

## TEXAS DEPARTMENT OF AGRICULTURE



### Texas Community Development Block Grant (TxCDBG)

#### Program Year 2019: Fire, Ambulance and Service Truck (FAST) Fund Frequently Asked Questions (FAQs)

May 23, 2019

**Q1: In the case of multi-jurisdictional applications for FAST, is scoring based on the lead applicant, the co-applicant or both?**

A1: Scoring is based on the lead applicant.

**Q2: The County is applying for a FAST grant (single jurisdiction application). Can it also be a co-applicant on a multi-jurisdictional application for a city within its jurisdiction?**

A2: No. For example, a city or county submitting a single jurisdiction application for FAST cannot also be a co-applicant on a separate multi-jurisdictional FAST application. Also, a city or county cannot participate in more than one multi-jurisdictional application. As stated in the application guide, only one application, per applicant, per application cycle. This applies to both lead applicants and co-applicants.

**Q3: Can a county and a city each submit an application that serves overlapping service areas/beneficiaries?**

A3: Applications that include duplicate beneficiaries are ineligible under TxCDBG grant program guidelines. Jurisdictions proposing to serve duplicate or overlapping beneficiaries must submit a joint grant request in the form of a multi-jurisdictional application. However, in the case of **the FAST Fund ONLY, for this application round ONLY**, TxCDBG will allow the submittal of applications with service areas that overlap beneficiaries, if both of the following two conditions are met:

1. The duplication of beneficiaries is incidental. An example of this would be when a county is submitting a single-jurisdiction application for a vehicle that serves beneficiaries on a county-wide basis and a city within that county is submitting a single-jurisdiction application for a vehicle that benefits a city-wide service area only, which is a small percentage of the overall county population. In this scenario, a case could be made for incidental overlap of beneficiaries.
2. Different services are being provided to the duplicate or overlapping beneficiaries. An example of this would be when a county is submitting a single-jurisdiction application for an ambulance providing EMS service on a countywide basis and a city within that county is submitting a single-jurisdiction application for a fire truck providing fire/rescue service on a city-wide basis.

**Q4: I'm submitting a multi-jurisdictional application. Does the co-applicant also need to pass a resolution?**

A4: Yes. Co-applicants must pass a resolution:

- authorizing the submittal of an application in conjunction with the lead applicant;
- designating an authorized signatory; and
- authorizing the lead applicant to submit an application on the co-applicant's behalf.

Sample resolutions for lead applicants and co-applicants on a multi-jurisdictional application can be found on the [FAST landing page](#).

**Q5: Do I have to be TxCDBG certified to prepare a FAST application?**

A5: No. However, anyone preparing AND administering or just administering the grant must be TxCDBG certified. Also, third-party grant administrators that wish to prepare AND administer a grant must be procured prior application preparation. Please note that registration for TxCDBG Project Implementation Workshops, being held in July, August in September of 2019, is available on the TxCDBG Training page. Implementation Workshops provide annual training for project administrators, engineers, and local officials. Implementation workshops are also used to meet the annual training requirement to certify individuals that will be responsible for administering TxCDBG grant projects.

**Q6: Can the city or county administer its own grant?**

A6: Yes. However, self-administering applicants must:

- 1) have a 2019 TxCDBG certification; and
- 2) document their experience and capacity prior to award (TDA will send the required forms)

TDA can require 3<sup>rd</sup> party administration as a condition of award, if it is determined that the self-administering applicant lacks the capacity or experience to self-administer. In this case, funding for administrative costs can be reallocated from the request amount. Due to the extensive and complex requirements associated with preparation and administration of TxCDBG grants, TDA strongly recommends the use of a qualified third-party grant administrator.

**Q7: Can an Emergency Services District or Volunteer Fire Department apply for this grant?**

A7: No. Only non-entitlement cities and counties are considered eligible applicants. An eligible city or county may apply on behalf of a fire department, volunteer fire department, emergency service district or third-party EMS provider. In the application, these entities would be considered "service providers". Applicants may apply on behalf of more than one service provider. However, multiple service providers must be accounted for in one application and serve eligible communities and service areas. Also, if multiple service providers are included in an application, this may trigger a multi-jurisdictional application.

**Q8: When will awards be made? When will funds be made available?**

A8: TDA is hoping to make awards by early August 2019 and make funds available by mid-September 2019. The funds set aside for this program are close to expiring. However, these dates are subject to change.

**Q9: I'm having trouble viewing the application online. Is it available in another format?**

A9: No. The application is an interactive PDF and must be filled out electronically. Applicants can download the application and then open it locally by first saving it to their desktop. Also, TDA recommends using Internet Explorer to download the application, versus another browser. Please contact Michelle Phares at [Michelle.Phares@TexasAgriculture.gov](mailto:Michelle.Phares@TexasAgriculture.gov) if technical issues persist.

**Q10: Where can I find a list of previous Community Enhancement Fund (CEF) awards?**

A10: A list is now available on the [FAST landing page](#) under the "Resources" section at the bottom of the page.

**Q11: Do I need to submit the pre-agreement request prior to starting the environmental review?**

A11: No. The pre-agreement form for *FAST* is due with the application. There is no need to send prior. In the case of *FAST*, pre-agreement for certain administrative costs (those associated with completion of the environmental review and initiation of vehicle/craft/equipment procurement) starts the date of the draft application release (1/31/2019). The pre-agreement form in the application must contain original signatures.

**Q12: What level of environmental review is required?**

A12: Categorically Excluded Not Subject To 58.5 is the required level of environmental review for *FAST*. Applicants must use the form A303 "Exempt or Categorical Exclusion No Subject To 58.5". Please remember that the environmental review must be completed prior to application submission. In order to be considered complete, applicants must submit the following *with the application*:

- A copy of the Letter from the Grant Recipient supporting the Categorical Exclusion level of review
- Form A303 – Exempt or Categorical Exclusion Not Subject to 58.5

All questions regarding the Environmental Review should be sent to TDA's Environmental Specialist at [CDBG\\_EnvReview@TexasAgriculture.gov](mailto:CDBG_EnvReview@TexasAgriculture.gov).

**Q13: What happens if the bids (post award) come in above or below my original quote?**

A13: If after award, procurement results in vehicle/craft/equipment bids that exceed the amount listed in the original quote, then the applicant must provide the balance of funds. TDA will NOT be awarding additional funds. If after award, procurement results in vehicle/craft/equipment bids that are less than the amount listed in the original quote, then the applicant may propose to use the balance of funding for any eligible projects listed in the Community Needs section of the *FAST* application. In an effort to avoid deobligated funds, TDA recommends listing any additional community needs and *FAST* Fund eligible projects in this section of the application. *FAST* Fund eligible projects are limited to vehicles, crafts and equipment. Infrastructure projects are not eligible under *FAST* and will not be considered if included in Community Needs section in the application.

**Q14: I'm submitting a quote with the application and I don't know what my final vehicle cost will be. What project amount do I authorize in the resolution?**

A14: In the event that an applicant is providing a quote and they won't know the final project cost until after award and procurement, please designate an amount on the resolution that will encompass the maximum possible amount. For example, "up to \$500,000" is acceptable. If the applicant or service provider is providing additional match or other funding, (in the case of vehicles that exceed the maximum request amount), the

additional match or other funding must also be authorized in the resolution and letters of commitment or other acceptable forms documentation must be provided with the application.

**Q15: Do I need to submit more than one quote?**

A15: No. Applicants are only required to submit one quote with the application. However, it behooves applicants to solicit multiple quotes in order to determine the most accurate estimate of the final equipment/vehicle cost. This is important because applicants providing quotes will still have to procure competitively after award, and TDA will only be reimbursing awardees for the amount supported by the quote in the application. If procurement comes in over the amount listed on the quote, the applicant will be responsible for funding the balance. Therefore, it is recommended that applicants solicit multiple quotes and submit the quote that most closely approximates the probable final cost.

**Q16: The quote from the vehicle vendor is 80 pages long. Does TDA want the entire 80-page quote submitted with the application?**

A16: No. TDA does not need the entire quote/specs packet at the time of application submission. However, applicants should keep a copy of the full quote/specification in their files, as TDA will request the complete packet upon award. For the purposes of the application, applicants may submit a scaled down version of the vendor's quote that includes the sections containing the cost information and a general description of the project. If the quote does not include a cost summary or summary of the project, please ask the vendor to provide one.

**Q17: Can Buy Boards be used for both quotes and procurement (after award)?**

A17: Yes.

**Q18: If I end up purchasing through Buy Board, will I be required to submit proof of competitive procurement after award? If, so what would that look like?**

A18: A Grant Recipient may choose to purchase certain goods and services through a third party, such as the Texas Association of School Boards "Buy Board" or the Houston-Galveston Area Council "HGACBuy". All procurement requirements apply to purchases through these entities; however many steps may be conducted by the third party rather than the Grant Recipient. The Grant Recipient must retain a copy in the contract files of the cooperative agreement with the third party certifying the type of procurement process used.

**Q19: Do I include a block group in the LMI calculation, if it only partially overlaps the service area?**

A19: It depends. The new HUD guidance states, "The LMA (low-to-mod area) determination shall be made based on the entirety of the data of the census geography which the service area both completely encloses and significantly overlaps." In cases where there is a question about whether a "substantial overlap" exists, we will consider the location and nature of the activity, as well as beneficiary location.

For example, it is reasonable to expect the area immediately surrounding the fire station would be included in the service area, so the further away from the location of the vehicle or equipment, the less likely that block group would be considered to be included in the service area.

Another example: the service area includes the small tip of a very large census block group that encompasses other unincorporated areas and another city outside of the service area. In addition, the small tip of the census

block group in the service area appears to be mainly comprised of unpopulated agricultural land on a map. In this case, an argument could be made to exclude this census block group from the service area, as the majority of the population being represented by the census block group is outside of the service area and not benefitting from the project. Ultimately, the determination to include or exclude a census block group must make sense to a reasonable person.

**Q20: Can we use surveys to qualify two census block groups in our service area and the LMISD data to qualify the other census block groups in our service area?**

A20: No. Survey data cannot be added to LMISD as a matter of “convenience”. For example, a service area is comprised of two block groups: block group A is 60% LMI and block group B is 40% LMI. Block group B cannot be surveyed and added to the LMISD populations in block group A to develop a cumulative LMI. Using this example, the applicant’s only option to qualify might be to survey both block groups and use only survey data to qualify the service area.

**Q21: Can I submit a previously conducted survey?**

A21: Yes. The first webinar noted that HUD guidance on surveys is in transition and that we don’t anticipate communities to conduct a new survey for the FAST fund. Additionally, TxCDBG has strong concerns regarding a FAST applicant’s ability to conduct a successful, viable survey within the relatively short application timeframe. That being said, surveys will be accepted, including those that were previously conducted for another program. However, TDA strongly encourages applicants to submit the approved survey tab for review in advance of the application due date. Survey tabs can be sent to [Michelle.Phares@TexasAgriculture.gov](mailto:Michelle.Phares@TexasAgriculture.gov).

**Q22: I already submitted beneficiary data and a service area map for verification on May 16. Do I still need to submit this information with the application?**

A22: Yes. Beneficiary data and service area maps (and any other information provided as part of the verification request) are required as part of application submission, regardless of whether they were already approved. FAST applications without service area maps and beneficiary data will be disqualified.

**Q23: Can a service provider hold title to the proposed vehicle?**

A23: Yes. However, the purchasing entity (applicant, co-applicant or service provider) must comply with all competitive procurement and environmental review requirements. Regardless of who owns the vehicle/craft/piece of equipment, it is still subject to all of the state, local, federal and programmatic requirements associated with FAST and TxCDBG projects. Also, the applicant or service provider must retain ownership and use of the vehicle/craft/equipment in the service area for five (5) years after the vehicle/craft/equipment is placed in service. This will not prevent the applicant or service provider from providing mutual aid. In the event that the applicant is partnering with another entity or entities (e.g. third-party service provider, emergency service district, etc.) that will own or operate the vehicle/craft, TDA will require an agreement between the applicant and the partnering entity or entities, after award.

**Q24: Are fire hydrants, water lines or fire stations eligible projects?**

A24: No. Only vehicles, crafts and equipment are eligible projects under FAST. Infrastructure, including (but not limited to) fire hydrants, water lines and buildings (such as fire stations) are not eligible projects.

**Q25: Is a rural medical transport vehicle eligible?**

A25: FAST is limited to vehicles that fulfill some sort of emergency or public safety requirement. As such, a non-emergency medical transport vehicle is not an eligible project at this time.

**Q26: Are ambulance-based heart monitors and stretchers/power load stretchers eligible equipment?**

A26: This equipment is eligible, assuming it's assigned to an ambulance serving an LMI eligible service area. Each item must be broken out as a separate piece of equipment in the application.

**Q27: Is each Self-Contained Breathing Apparatus (SCBA) considered one piece of equipment?**

A27: Yes. Each SCBA is considered one piece of equipment. If applicants are proposing to purchase a brand new SCBA unit, they can include the new cylinder as part of the whole SCBA package. However, replacement cylinders for an existing SCBA or reimbursement for refills of SCBA cylinders are not eligible costs. Also, all of the components comprising an SCBA are considered one piece of equipment. If, for example, one vendor bills all the parts of an SCBA separately, it is still considered one piece of equipment or one SCBA.

**Q28: Is an equipment set considered one piece of equipment?**

A28: Yes. But, it must be billed, marketed or advertised and packaged as a set, all purchased from the same vendor. An example of this would be a "complete rescue set" that includes a multi-tool, cutter and spreader heads, ram, hoses, valves and couplers. Proposed sets must already be sold by the vendor, as a set, to any regular customer. One-off, "custom" orders wherein a "set" of equipment is created in order to "maximize" an equipment request, for the purposes of the grant, are not eligible.

**Q29: Is a command vehicle eligible?**

A29: Yes, provided it will not be used for law enforcement purposes or the general conduct of government. In other words, the command vehicle cannot be a "dual-purpose" vehicle that is also use by the police department. Also, Command vehicles cannot be used for personal transportation (like a "company car") or general use. When the Command vehicle is not in use, it cannot be parked in a personal or residential driveway. Command vehicles must be specialized or have a specialized configuration and must be substantially different than a standard vehicle. A red Ford SUV with a department logo and a two-way radio does not qualify as "specialized". Command vehicles must be used for emergency response purposes only. Also, applicants cannot propose to purchase a standard vehicle and convert it themselves to a command vehicle with a specialized configuration. The vehicle must be purchased already configured in a specialized manner.

**Q30: Is a pickup/SUV Emergency Response vehicle eligible?**

A30: Yes, provided it will not be used for law enforcement purposes or the general conduct of government. In other words, the vehicle cannot be a "dual-purpose" vehicle that is also use by the police department. Also, the vehicle cannot be used for personal transportation (like a "company car") or general use. When the vehicle is not in use, it cannot be parked in a personal or residential driveway. Pick-up/SUV emergency response vehicles must be specialized or have a specialized configuration and must be substantially different than a standard vehicle. A red Ford SUV with a department logo and a two-way radio does not qualify as "specialized". Also, applicants cannot propose to purchase a standard vehicle and convert it themselves to an emergency response

vehicle with a specialized configuration. The vehicle must be purchased already configured in a specialized manner. These types of vehicles must be used for emergency response purposes only.

**Q31: Is bunker gear/turnout gear eligible equipment?**

A31: Yes. Each complete set of bunker/turnout gear is considered one piece of equipment. For example, one coat and one pair of pants are considered one “set” of bunker gear and one piece of equipment. If a coat or jacket is being purchased individually, then it is considered one piece of equipment.

**Q32: Is a thermal camera eligible?**

A32: It depends. The camera must be used for emergent Fire/EMS purposes only and must be a long-term, multi-use device. Like all other equipment requests, it must be dedicated to an emergency/rescue vehicle serving an LMI eligible population.

**Q33: Are emergency generators eligible?**

A33: No.

**Q34: The vehicle quote includes an equipment package that is standard to the brush truck we are requesting. Is this equipment package an eligible cost?**

A34: It depends. The equipment must:

1. be used only for a vehicle/craft also included in the grant request
2. be quoted as a set or package
3. be included on the same quote as the vehicle/craft
4. be from same vendor providing the vehicle/craft
5. be integral to the operation of the requested vehicle/craft. In other words, the equipment set must represent the minimum necessary required equipment for the vehicle/craft to be commissioned into service.

Some caveats: An equipment set/package of this nature cannot be requested for an existing vehicle/craft (i.e. already owned or operated by the applicant, co-applicant or service provider). Outside of an approved equipment set/package, eligible pieces of individual equipment would need to be included in the application as separate pieces of equipment (limit 5). High dollar equipment items such as powered vehicle extraction equipment, SCBAs etc., cannot be included in the vehicle equipment set/package, in an attempt to circumvent the grant’s equipment limitation. Please note: items that are eligible as part of a vehicle’s standard equipment package may otherwise be ineligible, if requested separately.