

TEXAS DEPARTMENT OF AGRICULTURE DISASTER RELIEF ASSISTANCE AFTER STORMS

In the aftermath of natural disasters and storms, communities may consider applying for the Texas Community Development Block Grant program, Disaster Relief Fund (TxCDBG-DR). These grants are available through the Texas Department of Agriculture (TDA). The following information applies to the TxCDBG-DR program for projects other than drought-related disasters.

Who declares a disaster?

- The chief local elected official, such as a mayor or county judge, first declares a disaster situation - municipalities then request assistance from the county, and the county judge requests assistance from the governor's office (including municipalities in the request).
- The governor may issue a proclamation or request state assistance for the designated area.
- The state also may request federal assistance, which could result in a presidential disaster declaration for all or part of the affected area.

What should I do first?

- 1) Evaluate the damage and determine the community's needs.
 - Complete a Disaster Summary Outline (DSO) form available from the Texas Division of Emergency Management (TDEM).
You can find this form online at <http://www.txdps.state.tx.us/dem/downloadableforms.htm>.
 - Request a visit from TDEM to your community to perform a Preliminary Damage Assessment (PDA). The assessment will document the damage observed and support the repair or replacement cost estimates.
 - Determine what needs must be addressed immediately and what repairs can wait until funding is secured. The safety of the community and its residents is always the highest priority.
- 2) Decide if TxCDBG-Disaster Relief funds are needed:
 - TxCDBG-DR funds are not emergency relief, but part of the community's longer term efforts to repair damaged infrastructure and housing.
 - Download the TxCDBG-DR preliminary forms packet and application on TDA's website at <https://tinyurl.com/TxCDBG-DR>.
 - TxCDBG-DR funding is considered "funding of last resort"
 - Consider other available funding including local resources, insurance payments, FEMA funding, and other state or federal funding partners through TWICC.org.
 - Congress may allocate additional HUD funding for major federal disasters, available through the General Land Office.
 - Avoid duplication of assistance/benefit by carefully considering all funding options.

When can I start work?

Before beginning *any work* that will be eligible for TxCDBG funding, the community **must** complete:

- a public hearing;
- a resolution by the local governing body, authorizing submission of an application; and
- an environmental review according to HUD regulations.

What other information do I need for an application?

- A Preliminary Damage Assessment completed by TDEM or FEMA, documenting the location and cost estimate, of each disaster-damaged site.
- An annual audit, including an auditor's opinion letter, the annual general fund expenditures, and the total unrestricted balance for fiscal year ending 9/30/2015 or after.
- An active SAM registration: www.SAM.gov

For questions or more information: Joe.Midura@TexasAgriculture.gov

When will I receive funds?

Applications are accepted first-come-first-serve. Once the completed application is submitted to TDA, TxCDBG staff will expedite its review and processing. TxCDBG-DR awards are typically announced within a few weeks of receiving the completed documentation.

After the award is announced, a grant contract outlining the project and the community's responsibilities will be prepared. A TDA contract specialist will be assigned to ensure that the various program requirements have been documented, including receipts or invoices for costs incurred. Funds will be released to reimburse the community once all requirements have been documented as complete.

What about federal requirements?

All federal, state and TxCDBG program requirements apply to DR funding. However, certain activities may qualify for exemptions or waivers to some of these requirements.

- **Competitive Procurement:** The community may request TDA approval for non-competitive procurement in cases when the usual competitive procurement process would cause hardship by delaying the project. Non-competitive procurement may be approved for construction costs, as well as contracts for the administrative and engineering services necessary to complete the project. See the TxCDBG-DR preliminary forms packet for a sample request.
- **Environmental Review:** No work may begin, and no contracts may be executed for projects included in a TxCDBG-DR application until the environmental review process is complete.
 - Information on various levels of review can be found in the TxCDBG Implementation Manual.
 - Contact TDA for additional guidance by emailing David Brown, TxCDBG Environmental Regulatory Officer, at David.Brown@TexasAgriculture.gov.
- Requirements for Davis Bacon labor standards, acquisition of real property, financial management, contractual clauses, and civil rights will not be waived. Information on all TxCDBG requirements can be found in the TxCDBG Project Implementation Manual on the TDA website at <https://tinyurl.com/TxCDBGmanual>.

Are all disaster-related costs eligible for reimbursement?

- TxCDBG-DR funding is available to repair or replace housing or public infrastructure damaged by a natural disaster.
- If a presidential declaration is issued for public assistance, FEMA may fund 75 percent of the work identified on the FEMA project worksheets. TxCDBG-DR funds may be requested for the remaining 25 percent, up to \$350,000. Some communities may benefit most by applying to TxCDBG-DR after FEMA funds become available.
- The funds cannot be used for:
 - Improvements to public infrastructure beyond repairs or replacement of the damaged facility;
 - New facilities that did not exist prior to the disaster event;
 - Repair costs that are covered by insurance;
 - Temporary improvements or emergency measures that are not a long-term solution;
 - Repair of businesses; and
 - Costs of preparing an application for funding.
- At this time, no funding priorities have been established by TDA; if priorities are announced, the website will be also be updated.

What do I provide once the project is complete?

- Regular TxCDBG Program closeout documentation;
- Bank records of deposits from TDEM, totaling at least the amount of the CDBG contract match;
- FEMA Project Completion and Certification Report (Form P.4) signed by the community; and
- FEMA Form P.5, approved or provided by TDEM (for large projects only).

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