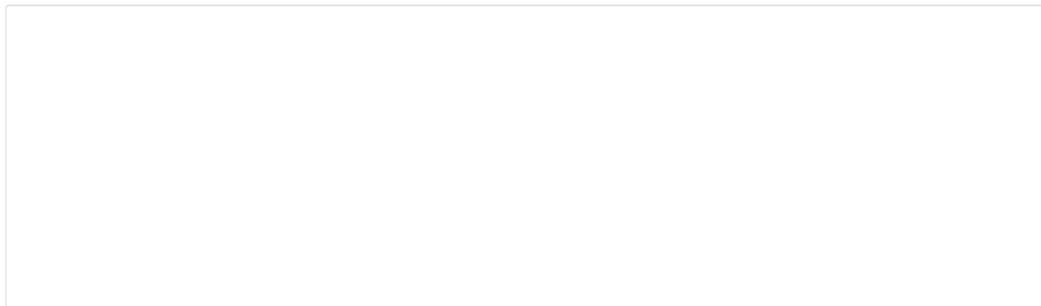
Provide information about how the declared disaster impacted the community and the overall plan for recovery and resiliency. Provide a thorough response for each question. Any responses considered incomplete will likely result in a deficiency notice to the applicant and delays in review. *

Describe the current condition of the facilities that were damaged and describe any actions taken on the proposed project to address the damage(s). *

Documentation is needed to provide support the specific disaster condition. Provide all listed documentation. In addition, provide photos (dated with specific location detail enough to identify the proposed project site(s)), maps, National Weather information, FEMA Project Worksheets, news reports, local declarations, Disaster Summary Outlines (DSO), or other documentation that provides evidence of the specific damage(s) to the proposed project addressed in this application. For any photos included, provide a map identifying each photo location by number.

All activities must show documented proof of impact by the declared disaster(s). CDBG-DR funds must be used for disaster-related expenses ONLY.

In the space provided, list documentation provided to support the specific disaster condition. Provide all listed documentation. In addition, provide photos (dated with specific location detail enough to identify the proposed project site(s)), maps, National Weather information, FEMA Project Worksheets, news reports, local declarations, Disaster Summary Outlines (DSO), or other documentation that provides evidence of the specific damage(s) to the proposed project addressed in this application. For any photos included, provide a map identifying each photo location by number.



Upload Documents Here

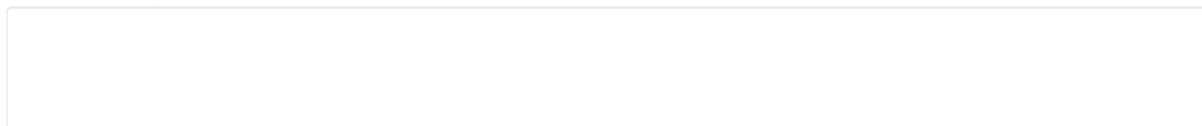


Full Document Name ↑

There are no records to display.

A description about the specific disaster-related impact to infrastructure, housing, and economic revitalization in the HUD and state-identified most impacted and distressed areas (include date and duration), the facilities involved, and the threat that was posed to public health and safety must be provided as well.

Describe the specific disaster-related impact to infrastructure, housing, and economic revitalization in the HUD and state-identified most impacted and distressed areas (include date and duration), the facilities involved, and the threat that was posed to public health and safety. *



5.9 Housing Needs Assessment

Any locality receiving CDBG-DR infrastructure funds must identify and assess their housing needs as part of their recovery plan and indicate how their housing needs are addressed with the proposed infrastructure project.

Information must be provided regarding the community's current supply of affordable housing, as well as past and planned efforts to increase the supply of affordable housing. Also provide instances where the community applied for and received or declined funds for use toward

affordable housing in the past five years. A description is also needed of any current and/or planned compliance codes that will mitigate hazard risks.

General 424 Questions Activity Project Acquisition & URA National Objective Duplication of Benefits Community Needs

Housing Needs Assessment Permits Citizen Participation Procurement Environmental Documents

Housing Needs Assessment

Any locality receiving CDBG-DR infrastructure funds must identify and assess their housing needs as part of their recovery plan and indicate how their housing needs are addressed with the proposed infrastructure project. Provide the following information regarding the housing needs assessment.

Describe the jurisdiction's current supply of housing units available at affordable rents (Public Housing, Section 8 assisted, Rural Housing Service (RHS) assisted, HOME program assisted, Texas Department of Housing and Community Affairs assisted, Local Housing Development Corp. assisted, etc.). *

Describe past efforts to increase the supply of affordable housing. *

Describe efforts planned that will increase the supply of affordable housing. *

Within the past 5 year, has the applicant applied for affordable housing funds and not receive funding? *

5.9.1 Affirmatively Furthering Fair Housing Activities

In order to assist applicants for HUD funding, GLO has established a series of elements and information regarding Fair Housing for applicants to prepare and consider in the development of their applications, programs, and projects.

Further, applicants may receive requests for technical assistance from individuals or groups representative of persons of low- and moderate-income that request assistance in developing proposals (including proposed strategies and actions to affirmatively further fair housing). Applicant strategies must be ready for such or similar requests.

Well-developed strategies, actions, and citizen participation will expedite application and individual project reviews and, in-turn, release authorization to use funds more promptly.

Recognizing that each project and community is different and comes with its own unique circumstances, needs, and considerations, applicants are expected to candidly and objectively assess as much information as possible such that the determinative factors differ between and



inform project choices. Include both positive and negative features, concerns, or assessment factors, as applicable. Factors to assess are as follows:

5.9.1.1 Tier I: “Hard Data”

- Census data – Demographic information by census block group for the town/county. This may be presented as maps and/or in chart/table form with block groups identified. Include percent of population below poverty level, income, and ethnicity/race.
- Crime rates – Include immediate and surrounding geographic areas.
- Household sizes
- Age group data
- Other information and/or relevant factors

5.9.1.2 Tier II: Community Features

Applicant Fair Housing assessments should include distance to each of the following positive and negative features, as well as public transportation time to each, if applicable.

Positive Features

- Jobs – Identify any large employment center(s)/opportunities.
- Schools – Quality measures and demographics as compared to other area public schools.
- Other education – Community colleges, technical schools, higher education, other opportunities. Grocery stores – Identify nearest full-size grocery store(s), other desirable retail.
- Health care facilities – Local clinic(s) and/or nearest hospital, e.g.
- Public transportation – Nearest bus stop(s). [NOTE: State if no public transportation in community]
- Library – Public library and available resources such as computer access.
- Parks, athletic fields, playgrounds – Public recreation areas.
- Community facilities – Childcare, senior centers, other community centers. Other – May include features unique to the community.

Proximity to Negative Features:

- Unsightly facilities, industrial sites, e.g.
- Environmental/health hazards – May overlap with negative uses
- Features undesirable for family life – Retail/business density, type of retail/businesses, e.g.
- Additional subsidized or low-income housing – Public housing and/or LIHTC developments, etc.
- Other – May include features unique to the community

5.9.1.3 Tier III: Trends/Other Plans or Projects

- Area revitalization – Identify economic trends in the area
- Government plans impacting the area – Identify pending or approved projects/plans/bonds, e.g.

- Other development projects/investment – Identify public or private projects in the immediate or larger area which may affect the proposed project

Once all information is gathered, applicants are expected to conduct a candid and objective assessment, identify the determinative factors between potential projects, and utilize those factors when making project choices. Applicants should consider both positive and negative features, concerns, or assessment factors in their final proposed project selections.

Applicants must certify that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations, and that it will affirmatively further fair housing.

Identify activities already achieved to further fair housing, those activities to be undertaken if an award is made by CDBG-DR, and when that activity will be complete.

All proposed projects will undergo an Affirmatively Further Fair Housing (AFFH) review by the GLO before approval. Such review will include assessments of:

- A proposed project's area demography;
- Socioeconomic characteristics;
- Housing configuration and needs;
- Educational, transportation, and health care opportunities;
- Environmental hazards or concerns; and
- All other factors material to the AFFH determination.

Viable options to Affirmatively Further Fair Housing:

- Developing a strategy to pass a Fair Housing Ordinance
- Passing a Fair Housing Ordinance
- Initiating a Fair Housing counseling service
- Assisting Fair Housing groups
- Establishing a local complaint and monitoring process
- Providing Housing Choices outside historically minority and/or LMI neighborhoods
- Assisting Housing Projects that are racially mixed
- Enforcing Fair Housing Guidelines that are equivalent to a Fair Housing Ordinance
- Adopting and distributing Fair Housing practices
- Designating a Fair Housing Month
- Holding a special hearing to solicit input from the community
- Developing an anti-NIMBYism (Not in My Backyard) action plan



- Publishing the contact information – at the local, state, and federal levels – for reporting a Fair Housing complaint
- Developing policies and procedures that take the location of protected classes into account when deciding where to locate undesirable infrastructure improvements
- Other – Describe your process and how it affirmatively furthers fair housing

Any locality receiving CDBG-DR funds must certify that it will affirmatively further fair housing. Using the drop-down box in the application, identify the activities already achieved to affirmatively further fair housing, new activities to be undertaken if an award is made and when those new activities will be complete. Communities should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant should contact GLO to determine eligibility.

Identify activities already achieved to further fair housing, and those activities to be undertaken if an award is made by CDBG-DR and when that activity will be complete.

Affirmatively Furthering Fair Housing Activities

What methods and criteria were used to prioritize the projects in the application, including affirmatively furthering fair housing? *

Any locality receiving CDBG-DR funds must certify that it will affirmatively further fair housing. Using the drop-down menu below, identify the activities already achieved to affirmatively further fair housing, and those new activities to be undertaken if a CDBG-DR award is made, together with an estimate of when that activity will be complete. Localities should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant may contact the GLO to determine eligibility.

Fairhousing activity 1 *

Status 1 *

Fairhousing activity 2

Status 2

Fairhousing activity 3

Status 3



To upload any backup documentation to support your Affirmatively Furthering Fair Housing efforts, upload them in the Documents section:

- Document Group: General Eligibility
- Document Type: Fair Housing Activity information
- Document Title: Use a unique descriptive title for each document

5.9.2 List of Unmet Needs

Taking into consideration the disaster-related impact to infrastructure, housing, and economic revitalization in the HUD and state-identified most impacted and distressed areas described, citizen participation responses, and the assessment of housing and affirmatively furthering fair housing, provide a list (in priority order) of all the unmet disaster-related needs of your community.

To add a comment for the Unmet Need line-item, use the dropdown arrow and select “Edit.”

Name	Comment Planned	Display Order ↑
Unmet Need 1		1 <input type="button" value="v"/>
Unmet Need 2		<input type="button" value="Edit"/>
Unmet Need 3		3 <input type="button" value="v"/>
Unmet Need 4		4 <input type="button" value="v"/>
Unmet Need 5		5 <input type="button" value="v"/>

5.9.3 Long-Term Planning

Applicants must develop their community recovery projects in a manner that considers an integrated approach to housing, fair housing obligations, infrastructure, economic revitalization, and overall community recovery. Consideration of long-term planning processes is also highly encouraged. Disaster recovery presents communities with unique opportunities to examine a wide range of issues including (1) housing quality and availability, (2) road and rail networks, (3) environmental issues, (4) the adequacy of existing infrastructure, (5) opportunities for the modernization of public facilities and the built environment, (6) the development of regional and integrated systems, and (7) the stimulation of the local economy impacted by the disaster.

Applicants must develop their community recovery projects in a manner that considers an integrated approach to housing, fair housing obligations, infrastructure, economic revitalization, and overall community recovery. Consideration of long-term planning processes is also highly encouraged. Disaster recovery presents communities with unique opportunities to examine a wide range of issues including (1) housing quality and availability, (2) road and rail networks, (3) environmental issues, (4) the adequacy of existing infrastructure, (5) opportunities for the modernization of public facilities and the built environment, (6) the development of regional and integrated systems, and (7) the stimulation of the local economy impacted by the disaster. Applicants must provide a brief description of how the proposed project addresses an integrated approach to recovery. *



Applicants need to identify how each project addresses unmet housing needs or how economic revitalization or infrastructure activities will contribute to long-term recovery and restoration of housing in the most impacted and distressed areas. The applicant should also show how the project forms part of an integrated approach to recovery.

A number of other specific questions will follow related to sustainable long-term recovery, local and regional efforts to effect disaster recovery, mitigation measures, and other topics.



Considering the local post-disaster evaluation of hazard risks, responsible floodplain management, future extreme weather/natural disaster events, and long-term risks, describe how the proposed project promotes sustainable long-term recovery.

Describe how the proposed project is consistent with local and regional planning efforts to effect disaster recovery.

Describe how the proposed project integrates mitigation measures into rebuilding activities and achieves objectives outlined in community-level and/or regional post-disaster recovery and mitigation planning to reduce future risk.

Was a cost-benefit analysis used in the selection of the proposed project? *

Describe how the proposed project will avoid disproportionate impact on vulnerable populations and create opportunities to address economic inequities facing the local community. *

Does the proposed project align with investments from other state or local capital improvements and infrastructure development efforts? *

Does the proposed project employ adaptable and reliable technology to guard against premature obsolescence? *

Describe the applicant's overall recovery plan and how the project addressed in this application furthers that plan. *

Describe how the proposed project will contribute to the community's resiliency against future disasters as a result of these projects. *

5.10 Permits

Notification of any federal, state, or other permits, approvals, or waivers to complete the proposed work will need to be disclosed. A copy of the applicable permit or other document will be needed.



General 424 Questions Activity **Permits** Project Acquisition & URA National Objective Duplication of Benefits Community Needs

Housing Needs Assessment Permits Citizen Participation Procurement Environmental Documents

Does the project require any federal, state, or other permits, approvals, or waivers to complete the proposed work?

Provide a copy of each permit already executed or drafted.

+ Create

Full Document Name ↑

There are no records to display.

Other information, such as legally binding agreements and, if applicable, the Certificate of Convenience and Necessity (CCN) will be needed.



Does the project require any type of ratified, legally binding agreement between the applicant and any other entity to provide continual operation upon completion?

For sewer and/or water facilities projects, does the applicant currently hold the Certificate of Convenience and Necessity (CCN) for the target area proposed in the application?

Is CCN uploaded?

If a CCN is required, is written documentation from the Public Utility Commission of Texas (PUC) verifying the application has been filed uploaded?



5.11 Citizen Participation Plan

Application details including project description, locations, budget, schedule, and project beneficiaries must be posted for public comment for a minimum of 14 days. The applicant must provide information on when the jurisdiction posted the project for public comment and provide the “From” and “To” dates for your public posting(s). Any comments received during the public comment period must be addressed by the applicant.

Although public hearings are not a program requirement, jurisdictions who choose to hold them or are required by their local citizen participation plan should list the date(s) of the hearings and attach appropriate documentation. To add the Assessment Type, Assessment Date, a short Description, and Naming information, press the “Create” button where a pop-up window will appear.

General 424 Questions Activity Project Acquisition & URA National Objective Duplication of Benefits Community Needs

Housing Needs Assessment Permits **Citizen Participation** Procurement Environmental Documents

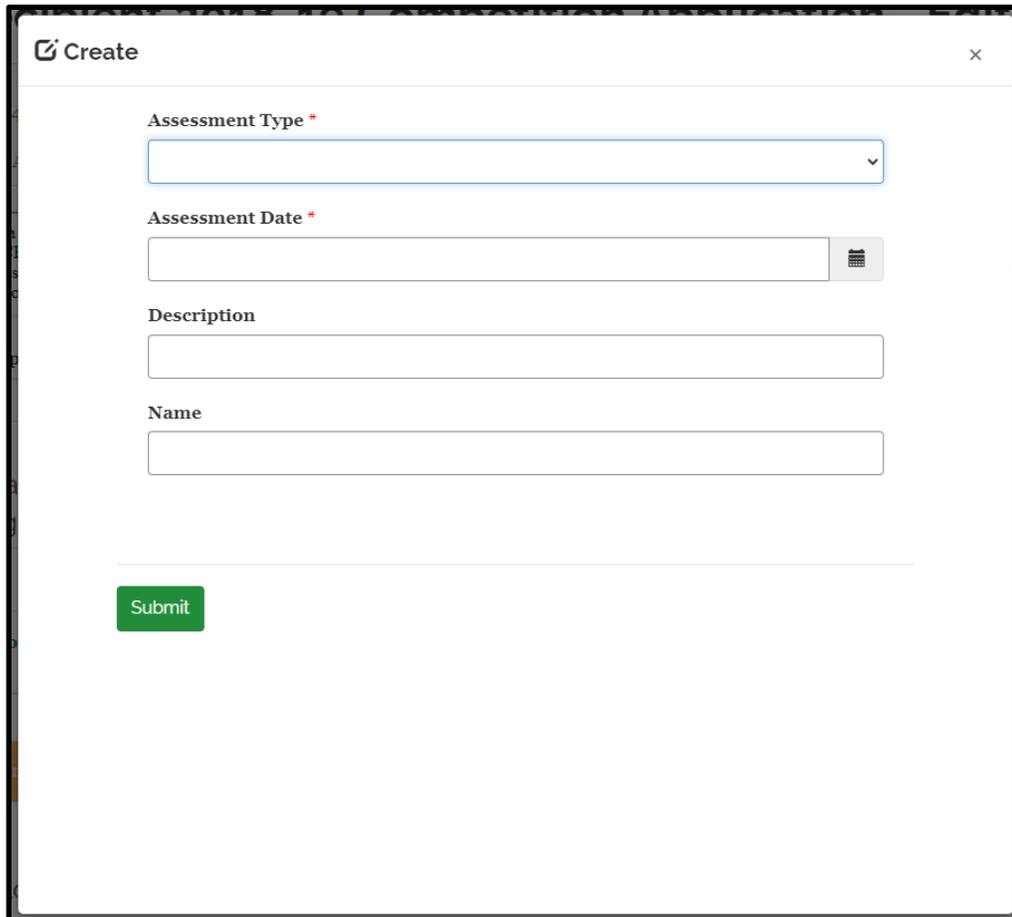
“To permit a more streamlined process, and ensure disaster recovery grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, and 24 CFR 91.115(b) and (c), with respect to citizen participation requirements, are waived and replaced by the requirements below. The streamlined requirements do not mandate public hearings but do require the grantee to provide a reasonable opportunity (at least 14 days) for citizen comment and ongoing citizen access to information about the use of grant funds.”

Did the applicant provide a reasonable opportunity for public comment? *

Although a public hearing is not required, if your jurisdiction held one, list the date and attach the supporting documents.

Create

Application	Assessment Date	Assessment Type	Description	Name	Created On
There are no records to display.					



The screenshot shows a 'Create' form with the following fields:

- Assessment Type ***: A dropdown menu.
- Assessment Date ***: A date input field with a calendar icon.
- Description**: A text input field.
- Name**: A text input field.

A green **Submit** button is located at the bottom left of the form.

Proof of public posting is required. All comments received during the public comment period or if applicable during the public hearing and responses must be submitted with proof of public posting.

Upload an affidavit of public posting along with pictures that demonstrate the posting and documentation of public hearings held for citizen participation purposes, if applicable. Choose the applicable document type for the Citizen Participation Document Group by clicking “Create.”

- Document Group: Citizen Participation
- Document Type: Affidavit of public posting
- Document Title: Use a unique descriptive title for each document



The screenshot shows a document upload interface with the following elements:

- Text: "Please upload proof of public posting"
- A green **+** **Create** button, which is highlighted with a red rectangular box.
- Text: **Full Document Name** ↑
- An orange banner at the bottom with the text: "There are no records to display."



Such records must be made available to the public in accordance with Chapter 552, Government Code. The applicant must submit all notices of any public hearings or requests for public comment that the applicant may have that relates to the administration of CDBG-DR funds provided. The applicant certifies compliance with the 14-day public posting requirement by completing and signing the required Application for Federal Assistance SF-424.

If an application is selected for award, the Citizen Participation Plan will be requested as a part of start-up documentation after contract execution.

Evidence of public posting includes but is not limited to:

- an affidavit of public posting with photos to support the posting;
- screenshots of a website posting; or
- publisher's affidavit and tear sheet.

If an applicant has a current citizen participation plan, they must follow their current citizen participation plan for each proposed project.

CDBG-DR applicants and funded entities are required to carry out citizen participation procedures in accordance with the Citizen Participation Plan as described in this guide. Each applicant certifies, by signing SF-424, that it has and will comply with the requirements of the Citizen Participation Plan as stated in this section and any local citizen participation requirements.

Each applicant should assess the best way to offer an opportunity for all citizens to provide input on the substantially complete proposed application/project. A best practice is to include a variety of outreach methods to ensure all citizens have access. As stated, ensure a minimum 14-day public comment period. Allow time after the comment period to address and potentially include any public comment that impacts the application/project before finalizing it for submission. All outreach and posting efforts should be fully documented and that documentation uploaded including the date, time, and place a substantially complete application was available for review.

The substantially complete application should include at minimum, a scope of work, budget, identification of all sources of funding, maps to identify location and beneficiaries.

Upon contract execution each applicant must maintain a citizen participation file which includes:

- A copy of the Plan Requirements below;
- The applicant's complaint procedures;
- Any technical assistance provided by the applicant; and
- Public notices, minutes, and attendance lists for any public hearings or meetings or documentation of other citizen participation opportunities.

Applicants are responsible for ensuring that all citizens have equal access to information about project activities.



5.12 Procurement

Applicants must follow the procurement process guidelines set forth in 2 CFR §200.318-§200.327 for grant administration, environmental, and engineering services if using CDBG-DR funds to pay third-party vendors for those services. These rules and regulations also apply to procurement of construction services. These procurement requirements must be followed to ensure reimbursement from CDBG-DR funds.

A GLO Procurement Checklist is required for each third-party vendor. The procurement checklist is available on the GLO recovery website. Local adopted procurement policies and procedures will be required upon execution.

Applicants will need to provide details regarding procurement details in TIGR. This information is entered by selecting the dropdown arrows for each line-item question, where applicable.

Name	Comment Planned	Yes/No/NA Resp Planned	Display Order
If Yes, will the vendor also provide environmental services?			1
If no, how will this activity be performed?			2
If Yes to either question, and the vendor has been procured, provide the vendor's name.			3
If Yes to either question, and the vendor has been procured, provide the vendor's phone.			4
If Yes to either question, and the vendor has been procured, provide the vendor's email.			5

If environmental services are to be provided by a different vendor, information regarding the vendor is also asked and can be provided by using the dropdown arrows.



Fill in below info if Environmental services are to be provided by a different vendor.

Name	Comment Planned	Display Order ↑
If Yes, and the vendor has been procured, provide the vendor's name.		1
If Yes, and the vendor has been procured, provide the vendor's phone.		2
If Yes, and the vendor has been procured, provide the vendor's email.		3

Applicant must identify selection of a third-party engineer to perform engineering services for the proposed project. This information is completed by selecting the dropdown arrows for each line-item question, where applicable.

Has the applicant chosen to use a third-party engineer to perform engineering services for the proposed project?

Name	Comment Planned	Display Order ↑
If no, how will this activity be performed?		1
If Yes, and the vendor has been procured, provide the vendor's name.		2
If Yes, and the vendor has been procured, provide the vendor's phone.		3
If Yes, and the vendor has been procured, provide the vendor's email.		4

If professional or other services have been procured to work on the proposed project, provide the following in the Documents section of TIGR:

- A completed GLO Procurement Checklist for every service provider already procured.

For procurement checklist:

Document Group: Procurement

Document Type: Professional Services documentation

Document Title: Use a unique descriptive title for each document

5.12.1 Local Financial Policies and Procedures

Each applicant must adopt financial policies and procedures that ensure they are prepared to received federal funding on a local level. Full compliance with federal requirements from the beginning is essential to ensure that all funding expenditures are eligible and reimbursable. Local financial policies and procedures will be required upon execution.



5.12.2 Financial Interest

Applicants will be expected to follow federal financial management requirements and will be asked to identify all persons/entities with a reportable financial interest in the proposed project to declare.

Submit Financial Interest Report forms with the application for each person/entity with a reportable financial interest. Financial Interest Reports must be included for any procurements that have already occurred and been executed locally, such as Grant Administration, Environmental, Project Delivery, and/or Engineering.

For properly procured contracts that include multiple services, ensure the corresponding Financial Interest Report clearly reflects all services being provided and the budget amount for each service.

For Financial Interest Reports, provide the following in the Documents section of TIGR:

- Document Group: Procurement
- Document Type: Financial Interest Reports
- Document Title: Use a unique descriptive title for each document

5.13 Environmental

As indicated in the Local Certifications required for each application, *“Each applicant must comply with the provisions of the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations, the requirements set forth in Title 24 of the Code of Federal Regulations (CFR) part 58, and applicable GLO policy directives. All applicable federal and state laws, including environmental, labor (Davis-Bacon), procurement procedures and contract requirements of 2 CFR 200.318–200.327 and civil rights requirements apply to the use of these funds.”*

Project Aggregation – Per 24 C.F.R. 58.32, the Responsible Entity must group together and evaluate as a single project all individual activities which are either related either on a geographical or functional basis or are logical parts of a composite of contemplated actions.

The purpose of project aggregation is to adequately analyze, in a single environmental review, the separate and combined impacts of activities that are similar, connected and closely related, or that are dependent upon other activities and actions (see 40 C.F.R. 1508.25(a)).

The Responsible Entity may choose:

- functional aggregation when a specific type of activity (e.g., water improvements) is to take place in several separate locales or jurisdictions;
- geographic aggregation when a mix of dissimilar but related activities is to be concentrated in a fairly specific project area (e.g., a combination of water, sewer and street improvement and economic development activities); or
- a combination of aggregation approaches, which, for various project locations, considers the impacts arising from each functional activity and its interrelationship with other activities.



Accurate scoping, projects descriptions, and project aggregation are critical success factor of environmental clearance.

A response for each question will be needed. Any questions not answered will be considered incomplete and may result in disqualification. Further information will need to be provided and can be completed by selecting the dropdown arrows for each line-item question, where applicable.

- What is the current status of the project?
- Will the assistance requested have any negative impact(s) or effect(s) on the environment?
 - If yes, or the applicant believes an issue may exist, provide a brief narrative. More information at: www.hudexchange.info/programs/environmental-review
- Is the proposed project likely to require an archaeological assessment?
 - If yes, or the applicant believes a historical resources/archaeological assessment may be needed, provide a brief narrative explaining the issue. More information at: www.hudexchange.info/environmental-review/historic-preservation
- Is the proposed site(s) listed on the National Register of Historic Places?
 - If yes, provide a brief narrative explaining how the historic site will be impacted. More information at: www.nps.gov/subjects/nationalregister/index.htm
- Is the project in a designated flood hazard area or a designated wetland?
- Is any project site located in a known critical habitat for endangered species?
 - Is the proposed project site located in a known critical habitat for endangered species? More information at <https://www.hudexchange.info/environmental-review/endangered-species>
- Is any project site a known hazardous site?
 - Is the proposed project site a known hazardous site? More information at <https://www.hudexchange.info/environmental-review/site-contamination>
- Is any project site located on federal lands or at a federal installation?
 - If yes, provide a brief narrative detailing why federal land or a federal installation is required for the proposed project.
- Is any project site subject to or participating in Fixing America's Surface Transportation Act (FAST-41) (P.L. 114-94)?
- Provide any additional detail or information relevant to Environmental Review.
- Provide a brief narrative regarding how CDBG-DR funding is to be used. Demonstrate that HUD CDBG environmental requirements have been met to date.
 - More information at: <https://www.hudexchange.info/resource/167/environmental-review-procedures-24-cfr-58/>



General 424 Questions Activity Project Acquisition & URA National Objective Duplication of Benefits Community Needs
Housing Needs Assessment Permits Citizen Participation Procurement **Environmental** Documents

Applicants should be advised that all HUD CDBG environmental requirements must be met before reimbursement can be considered.

Name	Comment Planned	Yes/No/NA Resp Planned	Display Order ↑
What is the current status of the project?			1
Will the assistance requested have any negative impact(s) or effect(s) on the environment?			2
Is the proposed project likely to require an archaeological assessment?			3
Is the proposed site(s) listed on the National Register of Historic Places?			4
Is the project in a designated flood hazard area or a designated wetland?			5
Is any project site located in a known critical habitat for endangered species?			6
Is any project site a known hazardous site?			7
Is any project site located on federal lands or at a federal installation?			8
Is any project site subject to or participating in Fixing America's Surface Transportation Act (FAST-41) (P.L. 114-94)?			9
Provide any additional detail or information relevant to Environmental Review.			11
Provide a brief narrative regarding how CDBG-DR funding is to be used. Demonstrate that HUD CDBG environmental requirements have been met to date.			12

Provide a response to additional questions as prompted in the application:

What level of environmental review is likely needed for this project/site?

Is any project site subject to or participating in Fixing America's Surface Transportation Act (FAST-41) (P.L. 114-94)?

Provide a brief narrative regarding how CDBG-DR funding is to be used. Demonstrate that HUD CDBG environmental requirements have been met to date.

5.14 Documents

The Documents section allows the applicant to provide any required or other supplemental documentation to support their application.

Please review the following section (Additional Application Information) as other documentation may be required of the applicant and can be uploaded in the Documents section.



The screenshot shows a navigation menu with the following items: General, 424 Questions, Activity, Project, Acquisition & URA, National Objective, Duplication of Benefits, and Community Needs. Below this is a sub-menu with: Housing Needs Assessment, Permits, Citizen Participation, Procurement, Environmental, and Documents. The 'Documents' item is highlighted with a red box. Below the menu is a section titled 'Uploaded Documents' with a '+ Create' button. A table header 'Full Document Name ↑' is visible, followed by an orange message box stating 'There are no records to display.'

5.15 Application Completion and Submission

Once the applicant has completed the application in its entirety, uploaded all required documentation, and met the required Citizen Participation criteria, appropriate steps must be followed in TIGR to complete the application submittal.

TIGR PROJECT APPLICATION:

Application Completion/Submission:

Navigate to the Projects section and click on “Complete an Existing Draft Project.”

Locate the Draft Project and click the drop-down arrow under Program Type and click “Submit Project.”

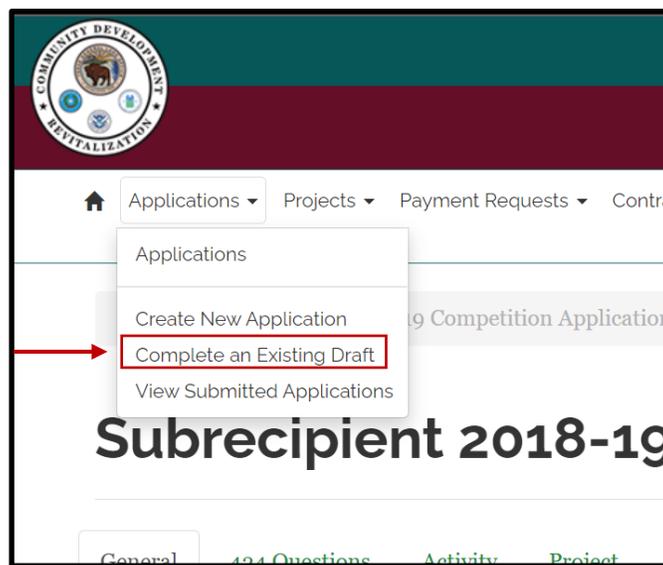
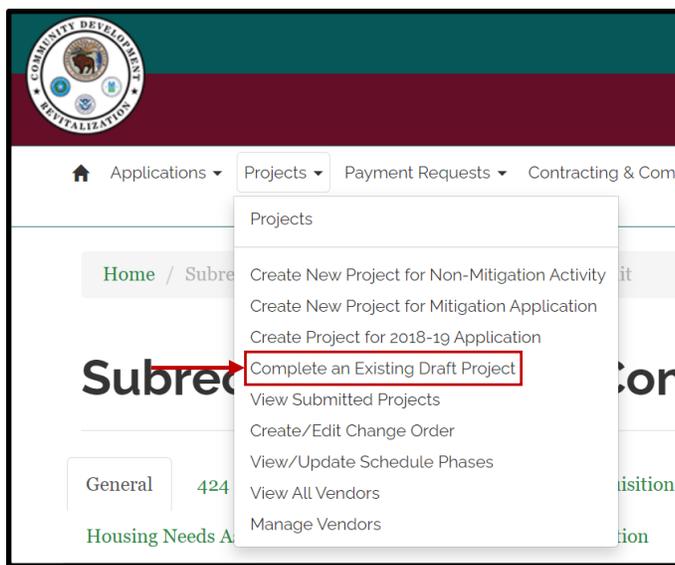
Navigate to the Applications section and click on “Complete an Existing Draft.”

Locate the Draft Application and click the drop-down arrow under Created On and click “Submit Application.”

*****Once submitted, the applicant cannot edit the application.*****

Congratulations!

Your Disaster Recovery Competition Application has been submitted for scoring!



5.16 Project Documentation

In addition to the completed application, each applicant must upload and submit the following documentation along with their application. These items help the GLO assess the applicant's eligibility, project eligibility, financial capacity, capacity to oversee and manage a CDBG-DR funded contract, and ensure a successful project:

Document Group	Document Type
Federal Application	<input type="checkbox"/> Debt Delinquency Information
	<input type="checkbox"/> SF-424 - Completed and Signed
Project	<input type="checkbox"/> Maps indicating latitude and longitude for proposed locations
	<input type="checkbox"/> Other supporting documentation
	<input type="checkbox"/> Project schedule
	<input type="checkbox"/> Site Photos
Budget	<input type="checkbox"/> Documentation of other leverage funding (FEMA, insurance, Small Business Administrations, etc.)
	<input type="checkbox"/> DR - Budget Justification of Retail Costs form
National Objective Information	<input type="checkbox"/> Correct Documentation
Beneficiary Information	<input type="checkbox"/> LMISD data and/or CDBG-DR Survey documentation
	<input type="checkbox"/> Supporting census tract/block group or other beneficiary data maps



Document Group	Document Type
	<input type="checkbox"/> DP05 (census data ACS 5-year estimate)
Duplication of Benefits	<input type="checkbox"/> DOB Documentation
Community Needs	<input type="checkbox"/> Community Needs Documentation
General Eligibility	<input type="checkbox"/> Fair Housing Activity information
Citizen Participation	<input type="checkbox"/> Affidavit of public posting
	<input type="checkbox"/> Documentation of public hearings
	<input type="checkbox"/> Photos that demonstrate public posting
Procurement	<input type="checkbox"/> Financial Interest Reports
	<input type="checkbox"/> GLO Procurement Checklist
Application Submission	<input type="checkbox"/> Single Audit or Annual Financial Statement
Environmental	<input type="checkbox"/> Copies of required permits
	<input type="checkbox"/> Environmental Exempt Form for planning and administrative activities
	<input type="checkbox"/> Floodplain and/or wetland map
Application Submission	<input type="checkbox"/> Local Certifications form
	<input type="checkbox"/> MOU, IA, or other binding documentation
	<input type="checkbox"/> Resolution authorizing application submission, if applicable
	<input type="checkbox"/> Signed Letter of Commitment with funding amount and sources

5.17 Local Certifications

The DR-Local Certifications form must be signed by the local authorized signatory, submitted with the TIGR application, and retained with the local application file.

The DR-Local Certifications form is available on the GLO Recovery website.

Each applicant for CDBG-DR funding must certify by signing the Application for Federal Assistance Standard Form 424 (SF-424) and the application that local certifications included in this application guide were followed in the preparation of any CDBG-DR program application, and that they will continue to be followed in the event of funding.

Each applicant must comply with the provisions of the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations, the requirements set forth in Title 24 of the Code of Federal Regulations (CFR) part 58, and applicable GLO policy directives. All applicable federal and state laws, including environmental, labor (Davis-Bacon), procurement



procedures and contract requirements of 2 CFR 200.318–200.327, and civil rights requirements apply to the use of these funds.

It should be noted that 18 USC 1001 states that any person who (1) knowingly or willfully falsified, conceals, or covers up by any trick, scheme, or device of material fact, (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false fact, fictitious, or fraudulent statement is a federal offense and punishable under the law.

Each applicant certifies, in compliance with the requirements presented in the Federal Register notice, 83 FR 5844 (February 9, 2018), that:

- a. The applicant/subrecipient certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- b. The applicant/subrecipient certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- c. Any entity or entities designated by the subrecipient, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG-DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice. The subrecipient certifies that activities to be undertaken with funds under the Notice are consistent with the Action Plan.
- d. The applicant/subrecipient certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this notice.
- e. The applicant/subrecipient certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 135.
- f. The applicant/subrecipient certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for by HUD in Federal Register notices providing waivers and alternative requirements for this grant). Also, each local government receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- g. The applicant/subrecipient certifies that it is complying with each of the following criteria:
 1. Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 2018 and 2019 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*).
 2. With respect to activities expected to be assisted with CDBG-DR funds, the Action Plan has been developed to give the maximum feasible priority to activities that will benefit low- and moderate-income families.



3. The aggregate use of CDBG-DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver published in an applicable Federal Register notice) of the grant amount is expended for activities that benefit such persons.
4. The subrecipient will not attempt to recover any capital costs of public improvements assisted with CDBG-DR grant funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - (a) Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or
 - (b) For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks enough CDBG funds (in any form) to comply with the requirements of clause (a).
- h. The applicant/subrecipient certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601–3619), and implementing regulations, and that it will affirmatively further fair housing.
- i. The applicant/subrecipient certifies that it has adopted and is enforcing the following policies, and, in addition, must certify that they will require local governments that receive grant funds to certify that they have adopted and are enforcing:
 1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
 2. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
- j. The applicant/subrecipient certifies that it currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements of this notice.
- k. The applicant/subrecipient certifies that it will not use CDBG-DR funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the state, local, or tribal government or delineated as a Special Flood Hazard Area (or 100-year floodplain) in FEMA’s most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the state, local, and tribal government land use regulations and hazard



mitigation plans and the latest issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.

- l. The applicant/subrecipient certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
- m. The applicant/subrecipient certifies that it will comply with environmental requirements at 24 CFR part 58.
- n. The applicant/subrecipient certifies that it will comply with applicable laws.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729 and disqualification from the CDBG-DR program.

5.18 Upper Quartile Waiver

The Upper Quartile Waiver (85 FR 60821) allows the GLO to apply exception criteria in determining that an activity qualifies as meeting the low and moderate income (LMI) area benefit national objective when the area contains fewer than 51 percent of LMI persons. This waiver and alternative requirement will allow the State to use the “upper quartile” or “exception criteria” for LMI area benefit activities for non-entitlement counties impacted by the 2018 South Texas Floods and 2019 Disasters.

This waiver and alternative requirement are for only those non-entitlement counties in which fewer than one quarter of the block groups within each jurisdiction have 51 percent or more of LMI residents. When the “upper quartile” or “exception criteria” methodology is applied to block groups within those counties that do not fall within an entitlement community, fewer than one quarter of the populated-block groups in those counties contain 51 percent or more of LMI persons.

The non-entitlement counties that qualify under this alternative requirement, and the calculated “exception percentages” for each, will be posted in tables on the HUD website. These tables will be updated annually by HUD. The “exception percentage” for each of the counties that qualify will represent the new threshold for qualifying block groups in those counties under the LMI area benefit national objective criteria.

5.19 Standardized Area Median Income Waiver

The Standardized Area Median Income Waiver (85 FR 60821) allows the GLO to make LMI determinations based on statewide median income instead of otherwise applicable area median income (AMI) when local AMI is below statewide median income data (as published by HUD annually with adjustments for smaller and larger families). In areas where this waiver and alternative requirement permits the GLO to use statewide median income for LMI determinations, the GLO may also use statewide median income data (as published by HUD annually with adjustments for smaller and larger families) to calculate 120 percent of statewide median income, and to use 120 percent of statewide median income as a substitute for 120 percent of AMI. This



will allow the GLO to standardize the median income for the counties impacted by the 2018 South Texas Floods and 2019 Disasters that have an AMI below the statewide median income. However, if those counties have an AMI above the statewide median income, LMI eligibility will continue to be defined by the county's higher AMI standard.

5.20 Record Retention

In accordance with federal regulations, all records relevant to a project that receives federal grant funding shall be retained for a period of three (3) years subsequent to the final closeout by the grantee (the GLO). The GLO will notify all CDBG-DR program participants of the date upon which local records may be destroyed, and Provider shall retain all records related to this contract until the destruction date determined by the GLO.

5.21 Conflict of Interest Procedures

The applicant will be required to designate an individual to serve as an overseer of all grant activities, to ensure that there are no "conflicts of interests" in any, and all, activities related to the administration of a CDBG-DR grant. It is recommended that the individual designated to serve in this role be employed in a position outside the chain of command of the staff administering this grant and have the ability to bring any concerns directly to the elected official, city council, or county commissioners court.

5.22 False Information

The following actions may be taken, as appropriate, where the GLO finds that an applicant provided false information in their application for CDBG-DR funding.

If GLO staff suspect or have confirmation that an applicant has provided false or misleading information in an application that would affect program eligibility, impact the applicant's score, or falsely define beneficiary information that increases the number or percentage of potential beneficiaries, GLO staff will make a recommendation for action to the GLO's Monitoring and Quality Assurance (M&QA) team.

M&QA may take additional actions that may include, but are not limited to:

- 1) If an award has NOT been made and adjustment to the information results in program ineligibility for the purpose of funding, the locality will be liable for funds expended to any vendors procured to serve the application process.
- 2) If an award has been made, M&QA will conduct the appropriate reviews and issue any official findings or concerns. The applicant/subrecipient may be liable for funds expended.
- 3) Referral to the HUD Office of the Inspector General (OIG) for further resolution.

5.23 Application Review Procedures

All applications will be reviewed by GLO staff or its assigned representatives to determine if each application (1) is complete, (2) proposed activity that is eligible, (3) meets a national objective, and (4) meets program requirements.

The application review procedures consist of the following steps:

- Submission of applications by eligible applicants.
 - Each eligible entity must submit an application via TIGR prior to the application due date and time.
 - All applications received by the prescribed due date are scored using posted Scoring Criteria. Only applications scoring high enough for potential award are reviewed for completeness and eligibility. Should an applicant be disqualified the next highest scorer will be reviewed for eligibility.
- 1) Completeness and eligibility review.
 - (a) Upon receipt of an application and scoring, GLO will perform a completeness and eligibility review to determine whether all needed application data has been provided and whether all proposed activities are eligible. Competition applications that are incomplete or contain multiple deficiencies may be disqualified without further opportunity for repair.
 - (b) If the application contains enough information to clearly identify projects and confirm general eligibility, GLO will contact the applicant to clarify and resolve any minor deficiencies discovered during review. A response correcting the deficiencies must be submitted to GLO within the prescribed timelines.
 - (c) Any high scoring applications that are found otherwise ineligible for any reason will be disqualified.
 - (d) Completeness and eligibility review will begin with highest scorers and will continue down the list until all available funds have been awarded to complete applications submitted by eligible applicants.
 - 2) GLO works with eligible applicants to execute contract agreements.
 - (a) When all project eligibility issues have been resolved, GLO will draft contract documentation based on the information approved in the entity's application. GLO may negotiate any technical elements with the recipient so long as the award amount is not increased and the level of benefits described in the application is not decreased, and/or there are no changes that would impact eligibility and scoring (if applicable).

5.24 Appeals Process

2018 South Texas Floods and 2019 Disasters Infrastructure Competitions applicants may submit a written appeal of scoring decisions up to ten (10) business days after the notice of awarded applicants is made public. The notice of awarded applicants will be published as a Press Release and found on the Press Release page of the GLO Recovery website when publicized:

- <https://recovery.texas.gov/press-releases/index.html>

The 2018 South Texas Floods and 2019 Disasters Infrastructure Competitions applicant may submit documentation to support their appeal. The GLO will review the appeal including any documentation provided and issue a response within fifteen (15) business days where practicable.

Applicants can view the GLO’s general appeals process, compliance with the Public Information Act, complaint process, and fraud, waste, or abuse of government funds information at the link below:

- <https://recovery.texas.gov/local-government/hud-requirements-reports/appeals-process/index.html>.

5.25 What if I have Additional Questions?

Applicants may submit inquiries regarding the Competitions programs via email to cdr@recovery.texas.gov. Response will be provided via Frequently Asked Questions posted to the GLO website at: <http://recovery.texas.gov/>.

5.26 Abbreviations

Abbreviation	Meaning
AFFH	Affirmatively Furthering Fair Housing
AMFI	Area Median Family Income
CDBG	Community Development Block Grant
CDP	Census Designated Places
CFR	Code of Federal Regulations
CGA	Census Geographic Area
COCC	Certification of Construction Completion
DR	Disaster Recovery
FEMA	Federal Emergency Management Agency
FIR	Financial Interest Report
FR	Federal Register (daily newspaper of the federal government)
FWCR	Final Wage Compliance Report
GA	Grant Administrator
GIS	Geographic Information System
GLO	Texas General Land Office
GPS	Global Positioning System
HCDA	The Housing and Community Development Act of 1974 Section 105(a)
HMGP	Hazard Mitigation Grant Program
HUD	U.S. Department of Housing and Urban Development
LMI	Low and Moderate Income
LMISD	Low and Moderate Income Summary Data
MID	Most Impacted and Distressed
NDR	National Disaster Resilience
NFIP	National Flood Insurance Program



NTP	Notice to Proceed
Pub. L.	Public Law (congressional bill)
RFP	Request for Proposals
RFQ	Request for Qualifications
SBA	Small Business Administration
SF-424	Application for Federal Assistance Standard Form 424
TIGR	Texas Integrated Grant Reporting System
URA	Uniform Relocation Assistance and Real Property Acquisition Policies Act
USACE	The United States Army Corp of Engineers