



Texas Community Development Block Grant Program

2024 Colonia Fund
Construction Program

Application Guide – Community Application

For assistance: CDBGApps@TexasAgriculture.gov

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TxCDBG Goals and Requirements

The goal of the Texas Community Development Block Grant (TxCDBG) Program is to develop viable communities by providing decent housing and a suitable living environment, as well as by expanding economic opportunities, principally for persons of low-to-moderate income. In awarding funding pursuant to Texas Government Code, Section 487.351(c), the Texas Department of Agriculture (TDA) shall give priority to eligible activities in the areas of economic development, community development, and rural health to support workforce development.

The objectives of the TxCDBG Program are:

1. To improve public facilities to meet basic human needs, principally for low-to-moderate income persons;
2. To improve housing conditions, principally for persons of low-to-moderate income;
3. To expand economic opportunities by creating or retaining jobs, principally for low-to-moderate income persons; and
4. To provide assistance and public facilities to eliminate conditions hazardous to the public health and of an emergency nature.

TxCDBG Application Process Update

TDA has recently implemented a two stage application process:

- Community Application: an initial application is submitted containing basic information required to determine a community's TxCDBG eligibility and to calculate scores for competitive grants. No project-specific commitments are required at this time.
- Project Application: Applicants whose Community applications scored within funding range will be invited by TDA to submit a Project Application with complete project information.

Colonia Fund Construction Program Goals and Requirements

The Colonia Fund: Construction (CFC) Program provides funding for improvements in colonia communities to address basic human needs.

Community Application Due Date	April 3, 2024, 11:59 p.m. C.T.
Grant Amount	\$1,000,000
Minimum Match Amount	\$0
National Program Objective	Benefit to Low- and Moderate Income Persons
Application Method	Applications will be accepted online via the TDA-GO! grant management system. The system may be accessed by navigating to https://tda-go.intelligrants.com/ .

Eligible Applicants

To be eligible to apply for or to receive funding under the TxCDBG Program, a community must meet all of the following criteria, in accordance with Title 24, Part 570 of the Code of Federal Regulations and Title 4, Part 1, Chapter 30, Subchapter A, Sections 30.4 and 30.6 of the Texas Administrative Code (TAC), and program requirements:

- 1) Qualify as a unit of general local government (UGLG).

An UGLG is a city, county, town, township, village, or other general purpose political subdivision of the state, or as otherwise defined in 42 U.S.C. §5302. Special purpose political subdivisions are not eligible as TxCDBG applicants.

- 2) Qualify as a non-entitlement community.

Only communities NOT identified as part of the federal CDBG entitlement program may apply for TxCDBG funding. Entitlement communities are listed in Appendix B. Municipalities located within an entitlement county may elect to participate with either the county program or the state non-entitlement program, but not both, for each three-year period; please contact the entitlement county to confirm eligibility for the current year.

- 3) Levy and collect a local property tax or local sales tax option in the current fiscal year.
- 4) Meet Progress Thresholds for existing TxCDBG grant agreements.

Applicants must demonstrate current compliance with progress threshold requirements for existing TxCDBG grant awards to be eligible for additional rounds of TxCDBG funding.

- Progress Threshold #1: Existing Grant Agreements beginning on or before the date identified in the chart below must have satisfied all Group B requirements prior to the Community Application due date.
- Progress Threshold #2: Existing Grant Agreements beginning on or before the date identified in the chart below must be completed and have submitted both the Project Completion Report (PCR) and the final payment request prior to the Community Application due date.
 - Where the Community Application due date falls between the date of an existing grant agreement's original end date and the date the Project Completion Report is due, TDA will initially accept a Community Application and will assess compliance with Progress Threshold #2 on the date the PCR become due.
- Details regarding documentation for meeting these thresholds can be found in the TxCDBG Project Implementation Manual.

Fund Category	Progress Threshold #1 applies to Grant Start Date	Progress Threshold #2 applies to Grant Start Date
Community Development Fund (CDV)	12 months prior to due date (4/3/2023)	24 months prior to due date (4/3/2022)
Downtown Revitalization/ Main Street Program	12 months prior to due date (4/3/2023)	24 months prior to due date (4/3/2022)
Colonia Fund (CFC and CEDAP, excluding CSH)	12 months prior to due date (4/3/2023)	24 months prior to due date (4/3/2022)
FAST Fund (CFA)	6 months prior to due date (10/3/2023)	18 months prior to due date (10/3/2022)
State Urgent Need Fund (CSU)	12 months prior to due date (4/3/2023)	18 months prior to due date (10/3/2022)
Rural Economic Development Fund (Stage 1 and 2)	n/a	n/a

Fund Specific Eligibility

- 5) An eligible applicant for the CFC Program must be a county within 150 miles of the Texas-Mexico border that:
- is NOT part of a metropolitan statistical area with a population exceeding 1,000,000;
 - has adopted; and
 - is participating in the TxCDBG 2022 Colonia Planning and Needs Assessment.

All or part of the following counties are located within 150 miles of the Texas-Mexico border and have confirmed their participation in the Colonia Fund programs:

Bee; Blanco (Part); Brewster; Brooks; Cameron; Concho (Part); Crane; Crockett; Culberson; Dimmit; Duval; Ector; Edwards; El Paso; Frio; Gillespie (Part); Glasscock (Part); Goliad (Part); Hidalgo; Hudspeth; Irion; Jeff Davis; Jim Hogg; Jim Wells; Kenedy; Kerr; Kimble; Kinney; Kleberg; La Salle; Live Oak; Loving;; Maverick; McMullen; Menard; Midland (Part); Nueces; Pecos; Presidio; Real; Refugio; Runnels (Part); San Patricio; Schleicher; Starr ;Sterling (Part); Sutton; Terrell; Tom Green; Upton; Uvalde; Val Verde; Ward; Webb; Willacy; Winkler (Part); Zapata; Zavala

Hidalgo County, while a designated CDBG urban county, is eligible for Colonia Set-Aside funding.

Eligible Project Area

Although the Community Application does not identify a specific project for potential funding, the Applicant should understand the requirements for an eligible project area that will satisfy program requirements. If selected for funding, the Applicant will be invited to submit a Project Application that identifies a project from within the eligible areas of the county.

For the CFC Program, an eligible project area must meet the required definition for a colonia. Under the TxCDBG Program, a "colonia":

- is an identifiable community;
- is unincorporated;
- is located within 150 miles of the Texas-Mexico border;
- has existed as a colonia prior to the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (November 28, 1990); and

- is defined by a set of criteria, which includes:
 - lack of potable water supply;
 - lack of adequate sewage systems; and/or
 - lack of decent, safe, and sanitary housing.

Colonias are often identified by an “M number” issued by the Texas Water Development Board.

Eligible Project Activities

The 2024 TxCDBG Community Application does not require identification of a specific project or activity. The following information is provided in order for communities to understand the type of projects that may be considered for communities if/when invited by TDA to submit a Project Application.

All activities funded through the CFC Program must be designed exclusively for the benefit of colonia residents and must meet the National Program Objective of Benefit to Low- to Moderate-Income Persons. Generally, this means that the work will be constructed within the established boundaries of the colonia community AND the beneficiaries are primarily colonia residents. Reference TxCDBG Guide to National Program Objective for detailed guidance on eligible activities.

Primary Project Activities

If/When the Applicant is invited to prepare a full Project Application, the project selected must dedicate a minimum of 51% of all grant funds to one or more of the following activities:

- water system improvements;
- sewer system improvements; and/or
- housing rehabilitation.

Additional Project Activities

The Project Application may also identify additional activities that meet the needs of colonia residents and cumulatively do not exceed 49% of the total grant funding. Reference TxCDBG Guide to National Program Objective for detailed guidance on eligible activities.

In accordance with §487.354 of the Texas Government Code, a community that receives TxCDBG money targeted toward street improvement projects in eligible colonia areas must allocate not less than five percent (5%) but not more than 15 percent (15%) of the total amount of targeted money to providing financial assistance to colonias within the community to enable the installation of adequate street lighting in those colonias if street lighting is absent or needed.

Associated Activities

- Grant administration; and
- Engineering services.

Ineligible Project Activities

In general, any type of activity not described or referred to in Section 105(a) of the HCDA, as amended, is ineligible for TxCDBG funding. Specific ineligible activities under the TxCDBG Program include:

- Construction of buildings and facilities used for the general conduct of government (e.g., city halls and courthouses). The only exception is for improvements made to these buildings solely to provide complete access for elderly persons and persons with severe disabilities;
- Financing of political activities;
- Purchase of construction equipment;

- Income payments, such as housing allowances;
- Activities in a floodway may be ineligible; see Implementation Manual, Chapter 3 for specific guidance;
- New housing construction, in most instances; and
- Operation and maintenance expenses of public facilities, improvements and services, including activities identified through the environmental review as maintenance activities.

Application Acceptance

TDA staff will review each submitted Community Application. Completed applications received by the published deadline may be subject to disqualification including, but not limited to, any of the following reasons:

- The Applicant is not a unit of general local government;
- The Applicant is identified as a CDBG Entitlement Program participant;
- The Applicant does not meet the Applicant Threshold Requirements;
- The Community Application does not comply with the requirement to provide a passed/adopted local government resolution authorizing submission of the Community Application;
- The Community Application does not comply with the TxCDBG Citizen Participation requirements, including documentation of the required public hearing;
- The Community Application does not comply with the requirement to assess the Applicant's housing and community development needs prior to submission of a TxCDBG application;
- The Community Application does not comply with the requirement to fully complete all required forms in the TDA-GO system;
- The Community Application contains false information; or
- The Applicant does not respond, refuses to respond, or does not provide an adequate response to requests for revisions or additional information within the prescribed timeline.

In addition, Community Applications for the CFC Program may be subject to disqualification for the following reasons:

- The Applicant is not a county that meets the criteria for the Colonia Set-Aside.

Complete and eligible Community Applications will be scored by TDA staff and cumulative scores will be posted to the TDA website for public review.

Timeline of Application Process

Task/Step	Date to Complete
Community Application	
TDA releases Community Application	February 6, 2024
Community Application webinar	February 6, 2024
Publicize notice of public hearing	March 29, 2024
Conduct public hearing	April 2, 2024
Adopt local governing body resolution(s)	April 3, 2024
Complete and submit TDA-GO Community Application	April 3, 2024
Project Application	
TDA invites highest scoring communities to complete Project Applications	Approx. April 15, 2024
Training webinar: procurement of administration and engineering services	April 17, 2024
Administration and engineering services required to be awarded	June 14, 2024
Meet with Application Team, including TDA staff as needed, to discuss most feasible project(s) <ul style="list-style-type: none"> - identify the service area - document the beneficiaries of the service area - develop cost estimate 	--
Complete Project Application forms in TDA-GO	--
Publish notice of application availability	August 26, 2024
Adopt revised local governing body resolution, if additional commitments are required	August 29, 2024
Submit application in TDA-GO	August 30, 2024

Steps in Community Application Process

Step 1: Create application in TDA-GO

TxCDBG Community Applications will only be accepted online through the TDA-GO grant management system.

TDA-GO can be accessed by navigating to <https://tda-go.intelligrants.com/>

For assistance creating a new account for an individual person and/or community, refer to [How to Register New Users and Organizations](#) in the TxCDBG Implementation Manual.

To initiate a grant application in TDA-GO:

1. Login to TDA-GO and navigate to the **Initiate New Application** panel of the dashboard.
2. Under **Initiate New Application**, click on CDBG – Colonia Fund - Construction Program.
NOTE: Only the Authorized Official or local staff Project Director for the applicant community can initiate new applications. TDA staff can also assist with new applications.
3. A brief description and agreement language will appear, review and click “Agree” to continue.
4. The **Document Landing Page** will appear along with four menu sections: Forms, Tools, Status Options, and Related Documents.
 - a. In the **Tools** menu, select **Add/Edit people** to review internal staff assigned to the application or to invite third party users. To request additional individuals to be added to the application, submit a [TxCDBG Support Ticket](#) and TDA staff will assist you.

- b. In the **Forms** menu, review each page of the Community Application:
 - i. Applicant Contact Information
 - ii. Community Needs Assessment
 - iii. CDM Scoring Criteria

Step 2: Schedule and publicize public hearing

Prior to the submission of an application for TxCDBG funds, each applicant must hold at least one public hearing to solicit input on future project selection. The applicant must provide community residents at least 72 hours notice of the upcoming hearing using a public notice.

The hearing must be conducted between September 1, 2023, and April 2, 2024.

Public hearing notices under this section must be issued and documented in **one** of the following ways:

1. Publish the notice in a newspaper of general circulation;
 - A clear picture or photocopy of the full newspaper page showing the notice is required. The publication text, title, date of publication, name of the newspaper, and page number must be clear, readable, and complete without the page being cut or folded.

OR

- Applicant may provide newspaper tear sheet (or a photocopy of the notice and a publisher's affidavit); and
- The published notice must be supported by affidavit (Use Form A101 in TxCDBG Implementation Manual).

OR

2. Post the notice in at least two public places including the courthouse/city hall and a second location within the target area (if applicable);
 - Notices must be posted in locations accessible to the general public at the time of the posting and include all required information in English and any other appropriate language(s) per the recipient's Limited English Proficiency (LEP) plan. See *TxCDBG Project Implementation Manual, Chapter 10 Civil Rights*.
 - Clear photographs showing the location of the public posting(s) are required.
 - The postings must be supported by affidavit (Use Form A101 in TxCDBG Implementation Manual).

OR

3. Post the notice in at least two public places including one at the courthouse/city hall and one on the Grant Recipient's website.
 - Notices must be posted in locations accessible to the general public at the time of the posting and include all required information in English and any other appropriate language(s) per the recipient's Limited English Proficiency (LEP) plan. See *TxCDBG Project Implementation Manual, Chapter 10 Civil Rights*.

- Clear photographs showing the location of the public posting(s) are required.
- Screen shots of the website posting with the computer date stamp visible must be retained as documentation of the posting.
- The postings must be supported by affidavit (Use Form A101 in TxCDBG Implementation Manual).

In addition to the public hearing notices above, written notification of the public hearing must be sent to local organizations that provide services or housing for low-to-moderate income persons residing in the jurisdiction.

- a. Organizations including the local Public Housing Authority, the local Health and Human Services office, the local Mental Health and Mental Retardation office, and other local service providers such as Faith-Based organizations, must receive written notification concerning the date, time, location and topics to be covered at the public hearing.
- b. If the service provider serving the jurisdiction's residents is located within the community, then that office should receive the notification but if a local office is not located in the community, then the regional office location that serves the jurisdiction's residents should receive the notification.
- c. Applicants must provide a list of the local service providers that received written notification of the public hearing. Copies of the written notifications must be retained by the applicant and will be reviewed by TDA staff during site visits.

Applicants should ensure that public notices are published on or before the correct days allowing sufficient time for publication and public hearing issues to be resolved rather than just prior to submitting the application.

The public hearing and public hearing notice must comply with the Public Participation requirements, as described in the TxCDBG Project Implementation Manual, Chapter 1 *Administration and Reporting*. The format for the public hearing notice is provided in Appendix A.

Step 3: Conduct public hearing

Prior to the submission of an application for TxCDBG funds, each applicant must hold at least one public hearing to solicit input on future project selection. The public hearing must address the following topics:

- The development of housing and community development needs, including—
 - current supply of affordable housing and past efforts to increase supply,
 - current social services available to residents and what needs and/or populations remain underserved, and
 - current condition of public infrastructure (water/sewer/streets/drainage/accessibility/etc.) and efforts to improve these conditions;
- The anticipated funding opportunities for which the needs identified through this process may be considered, including —
 - name of funding opportunity,
 - anticipated amount of funding available, and
 - whether the proposed funding will meet the national objective of benefit to low-to-moderate income persons;

- The community’s need for any eligible activities under the Texas Community Development Block Grant Program;
- The community’s use of past TxCDBG grant funds, if applicable; and
- The plans of the locality to minimize displacement of persons and to assist persons actually displaced as a result of activities assisted with TxCDBG funds, if applicable.

A sample script to be used for the public hearing is provided in Appendix A.

Minutes or notes from the public hearing discussion must be retained in local files and may be referenced if the community is invited to submit a Project Application.

Step 4: Develop community needs list

TDA expects each Community Application to identify a list of 10-15 community needs relevant to the community’s participation in the TxCDBG program. If the community is selected for funding, the grant-funded project must meet one of the community needs identified in the Community Application.

Community needs identified in the TxCDBG Community Application should be developed through a variety of appropriate sources, such as:

- Public input, including the required public hearing;
- Existing planning documents developed by the community; and
- Knowledge of local government staff.

For the 2024 TxCDBG Community Application process, a community needs list must outline each of these factors for each need listed:

- Community Need - A broad community need statement that describes the problem.
- Action to Address Need – a brief description of the type of work that would address the associated community need.
- Activity category – select from the dropdown list of activity codes is used to classify the various community needs.

For the Colonia Fund: Construction Program, the most common Community Needs include:

Community Need	Action to Address Need	Activity Category
Lack of public water / wastewater systems	Install new first-time service water and wastewater lines, including house-to-line connections in [names of colonias]	03J or 14A
Existing water / wastewater lines are inadequate and/or deteriorated, resulting in water loss and failure to maintain adequate pressure	Replace existing water / wastewater lines in [names of colonias]	03J
Treatment plant does not meet TCEQ standards	Replace or improve water treatment system equipment for [names of colonias]	03J
Streets are deteriorated, resulting in damage to vehicles and limited access for residents	Reconstruct roads in [names of colonias]	03K
Lack of drainage improvements results in flooding during normal or heavy rain	Install and/or improve drainage facilities, roads-side drainage channels, and other	03I

events, damaging infrastructure and private property	drainage improvements in [names of colonias]	
Poor housing conditions, resulting in unsafe living conditions	Rehabilitate owner-occupied and/or non-profit owned housing units	14A

For assistance in determining the appropriate Activity category, contact CDBGApps@texasagriculture.gov

Step 5: Adopt necessary local governing body resolution(s) committing to the grant application

TxCDBG Community Applications require a resolution from the local governing body (i.e., County Commissioners Court or City Council) authorizing the submission of a Community Application and confirming the community’s commitments related to the program. Failure to comply with these resolution requirements will result in disqualification of the application.

The resolution must:

1. Authorize the submission of a Community Application for funding under the Texas Community Development Block Grant Program;
2. Identify the fund category under which the application is to be considered;
3. Designate the dollar amount of matching funds committed.
4. Commit to, if selected for funding, developing a project that meets programmatic priorities as identified in the Community Application.
5. Commit to compliance with all federal, state, and program requirements, including environmental review, labor standards, procurement, acquisition of property, civil rights, and administrative requirements.

The required resolution format is found in Appendix A – update the fillable information fields prior to publication.

Step 6: Complete and submit Community Application in TDA-GO

Although certain forms may be completed at any point in the grant application process, TDA recommends completing the Community Application as follows:

Complete Applicant Contact Information

1. In the **Forms** menu, select **Applicant Contact Information** and enter information for Authorized Official, Application Preparer / Administrative Contact, and information for any additional contacts as needed. Select the county and legislative district(s) for the applicant community, and press save.

Complete Community Needs Assessment

1. After a public hearing has been scheduled, navigate to **Community Needs Assessment** under **Forms** on your application.
2. Enter dates as required for the Date of Public Hearing Notice as well as the Date of Required Public Hearing under **Community Needs Assessment**.

3. Scroll to **Community Needs Information** and fill in the **Community Need** box(es) on the left with each need identified. In the **Specific Project to Address Need** box to the right, provide a short description of a project associated with its respective need. Project description must include basic details, such as the type of infrastructure to improve; whether new installation, replacement, or rehabilitation is appropriate; and the relevant activity code.
4. Upload the local resolution authorizing the submission of the application as passed by the Applicant's governing body, along with evidence of the publication of public notices and written notifications required. List all additional opportunities where citizens were given the opportunity to participate in the determination of community needs.
5. Press save.

For more detailed information regarding the Community Needs Assessment, see [How to Initiate, Complete, and Submit a Grant Application](#) for further assistance.

Submit Grant Application

Once the above steps have been taken, you have completed your Community Application and must submit it on TDA-GO. Under **Status Options**, select **Submit Application** to complete this final step.

Scoring Criteria

The table below describes the criteria used by TDA for scoring Community Applications. Locate the name of your community on each source document listed below to review the scoring data:

Scoring Element	Maximum Points	Source – see Appendix B
Previous Funding	50	TxCDBG Grant History report
Number of Identified Colonia Communities	20	TxCDBG Colonia Inventory
Total Points	70	

The following table provides more detailed guidance on how the scores are calculated using the data provided:

<p>Previous Funding (50 Points):</p> <p>Awarded based on TxCDBG records of awards issued for the Colonia Fund: Construction Program (CFC) for Grant Years 2024-2026</p> <table border="1"> <tbody> <tr> <td>Applicant has received 0 CFC awards in the designated programs years</td> <td>50 Points</td> </tr> <tr> <td>Applicant has received 1 CFC award in the designated programs years</td> <td>0 Points</td> </tr> </tbody> </table>		Applicant has received 0 CFC awards in the designated programs years	50 Points	Applicant has received 1 CFC award in the designated programs years	0 Points
Applicant has received 0 CFC awards in the designated programs years	50 Points				
Applicant has received 1 CFC award in the designated programs years	0 Points				
<p>Number of Identified Colonia Communities (maximum of 20 Points):</p> <p>Awarded based on the number of colonia communities in the county issued “M numbers” by the Texas Water Development Board as of January 2024. See Appendix B for complete list.</p> <p>Calculated by dividing the total number of colonia communities in the county by the total number of colonia communities in the CFC eligible area (2,626 colonias), then multiplying by 50.</p>					
<p>Tie Breaker</p> <p>In the event of a tie, applicants shall be ranked starting with the lowest median household income. Data Source: Most recently available ACS 5-Year Estimate, Table DP03.</p> <p>If a tie still exists after applying the first criteria, then applications shall be ranked starting with the highest unemployment rate. Data Source: Table DP03</p>					

Additional Program Information

While no action is required for the Community Application for the below items, Applicants should be aware of the federal, state, and program requirements that must be implemented if the community is selected for funding. These requirements include, but are not limited to:

- Competitive Procurement – Administration Services and Engineering Services
- National Environmental Policy Act (NEPA) and related Environmental Review
- Uniform Relocation Assistance and Real Property Acquisition Act (URA)
- Competitive Procurement – Construction Services / Materials
- Davis-Bacon Act and related Labor Standards
- Single Audit requirements
- Fair Housing and Civil Rights requirements
- Uniform Administrative Requirements and Cost Principles
- Housing and Community Development Act and related CDBG regulations, including the National Program Objective

Details on TxCDBG grant management and program requirements can be found in the [TxCDBG Project Implementation Manual](#).