



Texas Community Development Block Grant Program

2020 Fire, Ambulance, Service Truck (*FAST*) Fund

Application Guide

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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 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, rural health and rural housing 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.

Choosing a Prequalified Grant writer/Administrator

Applicants for 2020 TxCDBG grants are responsible for identifying the person or firm that will provide administrative services for the project, if funded. Federal guidance has become increasingly restrictive and prevents vendors from providing “statements of work” prior to being procured (this applies to Administrators and Engineers (see 2 CRF 200.319). In order to ensure objective vendor performance and eliminate a real or apparent unfair competitive advantage, anyone that develops or drafts specifications, requirements, statements of work (including the grant application), invitation for bids, and/or requests for proposals shall be excluded from competing for such procurement. For purposes of the TxCDBG program, volunteers of an organization and grant writers are considered to be employees, officers, and/or agents of the grant recipient. As such, no volunteer or member of an organization or anyone involved in the application for funding can participate in, or benefit from, the procurement if TxCDBG funds are involved.

Communities that intend to use outside contractors for administrative and/or engineering services must procure these services **before the provider performs any work** or assists in any way in preparing the application for TxCDBG funding.

Additionally, grant recipients that intend to designate a COG as a subrecipient to carry out an eligible activity – such as grant writing and/or grant administration services – must execute a subrecipient agreement (interlocal agreement) before the COG performs any work or assists in any way in preparing the application for TxCDBG funding.

In an effort to simplify and streamline the procurement process for communities, for contracts less than \$50,000, TDA has solicited Applications to Prequalify Grant Administrators from vendors interested in grant writing and administering 2020 TxCDBG projects. Service providers submitted their qualifications directly to TDA. TDA reviewed the proposals based on satisfaction of the minimum qualifications and developed a pre-approved list of vendors posted on the TDA website.

- Communities submitting an application to TDA for *FAST* funding that intend to use a third-party Grant Administrator **must** solicit administrators (grant writers and/or grant administrators) from the pre-approved list of vendors.
- Communities will be required to select an administrative service provider through formal action of the locality’s governing body **prior to the Grant Administrator preparing the grant application**. The streamlined procurement forms can be found on the TDA website.
- Communities that prepare grant applications and administer grant projects using local government employees, or through a subrecipient agreement with a Council of Government, are not required to complete this procurement process; however, TDA may request information regarding grant administrator qualifications to ensure administrative capacity.
- Any contracts for grant administrative services between a local government and a grant administrator awarded as a result of this process may not exceed a total of \$50,000. If a community anticipates that a

contract will exceed \$50,000, then the community may not use this streamlined process of selecting a preapproved grant administrator and will be required to conduct the full procurement process and complete all required steps in accordance with Chapter 5 (Procurement Procedures) of the TxCDBG Implementation Manual.

NOTES:

- *For applicants awarded a Fire, Ambulance, Service Truck (FAST) Fund grant, TxCDBG funds budgeted for Administration under the grant contract cannot exceed the lesser of the following:*
 - *Thirty-five thousand dollars (\$35,000), or*
 - *Sixteen percent (16%) of TxCDBG Fire Protection Activity funds.**The locality is responsible for any cost incurred for General Administration (Program Administration, Compliance, Audit, etc.) that exceeds the TxCDBG-funded amount.*
- *The applicant and a prospective Grant Administrator may have limited, general discussions about TxCDBG program requirements prior to procurement, but it is limited to FAST Fund technical assistance such as application deadline and funding requests minimum and maximum award amounts. Federal Procurement Standards at 2 CFR §200.319(a) prohibit a firm intending to compete for a contract from developing specification requirements, statements of work (including the grant application), or requests for proposals on behalf of the Grant Recipient.*
- *If an applicant intends to self-administer, the applicant must ensure that the responsible staff or staff member has successfully achieved the most recent TxCDBG certification. Self-administering applicants will be required to document local capacity to administer. TDA reserves the right to decline approval of self-administration requests and to require the applicant to secure a qualified third-party administrator, if it is determined that the applicant does not have the required capacity or experience to self-administer.*
- *Contractors, service providers, including Councils of Government (COGs) and subcontractors must have their eligibility status verified (not suspended or debarred) with the System for Award Management (www.SAM.gov) prior to any formal action authorizing the award of a contract to the contractor/service provider, etc. (examples of formal action include but are not limited to, authorizing resolution, authorizing ordinance, Council/Commissioners Court approval of award, contract execution, etc.)*

Application Submittal and Deadline Requirements

The application procedures for the 2020 TxCDBG Fire, Ambulance, Service Truck (FAST) Fund are included in this Application Guide. The application for the 2020 FAST Fund is available [HERE](#). The procedures in this application guide supersede those published in all previous TxCDBG application guides.

The deadline for all 2020 TxCDBG FAST Fund applications is 5:00 p.m. C.T. on July 15, 2020.

Applications will not be accepted after 5:00 p.m. on the final day of submission, unless the applicant can demonstrate that the untimely submission was due to extenuating circumstances beyond the applicant’s control.

The application packet must contain one (1) complete application with original signatures and one (1) copy of the original. The copy may be a paper duplication of the entire application OR a scan of the entire original application, including attachments. Electronic copies may be emailed to cdbgapps@TexasAgriculture.gov or submitted on a CD or flash drive with the original application.

Application Submittal Information:

<p>Mailing Address (for U.S. Postal Service): Texas Department of Agriculture Texas Community Development Block Grant Program Post Office Box 12847, Capitol Station Austin, Texas 78711</p>	<p>Physical Address (for Overnight Carriers): 1700 N. Congress Avenue, 11th Floor Mailroom Austin, Texas 78701 Or Hand Deliver to staff on 2nd Floor</p>
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Minimum award amount: \$50,000
Maximum award amount \$500,000

Limit one application per applicant, per *FAST* application cycle. Any application that is incomplete, noncompliant with program requirements, or received late will be disqualified. Applications lacking information necessary to make a determination concerning the eligibility of the activity (e.g., data on low-to-moderate income beneficiaries) or compliance with TxCDBG and Federal program requirements (e.g., citizen participation requirements) will be disqualified. A substantially complete TxCDBG application must include all of the following information:

- A completed 424 Form with original signature;
- All application forms, fully completed;
- A passed/adopted Local Government Resolution authorizing submission of the application;
- Evidence of compliance with the TxCDBG Citizen Participation Plan including:
 - Copy of actual published public hearing notice OR Publisher's Affidavit and copy of notice OR the affidavit of posting, a copy of the notice for the required public hearing and a printout/screenshot of publication of notice on applicant's website; AND
 - Copy of actual published notice of application activities and availability of the application for public review OR Publisher's Affidavit and copy of notice OR the affidavit of posting, a copy of the notice, and a printout/screenshot of publication of notice on applicant's website.
- Legible, quality, project maps documenting the proposed service area, census geographies (as applicable) and vehicle/equipment location(s);
- Valid documentation supporting Low-to-Moderate Income beneficiaries; (Survey or LMISD data);
- Scoring Criteria Response Sheets;
- Annual Audit (See Attachments Section);
- Evidence of active SAM.gov registration;
- Match commitment documentation for \$5,000;
- Vehicle/Equipment Quote(s); and
- Photo(s)/Picture(s) of the proposed project

Applications lacking any of the items listed above will be disqualified. An Application Review Checklist is located at the end of the Application Guide. Applicants must verify that the application is complete using the checklist.

Completed applications received by the 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 project is located in or serves an entitlement area;
- The application contains ineligible activities;
- The applicant does not comply with the TxCDBG Citizen Participation Plan requirements;
- The applicant does not meet the Applicant Threshold Requirements;
- The application contains false information;
- The applicant did not comply with the TxCDBG survey or beneficiary documentation requirements;
- The same or substantially the same application has been submitted under two or more TxCDBG fund categories;
- The application does not contain adequate or acceptable information to show that each proposed application activity meets a National Program Objective;
- The application does not comply with the requirement concerning the preparation of an assessment of the applicant's housing and community development needs prior to submission of a TxCDBG application;
- The applicant does not provide the information required in the TxCDBG Applicant/Recipient Disclosure/Update section of the Application; 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.

TDA will not award TxCDBG funds to the same (or substantially the same) project under two different funds. However, if a *FAST* fund application is unsuccessful, project funding may be available through another fund (e.g., Community Development fund) if the appropriate application criteria are satisfied.

Applicant Threshold Requirements

An applicant must meet all of the following requirements in order for its application to be considered:

1. Demonstrate the ability to manage and administer the proposed project, including delivery of all the proposed benefits outlined in the application.
2. Demonstrate financial management capacity.
3. Levy and collect a local property tax or local sales tax option.
4. Demonstrate satisfactory performance on prior and existing TxCDBG contracts and resolve all outstanding compliance and audit findings related to previous TxCDBG awards.

The applicant must demonstrate progress in all current open contracts to be eligible to submit an application. See the following threshold requirements for all TxCDBG fund categories:

Fund Category	Contract Period	Progress Threshold #1	Progress Threshold #2
Disaster Relief	12 months	Obligate 50% of TxCDBG contract funds at 9 months	Construction complete, PCR and final draw submitted at 12 months
<i>FAST</i> Fund	18 months	Obligate 50% of TxCDBG contract funds at 9 months	Construction complete, PCR and final draw submitted at 18 months
Community Development	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Downtown Revitalization/Main Street and Small and Micro-enterprise Revolving Fund	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Colonia Fund (CFC, CFP, CEDAP, NOT CSH)	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Planning Capacity Building	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Planning complete, reports & maps and final draw submitted at 24 months
Community Enhancement	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
TCF Infrastructure/Real Estate	36 months	Obligate 50% of TxCDBG contract funds at 18 months	Construction complete, PCR and final draw submitted at 36 months

Eligible Applicants

Eligible applicants are non-entitlement units of general local government, incorporated cities and counties not participating or designated as eligible to participate in the entitlement portion of the federal Community Development Block Grant Program. Non-entitlement cities that are not participating in urban county programs through existing participation agreements are eligible applicants unless the city’s population counts toward the urban county CDBG allocation.

Non-entitlement cities are located predominately in rural areas and are generally:

- cities with populations of less than 50,000 persons;
- cities that are not designated as a central city of a metropolitan statistical area; or
- cities that are not participating in urban county programs.

Non-entitlement counties are also predominately rural in nature and generally have fewer than 200,000 persons in the non-entitlement cities and unincorporated areas located in the county.

While non-entitlement units of general local government are the only eligible applicants for TxCDBG funding, these applicants may submit applications that will provide benefits through other sub-recipient groups serving the jurisdiction. For example, a county could submit an application for a fire truck that will be owned and operated by an emergency services district. The vehicles and/or equipment themselves would become the property of the emergency services district, but the programmatic and fiscal compliance responsibilities would remain with the applicant (the county).

National Program Objectives (NPO)

Each proposed activity included in an application for TxCDBG funds must meet one of the U. S. Housing and Urban Development's (HUD) three CDBG National Program Objectives, or NPOs. They are:

1. Activities Benefiting Low-to-Moderate Income Persons
2. Prevention / Elimination of Slums or Blight
3. Urgent Need - Meet other community development needs of particular urgency that represent an immediate threat to the health and safety of residents of the community.

For the purposes of *FAST*, applicants must demonstrate that the proposed activities benefit Low-to-Moderate Income Persons, on an Area Benefit basis (low to moderate income individuals are those whose income is 80% or less of the area median family income (AMFI)). The proposed activities must benefit all residents of an area that is primarily residential, with at least fifty-one (51%) of those residents qualifying as low-to-moderate income (LMI) based on HUD published census data. An activity serving an area that is not primarily residential in character is not eligible under the area benefit criterion. The benefit area must be clearly identified in the project map(s).

Once an applicant has identified the persons that will benefit from the proposed eligible activity, there are two (2) acceptable ways to document the total beneficiaries and number of LMI beneficiaries for each proposed application activity:

1. HUD Census and American Community Survey based data (LMISD), which can be found [HERE](#); or
2. The completion of a TxCDBG approved survey. See Appendix I to this application and the most recent **Survey Methodology Manual**, [HERE](#). Adhere to these requirements to **avoid disqualification**.

Clear documentation of an applicant's beneficiary identification method must be received with the application.

Eligible and Ineligible Activities

***FAST* eligible vehicles/equipment/activities:**

- Emergency vehicles, including:
 - Fire Trucks (most types)
 - Ambulances
 - Other specialized emergency vehicles (must receive approval from TDA at least 30 days prior to the application deadline and **cannot already be designated as ineligible – see below**)
- Emergency rescue equipment, including:
 - Vehicle extrication tools (saws, cutters, spreaders, rams)
 - Self-Contained Breathing Apparatus (SCBAs)
 - Thermal Imaging Cameras
 - Fire protection gear (wearable, such as Turnout Gear (Bunker Gear), Helmets and Boots)
 - Power Stretchers and Stretcher Mounting Systems (ambulance use only)

- Cardiac Monitors (ambulance use only)
- Transport ventilators (ambulance use only)

Ineligible vehicles/equipment/activities:

- Police cars and other vehicles used primarily by law enforcement;
- Command vehicles, rescue boats or rescue water/air crafts
- Vehicles that do not address a specific public safety or emergency rescue requirement; or
- Vehicles used primarily for the general conduct of government; or
- Items such as generators, ladders, hoses, tools, or equipment sets. These items are considered accessories for fire or EMS vehicles (i.e. are not integral to the operation of the vehicle or are not built-in to the vehicle)
- Supplies (e.g., restocking equipment, disposable items and refills).
- Vehicle components (including, but not limited to, wheels/tires, batteries or other electrical components, compressors or other air system components, mechanical components, seats or other vehicle interior components etc.)

Applicants must obtain TDA’s approval prior to submitting an application for a specialized emergency vehicle (as referenced above). Vehicles already designated as ineligible will not be considered. Requests for approval must include the name of the applicant and service provider (as applicable), the proposed service area, a detailed description of the vehicle, a picture of the proposed vehicle, a description of its proposed uses, and a description of how it qualifies as a fire protection/rescue/emergency medical services vehicle. Inquiries sent via email must include “(Applicant name) - FAST Project Eligibility Inquiry” in the subject line to Michelle Phares at michelle.phares@texasagriculture.gov.

Additional guidance and further definition concerning eligible and ineligible activities for some of the TxCDBG eligible activities are included in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA).

Citizen Participation Plan Requirements

Each applicant must complete a citizen participation process that complies with the TxCDBG Citizen Participation Plan requirements as described in this guide prior to submitting an application.

A locality can only receive a TxCDBG grant if the locality certifies that it follows a detailed citizen participation plan that provides for and encourages citizen participation at all stages of the community development program.

TxCDBG applicants and funded localities are required to carry out citizen participation in accordance with the Citizen Participation Plan adopted for the TxCDBG Program. Each applicant certifies by signing a 424 Form that it has and will comply with the requirements of this Citizen Participation Plan.

Each applicant must maintain a citizen participation file that includes a copy of this Plan, the applicant's complaint procedures, any technical assistance provided by the applicant, and public notices, minutes, and attendance lists for public hearings.

Complaint Procedures:

The applicant/recipient must have written citizen complaint procedures that provide a timely written response to complaints and grievances. Citizens must be made aware of the location, days, and hours when copies of the plan are available.

Technical Assistance:

When requested, the applicant/recipient shall provide technical assistance to groups representative of persons of low-to-moderate income in developing proposals for the use of TxCDBG funds. The level and type of assistance shall be determined by the applicant/recipient based upon the specific needs of the community's residents.

Public Hearing Provisions:

The applicant must provide citizens with reasonable advance notice and opportunity to comment on eligible and proposed activities in the *FAST* application.

For public hearings scheduled and conducted by a TxCDBG applicant, the following public hearing provisions must be observed:

1. Public notice of the hearings must be given in one of the following ways:
 - i. Published in a local newspaper at least seventy-two (72) hours prior to the scheduled hearing; or
 - ii. Published on applicant's website AND posted in public places (e.g. city hall/county courthouse) at least seventy-two (72) hours prior to the scheduled hearing

The public notice must include the date, time, location and topics to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.

2. The public hearing must be held at a time and location convenient to potential or actual beneficiaries and include accommodations for persons with disabilities. Furthermore, the applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to each hearing. The public hearing must be held no earlier than 5:00 p.m. on a weekday or at a convenient time on a Saturday or Sunday.
3. When a significant number of non-English speaking residents are expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the non-English speaking residents.

Applicants must comply with the following citizen participation requirements for the preparation and submission of an application to the Texas Community Development Block Grant Program:

1. The public hearing must occur **prior** to the adoption of the local government resolution authorizing the submission of the application. To ensure reasonable advance notice, it is highly recommended that the public hearing occur on a date prior to the adoption of the local government resolution authorizing the submission of the application.
2. The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the proposed use of funds for a period of one year. Such records must be available to the public in accordance with Chapter 552, Government Code.
3. The public hearing must meet the following TxCDBG notification requirements and include a discussion with citizens covering the following topics:
 - The development of housing and community development needs.
 - The amount of funding available.
 - All eligible activities under the Texas Community Development Block Grant Program.
 - The applicant's use of past TxCDBG contract funds, if applicable.
 - The estimated amount of funds proposed for activities that will meet the national objective of benefit to low-to-moderate income persons.
 - 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.

Citizens must be encouraged to submit their views and proposals regarding community development and housing needs, with particular emphasis on persons of low-to-moderate income who are residents of slum or blighted areas. Local organizations that provide services or housing for low-to-moderate income persons, 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. Citizens must be made aware of the location where they may submit their views and proposals in case they are unable to attend the public hearing. While more than one application may be discussed at the public hearing, a hearing held for the previous program year's submission of the same application does not satisfy the requirements for any subsequent competition.

A community must provide reasonable notice of the availability of a proposed application in order to afford affected citizens an opportunity to examine the application's contents to determine the degree to which they may be affected, and to submit comments on the proposed application. This requirement may be met by publishing a summary of the proposed application in one or more local newspapers of general circulation at least five (5) days prior to submitting the application to TDA, and by making copies of the proposed application available at libraries, government offices, and public places.

1. At least five (5) days prior to the submission of an application for TxCDBG funds, the applicant must publish a public notice that includes the following information:
 - The TxCDBG fund categories for which applications will be submitted.
 - The amount of TxCDBG funds requested in each application.
 - A short description of the proposed project activities in each application.
 - The locations of the project activities included in each application.
 - The location and hours when the application will be available for public review.
2. Public notice must be given in one of the following ways:
 - a. Published in a local newspaper at least five (5) days prior to application submittal; or
 - b. Published on applicant's website AND posted in public places (e.g. city hall/county courthouse) at least five (5) days prior to application submittal
3. In the preparation of the final application, the community shall consider comments and views received related to the proposed application and may, if appropriate, modify the final application prior to submission of the application to TDA. The final application shall be made available to the public.

In the event the application is successful, applicants must also comply with the following citizen participation requirements:

- Must provide citizens with reasonable advance notice of and opportunity to comment on activities which are proposed to be added, deleted or substantially changed from the locality's application.
- Upon completion of the activities, the locality shall hold a public hearing and review its program performance, including the actual use of TxCDBG funds.
- The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for the greater of:
 1. Three years after close-out of HUD's grant to the State of Texas (please see TDA website)
 2. If notified by TDA in writing, the date that the final audit is accepted with all audit issues resolved to TDA's satisfaction (Please see date of TDA audit acceptance letter if applicable); or
 3. A date consistent with the period required by other applicable laws and regulations as described in 24 CFR 570.490 and 2 CFR 200.333.

Failure to comply with these requirements may result in disqualification of the application.

Local Certifications

Each applicant for TxCDBG funding must certify by signing the 424 Form that it has adhered to the Local Certifications included in this application guide in the preparation of any TxCDBG application. Adherence to these certifications must be ongoing in the event that the application is successful.

With respect to the expenditure of funds provided under a Texas Community Development Block Grant contract, each TxCDBG contractor is required to certify that:

1. It will minimize displacement of persons as a result of activities assisted with such funds.
2. The program will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.) and the Fair Housing Act (42 USC 3601 et seq.), and that it will affirmatively further fair housing, as specified by TDA.
3. It will provide opportunities for citizen participation, hearings and access to information with respect to its community development programs, and that it is following the TxCDBG Program Citizen Participation Plan.
4. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of low-to-moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless:
 - (A) such funds are used to pay the proportion of such fee or assessment related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or
 - (B) for purposes of assessing any amount against properties owned and occupied by persons of low-to-moderate income who are not persons of very low income, the contractor certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (A).
5. It will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Federal implementing regulations at 49 CFR Part 24, and the requirements of section 570.606 including the following of a residential anti-displacement and relocation assistance plan, as specified by TDA, in the event that displacement of residential dwellings will occur in connection with a project assisted with TxCDBG funds.
6. It has adopted or will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
7. To the best of the TxCDBG contractors' knowledge and belief, no Federal appropriated funds have been paid or will be paid, by or on behalf of the TxCDBG Contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
8. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the TxCDBG Contractor shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
9. The TxCDBG contractor must require that the language of this certification be included in the award documents for all sub-awards at all levels (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Minority Participation/Local Opportunity

The TxCDBG program encourages localities to affirmatively take action to utilize small, minority (MBE) and women-owned (WBE) businesses whenever possible. Although funded localities are not directly responsible for meeting a specific minority business participation goal, TxCDBG reports to HUD on the levels of MBE and WBE hiring under all CDBG contracts. To increase participation of small, minority and women owned businesses localities may use the Texas Comptroller of Public Accounts' Historically Underutilized Business (HUB) Directory. Also in accordance with Section 3 of the Housing and Urban Development Act of 1968, successful applicants using CDBG funding for housing

or other public construction are required, to the greatest extent feasible, to provide training and employment opportunities to lower-income residents and contract opportunities to businesses in the project area.

Fair Housing Activities

Any locality receiving funds under the TxCDBG Program must certify that it will affirmatively further fair housing choice. Each funded locality must conduct at least one fair housing activity during the contract period, even if the locality is currently undertaking fair housing activities. Activities that qualify as affirmatively furthering fair housing include, but are not limited to, the following:

- Cities may pass a fair housing ordinance and publicize the existence of such an ordinance.
- Counties may adopt written fair housing policies and procedures that are equivalent to a fair housing ordinance and publicize the existence of such policies.
- The development of a strategy to pass a fair housing ordinance to be evidenced by public hearings and input from interested parties.
- The establishment of a written local complaint and monitoring process and notification to the public of its existence.
- The initiation of a fair housing counseling referral service that provides housing choices outside historically minority and/or low-to-moderate income neighborhoods to be evidenced by adoption of written procedures and publication of the availability of such service.
- The completion of a community-wide housing analysis to determine impediments to fair housing and actions to eliminate these impediments.
- The designation of April, or some other month, as Fair Housing Month through resolution or proclamation along with other activities to support fair housing.
- The development of an affordable housing strategy that includes steps to affirmatively further fair housing choice, such as a plan resulting from a Housing Summit.

In addition, communities that receive CDBG funds, chief elected officials, and third-party consultants may be required to have Fair Housing training. Training will be offered at both on-site workshops and state-wide webinars.

Conflict of Interest

Applicants to the TxCDBG Program must avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For the procurement of goods and services, no employee, officer, or agent of the Grant Recipient or subrecipient may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. (24 CFR 570.489(g), Uniform Grant Management Standards (UGMS) of the Texas Comptroller of Public Accounts, 2 CFR 200.318(c)(1)).

For all other cases other than the procurement of goods and services, non-procurement conflict of interest provisions are applicable to any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards.

Under these provisions, a conflict of interest would exist if an employee or elected official of the applicant, or their family members, receive benefit from an activity. In addition, an apparent conflict of interest would exist if a principal of the benefitting business or their family members receive a benefit from an activity other than the real estate and/or

infrastructure improvements outlined in the application. For example, if a member of a mayor's family was selected to receive TCF assistance or would benefit from or receive an award, abstention from voting does not clear the conflict of interest. Another example where a conflict of interest would exist (business ties) is a situation where a consultant, who is employed by an engineering firm, has been selected by a city to provide administration services for the TCF contract and the city is considering the selection of an engineer from that same firm to provide engineering services for the TCF contract.

TDA may grant an exception to the non-procurement conflict of interest provisions on a case-by-case basis if it determines that such exception will serve to further the purpose of the TxCDBG program and the effective and efficient administration of the project. An exception may be considered only upon written request from the city or county that includes the following elements identified in 24 CFR 570.489(h)(4):

- A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made.
- An opinion of the attorney for the city or county that the interest for which the exception is sought would not violate state or local law.
- Whether the exception would provide a significant cost benefit or an essential degree of expertise to the project that would not be available otherwise.
- Whether an opportunity was provided for open competitive bidding or negotiation.
- Whether the person affected is a member of a group or class of low or moderate income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class.
- Whether the person affected has withdrawn from his/her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question.
- Whether the interest or benefit was present before the affected person was in the position as an employee, agent, consultant, officer, or elected official of the city or county, or of any designated public agencies, or sub-recipients that are receiving CDBG funds.
- Whether undue hardship will result to the city or county or the persons affected when weighed against the public interest served by avoiding the prohibited conflict.
- Any other relevant considerations.

Types of Applications

Single Jurisdiction Applications

A single eligible applicant (city or county) may submit one application for funding if the project beneficiaries are limited to persons located within the applicant's jurisdiction.

For an incorporated city, the beneficiaries would generally be limited to persons located within the city limits. An incorporated city may submit a single jurisdiction application that includes activities benefitting persons located within the extra-territorial jurisdiction (ETJ) of the city. However, the applicant must describe how the activity benefitting persons located in the ETJ is meeting the applicant's community development needs, including the needs of low-to-moderate income persons.

An incorporated city may not submit a single jurisdiction application that includes beneficiaries located both inside of the city and outside of the city's ETJ. In this case, the city and the county where the unincorporated area is located would be required to submit a multi-jurisdiction application.

For a county, the beneficiaries would generally be limited to persons located in unincorporated areas within the county (for target area projects) or countywide.

However, a county may submit a single jurisdiction application on behalf of an incorporated city located within the county as long as the application adheres to the following guidelines and requirements:

- The activities proposed in the application benefit the incorporated city’s residents and the proposed activities provide improvements to a publicly owned facility that is not owned or operated by the incorporated city on whose behalf the county has submitted the application.
- The persons benefitting from the application activities must be located within the city’s corporate limits and/or within the city’s ETJ.
- The incorporated city must adopt and submit a resolution (with the TxCDBG application) authorizing the county to submit the application on behalf of the city.
- The county will be the grantee and the party responsible for compliance with all program requirements.
- The county or the incorporated city that the county applied on behalf of cannot submit another single jurisdiction application or be a participating jurisdiction in a multi-jurisdiction application submitted under the same TxCDBG fund category.
- The incorporated city’s demographic information will be used for the scoring of TxCDBG selection criteria.

Multi-Jurisdiction Applications

Two or more eligible applicants may submit a joint application for funding when the project beneficiaries are persons located within more than one unit of general local government. The requirements for multi-jurisdiction applications are:

- The locations of the beneficiaries and the locations of the proposed activities must be within the applicants’ jurisdictions; and
- A proposed project that includes an activity located in more than one jurisdiction or that includes beneficiaries from more than one jurisdiction must be submitted as a multi-jurisdiction application. Exceptions to this requirement are the ETJ provision allowed by the TxCDBG for incorporated municipalities under single jurisdiction applications and the county exceptions described under single jurisdiction applications.

In order for a multi-jurisdiction application to be eligible for consideration for TxCDBG funding, a multi-jurisdiction application must mutually benefit residents of the applicant localities and cannot be submitted solely on the basis of administrative convenience, i.e., there must be a physical need for such a project (location, area to be served, etc.).

Additional criteria that must be met by multi-jurisdiction applicants are:

- The multi-jurisdiction applicants shall determine which one of the participating units of general local government will be authorized (the authorized applicant) to act in a representative capacity for all of the participating units.
- Each participating jurisdiction shall submit a signed 424 Form and be responsible for compliance with the Local Certifications therein.
- Each participating jurisdiction shall submit a Community Needs Assessment that identifies the housing and community development needs and activities designed to meet those needs for each of the participating jurisdictions.
- The authorized applicant jurisdiction and each of the other participating jurisdictions must meet the citizen participation requirements.
- The proposed activity must meet the “Activities Benefitting Low-to-Moderate Income Persons, Low-to-Moderate Area Benefit” NPO.
- The authorized applicant assumes overall responsibility for ensuring that the application activities will be carried out in accordance with statutory requirements. In order to accomplish this, the authorized applicant must enter into a legally binding cooperation agreement with each participant that includes the above criteria.
- All jurisdictions participating within the multi-jurisdiction application must be TxCDBG eligible. For example, if a city and county are submitting a multi-jurisdiction application and the city is currently ineligible due to past performance issues, the application is ineligible.

NOTES:

- *In the case of multi-jurisdictional applications for FAST, scoring will be based on the lead applicant.*

- *Cities and counties can only participate in one FAST application per application cycle, whether as a lead or co-applicant. A city or county submitting a single jurisdiction FAST application on its own behalf (or a county submitting a single jurisdiction FAST application on a community's or city's behalf) cannot participate in a separate multi-jurisdictional FAST application, regardless of whether they are the proposed lead- or co-applicant on the multi-jurisdictional FAST application. Conversely, a city or county participating as a lead or co-applicant in a multi-jurisdictional FAST application cannot also submit a single jurisdictional FAST application on their own behalf (or a county submitting a single jurisdiction FAST application on a city's or community's behalf).*
- *Cities and counties are prohibited from submitting applications that propose to serve overlapping service areas or beneficiaries. Jurisdictions proposing to serve duplicate or overlapping beneficiaries must submit a joint grant request in the form of a multi-jurisdictional application. For example, a county is submitting a FAST application for a project that will serve beneficiaries county-wide, including all cities within its jurisdiction. At the same time, a city within that county's jurisdiction is also submitting a FAST application for a project that will serve beneficiaries solely within the city. In this scenario, these projects would be serving overlapping beneficiaries and service areas, which is prohibited. It is the responsibility of cities and counties in overlapping jurisdictions to coordinate projects for the purposes of submitting their respective FAST applications. In the case of FAST applications submitted with overlapping service areas and beneficiaries, the participating counties or cities will be responsible for deciding, at the local level, which application will be eligible for consideration. This decision must be made prior to application review or scoring.*

Scoring

Use the Scoring Sheet in the application. All scoring criteria must be documented with supporting documentation. Failure to submit all back-up documentation to support scoring may result in a loss of points. All score documentation must be placed immediately behind the score sheet.

- I. **Poverty Rate** of applicant (20 maximum points) – How does the applicant's poverty rate compare to other applicants? (Cities will be compared to cities and counties will be compared to counties)

Methodology: An applicant's Poverty Rate is determined by reviewing the most recent U.S. Census American Communities Survey (ACS) 5-year estimate (Table B17001). Once this information is obtained for each applicant and the service area identified on the census map, the average poverty rate is calculated by dividing the sum of all applicants' poverty rates by the total number of applicants.

A base is determined by multiplying the average poverty rate by a constant such as 1.25. Each applicant's poverty rate is then divided by the base to determine their poverty factor.

The poverty factor is then multiplied by the maximum point value to determine an applicant's score. Any calculated score above the maximum point value will be capped at the maximum.

- II. **Previous Awards/Funding** (20 maximum points) – Has the applicant received a Community Development (CD), Community Enhancement Fund (CEF) or Fire, Ambulance and Service Truck (FAST) award since 1/1/15? If an applicant has previously received a CEF or FAST award, no points will be awarded. If an applicant has NOT previously received a CEF or FAST award, points will be scored as follows:

20 points	Applicant has not been funded in 2015-2016, 2017-2018 CD cycles nor received a previous CEF or FAST award
15 points	Applicant was last funded in 2015-2016 CD cycle and has not received a previous CEF or FAST award
10 points	Applicant was last funded in 2017-2018 CD cycle and has not received a previous CEF or FAST award

5 points	Applicant was last funded in 2015-2016 CD cycle AND 2017-2018 CD cycle and has not received a previous CEF or <i>FAST</i> award
0 points	Applicant has received a previous CEF or <i>FAST</i> award

III. **Past performance on TxCDBG grants:** see 2019-2020 CD Fund - State scoring factors and timeframe (will be calculated by TDA).

Tiebreaker: How does the applicant’s Per Capita Income (PCI) compare to other applicants?

If needed in the ranking of applications, a tie between multiple applications shall be broken based on the per capita income ranking, with a lower per capita income level ranking higher. The PCI shall be determined by the most recent U.S. Census American Communities Survey (ACS) 5-year estimate (Table B19301).

NOTES:

- *TDA reserves the right to limit the number of projects recommended for award.*
- *In the case of multi-jurisdictional applications, scoring will be based on the lead applicant.*

Federal Funding Accountability and Transparency Act (FFATA)

In September 2006, the President signed the Federal Funding Accountability and Transparency Act (FFATA) requiring the Office of Management and Budget (OMB) to develop a publicly available, free-of-charge, searchable website on federal funding. Federal funding includes grants, sub-grants, loans, awards, cooperative agreements, and other forms of financial assistance. On April 6, 2010, the OMB issued a memorandum outlining responsibilities for State agencies making sub-awards with Federal funds.

Beginning October 1, 2010, TDA is responsible for reporting data on each TxCDBG award, which will be entered into the usaspending.gov database. This data includes:

- The name of the entity receiving the award;
- The amount of the award;
- Information on the award, including transaction type, funding agency, Catalog of Federal Domestic Assistance (CFDA) number, program source, and a descriptive award title;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, state, congressional district, and county; and
- The Data Universal Numbering System (DUNS) number for the entity receiving the award.

Additional information deemed relevant by the OMB must also be provided, and all information is due no more than thirty days after a grant is awarded.

Applicants must register on the System for Award Management (SAM) and entities must have an active registration to receive CDBG funding. Information on SAM registration is available at <https://www.sam.gov>.

False Information on Applications

The following actions may be taken, on a case-by-case basis, where TDA finds that an applicant provided false information in its application for TxCDBG funding.

If the applicant provides false information in a TxCDBG Fund application that has the effect of increasing the applicant's competitive advantage, or false beneficiary information that increases the number or percentage of potential beneficiaries, TDA TxCDBG staff shall make a recommendation for action to the Director of the State TxCDBG Program.

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

1. Disqualification of the application and holding the locality ineligible to apply for TxCDBG funding for a period of at least one year not to exceed two program years.
2. Even if an award has been made, the locality may be liable for funds expended if adjustment to the scores would have resulted in a change in rankings for the purpose of funding.
3. Holding the locality ineligible to apply for TxCDBG funding for a period of two program years or until any issue of restitution is resolved, whichever is longer.

Appeals Process

Refer to Title 4 Part 1 § 30.6 of the Texas Administrative Code (TAC).

Application Instructions

Cover Sheet

Enter the applicant's name in the space provided. The applicant's name will then appear in the footer of every page in the application. Using the drop-down box, select the applicant's County. Region-specific information such as COG region and County Code will automatically appear where appropriate throughout the application once the County has been selected.

Application Checklist

Carefully read the list of required attachments and application forms located on page 37 of this guide, checking off each completed item. This minimizes the likelihood of serious deficiencies or disqualification.

424 Form

The numbered sections below coincide with the numbered fields on the 424 Form. All information is required unless otherwise noted. The applicant must provide an email address and the information can be entered under the address box of the bottom of the 424 Form in box 18a.

1. **Type of Submission**- Under the Application column, select Non-Construction.
2. **Date Submitted**- To use the calendar provided, click on the drop-down arrow on the right side of the box.
3. **Date Received by State** – Leave this field blank.
4. **Date Received by Federal Agency** – Leave this field blank.
5. **Applicant Information**- Provide the applicant's Legal Name (e.g., City of ABC, ABC County) and the Organizational Unit (can be the same as the Legal Name). **Mailing address, telephone number, fax number, and email address are required for both the applicant and the application preparer.** The applicant's physical address and county are also required.
6. **Employer Identification Number**- Also known as the Federal Tax ID, this 14-digit number is required to facilitate disbursement of funds.
- 6a. **DUNS Number** – All applicants must have a Data Universal Numbering System number to apply for Federal funds. The DUNS number is a nine-character identification number provided by Dun and Bradstreet. There is no charge to obtain a DUNS number. For additional information, visit the Dun and Bradstreet website at www.dnb.com. Failure to provide the applicant's DUNS number at the application stage may result in delayed award disbursement. The DUNS number is also required to be registered with the System for Award Management.
7. **Type of Applicant**- Select County or City.
8. **Type of Application**- Check the appropriate box.
9. **Name of Federal/State Agency** – Provided by TDA

10. **Catalog of Federal Domestic Assistance Number** – Provided by TDA
11. **Project Type** – Use the drop-down menu to select the project type that best describes the proposed project. Please double check for accuracy, as TDA will use this information for creation of an Action Item and contracts if the application is successful. If the options in the drop-down menu do not accurately describe the proposed project, you may type the appropriate project type in this field rather than selecting from those provided.
- 11a. **Type of Application** – Provided by TDA
12. **Target Area(s) Affected by the Project**– Briefly identify the service areas of the city or county affected by the project. Acceptable descriptions would be: "The ABC Community in southeast XYZ County", "The ABC Community and LMN Community in XYZ County", "The ABC Water Supply Corporation Service Area", "The A, B, C, and D Colonias of XYZ County", and "Jollyville neighborhood in the northwest portion of ABC Town".
13. **Applicant's Fiscal Year** – Indicate the beginning and end dates of the applicant's fiscal year.
14. **Congressional Districts**– Provide the congressional districts of the entity applying for funding, as well as for the proposed project site(s). This information is available through the "Who Represents Me" feature at the Texas State Legislature's web site: www.fyi.legis.state.tx.us.
15. **Estimated Funding**– Complete each field as follows:
- A. TxCDBG Request: Amount requested from TDA through this application;
 - B. Federal: Amount committed from federal resources such as RUS or USDA-RD;
 - C. State: Amount committed from state resources such as TWDB;
 - D. Applicant: Amount of match committed by the applicant (\$5,000 cash per *FAST* program guidelines);
 - E. Local: Amount committed from local resources such as a WSC, WCID, MUD, or any other local entity other than the applicant;
 - F. Other: Amount committed from resources other than those listed above; and
 - G. Total: This will calculate automatically.

If the applicant intends to use TxCDBG to leverage funds from another source, indicate the full scope of the project (including portions funded by other sources) in the Project Summary.

16. **Is application subject to review by State Executive Order 12372 Process?** – For TxCDBG applications, the answer to this question is "No." Texas Review and Comment System (TRACS) no longer exists for review.
17. **Is the Applicant delinquent on any Federal debt?**- If the answer is "Yes," include an explanation concerning the nature, amount, and date when payment of the debt became delinquent.
18. **Certification**– Before signing the 424 Form, the authorized signatory should read the text in this field carefully and review the Local Certifications and Citizen Participation Plan sections of this guide. Complete all sub-fields prior to signature.

Project Approval Information

This form asks for a variety of information about a proposed project. Please be sure to verify your responses, as TDA staff may rely on this information to make important decisions regarding the project's approval status. Some items on this form include follow-up questions that will only appear if necessary. If a question does not apply to the proposed project, select "N/A". Failure to respond to any item on the Project Approval Information form will result in a deficiency notice.

Community Needs Information

List of All Identified Community Needs

Provide a list of **all** the applicant's identified **community development and housing needs**, not just those addressed in the application. List the needs in order of importance, using the boxes marked "+" and "x" to add or delete space for additional items. Provide a short description of the project that addresses the need. Projects included in this section that meet FAST Fund eligibility requirements may be considered if a balance of funding is available, after having completed the contractually required project(s) listed in the application.

Community Needs Assessment Questionnaire

Provide the information requested for each item, including information concerning the applicant's past and future efforts to provide affordable housing opportunities in the applicant's jurisdiction and the applicant's past efforts to provide infrastructure improvements through the issuance of general obligation or revenue bonds. A response is required for each item; "None" and "N/A" are acceptable.

Fair Housing Activities

Any locality receiving TxCDBG monies must certify that it will affirmatively further fair housing. Using the drop-down box, identify the activities presently undertaken to affirmatively further fair housing and which new activities will be undertaken if an award is made by TDA. Applicants should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant should contact TDA to determine eligibility.

Citizen Participation: The Needs Addressed In This Application Were Determined By

Indicate each method(s) used to determine the needs addressed in this application, including the date(s) of each method/assessment. Use the "+" button to add each method/assessment. If the exact date is not known, choose the first day of the appropriate month and year. If a city's application includes activities benefiting persons located within the city's ETJ, the applicant must describe how the activity benefiting persons located in the ETJ is meeting the applicant's community development and housing needs, including the needs of low to moderate income persons.

Description of the Need(s) Addressed in This Application

Please note that TDA will use the information from this section to draft a contract in the event that the application is successful. Please double-check for accuracy and do not use all capital letters.

- 1) Describe the need for the proposed vehicle(s)/equipment. As part of this description, please provide the following:
 - i) Identify the service(s)/problem(s) being addressed in this application
 - ii) Describe the problem(s) in terms of specific deficiencies
 - iii) Include a statement describing the need for the proposed vehicle(s)/equipment
 - iv) Describe how the proposed vehicle(s)/equipment will meet this stated need.

Example: The City of Smith's fire department is currently using a pumper truck from 1975 to respond to structure fires within the city. The vehicle is deteriorated and in frequent need of repair, making it unavailable for emergency calls on a regular basis. Additionally, it utilizes obsolete parts that can no longer be replaced. As such, the truck does not meet current emergency response needs or vehicle safety standards and represents a threat to public safety. The City of Smith needs a new pumper truck that meets current vehicle safety standards and emergency response needs. This new vehicle will allow the fire department to ensure public safety and provide adequate emergency response and fire protection within the city.

Example: The Grant County volunteer fire department currently utilizes a twenty-year old retired army vehicle as the County's only wildland firefighting apparatus. The truck was not designed for emergency response or fire protection. It is slow, cumbersome and is not able to carry all of the equipment or personnel required to respond adequately to rural emergencies or grass fires. Additionally, it is old, increasingly unreliable and difficult to repair. The Grant County volunteer fire department needs a new wildland fire engine (brush truck) that is reliable and meets current vehicle

standards. This new vehicle will allow the volunteer fire department to respond adequately to rural emergencies and ensure the safety of the public, property and VFD personnel.

2) Please provide a list of all of the relevant* emergency response or fire protection vehicle(s) or equipment currently owned/operated by the applicant (City/County Fire Department) or service provider (Volunteer Fire Department, third party EMS provider, etc.). Please include the following information for each piece of equipment or vehicle in the fleet:

- i) Designated service area
- ii) Make
- iii) Model
- iv) Year of manufacture
- v) Condition
- vi) Status (operational vs. non-operational)

NOTES:

If the proposed project consists of fire protection/emergency response vehicle(s), then the applicant needs to account for existing emergency response or fire protection vehicle(s). For example, if the applicant is proposing the purchase of a new fire truck, then please list/describe **all of the fire trucks applicant currently owns or operates.*

If the proposed project consists of a specific equipment type, then the applicant needs to account for existing equipment of that same type. For example, if the applicant is proposing the purchase of vehicle extrication equipment, then please list/describe **all of the vehicle extrication equipment applicant currently owns or operates.*

Sample Response:

The City of Smith currently owns/operates the following:

- One (1) 1990 KME Ford pumper truck serving the city only. Vehicle is deteriorated and at the end of its useful life but still operational.
- One (1) 1970 M39/M809 series 5-ton 6x6 modified AM General truck serving the city and surrounding cities through mutual aid. Vehicle is in poor condition, but still operational.
- One (1) 2005 Jaws of Life Combi-tool serving the city and surrounding cities through mutual aid. Poor condition. Non-operational.

Project Summary

This section is to be answered for each proposed vehicle/equipment purchase. It consists of questions intended to summarize the most basic aspects of the proposed vehicle/equipment purchase. Responses will be used to draft a contract if the application is awarded. Ensure the information provided in this section is accurate and in agreement with all other parts of the application.

NOTES:

- *Vehicles and equipment for each specific service area are considered one project for the purposes of competitive procurement.*
- *The applicant or service provider must retain ownership and use of the vehicle/equipment in the target area for five (5) years after the vehicle/equipment is placed in service. This will not prevent the applicant or service provider from providing mutual aid.*
- *Warranties are an eligible activity. TDA encourages awarded applicants to include detailed warranty requirements in their purchasing specifications.*

The first form under the project summary labeled “VEHICLE DETAIL FORM” is intended to describe proposed VEHICLE purchases. EQUIPMENT purchases will be addressed in a form that follows, labeled “EQUIPMENT DETAIL FORM”. For more than one proposed vehicle purchase, use the clearly marked buttons at the top right corner of the page to add “+” or delete “x” additional forms for multiple vehicles. There must be one form per vehicle, unless multiple identical vehicles are being purchased for the same service area. In the case of multiple identical vehicles that will serve the same service area, one “VEHICLE DETAIL FORM” may be used. If using one form to account for

multiple identical vehicles serving the same service area, please make sure to indicate the number of vehicles in field #2 “QUANTITY” of the “VEHICLE DETAIL FORM”.

For more than one proposed piece of EQUIPMENT, use the clearly marked buttons at the top right corner of the page to add “+” or delete “x” additional forms for multiple pieces of equipment. There must be one form per proposed piece of equipment, unless multiple identical pieces of equipment are being proposed for the same service area. In the case of multiple identical pieces of equipment that will serve the same service area, one “EQUIPMENT DETAIL FORM” may be used. If using one form to account for multiple identical pieces of equipment serving the same service area, please make sure to indicate the number of pieces of equipment in field #2 “QUANTITY” of the “EQUIPMENT DETAIL FORM”.

*****FOR THIS ROUND OF FAST, THERE IS NO LIMITATION ON THE NUMBER OF VEHICLES OR EQUIPMENT THAT AN APPLICANT MAY PROPOSE. HOWEVER, APPLICANTS MUST OBSERVE MINIMUM AND MAXIMUM AWARD LIMITATIONS*****

VEHICLES:

- Eligible equipment that is not integral to the operation of a vehicle must be broken out as a separate equipment purchase. Examples of eligible equipment that are not integral to a vehicle include protective gear, vehicle extrication tools, thermal imaging cameras, SCBAs, power stretchers/mounting systems, cardiac monitors, transport ventilators.
- Items such as generators, ladders, hoses, tools, or equipment sets are considered tools/accessories for fire or EMS vehicles. These items are not considered integral to the operation of the vehicle and are not eligible.
- Vehicle supplies (e.g., restocking equipment, disposable/single-use items and refills) are not eligible.
- Individual vehicle components (including, but not limited to, wheels/tires, batteries or other electrical components, compressors or other air system components, mechanical components, seats or other vehicle interior components etc.) are not eligible.

1. **VEHICLE PROJECT DESCRIPTION:** Please provide a brief description of the proposed vehicle(s).

Example:

“Grant County Volunteer Fire Department First-time Pumper Truck Purchase” or
“City of Smith Replacement Ambulances”

NOTE: Please include a photo of the proposed vehicle(s) as an attachment to the application.

2. **QUANTITY:** If proposing multiple identical vehicles that will serve the same service area, please indicate the number of vehicles being proposed in this field. Otherwise, there should be one form per vehicle and the quantity indicated should be "1".
3. **TYPE:** Please select a “Type”. The options are “Fire Truck”, “Ambulance” and “Other Specialized Emergency Vehicle”. Applications that include an "Other Specialized Emergency Vehicle" must receive prior approval from TDA. Vehicles listed as "Ineligible vehicles" in the FAST application guide will not be considered.
4. **MAKE:** Please enter the “Make” or “Brand” or “Manufacturer” of the vehicle(s), as listed on the quote.
5. **MODEL:** Please enter the “Model” of the vehicle(s), as listed on the quote.
6. **CONDITION:** Only new vehicles are eligible for FAST funding. A vehicle is considered “new” if it has never been sold to an end-user in its lifetime.

NOTES:

- *Pre-owned and remounted vehicles are not eligible.*

- *Self-administered conversions of vehicle(s) are not eligible. For example, a city or county may not propose the purchase a commercial model truck with the intention of allowing its volunteer fire department to convert it to a wildland apparatus (brush-truck) after purchasing it. Proposed vehicle(s) must be delivered to the applicant completely assembled, in their finished form and ready for immediate use.*

7. **USEFUL LIFE:** Please estimate the vehicle’s maximum useful life in years.

8. **REPLACEMENT/ADDITION/FIRST-TIME PURCHASE:** Please indicate whether the proposed vehicle(s) constitutes:

- An addition to existing inventory
- Replacement of existing inventory
- First time purchase of a new type of vehicle(s)

i. For instances where the proposed vehicle(s) constitutes an addition or replacement, please indicate if the existing inventory was provided with funding from a prior TxCDBG award or program. If yes, please describe and include the TxCDBG contract number.

9. **SERVICE AREA:** Please identify and describe the service area for the proposed vehicle(s). When listing the name of the service area, ensure exact consistency in the naming of the service area **throughout** the application (spelling and capitalization, etc.). For example, “Green Acres” should not appear as “green acres subdivision” elsewhere.

NOTE:

Applicants are required to submit project maps that identify beneficiaries and delineate service areas for each proposed vehicle(s). Please see the “Attachments” section or “Appendix I” for details regarding map requirements.

10. **ACTIVITY:** The activity classification has been pre-selected. No entry is required.

11. **MULTIPLE GEOGRAPHIES:** If the service area is comprised of more-than-one geography, please identify or describe the census designated places, census blocks, census block groups, etc., that comprise the service area.

12. **BENEFICIARY DATA/SERVICE AREA/VEHICLE NARRATIVE:** Please provide a brief narrative description of how the beneficiary data corresponds to the proposed vehicle(s) and designated service area. Please address the following as part of the response:

- Please identify whether the LMI rate for the service area will be documented using LMISD data or surveys.
- Is the applicant or service provider the primary fire protection or EMS provider for any other communities, cities or counties? If yes, please list and describe the nature and extent of the services provided.
- Does the applicant or service provider provide mutual aid to any other any other communities, cities or counties? If yes, please list and describe the nature and extent of the services provided. Also, please identify the type of mutual aid being provided (types of mutual aid are described [HERE](#)).
- If this vehicle(s) is being assigned for use within the designated service area only, but there will be other fleet vehicles providing similar services outside of the designated service area, please confirm whether there is an existing precedent for split service in this manner.
- If the proposed vehicle(s) is a brush truck or wildland apparatus with a proposed city-wide service area, please describe what needs the proposed brush truck or wildland apparatus will meet inside the city. Why does the applicant need a vehicle, intended for rural use, within the city limits?

13. **STANDARDS:** Please confirm whether the vehicle(s) meets the most current applicable standards for the vehicle type being requested [e.g., National Fire Protection Association (NFPA) standards, Commission on Accreditation of Ambulance Services (CAAS) Ground Vehicle Standards (GVS), Federal General Services Administration (GSA)

KKK-Specifications, etc.). If not, please explain why the proposed vehicle(s) does not meet current applicable standards. If the vehicle(s) is not subject to any known standards, please include this in your response.

Example: The City of Smith is purchasing a 2018 Type III Wildland vehicle. This vehicle meets current NFPA 1906 (Standard for Wildland Fire Apparatus) criteria.

Example: Grant County is purchasing a 2018 4x4 Heavy Duty Ambulance. This vehicle meets current NFPA 1917 (Standard for Automotive Ambulances) criteria and CAAS GVS v.1.0. standards.

NOTES:

- *Applicants and service providers are responsible for ensuring that the proposed vehicle(s) meets all federal, state and local standards and requirements.*
- *TDA reserves the right to decline the proposed vehicle(s) if it does not meet reasonable standards.*

14. **USES:** Please describe the specific planned uses for the proposed vehicle(s). The proposed vehicle(s) must be used solely for emergency response/rescue/fire protection, excluding all law enforcement uses or general conduct of government uses.

Example: Grant County will utilize the proposed Type III ambulance for emergency medical response purposes within the county, including transport of injured but stable, seriously injured and critical patients to the appropriate county trauma center.

15. **OWNER:** Please identify who will own the proposed vehicle(s) at or after purchase. If not the applicant (e.g. third-party service provider, emergency service district, etc.), please describe the nature of the relationship between the applicant and the entity assuming ownership of the vehicle(s) at or after purchase.

Example: Grant County is partnering with the Grant County Emergency Services District (ESD) to purchase an ambulance. Grant County ESD provides ambulance services to the western half of Grant County. Grant County ESD will own the ambulance after purchase.

NOTES:

- *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(s), TDA will require an interlocal agreement outlining the responsibilities between the applicant and the partnering entity or entities.*
- *The purchasing entity (applicant or otherwise) must comply with all competitive procurement requirements.*

16. **OPERATORS:** Please identify who will be operating the proposed vehicle(s). In addition, please confirm whether the operators currently have the training/licenses/certifications required to operate the proposed vehicle(s)? If yes, please describe. If no, please describe how the applicant or service provider intends to ensure that the operators will meet these requirements, including a proposed timeline for doing so.

Example: Professional firefighters in City of Smith's fire department will be driving the fire tanker. All of the firefighters possess the required Class B driver's license to drive the fire apparatus. Although the City's firefighters do not currently have experience operating a tanker, apparatus training is included in the purchase and will be scheduled within one month of the estimated vehicle delivery date, which is August 10, 2021.

Example: Grant County does not currently have an employee with the required qualifications to drive the proposed Type III ambulance. However, pending an award, Grant County will begin the process of hiring a DSHS-certified Emergency Medical Technician – Paramedic (EMT-P), with an estimated employee start date of 3 months from the award date.

NOTE:

Manufacturer or seller provided training may be included as part of a vehicle purchase. Training must be integral to the operation of the vehicle(s).

17. **O/M EXPENSES:** Please identify the estimated cost of yearly operating and maintenance (O/M) expenses for the proposed vehicle(s).
18. **INSURANCE:** Please identify the estimated cost of yearly insurance expenses for the proposed vehicle(s).
19. **LOCATION:** Please describe where the vehicle(s) will be located and housed when not in operation. Please include a physical address. Also, please answer the following questions by checking “yes” or “no”:
 - i. Is there an existing structure where the vehicle(s) can be safely and adequately housed, when not in operation?
 - ii. Is the structure large enough to accommodate the proposed vehicle(s)?
 - iii. Can the proposed vehicle(s) access the structure (e.g., the street width and street angles can accommodate the turn radius of the proposed vehicle(s))?

Example: When not in operation, the proposed ladder truck will reside in the Grant County fire station located at 123 Sage Avenue, Sage, Texas 78777.

20. **LEAD TIME:** The contract term for *FAST* fund projects is 18 months. Please provide the estimated lead time for each proposed vehicle(s), including timeframes for the following milestones:
 - i. Development of specifications (as applicable)
 - ii. The procurement process
 - iii. Build-time (as applicable)
 - iv. Delivery
 - v. The estimated placed-in-service date
21. **TOTAL COST:** Please enter in the total cost of the proposed vehicle(s) in dollars. This number must match what is provided in the quote. “TOTAL COST” can be inclusive of sales tax, freight/delivery, and third-purchasing cooperative fees, but these items must be included in the total purchase price. Sales tax is not an eligible expense if the purchasing entity/organization is tax-exempt.

22. **QUOTE(S)**

Confirm that a quote is attached to the application. See quote requirements in the “Attachments” section (pages 32-33) of this Guide.

EQUIPMENT:

- Eligible equipment that is not integral to the operation of a vehicle must be broken out as a separate equipment purchase. Examples of eligible equipment that are not integral to a vehicle include protective gear, vehicle extrication tools, thermal imaging cameras, SCBAs, power stretchers/mounting systems, cardiac monitors, transport ventilators.
- Items such as generators, ladders, hoses, tools, or equipment sets are considered accessories for fire or EMS vehicles. These items are not considered integral to the operation of the vehicle and are not eligible.
- Vehicle supplies (e.g., restocking equipment, disposable items and refills) are not eligible.
- Individual vehicle components (including, but not limited to, wheels/tires, batteries or other electrical components, compressors or other air system components, mechanical components, seats or other vehicle interior components etc.) are not eligible.

1. **EQUIPMENT PROJECT DESCRIPTION:** Please enter an equipment project description.

Examples:

- “Grant County Volunteer Fire Department First-time Spreader Purchase” or
- “City of Smith Self-Contained Breathing Apparatus - Additions to Inventory”

NOTE: Please include a photo of the proposed equipment as an attachment to the application.

2. **QUANTITY:** If proposing multiple identical pieces of equipment that will serve the same service area, please indicate the number of pieces of equipment being proposed in this field. Otherwise, there should be one form per piece of equipment and the quantity indicated should be "1".
3. **TYPE:** Please select a "Type". The options are:
 - "Vehicle extrication tool"
 - "Self-Contained Breathing Apparatus (SCBA)"
 - "Thermal Imaging Camera"
 - "Fire protection gear (wearable)"
 - "Power stretcher (ambulance use only)"
 - "Stretcher mounting system (ambulance use only)"
 - "Cardiac Monitor (ambulance use only)"
 - "Transport ventilator (ambulance use only)"
4. **MAKE:** Please enter the "Make" or "Brand" or "Manufacturer" of the equipment, as listed on the quote.
5. **MODEL:** Please enter the "Model" of the equipment, as listed on the quote.
6. **CONDITION:** "New" is the only option in this category. All equipment must be purchased new (i.e., has never been sold to an end user in its lifetime).
7. **USEFUL LIFE:** Please describe the equipment's maximum estimated useful life in years.
8. **REPLACEMENT/ADDITION/FIRST-TIME PURCHASE:** Please indicate whether the equipment purchase constitutes:
 - An addition to existing similar/same inventory
 - Replacement of existing similar/same inventory
 - First time purchase of a new type of equipment
 - i. For instances where the proposed equipment constitutes an addition or replacement, please indicate if the existing inventory was provided with funding from a prior TxCDBG award or program. If yes, please describe and include the TxCDBG contract number.
9. **SERVICE AREA:** Please identify the service area for the proposed equipment purchase. When entering the name of the service area, ensure exact consistency in the naming of the service area **throughout** the application (spelling and capitalization, etc.). For example, "Green Acres" should not appear as "green acres subdivision" elsewhere.

NOTE:

Applicants are required to submit project maps that identify beneficiaries and delineate service areas for each proposed vehicle/equipment purchase. Please see the "Attachments" section or "Appendix I" for details regarding map requirements.

10. **ACTIVITY:** The activity classification has been pre-selected and no entry is required.
11. **MULTIPLE GEOGRAPHIES:** If the service area is comprised of more-than-one geography, please identify or describe the census designated places, census blocks, census block groups, etc., that comprise the service area.

12. BENEFICIARY DATA/SERVICE AREA/EQUIPMENT NARRATIVE: Please provide a brief narrative description of how the beneficiary data corresponds to the proposed equipment and designated service area. Please address the following as part of the response:

- a. Please identify whether the LMI rate for the service area will be documented using LMISD data or surveys.
- b. Will this equipment be assigned only to vehicles operating within the designated service area? If no, please explain.
- c. Is the applicant or service provider the primary fire protection or EMS provider for any other communities, cities or counties? If yes, please list and describe the nature and extent of the services provided.
- d. Does the applicant or service provider provide mutual aid to any other any other communities, cities or counties? If yes, please list and describe the nature and extent of the services provided. Also, please identify the type of mutual aid being provided (types of mutual aid are described [HERE](#)).
- e. If this equipment is being assigned for use within the designated service area only, but other similar equipment will be assigned for use outside of the designated service area, please confirm whether there is an existing precedent for split service in this manner.

13. STANDARDS: Please confirm whether the equipment meets the most current applicable standards for the equipment type being requested [e.g., National Fire Protection Association (NFPA), etc.]. If not, please explain why the proposed equipment does not meet current applicable standards. If the equipment is not subject to any known standards, please include this in your response.

Example: The City of Smith is purchasing a cutter. This equipment meets current NFPA 1936 criteria.

NOTES:

- *Applicants and service providers are responsible for ensuring that the proposed equipment meets all federal, state and local standards and requirements.*
- *TDA reserves the right to decline the proposed equipment if it does not meet reasonable standards.*

14. USES: Please describe the specific planned uses for the proposed equipment. The proposed equipment must be used solely for emergency response/rescue/public safety purposes, excluding all law enforcement uses or general conduct of government uses.

Example: Grant County will utilize the proposed powered vehicle extraction equipment for emergency rescue purposes within the county, including vehicle extractions as a result of highway vehicle collisions.

15. OWNER: Please identify who will own the proposed equipment at or after purchase. If not the applicant (e.g. third-party service provider, emergency service district, etc.), please describe the nature of the relationship between the applicant and the entity assuming ownership of the equipment at or after purchase.

Example: Grant County is partnering with the Grant County Emergency Services District (ESD) to purchase a cutter. Grant County ESD provides emergency services to the eastern half of Grant County. Grant County ESD will own the cutter after purchase.

NOTES:

- *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 equipment, TDA will require an interlocal agreement outlining the responsibilities between the applicant and the partnering entity or entities.*
- *The purchasing entity (applicant or otherwise) must comply with all competitive procurement requirements.*

16. OPERATORS: Please identify who will be operating the proposed equipment. In addition, please confirm whether the operators currently have the training/licenses/certifications required to operate the proposed equipment? If yes,

please describe. If no, please describe how the applicant or service provider intends to ensure that the operators will meet training/licensing/accreditation requirements, including a proposed timeline for doing so.

Example: This will be a first-time purchase of powered vehicle extraction equipment by Grant County. None of the County’s firefighters are currently trained on this device. However, Grant County is including training classes by the manufacturer as part of this equipment purchase.

NOTE:

Manufacturer or seller provided training may be included as part of an equipment purchase. Training must be integral to the operation of the equipment.

17. TOTAL COST: Please enter in the total cost of the proposed equipment in dollars. This number must match what is provided in the quote. “TOTAL COST” can be inclusive of sales tax, freight/delivery, and third-purchasing cooperative fees, but these items must be included in the total purchase price. Please note that sales tax is not an eligible expense if the purchasing entity/organization is tax-exempt.

18. QUOTES

Confirm that a quote is attached to the application. See quote requirements in the “Attachments” section (pages 32-33) of this Guide.

Professional Services & Financial Interest Information

Answer the questions on this page to identify: 1) the source(s) and use(s) of non-TXCDBG funds; 2) the person or firm providing application services; 3) the person or firm providing grant implementation (administration) services, including any grant implementation (administrative) activities to be completed by Force Account as match services; and 4) any persons with a reportable financial interest to disclose.

1. **NON-TXCDBG FUNDS:** Disclose the source, use and amount of any non-TxCDBG funds committed to the proposed project. This includes all cash, material, land, and in-kind match.

Provisions at Subpart A of 24 CFR Part 4 require TxCDBG applicants to disclose the information requested in each part of this section:

- Assistance from other government sources in connection with the TxCDBG project;
- The sources of funds contributed to the project; and
- The uses for which the funds are to be utilized.

Each reportable source of funds must indicate:

- The name and address, city, state, and zip code of the individual or entity providing the assistance. If applicable, include at least one organizational level below the agency name. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol;
- the program name, and any relevant identifying numbers or other means of identification for the assistance; and
- the type of assistance (e.g., applicant contribution, loan, grant, loan insurance).

TDA will make all applicant disclosure reports available to the public for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be available along with the disclosure reports, but in no case for a period less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Texas Public Information Act (Chapter 552, Texas Government Code). Failure to provide any required information may delay the processing of the application and may result in sanctions and penalties, including imposition of the administrative and civil penalties specified under 24 CFR Section 4.38.

2. APPLICATION SERVICES:

- The Applicant must disclose any person or firm other than employees of the applicant that assisted with preparation of the application. Third party service providers must be competitively procured in accordance with TxCDBG Program Project Implementation Manual (Chapter 5) before beginning any work on the project or the vendor will not be permitted to participate in the TxCDBG project after the application is complete. Eligible Grant Administrators must have current TxCDBG Program certification. Additionally, Council of Governments (COGs) that are designated as grant recipients to carry out eligible activities, such as administration services, must execute a subrecipient agreement (interlocal agreement) before the COG conducts any work to prepare the TxCDBG application for TxCDBG grant funding

3. IMPLEMENTATION SERVICES:

- The Applicant must designate the person or firm that will provide implementation services for the project if the TxCDBG funding is awarded. If “Yes” is selected for any implementation services to be completed by Force Account, complete the correlative Force Account Detail Information.

4. FINANCIAL INTEREST DISCLOSURE: Are there any persons with a reportable financial interest to disclose? If so, the following must be included:

- Name of the firm and/or individual;
- Pecuniary interest of any interested party; and
- The type of interest
- The SAM clearance date

Applicants must provide information on anyone with financial interest in the proposed project exceeding \$50,000 or 10 percent of the requested amount (whichever is lower). This includes developers, contractors, or consultants involved in the application for TxCDBG assistance or in the planning, development, or implementation of the project or activity. A “financial interest” is any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residence in housing for which assistance is sought is not considered a covered financial interest.

The applicant disclosure report must specify all expected sources of funds from TxCDBG and from any other source that is or will be available for the proposed project or activity. Non-TxCDBG sources typically include the applicant's local contribution, other government assistance referred, equity, and contributions from foundations and private individuals. The report must also specify all expected use(s) of the funds. All sources and uses of funds must be included if they can be reasonably expected to be available for the proposed project.

Additional disclosures apply to update reports. During the period in which a TxCDBG application is pending, the applicant must make the following additional disclosures:

1. Any information that should have been disclosed in connection with the application but was inadvertently omitted.
2. Any information that would have been subject to disclosure in connection with the application but that arose at a later time, including information concerning an interested party that now meets the applicable disclosure threshold.
3. Any changes in previously disclosed Other Government Assistance that exceeds the previously disclosed amount.
4. For changes in previously disclosed financial interests, any change in the amount of the financial interest of a person that exceeds the amount of the previously disclosed interests by \$50,000 or by 10 percent of such interests (whichever is lower).
5. For changes to previously disclosed sources of funds, any change in a source of funds that exceeds the lower of:

- a. The amount previously disclosed for that source of funds by \$250,000 or by 10 percent of the amount previously disclosed for that source, whichever is lower; or
 - b. The amount previously disclosed for all sources of funds by \$250,000 or by 10 percent of the amount previously disclosed for all sources of funds, whichever is lower.
6. For changes to previously disclosed uses of funds, any change in a use of funds that exceeds the lower of:
- a. The amount previously disclosed for that use of funds by \$250,000 or by 10 percent of the amount previously disclosed for that use, whichever is lower; or
 - b. The amount previously disclosed for all uses of funds by \$250,000 or by 10 percent of the amount previously disclosed for all uses of funds, whichever is lower.

Table 1 – Beneficiary Data -

Provide the following information for each proposed activity. For activities that share the same location, beneficiaries, and National Program Objective (NPO), use the “+” box on the right side of the page to add activity line items (or the “x” box to delete an unnecessary line item). Data for activities in a different location, serving different beneficiaries, or addressing a different NPO must appear in a separate “Service Area” section. To add a new “Service Area” section, click the “Add Another Service Area” button at the top of the page, or click “Remove this Service Area” to remove an unnecessary section. Refer to Appendix II: Sample Table 1 for an example of a properly completed Table 1 form.

Enter the following information for each target area:

- Service Area Name – enter the name of the applicable service area. **NOTE:** when entering the name of the project area, ensure exact consistency in the naming of the project area **throughout** the application (spelling and capitalization, etc.). For example, “Green Acres” should not appear as “green acres subdivision” elsewhere.
- Activity Description – choose the appropriate activity from the dropdown menu (03O Fire Station/Equipment for the FAST fund or 21A General Program Administration). After selecting an activity, the appropriate HUD activity number will appear in the next field. Refer to Appendix III: TxCDBG Activity Code Reference Table for a brief description of each activity and its corresponding activity code. Most projects involve at least two activities, and at least one vehicle/equipment item and General Administration are mandatory.
 - For the General Administration line item, use the TxCDBG Vehicle/Equip. and/or Other Vehicle/Equip. columns to indicate the portions of the Administration costs to be paid by TxCDBG funds and/or Other funds respectively.
- Total Benes (Total Activity Beneficiaries) – enter the total number of beneficiaries of the activity. Only one activity (associated with beneficiaries) is eligible under FAST: 03O Fire Station/Equipment. Once this information is entered, enter the sum total of all the beneficiaries at the bottom of the column.
- LMI Benes (Activity LMI Beneficiaries) – enter the number of persons identified out of the Total Beneficiaries whose income falls below 80% of the area median family income. Once this information is entered for all activities, enter the sum total of all the LMI beneficiaries at the bottom of the column.
- LMI % (Activity LMI %) – this is the percentage of an activity’s beneficiaries that are LMI, and will automatically calculate. For projects addressing the low-to-moderate income NPO, the TxCDBG program requires that this amount be at least 51% for each activity.
- TxCDBG Vehicle/Equip. – indicate the amount of TxCDBG funds requested for each Vehicle/Equip. activity.
 - Use this column for General Administration (choose General Administration as the activity and then budget the amount in the TxCDBG Vehicle/Equip. column). Award amounts are inclusive of administration funds. TxCDBG funds budgeted for Administration cannot exceed the lesser

of \$35,000 or 16% of TxCDBG Vehicle/Equipment funds. The locality is responsible for any cost incurred for General Administration (Program Administration, Compliance, Audit, etc.) that exceeds the TxCDBG-funded amount.

- Other Vehicle/Equip. – indicate the amount of local or other matching funds committed to pay for the vehicle/equipment costs (match of a minimum of \$5,000 is required).
- The source(s) of all other funds must be disclosed in the Additional Project Information section of the application when the “other” amount is greater than zero. TDA requires a commitment documenting each outside source of funding.
- Activity Total – this is the total cost of completing each activity, including funds from TxCDBG and all other sources, and will automatically calculate. The total for all activities should match the total project cost on the 424 form.
- Census Geographic Area Data – for reporting purposes, HUD requires that TDA collect information regarding the location of each project activity. The county code/FIPS (Federal Information Processing Standard) code will automatically populate when you choose the applicant’s county from the drop-down menu on the cover page. Next, enter all of the applicable census tracts (6-digit) and block group where the activity’s beneficiaries reside.

Beneficiary Identification Information

- “A TxCDBG survey was used to identify beneficiaries for this activity.” – Select this box if a survey is being used to qualify an activity and answer the survey specific questions.
- “LMISD information was used to identify beneficiaries for this activity.” – Identify whether the proposed activity will benefit an entire city, county or other census designated unit.
- “Provide the number of beneficiaries identified through each of the following methods for this activity.” – Provide the cumulative totals for each beneficiary identification method.

National Program Objectives

Proposed *FAST* projects meet the National Program Objective (NPO) of “Activities benefitting low-to-moderate income persons”: “LMI Area Benefit”. The NPO and method used to determine the beneficiaries have been pre-selected for applicants on the application form.

However, applicants must still complete the “Justification of Beneficiary Identification Method” field. Please describe how the beneficiaries of the proposed projects were identified in relation to the service area.

Anticipated Objectives and Outcomes

Indicate the anticipated objectives and outcomes from the proposed activities by completing the following for each activity:

- Activity – using the dropdown menu, select the appropriate activity. If the options in the drop-down menu do not accurately describe the proposed activity, you may type the appropriate project type in this field rather than selecting from those provided from the drop-down list. Also, use the boxes marked “+” and “x” on the right side of the page to add or delete space for additional activities.
- Anticipated Objective – select one anticipated objective for each activity:
 - Create a suitable living environment.
 - Provide decent affordable housing.
 - Create economic opportunities.
- Anticipated Outcome – select one outcome for each activity in the application (excluding administration):
 - Availability / Accessibility
 - Affordability
 - Sustainability

NOTE:

Only one set of objectives and outcomes is required for each activity. If multiple objectives and outcomes are provided for each activity, the responses listed first for each activity will be used for reporting purposes by TxCDBG staff.

Anticipated Outcome Units

Of the following, select the box next to the most appropriate description of the proposed activities:

- Infrastructure/Public Facilities Improvement Project
- Services
- Planning Activity

Once the additional questions appear, select the Activity from the dropdown menu. Use the “+” box on the right side of the page to add additional activities, if applicable (or the “x” box to delete unnecessary ones). For each activity, provide the following:

- Identify the number of persons for each of the following:
 - Anticipated to have new access to this type of public facility or infrastructure improvement;
 - Anticipated to have improved access to this type of public facility or infrastructure improvement; or
 - Anticipated to be served by public facility or infrastructure that is no longer substandard.

NOTE:

The totals for each activity and outcome must not exceed the total number of beneficiaries identified in the application.

Additional Activity Information

Select only those that apply.

- *Colonia* – Any identifiable unincorporated community that is determined to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing; and was in existence as a colonia prior to the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (November 28, 1990).
- *Presidentially Declared Disaster Area* – any area that is listed as an active disaster area on the Federal Emergency Management Agency website (www.fema.gov).
- *Float Funded* – process by which a state’s CDBG funds are already under contract to grant recipient, yet the state awards the same funds to another grant recipient providing that the state is repaid before the initial grant recipient needs the funds to meet their obligation(s) for their CDBG funded activities.

Pre-Agreement Cost Approval Certification

FAST Fund applicants will be required to initiate procurement activities and the environmental review process immediately upon award. After award, prospective grantees will have 90-days to submit evidence verifying:

1. Completion of the environmental review; and
2. Completion of competitive procurement.

TxCDBG may reimburse funded applicants for certain administrative costs incurred prior to the TxCDBG Contract Start Date based on the Pre-Agreement Stratagem. For the purposes of the 2020 FAST fund:

- Pre-agreement costs are limited to those administrative costs necessary to complete the environmental review process and competitive procurement of the project vehicle(s) and/or equipment within 90 days of award.
- The pre-agreement period begins on the most recent, published FAST application due date and ends on the FAST contract start date.

If an applicant wishes to proceed under the Pre-Agreement Stratagem, the applicant must complete the Pre-Agreement Cost Approval Certification form in the application. The pre-agreement certification is part of the application and is due with the application (not prior) and must include an original signature.

Pre-Agreement Cost Approval Certification Instructions

Type the name and title of the applicant's authorized representative in the text field. The applicant's authorized representative must sign in the signature block below the text field. If the applicant is partnering with a service provider, the service provider's authorized representative must also complete and sign the Certification. Please note that "Service Providers" include Volunteer Fire Departments, Third-party EMS providers and other similar unaffiliated entities. Service Providers provide EMS/fire protection/rescue services on behalf of cities or counties but are not city or county departments. Grant Administrators are not considered service providers for the purposes of pre-agreement.

Please use the "+" and "X" buttons to add and remove signature blocks in the case of more than one service provider. If no service provider is involved, please enter "N/A" in the service provider field. The Certification form must be submitted with the application and must contain original signature(s).

NOTES:

- *All TxCDBG funded projects must include an environmental review to ensure that the HUD requirements and goals of the National Environmental Policy Act (NEPA) are followed. This must occur prior to committing any project funds, including grant and local funds. For the FAST Fund, this must be completed within 90 days of award.*
- *In order to initiate the environmental review process, applicants must provide the following documents to CDBG_EnvReview@TexasAgriculture.gov:*
 - ** Letter from the Grant Recipient supporting the Categorical Exclusion level of review; and*
 - ** Categorically Excluded Not Subject to 58.5 and Exempt under 58.34 Checklist (Form A303)**See the TxCDBG Project Implementation Manual Chapter 3 for detailed processes, procedures, and point of contact information for the environmental review process.*

Acknowledgement

Applicants must identify who will be responsible for the cost of insurance expenses, operating and maintenance expenses and any repair or replacement expenses (if not covered by the warranty) for each proposed vehicle or piece of equipment. Please use the "+" and "x" buttons to add and remove multiple entries for more than one vehicle or piece of equipment. Each proposed vehicle or piece of equipment included in the application must be accounted for in the acknowledgement. The Acknowledgement form must be submitted with the application and must contain original signature(s).

FAST Fund Score Sheet

All scoring criteria must be documented with supporting documentation. Failure to submit all back-up documentation to support scoring may result in a loss of points. All score documentation must be placed immediately behind the score sheet.

- I. **Poverty Rate** of applicant (20 maximum points) – How does the applicant's poverty rate compare to other applicants? (Cities will be compared to cities and counties will be compared to counties)

Methodology: An applicant's Poverty Rate is determined by reviewing the most recent U.S. Census American Communities Survey (ACS) 5-year estimate (Table B17001). Once this information is obtained for each applicant and the service area identified on the census map, the average poverty rate is calculated by dividing the sum of all applicants' poverty rates by the total number of applicants.

A base is determined by multiplying the average poverty rate by a constant such as 1.25. Each applicant's poverty rate is then divided by the base to determine their poverty factor.

The poverty factor is then multiplied by the maximum point value to determine an applicant’s score. Any calculated score above the maximum point value will be capped at the maximum.

II. **Previous Awards/Funding** (20 maximum points) – Has the applicant received a Community Development (CD), Community Enhancement Fund (CEF) or Fire, Ambulance and Service Truck (FAST) award since 1/1/15? If an applicant has previously received a CEF or FAST award, no points will be awarded. If an applicant has NOT previously received a CEF or FAST award, points will be scored as follows:

20 points	Applicant has not been funded in 2015-2016, 2017-2018 CD cycles nor received a previous CEF or FAST award
15 points	Applicant was last funded in 2015-2016 CD cycle and has not received a previous CEF or FAST award
10 points	Applicant was last funded in 2017-2018 CD cycle and has not received a previous CEF or FAST award
5 points	Applicant was last funded in 2015-2016 CD cycle AND 2017-2018 CD cycle and has not received a previous CEF or FAST award
0 points	Applicant has received a previous CEF or FAST award

III. **Past performance on TxCDBG grants:** see 2019-2020 CD Fund - State scoring factors and timeframe (will be calculated by TDA)

Tiebreaker: How does the applicant’s Per Capita Income (PCI) compare to other applicants?

If needed in the ranking of applications, a tie between multiple applications shall be broken based on the per capita income ranking, with a lower per capita income level ranking higher. The PCI shall be determined by the most recent U.S. Census American Communities Survey (ACS) 5-year estimate (Table B19301).

NOTES:

- *TDA reserves the right to limit the number of projects recommended for award.*
- *In the case of multi-jurisdictional applications, scoring will be based on the lead applicant.*

Attachments

The application must be submitted with the following attachments, if applicable, in the order specified.

Photos

Please include a photo/picture of each proposed vehicle or piece of equipment as an attachment(s) to the application.

Quote Documentation

Applicants must support the requested funding by obtaining a quote. The applicant must provide a price quote (dated within 90 days of application submission) from a potential vendor or vendors that lists the cost of each proposed vehicle or piece(s) of equipment, as an attachment(s) to this application. If multiple vehicles or pieces of equipment are being proposed, then one quote may be provided that includes multiple vehicles or pieces of equipment. However, the quote must include the itemized cost for each vehicle or piece of equipment, as well as the total cost.

NOTES:

- *The quote is for budget justification purposes only. Applicants providing a quote will still be required to comply with all applicable competitive procurement guidelines when moving forward with vehicle/equipment purchases after an award.*
- *TDA acknowledges that there may be minor changes to vehicle specifications as part of the competitive procurement process. However, after application submission, no substitutions for any vehicles/equipment*

that were included in the original application will be allowed. Additionally, no vehicles/equipment may be added to the application after submission.

- *TDA reserves the right to request an updated or revised quote after application submission.*
- *Applications that do not include a quote, or applications that include a quote exceeding the 90-day timeframe, will be disqualified.*
- *The application may request no more than the amount supported by the quote(s), less \$5,000 to be provided through local funds.*

Resolutions

The application *must* be submitted with a resolution from the local governing body (e.g., City Council or County Commissioners Court) authorizing the submission of the application. The governing body must adopt/pass the resolution before the application submission and after the application public hearing. Failure to comply with these resolution requirements may result in disqualification of the application.

The language of the resolution must, at a minimum:

1. Authorize the submission of an application for funding under the Texas Community Development Block Grant Program.
2. Designate the Fire, Ambulance and Service Truck (FAST) Fund as the fund category under which the application is to be considered.
3. Designate the activities addressed in the application.
4. Designate the dollar amount being requested.
5. Designate persons who will be authorized to execute documents in conjunction with the application, and any resulting grant contract. It is recommended that more than one person be designated to execute official documents for the locality, in order to meet any impending deadlines in case of unavailability (e.g., the governing body's chief elected official like mayor or county judge, and another local public official such as city manager or a county commissioner). Failure to have one of these designated officials execute these documents will result in disqualification of the application.
6. Commit to the provision of resources by source and use (if applicable) in support of the proposed project activities, including the specific source (e.g., General Fund, Water/Sewer Fund, General Obligation Bonds) and use of those resources.
7. Commit to compliance with all federal, state, and program requirements, including environmental review, labor standards, procurement, acquisition of property, civil rights, and administrative requirements.

In the event that the applicant is partnering with a service provider (e.g. volunteer fire department (VFD) or third-party EMS provider, etc.) that will own or operate the proposed vehicle(s)/equipment, TDA will require an interlocal agreement outlining the responsibilities between the applicant and the partnering entity or entities.

In a multi-jurisdiction application, an interlocal agreement must also be included and signed by all participating local governments and must state which participant will serve as the lead administrative entity if the project is funded. Additionally, each locality participating in a multi-jurisdiction application must submit a resolution adhering to the guidelines above.

For a sample resolution, see Appendix IV: Form/Document Samples.

Documentation of Match

A \$5,000 cash match is required. Match must be fully documented in the application. Funds expended prior to the application deadline will not count as matching funds.

Match funds are valid only if committed for activities proposed for funding with TxCDBG funds and the match will be used in the same service areas as the TxCDBG funds, or the match will be used for activities that are directly related to supporting the activities proposed for TxCDBG funding. The commitments for these matching funds must be fully documented as to source, type, use, and minimum dollar amount in the original application submittal.

An applicant may procure professional services prior to the submission of the application to assist in the preparation of the application and to provide administration services needed for contract management purposes if the application is funded. However, costs for application preparation are not eligible for reimbursement with TxCDBG funds.

Local government resource commitments must be made in the form of a Resolution from the City Council or County Commissioners Court. This resolution should indicate, at a minimum, the type of resource (cash) and the source, a minimum dollar value to be provided (\$5,000), and for what purpose(s) this resource will be used. Please note here that local match can only be counted for expenditures that would not occur if the proposed application is not funded, with the exception of local funds expended for administrative services.

Resource commitments provided by other local entities (e.g., public housing authority, special utility districts, private financial institutions or other similar sources leveraging loan funds with a local housing rehabilitation program or other TxCDBG-eligible activity) must be documented in a letter signed by a person authorized by that entity to make such a commitment. This letter should identify the type of resource (cash), a minimum dollar value (\$5,000), and for what purpose this resource will be used. Applicants who are unsure about the eligibility of a commitment from other local entities should contact TDA staff.

Commitments for other State or Federal funds (e.g., Texas Water Development Board, USDA) must be supported by a grant/loan offer, contract award letter, etc., signed by a person authorized to make such a commitment for that agency for an activity directly related to activities included in the TxCDBG funding request. This evidence must include identification of the resource (cash), a minimum dollar value (\$5,000), and the purpose for which this resource will be used.

All resources committed in an application and considered in the scoring of that application must be provided in the event that the project is selected for funding. If these resources are not made available, the locality may be subject to the sanctions described in the “*False Information*” section of this guide.

Additionally, the use of other funds (e.g., federal, state, or local) in conjunction with TxCDBG funds generally triggers a series of compliance requirements that might not be applicable if those funds were to be used independently. These requirements include but are not limited to environmental review, labor standards, real property acquisition (including easements), prohibition of special assessments, and financial management procedures.

Published Notices of Public Hearing and Application Activities

Prior to the preparation and submission of an application for TxCDBG funds, each applicant must hold at least one public hearing and publish a notice that describes the application activities and the availability of the application(s) for public review.

The public hearing gives citizens information about the Texas Community Development Block Grant Program and eligible program activities, as well as opportunities to participate in the development of the applicant's community development and housing needs and the development of TxCDBG applications.

The public notice gives citizens information on proposed uses for the funds and an opportunity to review and comment on the application(s) prior to submission.

Other requirements that must be followed include:

- Public notices should be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community service providers.
- Ensure nondiscrimination by taking reasonable steps to ensure meaningful access for persons with Limited English Proficiency (LEP) by providing language assistance as appropriate.
- Persons with disabilities must be able to attend the hearing and an applicant must make arrangements for individuals who require auxiliary aids or services, if contacted at least two days prior to the hearing.

- Local organizations that provide services or housing for low-to-moderate income persons, including the local Public Housing Authority, Health and Human Services office, Faith-based organizations, and Mental Health and Mental Retardation office, must receive written notification concerning the date, time, location and topics to be covered at the public hearing.

The written notification sent to local service providers for the public hearing must include the date, time, location and topics of discussion at the public hearing (a copy of the notice will suffice if it includes all required information). Send this notification to service providers serving the jurisdiction’s residents – if a local office is located in the community, then that office should receive the notification. If a local office is not located in the community, send the notification to the local or regional office location that serves the jurisdiction’s residents.

The following items are required as evidence of adherence with public hearing and public notice requirements:

1. A copy of the actual published public hearing notice:
 - a. full page of the newspaper with publication title and date; or
 - b. publisher's affidavit and a copy of the notice for the required public hearing; or
 - c. affidavit of posting (see Appendix IV), a copy of the notice for the required public hearing, and a printout/screenshot of publication of notice on applicant’s website.

The notice must conform to the requirements of the Citizen Participation Plan, including specifics such as the date, time, location of the hearing and the topics to be discussed.

2. A copy of the actual published notice of the application(s) activities and availability of the application(s) for public review:
 - a. full newspaper page with the publication title and date; or
 - b. publisher's affidavit and a copy of the notice; or
 - c. affidavit of posting (see Appendix IV), a copy of the notice, and a printout/screenshot of publication of notice on applicant’s website.

The notice must conform to the requirements of the Citizen Participation Plan including the timing of the published notice and the information included in the notice.

3. A listing of the local service providers that received written notification of the public hearing. Copies of the written notifications must be kept by the applicant and will be reviewed by TDA staff during site visits. Again, the written notification must conform to the requirements of the Citizen Participation Plan including specifying the date, time, and location of the hearing and the topics of discussion.

TDA recommends verifying that the public notices are published on the correct days, as well as allowing sufficient time for publication and public hearing issues to be resolved rather than completing these steps just prior to submitting the application.

For sample public notices, see Appendix IV: Form and Document Samples.

Project Maps

Each application for TxCDBG FAST funding must include a project map, or maps, which clearly show the following information:

- The boundaries of the applicant’s jurisdiction;
- The boundaries of the county;
- The boundaries of the proposed service area for the vehicle(s)/equipment; and
- Location where the vehicle/equipment will be housed when not in use; and additionally

For service areas that do not conform to a city or county (are not entity-wide), where applicants are using HUD-Census-based data to document project beneficiaries, the map or maps must also include:

- The numbers for each census geographic area and the boundaries of each census geographic area that comprise the service area. To obtain a Census map of a specific area, visit the U.S. Census Bureau web site (<https://www.census.gov/programs-surveys/geography/geographies/reference-maps.2010.html>).

NOTES:

- *The census tract numbers, block numbering area numbers, and block group numbers must be legible on the map.*
- *Maps must be reproducible.*
- *Care should be taken in copying maps so that project activities that may have been designated by a colored mark are still identifiable.*

Documentation of Beneficiaries

Clear documentation of an applicant's beneficiary identification method **must** be received with the application. Applicants must include with their application either a completed survey of the target area (for previously completed surveys, the TxCDBG Approval Letter and the Survey Tabulation Form), or supporting documentation of the HUD based Census Low-to-Moderate-Income Summary Data (LMISD) spreadsheet for the census geographic area. Applications that do not include this information have not documented the National Program Objective of principally benefitting low to moderate income individuals and will be disqualified.

NOTE: *Surveys completed prior to July 15, 2015 will not be accepted.*

Evidence of SAM Registration

The applicant shall include a screen-shot from the System for Award Management (SAM) website at <https://www.sam.gov/SAM/pages/public/searchRecords/searchResults.jsf> verifying the entity's registration is active. Without evidence of an active SAM registration, the application is ineligible to receive CDBG funds and will be disqualified.

Annual Audit

Applicants must comply with the audit requirements in the Texas Local Government Code for the fiscal year ending 2018 or later. The applicant is required to submit its most recent annual audit or audit opinion letter with its application to demonstrate financial capacity. The audit opinion letter is preferred to the whole audit (Note: not the management letter). A certified public accountant (CPA) who is licensed in this state or a public accountant who holds a permit to practice from the Texas State Board of Public Accountancy must conduct the audit and prepare the annual financial statement. Applicants may not submit self-performed audits. The audit must be an organizational-wide audit and cannot be limited to certain parts of the organization. Annual audits for fiscal years ending on or before December 31, 2017 will not be accepted. Failure to submit an audit for FY 2018 or FY 2019 by the application deadline will result in automatic disqualification.

Application Review Checklist

See page 37 for the Application checklist and instructions.

Applicant Name: _____

Application Review Checklist for FAST Fund

The following items **must** be included in the application. If the application is found to be substantially incomplete, it will be denied without further consideration. Applicant or Application Preparer must initial for each item included in the application or indicate that the item is not applicable. Print this page separately and insert directly behind the Application Coversheet.

FIRE, AMBULANCE, SERVICE TRUCK FUND Application Contents	Initial if complete NA if not applicable
---	---

Original Application – Part 1

Completed 424 Form with original signature	
Project Approval Information with all questions answered	
Community Needs Assessment	
Project Summary (Details of Vehicle(s)/Equipment requested)	
Professional Services & Financial Interest Information (Sources and Uses of non-TxCDBG funds Disclosure)	
Table 1	
National Program Objectives	
Pre-Agreement Cost Approval Certification	
Acknowledgement	
FAST Fund Score Sheet	

Attachments – Part 2

Quote(s) documenting vehicle/equipment costs	
Photo(s)/picture(s) of the proposed vehicle/equipment	
Resolution passed by the applicant	
Match documentation (minimum \$5,000 cash) - Letter(s) of Commitment	
Public notices	
Copy of actual published public hearing notice or Publisher’s Affidavit and copy of notice or the affidavit of posting, a copy of the notice for the required public hearing and a printout/screenshot of publication of notice on applicant’s website	
Copy of actual published notice of application activities and availability of the application for public review or Publisher’s Affidavit and copy of notice or the affidavit of posting, a copy of the notice, and a printout/screenshot of publication of notice on applicant’s website	
Listing of the local service providers that were sent the written notification of the public hearing	
Project map(s) documenting the proposed service area, census geographies (as applicable) and the location of the vehicle/equipment	
Valid documentation supporting Low-to-Moderate Income beneficiaries (Survey or LMISD data - See Appendix I)	
Evidence of SAM registration	
Annual Audit – FY2018 or later (opinion letter)	

Copy Application – Part 3

Copy may be a paper duplication of the entire application OR a scan of the entire original application, including attachments. Email to cdbgapps@TexasAgriculture.gov or include a CD or flash drive with the paper application.	
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Appendix I: Using Census Data and Surveys:

The first step is to determine the service area of the proposed project. The determination of the area served by an activity is critical to this method. The inclusion or exclusion of a particular portion of a community's jurisdiction can make the difference in determining whether the percentage of LMI (Low-to-moderate income) residents in the service area is high enough to qualify under the LMI benefit national objective.

The area that will be served by an activity need not be coterminous with census tracts, block groups, or other officially recognized boundaries. It is critical, however, that the service area be the **entire area** served by the activity. For example, even though a predominantly LMI neighborhood may be one of several neighborhoods served by an activity (for example, a water main replacement) the percentage of LMI income persons in the total area served by the activity is considered for this purpose.

However, the service area boundaries of CDBG-funded activities frequently do not coincide with census or other official geographic boundaries. This is especially true in smaller communities and rural areas, where low population densities mean that block groups or census tracts cover large areas. Scenarios commonly faced by applicants include:

- The service area comprises only a small portion of the unit of general local government, or of a block group. In such situations, information on the percentage of LMI persons in the unit of government or the block group/census tract is not useful, because the service area residents make up a small fraction of the total, and their economic characteristics may not mirror those of the larger area. A survey of the service area residents may be the most appropriate way to determine whether the service area qualifies under the LMI area benefit criterion. (See Surveys below) Examples of such activities include: extending water lines to serve a small, unincorporated rural settlement in a county; reconstruction of a sewer line serving one subdivision in a city of 4,000, where the entire city is one census tract.
- The service area includes all or part of several units of general local government and may contain both incorporated and unincorporated areas. HUD's LMISD may be usable for only a portion of the service area; therefore, the State and its grant recipients may need supplementary survey data for the other portions of the service area. It may be necessary to survey a large area to determine the percentage of service area residents who are LMI. Examples of activities include: (1) construction of a rural water system which serves more than one incorporated city plus portions of the surrounding unincorporated area of two counties in which the cities are located; (2) construction of a new fire station in a city where the municipal fire department provides, through contract, fire protection service for two adjoining townships (one of which is in a different county). The service area may be a sparsely populated rural area.

To count project beneficiaries and document LMI percentage based on data from the Census, use the Low-to- Moderate-Income Summary Data (LMISD) spreadsheets from the TDA web site. This Excel file contains population and income data for the State of Texas down to the Block Group level.

To obtain a Census map of a specific area, visit the U.S. Census Bureau web site (https://www2.census.gov/geo/maps/dc10map/GUBlock/st48_tx/place/). LMISD spreadsheets and other the beneficiary documentation tools can be found on the TDA website.

Per CPD notice 19-02, TxCDBG will only allow the use of the LMISD data to qualify a project when a reasonable determination of the activity's service area closely corresponds to LMISD geographies. The service area shall not be drawn to intentionally include LMI persons that would not benefit, nor shall it be drawn to intentionally exclude non-LMI persons that would benefit.

Grantees may combine geographies to best represent service areas, typically by combining two or more block groups. When using multiple geographies in the determination of LMA compliance of a service area, grantees are reminded that percentages shall not be averaged across multiple geographies.

The proper calculation is as follows:

$$\text{LMI \%} = (\text{LMI Persons Geography A} + \text{LMI Persons Geography B} + \text{LMI Persons Geography C...}) \div (\text{LMI Universe Geography A} + \text{LMI Universe Geography B} + \text{LMI Universe Geography C...})$$

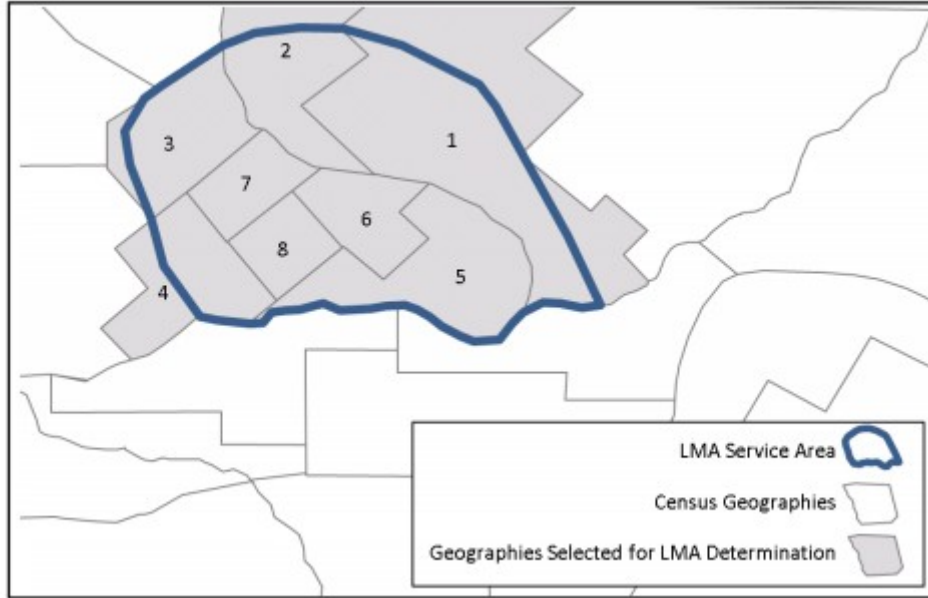


Figure 1: Partial Overlay of a Service Area and LMISD Geographies

In the above figure, the service area completely encloses geographies 5, 6, 7 and 8; additionally, geographies 1, 2, 3 and 4 are partially overlain by the service area. The entirety of the data for all geographies 1 through 8 must be included in the determination of the service area LMI. The grantee shall not prorate geographies 1, 2, 3, or 4, **nor use a survey of the outlying areas to “supplement” the complete LMISD geographies.**

If the LMISD geographies do not reasonably correspond to the service area, it may not be appropriate to use the LMISD to qualify an activity. Grantees may consider conducting a methodologically-sound local income survey to determine LMI compliance for the specific service area. **Grantees may NOT combine LMISD and survey data – only one method of determining beneficiaries may be used.**

Navigating the LMISD Spreadsheets

The following are the two separate spreadsheets that compose the LMISD data (along with the information that each contains):

1. LOCAL UNITS OF GOVERNMENT (ALL) – data for all entities in the state (except counties)
 - a. “geoname” – identifies the entity
 - b. “Stusab” - identifies Texas
 - c. “State” - identifies the state by numerical code
 - d. “Place” – provides a place’s identifying census number, if applicable
 - e. “low” - number of low-income persons within the place
 - f. “lowmod” – number of LMI persons within the place
 - g. “lowmoduniv” – total number of persons within the place
 - h. “lowmod_pct” – percentage of LMI persons in the place
 - i. “moe_lowmodity_pct” – margin of error (MOE) data for each place

2. LOCAL UNITS OF GOVERNMENT (COUNTIES) – data for all counties in the state
 - a. “GEOTYPE” – identifies the type of entity
 - b. “STATE” - identifies the state by numerical code
 - c. “COUNTY” – identifies a county by numerical code
 - d. “NAME” – identifies the county
 - e. “STUSAB” – identifies Texas
 - f. “LOW” - number of low-income persons within the county
 - g. “LOWMOD” – number of LMI persons within the county
 - h. “LOWMODUNIV” – total number of persons within the county
 - i. “LOWMOD_PCT” – percentage of LMI persons in the block group

3. ALL BLOCK GROUPS STATEWIDE – data for every block group in the state
 - a. “_GEOID” - identifies the concatenation of State, County, Tract, and Block Group FIPS codes
 - b. “geoname” – identifies each block group by census tract and county
 - c. “stusab” – identifies the state abbreviation
 - d. “countyname” – identifies the county
 - e. “state” – identifies Texas
 - f. “county” – identifies the county by numerical code
 - g. “tract” – identifies the census tract
 - h. “Blckgrp” – identifies the block group
 - i. “low” – identifies the count of Low-income persons.
 - j. “lowmod” – number of LMI persons within the block group “
 - k. “lowmoduniv” – total number of persons within the block group
 - l. “lowmod_pct” – percentage of LMI persons in the block group
 - m. “Moe_LowmodPct” – margin of error (MOE) data for each block group

The “ALL BLOCK GROUPS STATEWIDE” data may be used to qualify a project that benefits a target area(s) or used to recreate entity-wide LMI data that is broken out by block group for an entity-wide project.

The “LOCAL UNITS OF GOVERNMENT (ALL)” data may be used to qualify a project with an entity-wide project.

Applicants using LMISD data to document activity beneficiaries must submit the following information with the application:

- A copy of the data from the LMISD spreadsheet(s) for the applicant and/or the TxCDBG-completed cover sheet, which includes low-and moderate-income benefit percentages for each census geographic area.
- A project map, or maps, which clearly show the following information:
 - The boundaries of the applicant’s jurisdiction;
 - The boundaries of the county;
 - Service area of the proposed vehicle/equipment; and
 - Location where the vehicle/equipment will be housed when not in use; and additionally

For service areas that do not entirely conform to a census designated place, city or county (are not entity-wide), where applicants are using HUD-Census-based data to document project beneficiaries, the map or maps must also include:

- The numbers for each census geographic area and the boundaries of each census geographic area that comprise the service area.

NOTES:

- *The census tract numbers, block numbering area numbers, and block group numbers must be legible on the map.*
- *Maps must be reproducible. Care should be taken in copying maps so that project activities that may have been designated by a colored mark are still identifiable.*

- *TxCDBG always, reserves the right to require an income survey for the actual service area if concerns about eligibility are raised, so applicants are advised to seek technical assistance from the program prior to application deadlines to verify projects.*
- *The Census information and maps are available from various state agencies and from various websites. When trying to obtain information or maps, first check with your local Council of Governments, as most have these materials for their respective regions. You may also contact TxCDBG staff for information concerning the availability of Census information. Census maps are available on the Census Bureau website at https://www2.census.gov/geo/maps/dc10map/GUBlock/st48_tx/place/.*

Appendix II: Sample Table 1

TABLE 1 Add a separate Service Area for each activity.

Identify ALL activities and beneficiaries for the entire application below. Refer to the Application Guide for instructions.

Service Area Name: Kay County								Add Another Service Area
								Remove this Service Area
Activity Description	Act #	Ttl Benes	LMI Benes	LMI%	TxCDBG Vehicle/Craft/Equip.	Other Vehicle/Craft/Equip.	Activity Total	+
Fire Stations and Equipment	030	100	55	55.00	150,000	5,000	155,000	x
General Program Administration (use Construction columns)	21A	0	0	.00	20,000	0	20,000	x
SERVICE AREA SUBTOTALS:		0	0	0.00%	170,000	5,000	175,000	
Service Area Name: Unincorporated Emville								Remove this Service Area
Activity Description	Act #	Ttl Benes	LMI Benes	LMI%	TxCDBG Vehicle/Craft/Equip.	Other Vehicle/Craft/Equip.	Activity Total	+
Fire Stations and Equipment	030	50	30	60.00	125,000	0	125,000	x
General Program Administration (use Construction columns)	21A	0	0	.00	10,000	0	10,000	x
SERVICE AREA SUBTOTALS:		0	0	0.00%	135,000	0	135,000	
APPLICATION TOTALS:		0	0	0.00%	305,000	5,000	310,000	

County Code	Census Tract (6 digit)	1	2	3	4	5	6	7	8	9	10	+
102	9501.02		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>							X

Beneficiary Identification Information

A TxCDBG survey was used to identify beneficiaries for this activity.

When was the survey started? 1/1/19 When was the survey completed? 2/1/19

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

Due to low response rates and high margins of error, the census data is not representative of the actual low-to-moderate income populations located in these areas.

LMISD information was used to identify beneficiaries for this activity.

Provide the number of beneficiaries identified through each of the following methods for this activity:

TxCDBG Survey: 0 LMISD Data: 0 Area Benefit: 0 Housing Activity: 0 Limited Clientele: 0

Appendix III: TxCDBG Activity Code Reference Table

Code	Description
030	Fire Stations/Equipment Acquisition, construction, or rehabilitation of fire stations and/or the purchase of fire trucks, ambulances, and rescue equipment.
21A	General Program Administration Overall program administration, including (but not limited to) salaries, wages, and related costs of grantee staff or others engaged in program management, monitoring, and evaluation. Also use 21A to report the use of CDBG funds to administer Federally designated Empowerment Zones or Enterprise Communities. For CDBG funding of HOME admin costs, use 21H; for CDBG funding of HOME CHDO operating expenses, use 21I.

For a more comprehensive list of activity codes, go to:

http://archives.hud.gov/offices/cpd/systems/idis/library/refmanual/ref_man_b.pdf

Appendix IV: Form and Document Samples

SAMPLE – Resolution:

RESOLUTION

A RESOLUTION OF THE COMMISSIONERS COURT OF (XYZ) COUNTY, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE (FIRE, AMBULANCE AND SERVICE TRUCK FUND); AND AUTHORIZING (THE COUNTY JUDGE) TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the Commissioners Court of (XYZ) County desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of (XYZ) County to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONER'S COURT OF (XYZ) COUNTY, TEXAS:

1. That a Texas Community Development Block Grant Program application for the (Fire, Ambulance and Service Truck Fund) is hereby authorized to be filed on behalf of the County with the Texas Department of Agriculture.
2. That the County's application be placed in competition for funding under the (Fire, Ambulance and Service Truck Fund).
3. That the application be for (\$500,000.00) of grant funds to provide (first-time fire truck).
4. That the Commissioners Court directs and designates (the County Judge) as the County's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the County's participation in the Texas Community Development Block Grant Program.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That it further be stated that (XYZ) County is committing (\$5,000.00) from its (General Fund) as a cash contribution toward the administration activities of this (first-time fire truck) project.

Passed and approved this ____ day of _____, 20__.

John Doe, County Judge
(XYZ) County, Texas

Mary Smith, County Clerk
(XYZ) County, Texas

SAMPLE - Public Hearing Notice and Application Activities Notice:

Published on (July 15, 20XX):

PUBLIC HEARING NOTICE

(XYZ) COUNTY

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(XYZ) County will hold a public hearing at 7:00 p.m. on July 18, 20XX, at (XYZ) County Courthouse regarding the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizen participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities, and the use of past TxCDBG funds. The County encourages citizens to participate in the development of this TxCDBG application and to make their views known at this public hearing. Citizens unable to attend this meeting may submit their views and proposals to (John Doe), County Judge at the County Courthouse. Persons with disabilities that wish to attend this meeting should contact the County Courthouse to arrange for assistance. Individuals who require auxiliary aids or services for this meeting should contact the County Courthouse at least two days before the meeting so that appropriate arrangements can be made. Para más información en español, comuníquese con [local contact name] al XXX-XXX-XXXX.

SAMPLE - Application Activities Notice:

Published on (September 26, 20XX):

PUBLIC NOTICE

(XYZ) COUNTY

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(XYZ) County is giving notice of the county's intent to submit Texas Community Development Block Grant Program grant applications for a (Fire, Ambulance and Service Truck Fund) grant request of (\$500,000) for (the purchase of a fire truck) in the (community of XX). The application is available for review at the (XYZ) County Courthouse during regular business hours. Para obtener una copia en español, comuníquese con [local contact name] al XXX-XXX-XXXX.

SAMPLE - Affidavit of Posting – Notice of Public Hearing:

I, _____, do hereby certify that pursuant to the laws of the State of Texas and of the City/County of _____, a Notice of the City's Notice of Public Hearing on the development of TxCDBG application(s) was posted on _____. The public notice was conspicuously posted at _____ in a manner plainly visible to the general public on _____, 20 ____ through _____, 20____ (*at least 72 hours prior to public hearing and at least one day prior to signing of this affidavit*). Pursuant to TxCDBG requirements, the physical address and location of the notice was as follows: (for example, lower left corner of east window, or in the center of the north door, etc.)

Attach a photograph of the Notice(s) as posted on the premises.

.....

Applicant Signature and Title

Date

State of Texas
County of _____
Subscribed and sworn to before me by _____
this _____ day of _____, 20__.

SEAL Notary Signature

My Commission expires:

SAMPLE - TxCDBG Performance Statement:

EXHIBIT A

PERFORMANCE STATEMENT

All activities funded with TxCDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income (LMI) persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

Contractor shall carry out the following activities in the service area identified in the Application. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

CURRENT NEED

The XXXX Volunteer Fire Department (VFD) serves the City of XXX. The XXX VFD is currently utilizing an obsolete pumper truck for emergency response within the city. The vehicle is in frequent need of repair and uses inferior and obsolete technology, resulting in a threat to public safety and non-compliance with current vehicle safety standards.

The Contractor certifies that the activity (ies) carried out under this contract will meet the National Objective of benefitting LMI persons with at least 51% of the beneficiaries qualifying as LMI.

ACTIVITIES

Fire Stations/Equipment Contractor shall purchase a new pumper fire truck to ensure public safety and comply with current vehicle/equipment safety standards. Contractor shall purchase one (1) pumper fire truck and all associated appurtenances. The vehicle will be located at XXX, when not in use.

These activities shall benefit XXX (XXX) persons, of which XXX (XXX) or XXX percent (XX%) are of low- to moderate-income.

General Administration

Contractor shall ensure that the amount of Department funds expended for all eligible project-related administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in the Budget.