



**COMMUNITY DEVELOPMENT
& REVITALIZATION**

**2016 HUD MID Competition Application
Guide**

(DR-4266, DR-4269 and DR-4272)

Texas General Land Office
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TEXAS 2016 HUD MOST IMPACTED COUNTY COMPETITION

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 storms and flooding events in 2016. HUD declared 5 most impacted counties. Only entities in the most impacted counties will be eligible for this program.

The GLO is the state agency designated by the Governor to administer CDBG-DR grant funding awarded to the state following a Presidentially declared disaster; CDR is the specific administrative program created by the GLO to fulfill this important role. In this capacity, GLO-CDR will be responsible for (1) the execution of the 2016 CDBG-DR grant funding, (2) development of the Action Plan, (3) completion of quarterly reports, (4) the associated letter of credit, and (5) the end of the award report. GLO-CDR will also oversee the distribution of funds for housing, as well as disaster recovery funding associated with public infrastructure and other infrastructure projects.

2016 FLOODS CDBG-DR ACTION PLAN

The requirements and procedures specified in the State of Texas Plan for Disaster Recovery, HUD Section 145 of the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act (Pub. L. 114 - 223) approved September 29, 2016, Division A of the Furthering Continuing and Security Assistance Appropriations Act, 2017 (Pub. L. 114 - 254) approved December 10, 2016), Section 42 of Title IV of the Consolidated Appropriations Act, 2017 (Pub.L. 115-31) approved May 5, 2017, and Amendment 1 will govern the 2016 Floods CDBG-DR application process, including the applicant threshold requirements and eligibility parameters.

Applicants are strongly encouraged to read the entire State of Texas Plan for Disaster Recovery (which includes the full explanation of the plan to recover from the 2016 floods and storms) prior to completing and submitting an application for funding assistance. A copy of the Action Plan and Amendment 1 may be obtained on the GLO-CDR website at <https://recovery.texas.gov/action-plans/2016-floods/index.html> or requested in writing from GLO-CDR.

APPLICATION AND SUBMITTAL REQUIREMENTS

This application guide specifies funding procedures for activities eligible for the CDBG-DR HUD Most-Impacted and Distressed (“HUD-MID”) Competition. HUD has designated Brazoria, Fort Bend, Harris, Montgomery, and Newton Counties as most impacted and distressed. Designated counties or cities, public housing authorities, non-profits, or for-profit entities located within or performing activities within the designated counties are eligible to submit applications for funding. The associated application for the 2016 HUD-MID Competition is available on the Texas Recovery website at <http://recovery.texas.gov>. Applicants needing additional assistance are encouraged to contact GLO-CDR at cdr@glo.texas.gov.

All applicants are required to follow the procurement standards found at 2 CFR §200.318-§200.326 if using CDBG-DR funds to pay third-party vendors for services used to complete an eligible activity under this competition.

Delivery of all applications must be in accordance with the following guidelines:

Electronic Submission: All applications, along with the completed and signed Application for Federal Assistance SF-424 form and all other accompanying documentation, must be electronically submitted *no later than 5:00 p.m.* on the application deadline. Upon completion, the applicant should ensure that all required attachments, including signed documents, are attached to the application and sent to cdr@recovery.texas.gov.

Questions regarding the application, application guide, or requests for more information should be directed to:

E-Mail: Subject Line: 2016 HUD Most Impacted and Distressed Competition
E-mail: cdr@recovery.texas.gov

Applicants with multiple deficiencies upon submittal may be placed at the end of the queue for review. This may result in delays and, in some circumstances, may lead to failure to secure funding. Applications will be disqualified if the applicant (1) does not respond, (2) refuses to respond, (3) does not provide an adequate response to requests for revisions or additional information within the prescribed timelines, or (4) fails to comply with the CDBG-DR Census and/or survey requirements.

ELIGIBLE APPLICANTS AND LOCATIONS

Eligible applicants will consist of cities, counties, public housing authorities, and both non-profit and for-profit organizations located within, or performing activities within the following Texas counties:

Brazoria County
Fort Bend County
Harris County
Montgomery County
Newton County

- Each applicant may submit a total of two (2) applications. Depending on demand, no applicant will be awarded a second application until all eligible applicants have been awarded at least once;
- Projects must, if applicable, identify how unmet housing needs will be addressed;
- Projects must, if applicable, identify how the project will contribute to the long-term recovery and restoration of housing in the most impacted and distressed area;
- Eligible Activities shall include projects for the acquisition of real property, the demolition of real property, and/or flood and drainage improvements;
- The State must, in administering the HUD-MID Competition, meet the 70 percent low-to-moderate income benefit requirement and this may influence application decisions.

AWARD PROCEDURES

All applications will be reviewed by GLO-CDR staff or its assigned representatives to determine if the application (1) is complete, (2) proposes an eligible activity, (3) proposes an activity that meets a national objective, and (4) meets program requirements as stated below. Each applicant will then be notified of the final funding recommendations.

The application review and award procedures shall consist of the following steps:

1) Submission.

Each eligible applicant must submit an application to cdr@recovery.texas.gov prior to the application due date and time.

2) Scoring.

Following the closing of the application period, applications will be scored by the GLO-CDR staff or its assigned representatives. The scores will be announced by GLO once the scoring of all applications has been completed.

3) Review.

Upon receipt of an application, GLO-CDR staff or its assigned representatives will perform a completeness and eligibility review to determine whether the application is complete and whether all proposed activities are eligible.

If the application does not include all required information, staff will contact the applicant, explain the deficiencies that have been discovered, and explain how those deficiencies must be addressed. A response correcting the deficiencies must be submitted to GLO-CDR within

the prescribed timelines. The review process may require the applicant to correct, clarify, and/or resubmit deficient documents electronically.

4) Scoring and Notification.

All applications will undergo a scoring process based on the scoring criteria specifically provided for in the 2016 Action Plan Amendment No. 4. Once the scoring process is completed, GLO-CDR shall notify applicants whether or not the submitted application has been award funding.

Applicants awarded funding shall receive a Notice of Funding Award and applicants not award funding shall receive Notice of Failure to Fund.

5) Appeal Procedures.

Applicants may submit a written appeal of funding decisions up to five (5) days after receiving notification from GLO-CDR. The applicant may submit documentation to support its appeal. The GLO-CDR will review the appeal and any documentation and issue a response within the timelines provided herein.

6) Contract Execution.

Upon the announcement of awards, GLO-CDR staff will begin working with the selected applicants to execute contract agreements. While the award must be based on the information included in the application, GLO-CDR may negotiate any technical elements with the selected applicant so long as the award amount is not increased, the level of benefits described in the application is not decreased, and there are no changes that would impact the score or eligibility of the application.

LOCAL CERTIFICATIONS

Each applicant for CDBG-DR funding must certify by signing an Application for Federal Assistance Standard Form 424 (SF-424). Additionally, applicants must certify that local certifications included in this application guide have been followed in the preparation of any CDBG-DR program application, and that they will continue to be followed in the event of funding. (Note: False certification can result in legal action against the jurisdiction).

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 Part 58, and applicable GLO-CDR policy directives. All applicable federal and state laws, including environmental, labor (Davis-Bacon), the procurement procedures and contract requirements of 2 CFR 200.318–200.326, and applicable civil rights laws.

Additionally, each applicant must certify, in compliance with the requirements presented in Volume 81, Number 224 of the Federal Register effective November 28, 2016 as applicable, that:

- a. 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-DR program;
- b. It is in compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87;
- c. It will comply with the acquisition and relocation requirements of the Uniform Relocation Act (“URA”), as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in the Federal Register notice;
- d. 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;
- e. It is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105¹ or 91.115², as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each Unit of General Local Government (UGLG) 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).
 - 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 2016 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*) related to the consequences the natural disasters of DR-4266, DR-4269, and DR-4272.
- f. The grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601–3619) and implementing regulations, and that it will affirmatively further fair housing.
- g. It has adopted the following policies:
 - 1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

¹ Public Participation Plan as it pertains to local government administration of CDBG-DR funds.

² Public Participation Plan as it pertains to State administration of CDBG-DR funds.

- 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.
- h. 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 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.
 - i. Its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
 - j. It will comply with applicable federal, state, and local laws.
 - k. It will comply with the environmental requirements presented in 24 CFR Part 58.

RECORD RETENTION

The applicant will be required to ensure that all records related to this application, and any subsequent grant awarded, will be maintained in accordance with a proper Record Retention Policy. The entity's Record Retention Policy regarding federal grants must include the following: “HUD regulations generally require your community to retain all its grant-related documentation for 3 years from the date HUD closes its related disaster grant to the State of Texas. As the state grant remains open, the GLO will notify your office once it has closed.”

CONFLICT OF INTEREST PROCEDURE

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 GLO-CDR 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 elected officials, a city council, a county commissioners court, or other applicable governing entity.

PROJECT LENGTH

Projects must follow the Overall Program Performance and Expenditure Schedule found in the 2016 Floods Action Plan.

TYPES OF APPLICATIONS

Each project must identify how unmet housing needs will be addressed or how economic revitalization or infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas.

Project Applications

Applicants must submit applications that include a single project such as acquisition and/or demolition of real property. Flood and drainage improvements will also be considered an eligible activity. A single project (e.g., drainage activities) may include some ancillary activities, such as repair of streets under which drainage lines were placed, and still be considered a single activity project (in this example, the entire project would be drainage). A single project where the demolition of a commercial structure was implemented to reduce flooding and provide appropriate drainage for the immediate site.

PROCUREMENT

The applicant must procure goods and services using the federal procurement and contract requirements outlined in 2 CFR 200.318–200.326 for the 2016 floods allocations. These procurement requirements must be followed for reimbursement from the 2016 (P.L. 114-223, P.L. 114-254, and P.L. 114-31) allocations of CDBG-DR funds provided by HUD. A procurement checklist is available on the Texas Recovery website at <http://recovery.texas.gov> for reference. Applicants will be asked to provide local procurement policies and procedures with their application.

FALSE INFORMATION ON APPLICATIONS

If an applicant provides false information in an application that would affect program eligibility, impact the applicant's score, or falsifies beneficiary information that increases the number or

percentage of potential beneficiaries, GLO-CDR staff shall make a recommendation for action to the Deputy Director.

Actions that the Deputy Director may take include, but are not limited to:

- 1) Even if an award has been made, the locality may be liable for funds expended if adjustment to the information would have resulted in program ineligibility for the purpose of funding.
- 2) Referral to the HUD Office of the Inspector General (“HUD OIG”) for further resolution.

APPLICATION INSTRUCTIONS

INTRODUCTION

This application is for the acquisition of real property, the demolition of real property, and/or flood and drainage improvement activities needed to fulfill an unmet need resulting from the 2016 Floods disaster declarations.

In order to be eligible for funding, all activities must have documented proof of an impact by DR-4266, DR-4269, and/or DR-4272. CDBG-DR funds must be used for disaster-related expenses in the most impacted and distressed areas counties. Each project must identify how unmet housing needs will be addressed or how economic revitalization or infrastructure activities will contribute to long-term recovery and restoration of housing. Additionally, each project must be allowed under the State of Texas Action Plan for Disaster Recovery and Federal Register(s) identified above, heretofore referred to as the “Governing Documents”. Applicant should refer to the Governing Documents for restrictions and/or waivers that may apply.

An activity underway prior to a Presidential disaster declaration will not qualify unless the disaster impacted the project.

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: 10/31/2019. SF424_2_1-V2.1

By completing, signing and submitting the SF-424 with the application, each applicant for CDBG-DR funding is certifying that the Application Guidebook 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. (Note: False certification can result in legal action against the jurisdiction).

The SF-424 form is available on the GLO-CDR website (<http://www.recovery.texas.gov>) with detailed instructions available at the end of this Application Guidebook.

APPLICATION COMPLETION

Applicants must provide sufficient detail about each 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, other details specific to the type of project involved, and any information required to prove eligibility.

The applicant must document how the proposed project will contribute to the long-term recovery, community resiliency, and the restoration of housing in the most impacted and distressed areas. Applicants are encouraged to develop their projects in a manner that addresses housing needs, incorporates fair housing, and supports economic revitalization to build community resilience.

Please be thorough in completing this application to ensure prompt review. Failing to respond to ANY question in the application is likely to delay review.

COVER SHEET AND INSTRUCTION PAGE

Enter the Applicant Name, the applicable County and the Region (Council of Governments or Regional Planning Commission).

The Applicant Name, County and Disaster Declaration(s) entered on the Cover Sheet will appear at the bottom of each subsequent page of the application.

As identified in the INSTRUCTIONS, Applicants must provide the following documentation in addition to the SF-424 already specified.

- A completed application.
- AUDIT: If applicable, the most recent Single Audit in accordance with 2 CFR Part 200, Subchapter F. Texas General Land Office (GLO) - Community Development and Revitalization (CDR) Staff will review single audit requirements for applicable recipients, who have open contracts with GLO.
- ANNUAL FINANCIAL STATEMENTS: The most recent financial statement prepared in accordance with 2 CFR 200.510. Include a schedule of expenditures and schedule of findings and questioned costs.
- KEY STAFF: Names and contact information for staff that will provide local oversight of the application, the potential contract, and all applicable requirements.
- LOCAL PROCUREMENT POLICIES AND PROCEDURES.

DISASTER IMPACT

The Disaster Impact provides the applicant an opportunity to establish a direct link between damage sustained and specific disaster declaration(s) and provides a narrative as to how the community would be affected should no action be taken address the damage described.

Complaint Procedures

The awarded applicants must have written citizen complaint procedures that provide for a timely written response (within 15 working days) to complaints and grievances regarding their project. Citizens must be made aware of the location where and the days and hours when the location is open for business so that they may obtain a copy of these written procedures.

ADDITIONAL DOCUMENTATION

The applicant must submit the following documentation with their application. These items will help the GLO assess the applicant's financial capacity and ability to oversee and manage a CDBG-DR funded contract:

- 1) Audit.
 - a) If applicable, provide the most recent Single Audit in accordance with 2 CFR 200, Subchapter F.
 - b) GLO staff will review single family audits that were performed for active contracts with the GLO.
- 2) Key Staff.

Provide a list of the key staff, and their qualifications, that will be working on the proposed project if awarded.
- 3) Annual Financial Statement.

Provide the most recent financial statement prepared in accordance with 2CFR 200.510. Include a schedule of expenditures and a schedule of findings and questioned costs.

<h2>CERTIFICATION</h2>

Every Application must be signed by the authorized signatory. By signing this application, the signee authorizes the state or any of its duly authorized representatives to verify the information contained herein. It should be noted that 18 USC § 1001 states that ‘*any person who (1) knowingly or willfully falsifies, 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 or is a federal offense and punishable under the law.*’

INSTRUCTIONS: APPLICATION FOR FEDERAL ASSISTANCE SF-424

Each applicant for CDBG-DR funding must certify by signing SF-424 that local certifications included in this Application Guidebook have been followed in the preparation of any CDBG-DR program application, and that they will continue to be followed in the event of funding. *(Note: False certification can result in legal action against the jurisdiction).*

All applications must be accompanied by a completed and signed Application for Federal Assistance SF-424, OMB Number: 4040-0004, Expiration Date: 10/31/2019. SF424_2_1-V2.1 is available on the GLO-CDR website.

<https://www.recovery.texas.gov>

The following instructions regarding SF-424 are taken from:

<https://www.grants.gov/web/grants/form-instructions/sf-424-instructions.html>

Item	Field Name	Information
1.	Type of Submission:	<p>(Required) Select one type of submission in accordance with agency instructions.</p> <ul style="list-style-type: none"> • Pre-application • Application • Changed/Corrected Application - Check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this form to submit changes after the closing date.
2.	Type of Application:	<p>(Required) Select one type of application in accordance with agency instructions.</p> <ul style="list-style-type: none"> • New - An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the federal government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <p>A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify)</p>

3.	Date Received:	Leave this field blank. This date will be assigned by the Federal agency.
4.	Applicant Identifier:	Enter the entity identifier assigned by the Federal agency, if any, or the applicant's control number if applicable.
5a.	Federal Entity Identifier:	Enter the number assigned to your organization by the federal agency, if any.
5b.	Federal Award Identifier:	For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned federal award identifier number. If a changed/corrected application, enter the federal identifier in accordance with agency instructions.
6.	Date Received by State:	Leave this field blank. This date will be assigned by the state, if applicable.
7.	State Application Identifier:	Leave this field blank. This identifier will be assigned by the state, if applicable.
8.	Applicant Information:	Enter the following in accordance with agency instructions:
	a. Legal Name:	(Required) Enter the legal name of applicant that will undertake the assistance activity. This is the organization that has registered with the Central Contractor Registry (CCR). Information on registering with CCR may be obtained by visiting www.Grants.gov .
	b. Employer/Taxpayer Number (EIN/TIN):	(Required) Enter the employer or taxpayer identification number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.
	c. Organizational DUNS:	(Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting www.Grants.gov .
	d. Address:	Enter address: Street 1 (Required); city (Required); County/Parish, State (Required if country is US), Province, Country (Required), 9-digit zip/postal code (Required if country US).
	e. Organizational Unit:	Enter the name of the primary organizational unit, department or division that will undertake the assistance activity.
	f. Name and contact information of person to be contacted on matters involving this application:	Enter the first and last name (Required); prefix, middle name, suffix, title. Enter organizational affiliation if affiliated with an organization other than that in 7.a. Telephone number and email (Required); fax number.
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions.	A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business)

		<p>Q. Small Business</p> <p>R. Hispanic-serving Institution</p> <p>S. Historically Black Colleges and Universities (HBCUs)</p> <p>T. Tribally Controlled Colleges and Universities (TCCUs)</p> <p>U. Alaska Native and Native Hawaiian Serving Institutions</p> <p>V. Non-US Entity</p> <p>W. Other (specify)</p>
10.	Name Of Federal Agency:	(Required) Enter the name of the federal agency from which assistance is being requested with this application.
11.	Catalog Of Federal Domestic Assistance Number/Title:	Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
12.	Funding Opportunity Number/Title:	(Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
13.	Competition Identification Number/Title:	Enter the competition identification number and title of the competition under which assistance is requested, if applicable.
14.	Areas Affected By Project:	This data element is intended for use only by programs for which the area(s) affected are likely to be different than the place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Add attachment to enter additional areas, if needed.
15.	Descriptive Title of Applicant's Project:	(Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For pre-applications, attach a summary description of the project.
16.	Congressional Districts Of:	15a. (Required) Enter the applicant's congressional district. 15b. Enter all district(s) affected by the program or project. Enter in the format: 2 characters state abbreviation - 3 characters district number, e.g., CA-005 for California 5th district, CA-012 for California 12 district, NC-103 for North Carolina's 103 district. If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. If nationwide, i.e. all districts within all states are affected, enter US-all. If the program/project is outside the US, enter 00-000. This optional data element is intended for use only by programs for which the area(s) affected are likely to be different than place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Attach an additional list of program/project congressional districts, if needed.
17.	Proposed Project Start and End Dates:	(Required) Enter the proposed start date and end date of the project.
18.	Estimated Funding:	(Required) Enter the amount requested, or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
19.	Is Application Subject to Review by State Under Executive Order 12372 Process?	(Required) Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State.
20.	Is the Applicant Delinquent on	(Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of federal debt

	any Federal Debt?	include; but, may not be limited to: delinquent audit disallowances, loans and taxes. If yes, include an explanation in an attachment.
21.	Authorized Representative:	To be signed and dated by the authorized representative of the applicant organization. Enter the first and last name (Required); prefix, middle name, suffix. Enter title, telephone number, email (Required); and fax number. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.)

INFRASTRUCTURE APPLICATION INSTRUCTIONS

PROJECT DELIVERY

In administering the project, the applicant may choose to self-administer, utilize a third-party grant administrator, or a combination of self-administration and third-party administration.

Project delivery (PD) fees are capped at maximum rates based on the fixed rate pricing limits as follows:

Total CDBG-DR Award	Project Delivery Fees
\$249,999.99 or less	11%
\$250,000.00 to \$749,999.99	9%
\$750,000.00 to \$999,999.99	8%
\$1,000,000.00 or higher	6%

Project delivery may include, but is not limited to, grant administrator fees, costs associated with environmental clearance, and costs of in-house staff administering the grant. Applicants may choose to utilize a portion of their project delivery grant funds for their single audit and/or to pay for city/county staff administering the grant. Engineering, developer fees, and other professional service expenses are approved project delivery expenses.

COMMUNITY NEEDS ASSESSMENT

Applicant must provide a thorough response for each section. Any responses considered incomplete will likely result in a deficiency notice to the applicant and delays in review.

Description of the Damage

Applicant must 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.

In the space provided, list all supporting documentation evidencing the specific disaster condition. All listed documentation should be provide with the application. In addition, the applicant should 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.

Long-Term Planning

Applicants must develop their 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.

PROCUREMENT INFORMATION

All applicants are required to follow the procurement process guidelines set forth in 2 CFR §200.318-§200.326 for grant administration, environmental, and engineering services if using CDBG-DR funds to pay third-party vendors for those services.

Along with the application, applicants must provide a copy of local procurement policies and procedures.

Applicant must provide a response for each question. Any questions not answered will be considered incomplete and may result in a deficiency notice to the applicant and delays in review.

FUNDING INFORMATION

NOTICE: Any and all funds expended toward a CDBG-DR award are subject to ALL rules and regulations governing the award.

Duplication of Benefits Notification

Section 145 of the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response Preparedness Act (Pub. L. 114–223) approved September 29, 2016, 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. The duplication of benefits restriction prohibits the use of funds for activities reimbursable by FEMA and other federal agencies remains in effect and cannot be waived.

FEMA Coverage

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 to ensure that a duplication of benefit does not occur.

If FEMA funds were received, applicant must provide all relevant FEMA Project Worksheets, FEMA project type, and evidence of funds committed/received/expended on the proposed project. Also, applicant must explain why funds are needed above and beyond the FEMA funding.

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

Finally, applicant should indicate whether any project in the application is a proposed FEMA funding match.

Insurance Coverage

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 to ensure that a duplication of benefits does not occur.

If insurance proceeds were received, applicant must 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, applicant must provide an explanation as to why.

Other Funding

Any and all funds identified for use on any project proposed in this application must be fully disclosed and detailed to ensure accuracy in the budget and to ensure that a duplication of benefits does not occur.

If local or other funds are available to address the proposed project in whole or in part, applicant must report all sources of that funding and the amounts to be used. Applicant should make sure these funds are reflected appropriately in the Table 1 budget.

Finally, applicant should provide a brief narrative or list of other state and/or federal agencies contacted for funding and the results.

Financial Interest

In this section, applicant should identify all persons/entities with a reportable financial interest in the proposed project to declare.

Submit a complete FINANCIAL INTEREST REPORT (A503 form) with this application for each person/entity with a reportable financial interest. Include as appropriate for Grant Administration, Environmental, and/or Engineering. This form can be found at www.recovery.texas.gov.

In addition, in the space provided on the application, include a list of sources of funding to be used on the proposed project, the amount, and the intended use for those funds (i.e. construction, engineering, administration, environmental).

PROJECT DETAIL

PROJECT DETAIL must be completed for the proposed project.

Applicant must provide a response for each question. Any questions not answered will be considered incomplete and may result in a deficiency notice to the applicant and delay review.

All activities proposed in this application must have documented proof of an impact by a major natural disaster declared in 2016 (DR-4266, DR-4269 and/or DR-4272). 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.

A “*project*” is defined as a discrete combination of: entity (i.e., city or county), activity (i.e., water, sewer, etc.), beneficiary population, and national objective. A “*site*” is defined as a discrete location for activities within a project. A project can have one or more sites. For example, one project that consists of acquisition, demolition, and conversion to green space for flood mitigation.

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 details to include any Non-CDBG-DR funds to be used.

1. Select the Type of Project proposed from the drop-down list available in the application.

The following list of ineligible and eligible projects is provided to assist in project selection. In addition to being an eligible project, a successful application will demonstrate how the project will contribute to long-term recovery and restoration of housing, will meet a National Objective, and will demonstrate a plan to meet all other program requirements.

SPECIFIC INELIGIBLE ACTIVITIES

In general, any type of activity not described or referred to in Section 105(a) of the Housing and Community Development Act of 1974, as amended, is ineligible for consideration for CDBG-DR funding. Specific activities which are ineligible under the CDBG-DR program include:

- A. HUD has particularly identified fueling stations, points of distribution (PODs), precinct barns, and emergency operation centers (EOC) as general conduct of government activities that will remain ineligible for supplemental CDBG-DR funding. Additional examples of common ineligible activities include:
 - B. Duplicate projects.
 - C. Projects that do not comply with local, district, state and/or federal regulations.
 - D. The financing of political activities.
 - E. Purchase of construction equipment.
 - F. Income payments.
 - G. Federal regulation states that the operation and general maintenance of public works or facilities is an ineligible activity.
 - H. Duplication of benefits.

ACTIVITY-RELATED ELIGIBILITY

In addition to eligible activities listed below, ineligible activities are also identified associated with the specific activity type.

Project applications will be accepted for the acquisition and/or demolition of real property. Flood and drainage improvements will also be considered an eligible activity.

All activities must have documented proof of an impact by the declared 2016 Texas Floods disaster.

The following categories are not all-inclusive, and are meant to provide additional guidance and further definition concerning eligible and ineligible activities for some of the CDBG-DR eligible activities. In the event that a proposed activity does not fall into one of the following categories and the

applicant is uncertain of eligibility, please contact GLO-CDR staff for a determination.

DRAINAGE IMPROVEMENTS

ELIGIBLE ACTIVITIES

- Common drainage projects include reshaping and protecting eroded banks, correcting damaged drainage facilities, construction of water detention ponds, and repairing levees dams and structures. However, the purchasing of floodplain easements will be categorized under the Property Buyout Projects category for this application.
- If CDBG-DR funds are used for levees and dams, the applicant must: (1) register and maintain entries regarding such structures with the U.S. Army Corps of Engineers (USACE) National Levee Database or National Inventory of Dams, (2) ensure that the structure is admitted in the USACE PL 84–99 Program (Levee Rehabilitation and Improvement Program), and (3) ensure that the structure is accredited under the FEMA National Flood Insurance Program.
- Permanent drainage facilities (storm sewer lines, concrete structures, culverts, related ditch grading). Note: The CDBG-DR program considers curb and gutter, when eligible, to be a street improvements activity and not a drainage improvements activity.
- Acquisition of real property (including Right of Ways/ easements).

INELIGIBLE ACTIVITIES

- Ditch cleaning and other operation/maintenance activities.
- Dam and Levees are prohibited from being used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event.

ACQUISITION OF REAL PROPERTY

ELIGIBLE ACTIVITIES

- The primary use of funds under this activity is the appropriation of property for conservation activities. Continued flooding of residential structures not only causes a threat to public health and safety, but increases the burden on resources of local jurisdictions, and in many cases negatively impacts local watersheds.
- All applications under this category must express a long-term interest in the property, as well as identify its future purpose. Eligible costs under this category include (1) the

cost of surveys to identify the land to be acquired, (2) appraisals, (3) the preparation of legal documents, (4) recordation fees, and (5) other costs that are necessary to effect the acquisition.

DEBRIS REMOVAL

Debris may consist primarily of vegetation, construction and demolition materials from damaged or destroyed structures, and personal property.

The methods by which applicants may choose to collect and store debris prior to proper disposal depends greatly on the type of debris, as well as the capabilities of the jurisdiction. Prior to collecting debris, all pertinent environmental concerns must be taken into consideration; for example, the removal of debris from natural streams will often require a Clean Water Act Section 404 permit from the United States Army Corp of Engineers (USACE).

While construction and demolition debris may be collected and disposed of at an appropriately rated landfill, woody and/or vegetative debris must be stored prior to disposal; this will require the use of a temporary debris storage and reduction sites (TDSR). The preparation and operation of a TDSR site is typically left to the contractor; however, local jurisdictions choosing to conduct their own debris operations may review Chapter 7 of the FEMA Debris Management Guide regarding the use of TDSR sites. This document may be obtained at:

<http://www.fema.gov/pdf/government/grant/pa/demagde.pdf>.

Maintaining the life expectancy of landfills in and around the state is of great concern; therefore, applicants proposing to dispose of woody and/or vegetative debris must choose burning, chipping, or grinding as the method of disposal. If the project proposes to dispose of woody and/or vegetative debris by sending it to a landfill, the applicant must provide adequate justification for their decision. These applications will be reviewed on a case-by-case basis. Applicants choosing other forms of disposal for woody and/or vegetative debris must contact GLO-CDR prior to submitting their applications for additional direction. All required permits must be acquired prior to beginning debris operations (i.e., TCEQ Burn Permits, Environmental Documents, etc.).

CLEARANCE AND DEMOLITION

All demolition activities must be explained within the Project Summary section of the application.

2. Provide a Title for the Proposed Project.

Again, a *project* is defined as a discrete combination of: entity, activity, beneficiary population, and national objective. A *site* is defined as a discrete location for activities within a project. A project can have one or more sites.

The title of the project must use the name of the location or name of the facility.

Example: ABC development drainage area

3. Provide a Physical Address and the approximate GPS coordinates (in decimal degrees) for each proposed site along with a Project Map(s) and Beneficiary Map(s).

If the proposed project includes only one site, include the physical address and the Latitude and Longitude (in decimal degrees) for the site.

If the proposed project does not have a physical address, provide a site description (e.g., Smith Creek).

If the proposed project includes more than one site, start with Site #1 from the drop-down list and use the + button to add additional sites. Use the X button to remove a site as needed.

Use sequential numbering for additional sites.

Each site should have a unique site number, physical address or site description, Latitude and Longitude (in decimal degrees), clear definition of “from” and “to” points for proposed work involving a length, and a detailed description of the scope of the work proposed.

For proposed work involving a length.:

1. Report the scope of the project in linear feet (lf).
2. 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 types of sites in the application by completing the On-From-To fields. For instance, “On Main Street From Sycamore Street To Elm Street.”

CONSTRUCTION COMPLETION METHOD

For each project, applicant must identify how the proposed project will be accomplished by selecting one of the following options from the drop-down menu provided:

- select “Bid/Contract” for those activities accomplished through the bid/contract process,
- select “Force Account” for activities accomplished through force account labor,
- select “Combination” for a combination of both the bid/contract process and force account labor.

For other activities, the applicant may provide a descriptive narrative in the corresponding field.

PROJECT/SITE MAP(S)

A map must be provided for each project and/or site proposed in this application that clearly plots 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).

Latitude

Guidance: Enter the latitude point of the project. If the project is a linear feet project, 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

Longitude

Guidance: Enter the longitude point of the project. If the project is a linear feet project, 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 BENEFICIARY MAP(S)

All applications must include a project map(s). Because the flood events occurred in 2016, target area projects must use 2016 Low and Moderate Income Summary Data (LMISD) to document beneficiaries and must provide 2019 LMISD maps which clearly show all the census geographic areas (census tracts, block numbering areas, or block groups) within the applicant's jurisdiction. Locations and boundaries of all project target areas must be clearly delineated by identifiable features, such as named streets, railroads, streams, etc.

Maps must clearly show the following information:

- Boundaries of the city, county, and/or service area;
- Locations of the target area community or communities within the city, county, and/or service area; and
- Locations of all proposed project activities within the target areas (e.g., sewer/water lines, lift stations, street pavement, water storage tanks, wastewater treatment plants etc.).

Applicants using 2019 LMISD to document project beneficiaries must provide maps which clearly show:

- All of the census geographic areas (e.g., census tracts, block numbering areas, block groups) within the applicant's jurisdiction where census data is used to document project beneficiaries as well as locations of the project activities on the same census maps and
- Census tract numbers, block numbering area numbers, and block group numbers, which must be legible on these census maps

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 beneficiaries and locations of the project activities on the same map
- Proposed project service area(s) and survey area(s) clearly identified.

Map locations of all proposed project activities should match the description of these locations provided in the "Description of Need by Project" form. Maps may be printed on either 8.5 x 11 inch or 11 x 17 inch paper.

If project beneficiaries are determined on the basis of area benefit, the project area or service area boundaries must also be clearly delineated on the map. The applicant is required to use maps based on one of the three following options:

1. GIS and/or AutoCAD maps produced by the grantee or its designee (i.e., grant administrator or engineer). Electronic files of maps produced through GIS or AutoCAD should also be submitted with the application;
2. The U.S. Census Bureau for maps based on entire cities or census designated places (CDPs); or
3. Another map format as approved by GLO-CDR.

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.

Again, consistently use the correct project and site identification at all references to a particular site on maps, supporting documentation, and in the application.

The applicant will also be required to list the number of sites for each project recorded in the Table 1 section of the application. Complete instructions for Table 1 are provided later in this Guide.

NATIONAL OBJECTIVES

Each proposed project included in an application for CDBG-DR funds must meet one of the three national objectives. Depending upon the activity and the national objective addressed by the activity, the following is an outline of the criteria required to meet a national objective. Tools to identify the beneficiaries of CDBG-DR eligible activities are also included.

1. Activities principally benefitting low- and moderate-income persons.
 - a) Area Benefit Activities.
 - b) Limited Clientele Activities.
 - c) Direct Benefit Activities.
2. Aid in the prevention or elimination of slums and blight.
3. Meet other community development needs of particular urgency which represent an immediate threat to the health and safety of residents of the community.

The method(s) used by the applicant to identify the beneficiaries of an activity are based on the type of activity proposed, and the persons that could or will actually benefit from the proposed activity. GLO-CDR staff will review the beneficiaries reported on Table 1 of the application for (1) accuracy, (2) the acceptability of the method(s) used by the applicant to identify the beneficiaries for each proposed activity, and (3) compliance with the criteria for national objectives. Information and instructions regarding Table 1 are provided in this Guide.

USE OF CENSUS DATA TO DETERMINE LOW- AND MODERATE-INCOME BENEFIT

When CDBG-DR requirements are met, the applicant must use 2016 LMISD to identify the number of beneficiaries and the extent of benefit to low- and moderate-income persons for an applicant's proposed activities.

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

When an applicant activity 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 (at least 60 percent of the persons) will benefit from the activity. The CDBG-DR program will not allow an applicant to use the HUD-calculated low- and moderate-income percentage for a block group unless at least 60 percent of the persons located in that block group will benefit from the activity.

The CDBG-DR program 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 activity will benefit all of the persons within a CGA or a significant number of the persons (at least 60 percent 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 activity, the low- and moderate-income benefit percentage must be at least 51 percent (not 50.99 percent) for a single CGA, or for combinations of two or more CGAs.
3. The Census-based information may be used in combination with CDBG-DR survey beneficiaries, income eligible beneficiaries, and condition-eligible beneficiaries to document the LMI beneficiaries of an application activity. Again, the activity must benefit at least 51 percent low-and moderate-income persons.

In the event that an application activity 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 low- and moderate-income benefit percentage for the activity. A local survey is usually the best way to document the beneficiaries of direct benefit activities.

CDBG-DR PROGRAM SURVEY QUESTIONNAIRE

The Survey Questionnaires were completed no more than five (5) years prior to the application deadline or the actual date of submittal of an application; however, survey tabulation must be done in a manner compliant with the requirements set forth by the most current Survey Methodology and LMISD Manual. Refer to GLO-CDR for details regarding the required Survey Methodology and all associated forms.

ACTIVITIES PRINCIPALLY BENEFITTING LOW- AND MODERATE-INCOME PERSONS

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

1. AREA BENEFIT ACTIVITIES

Activities, 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 activity. An activity that serves an area that is not primarily residential in character shall not qualify under the area benefit criterion.

2. LIMITED CLIENTELE ACTIVITIES

A low- and moderate-income limited clientele activity is an activity 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 an activity 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 activity must be L/M income persons. Due to certain statutory limitations, the regulations preclude various activities from qualifying under this subcategory so contact GLO to see if limited clientele is applicable.

To qualify under this subcategory, a limited clientele activity must exclusively benefit a clientele who are generally presumed by HUD to be principally L/M income persons. The following groups are currently presumed by HUD to be comprised principally of L/M income 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.

Each applicant using the 2019 LMISD data to identify low- and moderate-income beneficiaries must submit information which documents the target area's low- and moderate-income benefit percentage. Applicants must submit the Excel spreadsheet with 2019 LMISD data showing the low- and moderate-income beneficiaries and corresponding census geographic areas.

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 to GLO-CDR for verification.

ACQUISITION/UNIFORM RELOCATION ASSISTANCE

Activities and projects assisted by CDBG–DR are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601 *et seq.*) (“URA”) and section 104(d) of the Housing and Community Development 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.

For the purpose of promoting the availability of decent, safe, and sanitary housing in response to the 2016 Floods, HUD has waived the following URA and Section 104(d) requirements for grantees under this notice:

a. *One-for-one replacement.* One-for-one replacement requirements at section 104(d)(2)(A)(i) and (ii) and (d)(3) and 24 CFR 42.375 are waived in connection with funds allocated under this notice for lower-income dwelling units that are damaged by the disaster and not suitable for rehabilitation. The section 104(d) one-for-one replacement requirements generally apply to demolished or converted occupied and vacant occupiable lower-income dwelling units. This waiver exempts disaster-damaged units that meet the grantee’s definition of “not suitable for rehabilitation” from the one-for-one replacement requirements. Before carrying out a program or activity that may be subject to the one-for-one replacement requirements, the grantee must define “not suitable for rehabilitation” in its action plan or in policies/procedures governing these programs and activities. Grantees with questions about the one-for-one replacement requirements are encouraged to contact the HUD regional relocation specialist responsible for their State.

HUD has waived the one-for-one replacement requirements because they do not account for the large, sudden changes that a major disaster may cause to the local housing stock, population, or economy. Further, the requirement may discourage grantees from converting or demolishing disaster damaged housing when excessive costs would result from replacing all such units. Disaster-damaged housing structures that are not suitable for rehabilitation can pose a threat to public health and safety and to economic revitalization. Grantees should reassess post-disaster population and housing needs to determine the appropriate type and amount of lower-income dwelling units to rehabilitate and/or rebuild.

Applicants should note, however, that the demolition and/or disposition of PHA owned public housing units is covered by section 18 of the United States Housing Act of 1937, as amended, and 24 CFR part 970.

b. *Relocation assistance.* The relocation assistance requirements at section 104(d)(2)(A) of the HCD Act and 24 CFR 42.350 are waived to the extent that they differ from the requirements of the URA and implementing regulations at 49 CFR part 24, as modified by this notice, for activities related to disaster recovery. Without this waiver, disparities exist in relocation assistance associated with activities typically funded by HUD and FEMA (*e.g.*, buyouts and relocation). Both FEMA and CDBG funds are subject to the requirements of the URA; however, CDBG funds are subject to Section 104(d), while FEMA funds are not. The URA provides that a displaced person is eligible to receive a rental assistance payment that covers a period of 42 months. By contrast, Section 104(d) allows a lower-income displaced person to choose between the URA rental assistance payment and a rental assistance payment calculated over a period of 60 months. This waiver of the Section 104(d) requirements assures uniform and equitable

treatment by setting the URA and its implementing regulations as the sole standard for relocation assistance under this notice.

c. *Arm's length voluntary purchase.* The requirements at 49 CFR 24.101(b)(2)(i) and (ii) are waived to the extent that they apply to an arm's length voluntary purchase carried out by a person who uses funds allocated under this notice and does not have the power of eminent domain, in connection with the purchase and occupancy of a principal residence by that person. Given the often large-scale acquisition needs of grantees, this waiver is necessary to reduce burdensome administrative requirements following a disaster. Grantees are reminded that tenants occupying real property acquired through voluntary purchase may be eligible for relocation assistance.

d. *Rental assistance to a displaced person.* The requirements at sections 204(a) and 206 of the URA, 49 CFR 24.2(a)(6)(viii), 24.402(b)(2), and 24.404 are waived to the extent that they require the grantee to use 30 percent of a low-income, displaced person's household income in computing a rental assistance payment if the person had been paying rent in excess of 30 percent of household income without "demonstrable hardship" before the project. Thus, if a tenant has been paying rent in excess of 30 percent of household income without demonstrable hardship, using 30 percent of household income to calculate the rental assistance would not be required. Before carrying out a program or activity in which the grantee provides rental assistance payments to displaced persons, the grantee must define "demonstrable hardship" in its action plan or in the policies and procedures governing these programs and activities. The grantee's definition of demonstrable hardship applies when implementing these alternative requirements.

e. *Tenant-based rental assistance.* The requirements of sections 204 and 205 of the URA, and 49 CFR 24.2(a)(6)(vii), 24.2(a)(6)(ix), and 24.402(b) are waived to the extent necessary to permit a grantee to meet all or a portion of a grantee's replacement housing financial assistance obligation to a displaced tenant by offering rental housing through a tenant-based rental assistance (TBRA) housing program subsidy (e.g., Section 8 rental voucher or certificate), provided that the tenant is provided referrals to comparable replacement dwellings in accordance with 49 CFR 24.204(a) where the owner is willing to participate in the TBRA program, and the period of authorized assistance is at least 42 months. Failure to grant this waiver would impede disaster recovery whenever TBRA program subsidies are available but funds for cash relocation assistance are limited.

f. *Moving expenses.* The requirements at section 202(b) of the URA and 49 CFR 24.302, which require that a grantee offer a displaced person the option to receive a fixed moving-cost payment based on the Federal Highway Administration's Fixed Residential Moving Cost Schedule instead of receiving payment for actual moving and related expenses, are waived. As an alternative, the grantee must establish and offer the person a "moving expense and dislocation allowance" under a schedule of allowances that is reasonable for the jurisdiction and that takes into account the number of rooms in the displacement dwelling, whether the person owns and must move the furniture, and, at a minimum, the kinds of expenses described in 49 CFR 24.301. Without this waiver and alternative requirement, disaster recovery may be impeded by requiring grantees to offer allowances that do not reflect current local labor and transportation costs. Persons displaced from a dwelling remain entitled to choose a payment for actual reasonable moving and related

expenses if they find that approach preferable to the locally established “moving expense and dislocation allowance.”

g. Optional relocation policies. The regulation at 24 CFR 570.606(d) is waived to the extent that it requires optional relocation policies to be established at the grantee level. Unlike the regular CDBG program, States may carry out disaster recovery activities directly or through subrecipients but 24 CFR 570.606(d) does not account for this distinction. This waiver makes clear grantees, including subrecipients, receiving CDBG disaster funds may establish separate optional relocation policies. This waiver is intended to provide States with maximum flexibility in developing optional relocation policies with CDBG–DR funds.

1. Does the project require acquisition of property, purchase of easements, relocation, or any other activity requiring compliance with the Uniform Relocation Act?

UNIFORM RELOCATION ACT—The applicant must answer “Yes” if any projects in the application will involve the acquisition of property, purchase of easements, relocation, or any other activity requiring compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

If “Yes”, indicate the status of the acquisition. The options are “Previously Acquired”, “Acquisition in Progress”, and “To be Acquired”. Provide a brief narrative describing the type and purpose of all acquisition (easements, real property, etc.) associated with the proposed project/site.

For acquisitions “Previously Acquired” or “Acquisition in Progress”, include detailed information and supporting documentation to ensure compliance with all Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601 et seq. and environmental review processes.

The applicant must indicate if the assistance requested would cause the displacement of families, individuals, farms, or businesses. See the relocation requirements paragraph of the Compliance section for more information on relocation requirements.

PERMITS AND ADDITIONAL PROJECT INFORMATION

1. Does the project require any Federal, State, or other **permits, approvals, or waivers** to complete the proposed work? (i.e. Texas Department of Transportation, Texas Commission on Environmental Quality, U.S. Army Corps of Engineers, etc.)

If yes, describe the type and purpose of each permit and its association with the proposed project. Provide a copy of each permit already executed.

Additional permits can be added using the + button or removed using the X button.

2. Does the project require any type of ratified, legally binding **agreement** between the applicant and any other entity to provide continual operation upon completion? (i.e. Memoranda of Understanding, Interlocal Agreements, etc.)

Counties submitting applications for activities with beneficiaries in incorporated cities within the county jurisdiction, or on behalf of another entity, must provide a Memorandum of Understanding or Interlocal Agreement signed by all entities authorizing the provision of such services. The Memorandum of Understanding or Interlocal Agreement must indicate the party that will assume ownership and responsibility for long-term maintenance and operation of the improvements made using CDBG-DR funds.

Cities submitting application for activities on behalf of other entities should establish similar legally binding agreements with those entities including which party will assume ownership and responsibility for long-term maintenance and operation of the improvements made using CDBG-DR funds.

If yes, describe the type and purpose of each agreement and its association with the proposed project. Provide a copy of each agreement already executed or drafted.

Additional agreements can be added using the + button or removed using the X button.

ENVIRONMENTAL SPECIFIC INFORMATION

All funded applications MUST comply with federal regulations regarding environmental clearance before funds will be released.

NOTE: An Environmental Exemption form providing clearance for planning and administration activities must be attached.

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

The applicant must ensure that sufficient funding and time have been allotted to secure the necessary environmental clearances.

The Applicant must provide any additional detail or information relevant to environmental review/clearance of each project/site.

PROJECT SCHEDULE

Most projects should be completed within 24 months of contract execution. Any projects requiring an extended time period will only be permitted if adequate justification for the extended time period is provided.

Use the project schedule form provided. Enter the projected length in months for each phase. If a phase is not applicable, enter "0" in the field.

TABLE 1-CONTRACT BUDGET AND BENEFICIARY IDENTIFICATION

Table 1 is a comprehensive summary of the overall application budget and beneficiary data.

Complete Table 1 using the Project Title(s) and other related information presented in the Project Detail section(s) of the application.

Provide comprehensive budget information to include CDBG-DR Construction, CDBG-DR Engineering, CDBG-DR Acquisition, CDBG-DR Environmental, and CDBG-DR Administration costs. These totals must equal the amount requested on the required Application for Federal Assistance SF-424 (SF-424).

Also include all Other Funds (FEMA, insurance, local, etc.) committed to the completion of the proposed projects.

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

PROJECT TITLE(S)

Use the Project Title and other related information presented in the Project Detail section of the application to complete the Budget Table and Beneficiary Identification Method(s).

A project title of "Green Acres, Site 3" here should appear as "Green Acres, Site 3" in the Project Detail section and 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.

TOTAL BENEFICIARIES COLUMN

Beneficiaries may be determined through the use of the 2016 LMISD file information, the use of information obtained from the CDBG-DR approved survey, or based on CDBG-DR accepted limited clientele information. Regardless of the method chosen, this column should reflect all persons to benefit from the project, irrespective of income status.

The Summary Total at the bottom of the “Total Benes” column will automatically sum the total beneficiaries for all projects.

LMI BENEFICIARIES (LOW- AND MODERATE-INCOME BENEFICIARIES) COLUMN

Of the Total Beneficiaries reported, this column should reflect only those persons whose income falls below 80 percent of the county or metropolitan statistical area (MSA) median family income (Low/Mod Persons).

The Summary Total at the bottom of the “LMI Benes” column will automatically sum the LMI beneficiaries for all projects.

LMI % (PERCENTAGE OF LOW- AND MODERATE-INCOME BENEFICIARIES) COLUMN

This field automatically calculates the low- and moderate-income percentage by dividing the LMI Beneficiaries by the Total Beneficiaries for each project. This number must exceed 51 percent to be considered eligible under the LMI national objective.

The Summary Total at the bottom of the “LMI %” column will automatically calculate the percentage of LMI beneficiaries for all projects.

CDBG-DR CONSTRUCTION FUNDS COLUMN

Applicant should provide the amount of CDBG-DR construction funds requested for each project in this column. For construction items, this figure must be substantiated on the Table 2—Budget Justification provided in this application. Dollar amounts must be entered in whole dollars, with no cents.

The Summary Total at the bottom of the “CDBG-DR Construction” column will automatically sum the CDBG-DR Construction funds for all projects.

CDBG-DR ENGINEERING FUNDS COLUMN

The cap for engineering costs has been established at twelve percent (12%) of the total application amount. Engineering costs include the cost of all engineering (design, bidding, and construction phase services) and associated work and special services (surveying, materials testing, onsite inspections, environmental support, etc.) required to deliver the grantee project showcased in the application and on Table 2. The applicant must attach to the application justification by the engineer for engineering fees that exceed 12 percent of the total construction cost. GLO-CDR will review the justification for reasonability.

Applicant should provide the amount of CDBG-DR engineering funds requested for each project in this column. For engineering items, this figure must be substantiated on the Table 2—Budget Justification provided in this application. Dollar amounts must be entered in whole dollars, with no cents.

CDBG-DR ACQUISITION FUNDS COLUMN

Provide the amount of CDBG-DR acquisition (real property, rights of way, etc.) funds requested in this column. For acquisition items, this figure must be substantiated on the Table 2—Budget Justification provided in this application. Dollar amounts must be entered in whole dollars, with no cents.

The Summary Total at the bottom of the “CDBG-DR Acquisition” column will automatically sum the CDBG-DR Acquisition funds for all projects.

CDBG-DR ENVIRONMENTAL FUNDS COLUMN

Provide the amount of CDBG-DR environmental services funds requested in this column.

This amount should be within the project delivery fees cap. Ensure that all environmental service fees remain within eligible caps.

CDBG-DR ADMINISTRATIVE FUNDS COLUMN

Project Delivery (General Administration) costs should be estimated according to the total grant request for the application, and included in the Table 1. The maximum allowable project delivery cost per grant shall be less than or equal to the caps as outlined above in this application handbook. See the section on Project Delivery for more information on allowable costs. 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.

Provide the amount of CDBG-DR administrative funds requested in this column.

The Summary Total at the bottom of the “CDBG-DR Admin” column will automatically sum the CDBG-DR Admin funds.

Ensure that all administration funds remain within eligible caps.

TOTAL CDBG-DR REQUEST COLUMN

This field automatically calculates total amount of CDBG-DR funds requested for all projects.

The Summary Total at the bottom of the “Total CDBG-DR Request” column will automatically sum the Total CDBG-DR Requested funds.

OTHER FUNDS COLUMN

Provide the amount of local or other matching funds in this column. If Scoring Criteria points were calculated based on commitment of local funds to the project, ensure those local funds are included in this column. Be aware that any local funds committed to a project and used to secure a higher score must be expended first should a contract be awarded.

The Summary Total at the bottom of the “Other Funds” column will automatically sum the Other Funds for all projects.

ACTIVITY TOTAL COLUMN

This field automatically combines the total amount of CDBG-DR funds requested with Other Funds to provide an Activity Total.

The Summary Total at the bottom of the “Activity Total” column will automatically sum the Activity Total.

These amounts must match the totals on the SF-424 form that accompanies this application.

BENEFICIARY IDENTIFICATION METHOD(S) PER PROJECT:

Project Title

Use the Project Title(s) and other related information presented in the Project Detail section(s) of the application to complete the Beneficiary Identification Method(s).

HUD National Objective

From the drop-down list, selection the HUD National Objective being met by each proposed project. Ensure that information is consistent throughout the application.

Benefit Type

Select from City-wide benefit, County-wide benefit, Area benefit, or Direct benefit for each project.

Beneficiary Identification Method

An activity 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% or less of the area median family income (AMFI). Clear documentation of an applicant’s beneficiary identification method must be received with the application.

The basis for determining which residents are to be considered as beneficiaries of a proposed project can be achieved through the most recent 2016 LMISD information, or by conducting a survey of the area with approved CDBG-DR forms. The method used in determining the low- and moderate-income beneficiary race/ ethnicity information is as follows:

Survey Data:

An approved CDBG-DR survey must be used to identify the beneficiaries for a project.

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.

Indicate how many families and housing units surveyed will be assisted by the project.

Provide dates when surveying was started and completed.

Finally, provide a detailed explanation of the reason a survey was used to identify the beneficiaries for this activity as opposed to the 2016 LMISD information. A response such as "...to reach the required low- and moderate-income percentage" is not acceptable.

Census Data:

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 activity 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.

Based on 2016 LMISD, provide the information concerning the gender, race, and ethnicity of the population.

Surveys of 200 or more households must use random sampling techniques and all surveys must result in at least an 80% response rate. When the income profile of a community has changed substantially since the last Census, surveys are often a useful alternative. Surveys may also be used to document the beneficiaries of a project not included in the census data used to document part of the service area.

A local survey is the best way to document the beneficiaries of direct benefit activities.

See the infrastructure beneficiary documentation on the application page in TexasRebuilds.org for detailed information on census and survey methods.

Race/Gender/Ethnicity and Census Geographic Area Data:

The race, gender, and ethnicity for the total beneficiaries per project must be tabulated in the space provided. Use the + button to add lines as needed. Use the X button to remove lines.

Applicants must list all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. **A spreadsheet showing LMI benefit must be submitted in addition to completing this question.** For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

Applicants must provide the number of project beneficiaries identified through either CDBG-DR surveys, direct benefit, 2016 LMISD, or limited clientele methods. If beneficiaries were identified by using a survey, as opposed to using 2016 LMISD, the applicant must provide an explanation.

Appropriate Census or Texas State Data Center maps are required for data verification.

TABLE 2-BUDGET JUSTIFICATION

The completion of 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 Responsible for Budget Justification. As such, it is generally completed by the staff engineer or procured engineer for the project. Refer to the engineering services procurement section of this Guide for other documentation required for procured engineering services.

Project Title

Use the Project Title and other related information in the Project Detail section(s) of the application to ensure that each project's Table 2 is clearly identified and associated.

Eligible Activity

Select an activity eligible for the specific allocation from the drop down list. Note that the list provided is a broad HUD-eligibility list. Specific program eligibilities are defined in the governing documents for each disaster allocation.

HUD Activity #

Each HUD-eligible activity type has a corresponding Activity Number. This field will automatically populate based on the selection made from the drop down list.

Materials/Facilities/Services Table

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

1. The material or facility component (**Materials/Facilities**) for each line item. For example, "36 PVC pipe" or "25-50 kW generator." Applicants must provide a reasonable level of detail regarding project materials or components. A material line item of "Shelter Building" would be too broad to determine size, unit, or composition, and greater detail would be required.
2. The unit price (**\$/Unit**), type of unit (**Unit**), and the number of units (**Quantity**) for each activity. The units used (e.g., linear feet (lf), cubic yards (cy), etc.) must be priced to include all proposed improvements related to and necessary for the major construction activity.

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).

CONSTRUCTION \$ COLUMN

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

ACQUISITION \$ COLUMN

Any proposed activity involving the acquisition of real property, easements, right-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. These costs must match any acquisition costs identified in Table 1.

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.

PREPARATION BY REGISTERED ENGINEER/ ARCHITECT

For construction or public facilities projects, this form must be completed by a professional engineer or architect licensed to practice in the state of Texas.

ATTACHMENTS AND SUPPORTING DOCUMENTS

When applicable, applicants must include all attachments and supporting documentation with the completed application form and submit the complete application package per the deadline and submittal requirements as detailed in this Guide. Attachment documents must be legible and reproducible.

1. What is the applicant's rate of FEMA Public Assistance (PA) per capita?	20 points
2. Does the project meet the low-to-moderate income (LMI) HUD National Objective?	35 points
3. Was the applicant included in one or more of the DR-4266, DR-4269 and DR-4272 Presidential Disaster Declarations?	20 points
4. What is the applicant's county Social Vulnerability Index (SoVI) Score?	15 points
6. Is the applicant leveraging funds from other source(s)?	5 points
7. Is the applicant a public housing authority?	5 points
Total 100 points	
(Tie-Breaker) What is the poverty rate of the Census geographic area?	

1. Per capita damage (What is the applicant's rate of FEMA Public Assistance (PA) per capita?)

Data Source: HUD 2019 LOWMOD Income Data and Appendix D — FEMA Public Assistance Projected Project Amount

Maximum 20 Points

Methodology: The latest available amount of all FEMA Public Assistance (PA) of the total for DR-4266, DR-4269 and DR-4272 for the applicant, as of 7/17/2017, as provided by the Texas Division of Emergency Management, will be divided by the total population for the applicant to determine the amount of damages per capita. This average amount of damage per capita will be divided by a factor of 2.5, which determines the raw score to two decimal places. Up to a score of 20, the raw score is equal to the actual score. The maximum score is capped at 20 points. A raw score of 20 or more will equate to an actual score of 20. County Applicants FEMA PA Projected Project Amount: Amendment 1, Appendix D, "DR-4266, DR-4269 and DR-4272" Column

- The FEMA PA projected project amount for a county applicant will be calculated as the amount listed for the county. If the county is applying to serve the entire the county including the cities located within the county, the county FEMA PA amount and the cities FEMA PA amounts will be combined.
- County population: 2019 LMISD spreadsheet, Local Units of Government Tab, Column I "lowmoduniv"
- City Applicants FEMA PA Projected Project Amount: Amendment 1, Appendix D, " DR-4266, DR-4269 and DR-4272" Column. The FEMA PA projected project amount for the city will be calculated as the amount listed for the city.
- City population: 2019 LMISD spreadsheet, Local Units of Government Tab, Column I "lowmoduniv"
- Public Housing Authority Applicants FEMA PA Projected Project Amount: Amendment 1,

Appendix D, "DR-4266, DR-4269 and DR-4272" Column. The FEMA PA projected project for the public housing authority applicants will be calculated as the amount listed for the public housing authority applicant.

- Public Housing Authority Populations: 2019 LMISD spreadsheet, Local Units of Government Tab, Column I "lowmoduniv" The public housing authority applicant population is the population of the jurisdiction the housing authority is located.
- Multi-jurisdiction Applicants FEMA PA Projected Project Amount: Amendment 1, Appendix D, "DR-4266, DR-4269 and DR-4272" Column For a multi-jurisdiction application, the FEMA PA projected project amount for both jurisdictions will be combined.
- Multi-jurisdiction Applicants Populations: 2019 LMISD spreadsheet, Local Units of Government Tab, Column I "lowmoduniv" For a multi-jurisdiction application, the jurisdictions populations will be combined, unless the jurisdictions are a county and a city located within the county, then the county population will be used.

2. Does the project meet the low-to-moderate income (LMI) HUD National Objective?

Data Source: HUD 2019 LOWMOD Income Data

Maximum 35 Points

Methodology: The project meets the low-to-moderate income (LMI) HUD National Objective. Project beneficiary information will be reviewed to determine the HUD National Objective. For non-profit and for-profit initiated projects, the LMI determination will be based on the service area that best aligns with the project, either the city or county level.

3. Was the applicant included in one or more of the DR-4266, DR-4269 and DR-4272 Presidential Disaster Declarations?

Data Source: FEMA Disaster Declarations Maps and Lists

Maximum 20 Points

Methodology: Applicant is located within a county that received Presidential Disaster Declarations DR-4266, DR-4269 and/or DR-4272.

DR-4266 Only = 5 Points

DR-4269 Only = 5 Points

DR-4272 Only = 5 Points

2 Only = 15 Points

DR-4266, DR-4269 and DR-4272 = 20 Points

4. What is the applicant's county Social Vulnerability Index (SoVI) Score?

Data Source: Social Vulnerability Index (SoVI) Score by County, Appendix E

Maximum 15 Points

Methodology: Score will be based on SoVI score from most recent year data provided. The county SoVI score will be divided by the maximum Texas County SoVI score and then multiplied by the maximum points (15) to get the final score for that county.

- $(\text{County Score} / \text{Maximum Texas County SoVI Score}) \times 15 = \text{County Score}$
- Note: SoVI Scores presented in Appendix E have been shifted to represent a positive number for scoring purposes.

5. Is the applicant leveraging funds from other source(s)? (2015 CDBG-DR funds, 2016 CDBGDR, and Harvey CDBG-DR are ineligible to be used as leverage for scoring purposes.)

Data Source: Letter of Commitment from State, Federal, or other sources

Maximum 5 Points

Methodology: The commitment letters from a State source, Federal Source or other outside sources will be reviewed to determine the amount of leveraged funds injected into the project. In order to receive points under this criterion, the leveraging must have a minimum value of 1 percent of the CDBG-DR funds requested. For purposes of this criterion, leveraged funds include equipment, materials, and cash from the applicant and sources from other than the

requesting entity. The 2015 CDBG-DR, 2016 CDBG-DR, and Harvey CDBG-DR funds are ineligible to be used as leverage for scoring purposes.

To calculate the leverage minimum, the following formula will be used:

$$\text{Leveraged Funds/CDBG-DR Funds Requested} = \text{Percent Leveraged}$$

6. Is the applicant a public housing authority?

Data Source: Application, 424 Form

Maximum 5 Points

Yes = 5 points No = 0 points

(Tie-Breaker) What is the poverty rate of the census geographic area?

Data Source: 2017 ACS 5-year Table B17001

Methodology: Poverty rate is determined by reviewing the U.S. Census 2015 American Communities Survey (ACS) 5- year estimate, table B17001 for the census geographic area. Once this information is obtained for each applicant and the target area identified on the census map, the poverty rate for each applicant is calculated by dividing the total number of persons at or below the designated poverty level by the population from which poverty persons was determined. The poverty rate is calculated up to two decimal points.

If the target area(s) encompasses more than one census geographic area (such as two or more Census Tracts) the poverty rate shall be calculated as follows: the sum of the total number of persons at or below the designated poverty level of all census geographic areas in the target area divided by the sum of the total population from which poverty persons were determined from all Census geographic areas in the target area.

If needed in the ranking of applications based on available funds remaining, a tie between multiple applications shall be broken based poverty rate ranking with the highest poverty rate ranking higher.

