



TEXAS GENERAL LAND OFFICE

Questions and Answers: DRRP

COMMISSIONER DAWN BUCKINGHAM, M.D.

This FAQ will be updated periodically as questions are submitted. Please check the [Texas General Land Office's Disaster Recovery Reallocation Program \(DRRP\) website](#) for updates.

Call for Projects Submission: General

Question: When is the Call for Projects submission for the Disaster Recovery Reallocation Program (DRRP) due?

Answer: The Call for Projects submissions are due **Thursday, November 21, 2024, at 5:00 p.m.**

Question: What is the minimum award amount per project?

Answer: The minimum award amount per project for all grants is \$500,000.

Question: What is the maximum award amount per project?

Answer: The maximum per project amount for the Hurricanes Ike & Dolly and Hurricane Harvey grant is \$20,000,000. The maximum amount for 2015 Floods, 2016 Floods, 2018 South Texas Floods, and the 2019 Disasters Action Plans is \$2,000,000.

Question: How many projects can be submitted for the Call for Projects?

Answer: A maximum of three projects may be submitted per eligible entity.

Question: What is required leverage amount?

Answer: Leverage is not required for submissions. A leverage amount of at least 10% of the CDBG-DR funds requested is required to receive the five points for leverage, as outlined in the scoring criteria.

Question: What is the final date that projects need to be completed and programs close (“pencils down”)?

Answer: From the date of contract execution, subrecipients will have a maximum of two years to complete the project. Project submissions with a shorter projected timeline may be given less than two years to complete, so it is important for entities to carefully consider the timeline provided in their submission. Each project contract will have a specific timeline, which will vary based on the execution date and the project submission details.

Question: Is the submission reviewed in the webinar the Call for Projects that is due November 21, 2024, or is it the submission that is due in April?

Answer: The content presented during the webinar on October 21, 2024, is what eligible entities will have to submit by November 21, 2024. The GLO will do a similar webinar for those entities that are invited to apply, and a similar guide, during the February invitation to apply.

Question: Can all three projects submitted by an entity be funded?

Answer: Yes, if the projects rank high enough, the invitation to apply could include up to three projects.



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Question: Do communities need to submit a submission resolution with call for project submission showing the local entity is committing funds for the project?

Answer: Communities are not required by the GLO to submit the commitment of funds resolution with the call for projects submission due on November 21, 2024. If the eligible entity is invited to apply for a project that received points for leverage, the resolution will be required with the project application. The project application will be available February 3, 2025, and applications will be due April 3, 2025.

Question: Can street improvements include sidewalk and drainage improvements?

Answer: The eligible entity must identify the primary project activity (flood and drainage or street improvements). For example: If the primary project activity is street improvements, the flood and drainage improvements (such as drainage inlets or relocation of drainage pipes) must be ancillary to the street improvements. Sidewalk improvement is an eligible activity when ancillary to the street improvement.

Question: What does permanently affixed emergency equipment include?

Answer: A general example of permanently affixed emergency equipment includes generators which are mounted or attached to a facility (not mobile generators). Examples of permanently affixed communication equipment may include a tower, associated hardware, and units mounted within the emergency vehicles. However, it is important to note permanently affixed emergency equipment does not include items such as: walkie-talkies or other handheld devices.

Question: Is it possible to get funding from multiple DRRP grants if the need exceeds the funds available?

Answer: No, each project may only receive funds from a single grant.

Question: Can a community submit a project for fire equipment along with emergency communication equipment?

Answer: Fire equipment is not eligible unless it is permanently affixed emergency communications equipment. Only those eligible activities identified in the Disaster Recovery Reallocation Program will be considered for funding.

Question: Will entities be required to pass an application submission resolution for the Call for Projects portion of this process?

Answer: The Call for Projects Submission does NOT require an application submission resolution from the submitting entity.

Question: Does the \$20M maximum award apply to the total of all three combined or can three separate projects with individual budgets of up to \$20M each be submitted for Hurricane Harvey?

Answer: Three separate projects with individual budgets of up to \$20M each under Hurricane Harvey related recovery may be submitted for the call for projects.

Question: Can we get clarification on if 3 projects can be submitted across all qualifying DRs or is it 3 projects for each qualifying DR?

Answer: A total of three projects may be submitted across all grants.

Question: Can we see the public comment responses before the APA is fully approved by HUD?

Answer: Because HUD may require changes to the Draft Action Plan Amendment submitted to HUD, GLO-CDR does not post the Action Plan Amendment until approval by HUD.

Question: What is the grant administration (project delivery) fee limit(s) for DRRP projects? If undetermined at this time, will the limits be like those allowed for Infrastructure projects and Housing projects in prior DR competitions?

Answer: This information is now posted on the Recovery website for reference.



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Question: Does the creation of the DRRP impact the GLO's decision-making process when considering subrecipient amendment requests on existing contracts? For example, would a subrecipient CDBG-DR/MIT amendment request seeking to add a new project activity be denied and the subrecipient encouraged to pursue DRRP funding instead?

Answer: The Disaster Recovery Reallocation Program is designed to support the reallocation of de-obligated and unutilized funds from programs for which those funds went unused for disasters that occurred in 2008, 2015, 2016, 2017, 2018, and 2019. CDBG-MIT funds are not part of the DRRP.

Question: Can three project submissions each be for different activities, or do they all have to be the same activity? Under one of the activities, for example, would the Water and Wastewater Improvements have to be only one project?

Answer: An entity may submit up to three projects, each of which may be a different eligible activity. Each of these submissions may only include one activity, one beneficiary area, and address one national objective. Water and wastewater are two separate eligible activities.

Question: Will DRRP have caps for grant administration and engineering expenses?

Answer: This information is now posted on the Recovery website for reference.

Question: Will GLO allow the funding of pre-award costs with DRRP funds to cover pre-award administrative, planning, and professional services?

Answer: Pre-award costs are eligible under DRRP so long as all program eligibility requirements are met and services are properly procured.

Question: Can a city, county, or PHA apply for DRRP affordable multifamily funds on behalf of a low-income housing tax credit (LIHTC) project owned and developed by a third-party private developer?

Answer: No, a PHA or its affiliates must have an ownership stake in the LIHTC project in order to be eligible for DRRP funds.

Question: Can a PHA apply for off-site public infrastructure (water/wastewater, drainage, or streets) to benefit an existing or new development, or would this type of application need to be submitted by the city that owns the public infrastructure?

Answer: DRRP projects must be submitted by the owner of the infrastructure.

Question: What is your source for the number of presidential disasters for each county? The ones posted on the FEMA website do not match the score assigned to that category in the survey form. Can you post these numbers on the DRRP page? Thank you!

Answer: The breakdown of each eligible CDBG-DR disaster can be found in the respective action plans. The full list considered for this criterion is: DR-1780, DR-1791, DR-4029, DR-4223, DR-4245, DR-4266, DR-4269, DR-4272, DR-4332, DR-4377, DR-4454, and DR-4466. These disaster numbers are sourced from each respective Federal Register notice.

Question: Our county has a potential street improvement project for the DRRP Grant Program; the specific road in question, is legally owned by the Army Corps of Engineers. However, we foresee a long term lease in the future, as our most recent long term lease just expired. Would a letter of intent from the Army Corps. suffice for purposes of this grant, between lease agreements.

Answer: DRRP projects must be submitted by the owner of the infrastructure. Eligible applicants are limited to units of local government (cities and counties), Indian Tribes, and public housing authorities.

Question: Can you confirm whether there is any requirement for a Council resolution authorizing submittal for this initial submission?

Answer: A resolution is not required for the Call for Projects submission.



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Question: This question is seeking clarification of GLO's previous answer indicating a PHA project with multiple sites may be considered to qualify as "one service area." Does this mean that a PHA can submit a single project application to rehabilitate damage that occurred at several PHA multifamily properties? If yes, would all of the properties included in the application need to have tie-back to the same disaster(s)?

Answer: Yes, a project submission may include multiple sites, but all sites must tie back to a single disaster.

Question: I have the following question related to the DRRP Call for projects: Can an eligible entity use in-kind services, rather than cash, to meet the 10% leverage criteria?

Answer: For purposes of this criterion, leveraged funds include equipment, materials, and cash from the applicant and/or sources from other than the requesting entity or entities if the application contains a joint project that crosses jurisdictional boundaries. CDBG-DR and CDBG-MIT funds used as leverage are ineligible for scoring purposes. In order to receive points under this criterion, the leverage documentation must identify the amount and type of funds being leveraged. Acceptable Leverage Documentation (including but not limited to): commitment letters from an elected or appointed official with the ability to allocate the funds, resolutions from the applicable governing body, and meeting minutes indicating the amount and approval from the applicable governing body. Documentation on leverage will be provided at the application stage.

Question: We are in the process of submitting for the grants under DRRP "Permanently affixed emergency communications equipment". I need some clarification please. We are looking at upgrading some deficiencies in our radio system. We need to add some vehicle repeaters, Mobile data terminals in vehicles for CAD interface and some additional mobile radios. We also need to upgrade the dispatch hardware and radios in our communications trailer that has become outdated and not serviceable for our needs. This equipment is used by the county sheriffs' department and volunteer fire departments as well as the Office of Emergency Management. Would these all be grouped together in one project, or does it need to be broken down in more than one project? As one project, it would meet the minimum Grant amount.

Answer: These could all be considered one project with one benefit area. Documentation would be required to show that the volunteer fire departments benefit the entire county area as well.

However, it is important to note that all communications infrastructure must be permanently affixed to a structure or vehicle. Mobile radios that are not permanently affixed to a structure or vehicle would not be an eligible activity under the DRRP. For additional information on permanently affixed emergency communications equipment, please see the FAQ above.

Eligibility

Question: What entities are eligible for the DRRP?

Answer: The eligible entities are units of local government (cities and counties), Indian Tribes, and public housing authorities located within the applicable CDBG-DR eligible county.

Question: Are individual housing projects going to be accepted under this grant and are parks and fire departments going to be considered?

Answer: Single-family housing projects, parks, and fire departments are not DRRP eligible activities. Eligible activities include: flood and drainage improvements, water and wastewater improvements, street improvements, permanently affixed emergency communications equipment, and rehabilitation, reconstruction, and new construction of affordable multifamily projects.



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Question: Can a new multifamily construction project be considered that will provide housing to the elderly, not previously served?

Answer: Yes, new construction of affordable multifamily projects is an eligible activity, however, it is important to remember the two-year completion timeline for this program.

Question: If a subrecipient is still working through closeout on Hurricane Harvey, can they still apply under this grant?

Answer: Yes.

Question: Can DRRP funds be used for mitigation activities?

Answer: No, they cannot. Unfortunately, those two funding sources are funded through a different eligibility path. The DRRP funds cannot be combined with forward looking CDBG- Mitigation projects due to the requirement of demonstrating a tie-back to the disaster for which the applicant is applying.

Question: If our current approved contract is ongoing, but funds are lacking to complete the already engineered project scope, can these funds be eligible to complete those projects?

Answer: Potentially, yes. For example, if an eligible entity has an active Hurricane Harvey infrastructure contract with a specific and eligible project budget shortfall, the eligible entity could potentially submit the project for additional Hurricane Harvey funding from DRRP to complete the project scope of work. The eligible entity may submit the project for additional funding for a non-Hurricane Harvey disaster as long as the specific project is able to demonstrate tie-back to the disaster.

Question: Why does wildfire count as a DR declaration if those funds are not available?

Answer: Any disaster, including the 2011 wildfires, that received a CDBG-DR eligible Presidential Declaration from 2008 to 2019 is counted in the scoring criteria. This is to help encourage funds to be used in areas that are most frequently impacted by disasters.

Question: During Hurricane Harvey in 2017, our city hall was demolished. We have received some insurance and FEMA funding, but it was not enough. We have also had to take out 3 different Tax Notes to rebuild a bigger/better facility and with all of the cost increases since COVID, it has been challenging. We are within 6 months of completing our project. Would this DRRP be a source for helping us to complete this project?

Answer: The Disaster Recovery Reallocation Program will only fund the following activities: flood and drainage improvements, water and wastewater improvements, street improvements, rehabilitation, reconstruction, and new construction of affordable multifamily projects, and permanently affixed emergency communications equipment.

Question: If we apply for a fixed generator as 'permanently affixed emergency communications equipment,' could it be for any public building that we deem as a critical facility?

Answer: A permanently affixed generator may be eligible as long as it supports an eligible activity.

Question: Could a project that is already in construction, which is a 9% Housing Tax Credit award be eligible for DRRP funding?

Answer: An affordable multi-family project that is already under construction may be eligible. Further details would need to be provided during the application phase. Because of the particular conditions that apply to all CDBG-DR funds, including an environmental review, a project under way may not be fully eligible until some conditions are met.



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Question: I am reaching out to get more clarification on how a “service area” is defined. Would a County qualify as one service area under the 2015 Floods? How large can a service area be? Would it be all of the County? Just to provide some context to my question, our County would be installing several hardware sensors throughout the County to monitor water pressure, levels, etc. Would one location with one installed hardware sensor be considered a “service area” or would all the multiple locations where the hardware sensors are installed be considered one “service area” since the hardware sensors are all located within the County? Do all of the sensors installed throughout the County qualify as one project under one service area?

Answer: The project must serve a significant portion of the county’s residents (more than half) to count as a county-wide project.

Question: What equipment would be eligible on the Communications Equipment grant and would equipment and software to set up a CAD system be included?

Answer: Any permanently affixed emergency communications equipment would be eligible. A Computer Aided Dispatch (CAD) system, provided it includes hardware components, is eligible.

Question: Are drainage districts eligible for DRRP funding? On the Entity Information Section, there is no allowance for drainage districts.

Answer: Drainage districts are not an eligible entity for the DRRP. Units of local government (cities and counties), Indian Tribes, and public housing authorities are the only eligible entities.

Question: If our project will be completed by May 2025, are we eligible to apply for these funds?

Answer: Projects will be required to be completed within a two-year time frame from the program launch, which would include May of 2025.

Question: Would you please confirm what exactly is covered under “street improvements”, which is listed as an eligible activity in the Disaster Recovery Reallocation Program? Would a city-wide street improvement project, including repaving and grading to include center crowns, be eligible?

Answer: Street improvements cover any improvement to a street, including repairs, repaving, and grading. However, to qualify the street for improvements, the project must address unmet needs from applicable disasters and tie back to the funding event for which funding is being sought.

Question: Would a Dispatch Console be considered a permanently affixed emergency communications equipment?

Answer: Any permanently affixed emergency communications equipment would be eligible. A Dispatch Console, provided it includes hardware components, is eligible.

Question: Fire trucks, ambulances, jaws of life, and protective gear are typically eligible under Public Facilities—Fire Protection Equipment. Can GLO confirm whether these types of vehicles or equipment are eligible under any DRRP activity? Are vehicles of any type eligible under any of the DRRP activities?

Answer: The Disaster Recovery Reallocation Program will only fund the following activities: flood and drainage improvements; water and wastewater improvements; street improvements; rehabilitation, reconstruction, and new construction of affordable multifamily projects; and permanently affixed emergency communications equipment.

Question: Is replacement of residential water and sewer yard lines on private property eligible under DRRP’s Water/Wastewater activity, or is it considered a single family housing activity and therefore ineligible?

Answer: Residential water and wastewater lines on private property are eligible for the DRRP if the water/waste-water line is a first-time water and waste-water connection and the household qualifies as low- and moderate-income.



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Question: How can an entity determine if it is eligible for the DRRP?

Answer: To find out whether a county is eligible please view the [DRRP Eligible Counties document](#).

Question: What does the requirement that each project have “one service area” mean for Housing projects, particularly where a PHA’s units are in the same city but at several sites?

Answer: Based on the information provided, the public housing authorities service area (i.e. city or county) may qualify as “one service area”.

Question: If multiple lift stations are proposed, can these have multiple service areas as a single project activity?

Answer: No, each project must include one activity, one service area, and address one national objective.

Question: If my MIT MOD application is not awarded does that effect my eligibility to apply to DRRP?

Answer: Projects associated with the Regional Mitigation Program (COG MODs) under the CDBG-MIT Action Plan do not impact the eligibility of submissions under the DRRP.

Question: If I still have open grants for the disaster I want to apply for under the DRRP can I still apply?

Answer: Yes, having open projects does not impact the eligibility of submissions under the DRRP. GLO encourages subrecipients to complete their open grants as quickly as possible.

Question: May PHAs submit a DRRP affordable multifamily application (rehabilitation, reconstruction, and/or new construction) for properties owned by a PHA-operated public facility corporation and/or in conjunction with a third-party private co-owner or developer (LP, LLC, etc.), or are they limited to properties directly owned and operated by the PHA? Would the project still be eligible if the property has undergone a RAD conversion and/or is primarily Section 8?

Answer: All of the above listed would be eligible. The PHA must be the applicant and can sponsor any of the entities listed above with appropriate agreements in place to support this relationship.

Question: I received your call for project applications in response to disaster relief, but did not see my county as eligible. Am I reading this correctly, and if so, can you please explain what would qualify a county for eligibility?

Answer: County eligibility is determined based on the respective action plan for the original event. A complete list of eligible counties per action plan is available at: https://recovery.texas.gov/documents/grant-administration/technical-assistance/DRRP_County_Eligibility.pdf.

Question: Under eligible entities, “units of local government (cities and counties)” are listed. Are entities such as Water Control and Improvement Districts (WCIDs) and Municipal Utility Districts (MUDS) also eligible, or is it strictly cities and counties?

Answer: The eligible entities are units of local government (cities and counties), Indian Tribes, and public housing authorities located within the applicable CDBG-DR eligible county. Water Control and Improvement Districts (WCIDs) and Municipal Utility Districts (MUDs) are not eligible entities.

Question: Our county shows to be eligible for a 2015 flooding event. Extensive flood and drainage improvements are needed to ensure an evacuation route for an area that was affected by the 2015 storm. Is the entire county eligible for funding related to 2015 or are only certain areas?

Answer: Yes, the entire county and all eligible entities within it are eligible to submit to the Call for Projects. All projects funded under the DRRP must address unmet needs from applicable disasters and tie back to the disaster event.



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Question: Would a bridge be an eligible project under DRRP funding?

Answer: A bridge is considered a street improvement and is an eligible activity under the DRRP.

Question: Based on my understanding of the eligible entities, River Authorities are not eligible for the DRRP funds, but I wanted to either confirm that understanding or get clarification that River Authorities are eligible.

Answer: River Authorities are not an eligible entity under the DRRP. Units of local government (cities and counties), Indian Tribes, and public housing authorities located within the applicable CDBG-DR eligible county are the only eligible entities under the DRRP.

Question: November 8 follow up to FAQ Eligibility – Answer: Projects will be required to be completed within a two-year time frame from the program launch, which would include May of 2025. Is the two-year time frame from the “program launch” Please clarify: will the program launch be considered the GLO/Locality DRRP Contract Start date, or is this launch defined as the Call For Projects dated October 21, 2024, or when HUD approves the Amendment(s)?

Answer: From the date of contract execution, subrecipients will have a maximum of two years to complete the project.

Technical

Question: Can the Call for Projects submission form be saved?

Answer: The submission will save automatically as values are entered in the fields. It is important to note that the submission must be resumed from the same Internet browser (e.g. Google Chrome, Microsoft Edge, Firefox) and computer as it was started in to reopen from the same point the submission left off.

Question: Which web browser is the GIS Viewer compatible with? IE, Google, etc.?

Answer: The ESRI GIS Viewer is compatible with any Internet browsers such as: Google Chrome, Microsoft Edge, Internet Explorer, and Firefox.

Question: Will there be a link to the ArcGIS account?

Answer: The link to access the CDR Community Portal in order to sign up for a community ArcGIS account is available on the DRRP website: (<https://recovery.texas.gov/DRRP/>).

Question: Does the person creating the account have to be authorized official or can be a Grant Administrator?

Answer: The individual creating an account can be a Grant Administrator. However, the GLO will ultimately be communicating directly with the entity’s authorized representative and/or chief elected official (if applicable) on the invitation to apply and any requests for Information (RFIs) from that submission.

Question: If I am a County submitting a project that has a service area of one of our cities. How do I get the SoVI scores associated to the City?

Answer: SoVI values are returned for either Place or County based on the answer to the prompt: Select the Entity Type of the Project(s). If the service area for the project is a City, then select City as the Entity Type to receive the City SoVI score. For more information visit the CDR Community Portal and download the SoVI data under the Data and Resources section.

Question: Is there any way to share access on a project response? Someone on another computer?

Answer: The Call for Projects Submission must be completed on a single computer, using the same internet browser throughout the process.



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Question: Can the survey responses be printed?

Answer: Entities may request an Excel formatted export of the submitted responses. Entities can also use capture screens as they go through the submission process.

Question: Is the presentation from the October 21 webinar available to view online?

Answer: The DRRP webinar held on October 21, 2024 can be viewed here: https://www.youtube.com/watch?v=mf_iZKcCf3U.

Question: I was unable to participate in the recent webinar. But I am interested in learning more about the funding available in DRRP and how to apply. I am mindful of the November 21 deadline.

Answer: The recording of the webinar is available on the GLO website: <https://recovery.texas.gov/DRRP/>.

Question: If a community selects “Census (LMISD)” as the method of determining LMI but later determines that a LMI survey will be required, will this change be allowed for the full application submittal?

Answer: No, a community may not change the method to determine LMI later in the submission process.

Question: In the Call for Projects Submission, where are the HUD MID 10 points are automatically populated? The score sheet says Ike/Dolly project will automatically receive points for this category, but it doesn't mention the other declaration.

Answer: Because the HUD MID score is based upon eligibility for each respective grant (Ike/Dolly, 2015 Floods, 2016 Floods etc.) the individual HUD MID Score is not shown in the Call for Projects Submission portal. However, if your entity is eligible for multiple grants and is HUD MID in one grant and State MID in another, the difference will appear in the Total Score, as shown in the demonstration in the webinar. Because Hurricanes Ike & Dolly did not have a HUD MID/State MID distinction, counties identified simply as MID for the grant will receive the 10 points.

Question: As a grant administrator, we assist multiple clients with project submissions. Will my login ID work on multiple submissions, or am I limited to one submission per login?

Answer: Multiple submissions may be submitted with one login.

Question: How will we know if our “Call for Projects” was successfully submitted? Any information afforded is greatly appreciated.

Answer: When the user has finished filling out the form, they should click the “Submit” button. If there are no errors with the input, the user will see a green checkmark that says, “Your data was sent successfully.” The user will also receive an email from cdr@recovery.texas.gov with the subject line “DRRP Application Submitted” verifying a projects submission receipt. If you do not receive the confirmation email, please check your spam folder.

Unmet Needs and Tie-back

Question: What constitutes proof of a tie-back to the disaster?

Answer: Tie-back is something that can be shown as damage related to the specific disaster or an unmet need. Additionally, another possibility demonstrating tie-back is a failure to function, meaning something that did not perform as intended/did not work to the degree that it should have related to the disaster. For example, if a community did not experience flooding during Hurricane Harvey, it is not going to be able to submit for a Hurricane Harvey flood and drainage project.



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Question: How can a single submission be tied back to multiple storms? Wouldn't the damage be storm-specific, therefore, only viable for one storm?

Answer: There is a potential that damage was exacerbated from storm to storm. For example, if a project initially flooded with Hurricane Ike, the same project could have then reflooded during the 2015 Floods and Storms and Hurricane Harvey. If that project was not corrected, did not receive financial assistance, and did not have improvements it is likely that the project is still damaged/failing to function as intended.

Question: What type of evidence or documents may be provided to support eligibility for a certain disaster recovery event?

Answer: The best documentation a submitter can provide is time-stamped photographs, reports to the city council or commissioners court that identify the issue, after action reports, related newspaper articles, and staff testimonials involved at the time.

Question: Is installing fiber/broadband eligible under the DRRP? If so, what would the client need to show as justification for damage from the storm to validate the project? For instance, if there's no ability for the community/hospital to receive notifications of evacuation or impending storm, would this count as damage from a storm? Are there other options for documentation?

Answer: All projects must address unmet needs from the applicable disaster and tie-back to the disaster event. Additionally, no funds may be expended for private utilities per CDBG-DR regulations.

Procurement

Question: Can a Grant Administrator submit this information on behalf of the community if they are not procured?

Answer: Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

Question: Can an engineering firm, who was procured to scope projects for the original DR call, continue to do this scoping work under that same contract?

Answer: An engineering firm procured to scope projects for the original disaster may be allowed to continue scoping work under the same contract if that procurement is allowed for that specific type of program. For example, an engineer procured to do environmental or design work associated with Hurricane Harvey recovery, may apply for a Hurricane Harvey DRRP submission. However, if an engineering firm was procured under a procurement specifically related to the Hurricane Harvey Local Infrastructure Program Method of Distribution allocation, then that would not be a valid procurement for that engineer to work from. Entitles are encouraged to work with their legal counsel or procurement professionals to continue moving forward with their procurement needs/uses.

Question: Is it possible for an engineering firm to help a community identify and cost out projects without conflicting themselves out from the grant-funded work?

Answer: Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Confer with your entity's local purchasing agent or legal counsel.



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Question: I'm looking for some clarification on the required procurement for CDBG-DRRP. If I am unable to rely upon the procurement we did for Hurricane Harvey CDBG-DR, then the earliest I could award new contracts would be November 18 with the submission due on Nov 21. We have a proposed project that would tie back to Hurricane Harvey – it would be an extension of the CDBG-DR project we recently completed. Can I get clarification if I need to go through procurement for the November 21 submission? Or can I at least use my HH procurement for this submission and then we can have a new procurement if we actually get invited to apply next spring.

Answer: You will need to discuss procurement with your procurement professional or legal counsel to determine proper procurement for either situation. Eligible entities should evaluate their capacity to complete the Call for Projects since the requirements are simplified compared with a full application.

Question: My question is for Administrative Services and Engineering. We procured both Grant Admin and Engineering for GLO 2017 CDBG-DR for public infrastructure and housing projects back in 2018. Listening to the webinar, we understand the tie-back, but I want to make sure that we can do a contract amendment to the 2017 CDBG-DR contracts to include the DRRP, as long as, the projects that we submit for are public infrastructure and housing projects (the same as what we said we were procuring for back then)?

Answer: You will need to discuss procurement with your procurement professional or legal counsel to determine proper procurement for either situation. Eligible entities should evaluate their capacity to complete the Call for Projects since the requirements are simplified compared with a full application.

Question: Has GLO determined the consulting engineering fee limits for Infrastructure projects?

Answer: This information is now posted on the Recovery website for reference.

Question: Is GLO going to allow the Engineer, Grant Admin, or Environmental Service Provider to be paid for their work and rework when funding is being added to an over budget project?

Answer: If there is no change in the project scope, these additional fees would likely not be eligible.

Question: For a proposed project involving multiple lift stations, would the City be permitted to bid multiple engineers or contractors for different lift stations within the same project? Alternatively, does the DRRP funding require us to work with a single engineer or contractor for all lift stations included in the project proposal?

Answer: Entities may work with multiple engineers or contractors on their projects, so long as they are properly procured and in compliance with the project delivery fee caps.

Question: If an engineering firm was properly procured to provide design and construction services for a prior CDBG-DR project that was only partially implemented (e.g., some work amended out post-design due to high bids), would that same firm be eligible to provide engineering services on a DRRP project that consists of the work amended out of the earlier DR award? Our concern is whether GLO considers the engineer's previous participation to create an "unfair competitive advantage" prohibited in 2 CFR 200.319. If so, would this only apply where a new procurement specific for DRRP was carried out, instead of using the procurement from the earlier DR award (assuming it is valid for DRRP)?

Answer: A vendor that was previously procured may be able to provide services, depending on the specifics of the procurement and the program that the procurement was done under. Please consult your local legal counsel or procurement professionals to continue moving forward with an entity's procurement needs/uses.



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COMMISSIONER DAWN BUCKINGHAM, M.D.

Documenting Beneficiaries

Question: For the LMI data, are we supposed to use the LMI data that is on the DRRP Viewer from FY 2024 or the LMI Census Data from the date of the disaster?

Answer: The eligible entities must use the provided LMISD Census Data from Fiscal Year (FY) 2024, which is the same as in the DRRP Viewer.

Question: Can we use the LMISD State Waiver Data?

Answer: The waiver was granted to the State of Texas exclusively for: Hurricane Harvey, 2018 South Texas Floods, and 2019 Disasters. Therefore, the waiver cannot be used for submissions for 2015 Floods and Storms, 2016 Floods and Storms, or Hurricanes Ike and Dolly. The entities eligible to use the waiver must use the provided LMISD with waiver applied data from Fiscal Year (FY) 2024.

Question: To confirm: it needs to meet both LMI and Urgent Need?

Answer: No, LMI or Urgent Need are the two national objectives that are eligible for the DRRP. Each project will only need to meet one national objective.

Question: GLO answered a previous question by stating applicants cannot change the method they use to identify LMI beneficiaries (survey or LMISD) between the call for projects and the full application submittal. The LMI values for cities and other census geographies differ between the standard LMISD used for Ike, 2015 and 2016 and the waiver LMISD used for Harvey, 2018 and 2019, such that an area may qualify as 51%+ LMI under one data set but not the other. For example, what method should we choose for a project we plan to apply for under both Ike and Harvey that qualifies as LMI using the waiver LMISD for Harvey but does not qualify as LMI using standard LMISD for Ike (thus requiring a survey)? Will GLO reconsider its previous answer and allow applicants to change the method of LMI beneficiary identification in the full application as long as the project still meets the LMI selection criterion?

Answer: Yes, entities switch methodologies as long as the national objective does not change. However, no additional time past the two months application invitation period will be made available for this switch in methodology.

Question: The project we submit must have all these requirements 1. Benefit Low to Moderate Income people 2. Urgent Need and must be a low and moderate are benefit (which is when service area is primarily residential and at least 51% low to moderate income). Am I understanding this correctly?

Answer: A project must meet one National Objective, either Low to Moderate Income benefit or Urgent Need. In order to receive the 20 points for the LMI National Objective criterion, a project must meet the LMI national objective.

Question: Could you please define Urgent Need?

Answer: "Activities designed to meet community development needs having a particular urgency. In the absence of substantial evidence to the contrary, an activity will be considered to address this objective if the recipient certifies that the activity is designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community which are of recent origin or which recently became urgent, that the recipient is unable to finance the activity on its own, and that other sources of funding are not available. A condition will generally be considered to be of recent origin if it developed or became critical within 18 months preceding the certification by the recipient " [24 CFR 570.208(c)]. Additional details on each disaster can be found in their respective Federal Register notice.



TEXAS GENERAL LAND OFFICE

Questions and Answers: DRRP

COMMISSIONER DAWN BUCKINGHAM, M.D.

Environmental Review

Question: Are multifamily rehabilitation projects still subject to the environmental review?

Answer: Multifamily rehabilitation projects are subject to the environmental review.

Question: Where can we get information about the updated HUD Floodplain Management Regulations?

Answer: The GLO has provided information regarding the updated HUD Floodplain Management Regulations located here: <https://recovery.texas.gov/grant-administration/environmental/index.html>.

Question: I apologize if this question is terribly repetitive, but before we proceed with selecting a project for submission, and considering the very tight timeline associated with this funding, I wanted to ask about whether we could rely on procurement and environmental clearance from our previous project, which was the installation of new floodgates and pumpstations in a high LMI flood-prone area that did flood significantly during Hurricane Harvey. Between the time that our cost estimates on the overall project were prepared for the CDBG-DR Infrastructure application and when we solicited for bids, the pandemic happened and so significantly drove up cost and time to completion on our project that the first few bids we received were many millions outside of the approved budget. Twice we amended our SOW to bring the cost and time back within a manageable amount. The second time, we removed a pumpstation. We'd like to submit this pumpstation for the DRRP funding, but in evaluating this project's feasibility from a time standpoint, it will help to know if we may rely on any of our previous procurement and, especially, the environmental clearance originally given for the project. I think that this particular project does fulfill the unmet needs goals of offering DRRP funding, especially since it's part of a project that was already fully qualified for CDBG-DR funding in terms of meeting national objectives and other criteria. Also, I'm not sure if this would be a factor, but this project is complete. All work is done, closeout is imminent, all of the associated contracts are either expired or will at the end of this month, so I don't think we'd be able to just add the pumpstation back to this particular contract and extend it—if that was even an option.

Answer: 1. If the Responsible Entity (RE) is adding HUD funds to a previously HUD funded project and nothing has changed except adding additional HUD funds (scope, location, and environmental circumstances are still the same), then a CENST level of review for supplemental assistance could be applicable.

There are some caveats for CESNT reviews: It must be the original RE for a previously approved Part 58 review; Any additional projects/activities must not change the original proposal's scope, magnitude, location, or environmental circumstances; It requires a determination by the original RE under 24 CFR58.47 as to whether re-evaluation of the original environmental findings is required; If re-evaluation is not required, the supplemental assistance can be treated as a CESNT. Example: If a HUD-assisted project had been cleared (AUGF issued) but subsequently was reduced in scope because of cost, and the completed portion was 100% constructed a few years back, the RE can add additional HUD funds (amendment or new contract) to finish the project as initially intended and cleared in the Environmental Review Record (ERR). In this example, a CENST for supplemental assistance could suffice. Assuming all the conditions of §58.35(b)(7) can be met.

2. If RE adds funds and additional scope to a previously environmentally cleared HUD project, a re-evaluation (58.47) may be possible. Original determinations/findings must remain valid; Any additional HUD assistance (amendment or new contract) can be added to the re-evaluation. No new RROF (or ERR) would be necessary. However, if there are any potential changes in environmental findings, then additional consultation or publication may be required.



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For example, the original review is not in a floodplain, but the new project activity is in a floodplain; therefore, an 8-Step is required. Or consultation with the Texas Historical Commission may need to be reinitiated because the project footprint has changed.

The RE should document re-evaluation by drafting a memo to the ERR that provides the reason(s) re-evaluation is needed, identifying the changes to the project or the environmental conditions. The memo should also summarize the results of the re-evaluation and statement that the environmental finding (CEST, EA) has not changed as a result of the re-evaluation. The memo should be dated and signed by the Responsible Entity. The memo needs to include supporting documentation. A new CEST or EA (with RROF) will be required if the original determination or findings are no longer valid.

3. What factors should a Responsible Entity consider when determining whether to re-evaluate a project or when to initiate a new environmental review and publish its findings? When deciding between re-evaluation/updating an existing review or undertaking a new environmental review, HUD advises to consider the purposes of the National Environmental Policy Act (NEPA) with respect to informing the public of the impact of the project on the environment and the impact of the environment on the project. Scope—Has the project changed so much that the public should be informed through a new environmental review?

Length of time - How has the public been informed of the project? Has the project been 100% constructed, and how much time has passed since the publication of NOI/RROF to the initiation of the project (more than five years)?

Environmental impacts—Has the analysis of the environmental impact revealed new and substantial impacts that the public should be informed about?

A new environmental review would also be required when the scope has changed so much that the project is basically new. For example, the RE cleared an exact location for one-for-one street improvements, but they are now doing a new project, such as drainage lines or detention basin.

What the RE is building isn't what the public thinks the community is building, and the public might get upset about not being notified, then maybe that's also a sign that the RE should do a new environmental review. The change in the project is now triggering a higher level of environmental review, so if it goes from a CEST to an EA, the RE would have to do a new review.

The RE is doing the same project but at an entirely different location because the first location turned out not to be the best place, then the RE would probably have to do a new review because the RE has not reviewed the location in which you now want to build the project.

Question: If the proposed work is to replace streets that have been severely damaged due to flood waters from multiple events, and the street replacement will be done within the same area as the original street was located, will a full environment review/study be required, or can an overview (or less intensive) environmental be done?

Answer: An environmental clearance would be necessary for this project. However, the level of review is dependent on the details of the scope of work.

Question: Also, for a separate grant application, the replacement of clean waterlines is being requested. The lines will be increased from 2" to 6". Additional fire hydrants will be requested as well. If pipe bursting is used to replace the water lines or digging in the same place that the existing line is located, will a full environmental study be required for the line replacement or just an overview? Will any environmental be required when just adding a fire hydrant to an existing line?

Answer: An environmental clearance would be necessary for this project. However, the level of review is dependent on the details of the scope of work.