



Community Development Block Grant  
Hurricanes Gustav and Ike Recovery

# Municipalities Infrastructure Program Guidelines

*May 18, 2010*

Program made possible by:  
The Office of Community Development's Disaster Recovery Unit  
Louisiana Municipal Association  
And  
U.S. Department of Housing and Urban Development

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[www.doa.louisiana.gov/cdbg/drhome.htm](http://www.doa.louisiana.gov/cdbg/drhome.htm)

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#### 1.0 OVERVIEW

Hurricane Gustav caused major wind and flood damage throughout the state, from the southern coastal parishes through central and north Louisiana. Two weeks later Hurricane Ike hit sending tidal surges across the state's southern coastal communities. Ike exceeded storm surge caused by hurricanes Rita and Katrina. More than 1.9 million Louisiana residents were forced to evacuate for hurricanes Gustav and Ike.

Many small to mid-sized municipalities across Louisiana were impacted by the 2008 storms, while still in the midst of the recovery from Katrina and Rita. Much of the infrastructure was compromised if not destroyed by the earlier storms and could not sustain the heavy rain, wind and flooding impacts brought about by Gustav and Ike. Although some damage was repaired through other recovery or regular sources of funding, it has been identified through a survey done in conjunction with the Louisiana Municipal Association (LMA), that there remains a gap and outstanding unmet needs in returning infrastructure to full operation or in implementing needed improvements.

The Office of Community Development Disaster Recovery Unit (OCD-DRU) and the Louisiana Recovery Authority (LRA) have developed the ***Municipalities Infrastructure Program (MIP)*** to make grant funds available on a competitive basis to municipalities located within the 53 impacted parishes from Gustav and Ike. This program is designed to complement existing recovery activities and provide for municipalities' needs that are not addressed directly by other programs.

#### 2.0 TECHNICAL ASSISTANCE

OCD-DRU has partnered with the LMA in the outreach of this program. The LMA will work directly with municipal leaders to help them understand the program and provide technical assistance in their efforts to submit applications. Their objective will be to ensure that municipalities located within the impacted parishes get an opportunity to participate in the program.

OCD-DRU and LMA will provide ongoing technical assistance and outreach to the municipalities.

- Municipalities will be given Training & Technical Assistance on CDBG regulations at the initiation of the programs and will be provided assistance on regulatory compliance throughout the grant process.
- Municipalities will be able to use allocated funds to fund the services of grant administrative staff and/or consultants for reasonable project delivery costs.
- The goal is to provide the greatest possible autonomy in identifying unmet needs to municipalities while ensuring compliance with CDBG regulations.

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Municipalities should be prepared to justify the need for each project and demonstrate that each project is related to recovery. OCD-DRU encourages municipalities to develop programs that benefit households most impacted, particularly low and moderate income persons.

### **3.0 APPLICATION ELIGIBILITY**

The proposed project must meet the following five (5) requirements in order for the application to be scored:

- Applicant must be eligible.
- Project must be related to either Hurricane Gustav or Ike disaster, or both.
- Project must qualify in an eligible activity category.
- Project must meet a national objective.
- Proposed funding must be within the minimum and maximum project size.

Additionally, any municipal project already identified for funding as a priority project in their parish's Gustav/Ike Parish Proposal is not eligible for submittal under this program.

### **3.1 Eligible Applicant**

OCD-DRU has developed MIP to make grant funds available on a competitive basis in a tiered structure based on the size of municipalities and assessed needs. It will comprise a small municipalities tier (population less than 1,500) and a mid-sized/larger municipalities tier (population 1,500 or greater).

A municipality is an administrative entity composed of a clearly defined territory and its population and commonly denotes a city, town or village. To be an eligible municipality, the city, town or village must be incorporated.

If a project involves multiple jurisdictions, one of the municipalities must be designated as the MIP applicant and retain project responsibility.

All municipalities located in one of the 53 eligible parishes (declared disaster area for Hurricanes Hurricane Gustav and Ike) are eligible to apply. (See below for list of eligible parishes.)

Acadia	Jefferson	St. James
Allen	Jefferson Davis	St. John the Baptist
Ascension	La Salle	St. Landry
Assumption	Lafayette	St. Martin
Avoyelles	Lafourche	St. Mary

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Beauregard	Livingston	St. Tammany
Calcasieu	Madison	Tangipahoa
Cameron	Morehouse	Tensas
Catahoula	Orleans	Terrebonne
Concordia	Ouachita	Union
East Baton Rouge	Plaquemines	Vermilion
East Carroll	Pointe Coupee	Vernon
East Feliciana	Rapides	Washington
Evangeline	Richland	West Baton Rouge
Franklin	Sabine	West Carroll
Grant	St. Bernard	West Feliciana
Iberia	St. Charles	Winn
Iberville	St. Helena	

### 3.2 Relationship to Disaster

The project must address the effects of or the recovery from the disaster. This relationship will fall into one of three (3) different types:

- Directly addresses the effects of the disaster: These projects are required to repair disaster-related physical damages that are not eligible for FEMA Public Assistance nor covered by insurance. An example would be paying for the FEMA-ineligible portion of repairs to a building that was damaged by the disaster.
- Indirectly addresses the effects of the disaster: These are projects that address the effects of the disaster, but are not disaster damage repairs. An example would be improving drainage in a developed area that flooded as a result of the disaster.
- Economic Revitalization: These are projects that address the adverse economic impacts of the disasters by improving the economic health of the affected area. For example, a disaster affected community needs to upgrade their water treatment plant to be able to support new businesses and/or residential development necessary for recovery from the disaster.

### 3.3 Eligible Activity Category

The aim of this program is to address municipalities' unmet recovery needs. Recovery efforts include projects that address the effects of the covered disaster, or that would reduce similar effects in future storm events.

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OCD-DRU has designated five (5) eligible activity categories for MIP:

- Flood Drainage Improvements
- Water/Sewer Improvements
- Street Improvements
- Fire & Emergency Equipment
- Other Public Facilities and Improvements

Since the Comprehensive Resiliency Program was approved in Action Plan Amendment Three, OCD-DRU is not funding code enforcement development under this program. Also, energy efficiency/conservation programs will not be funded due to lack of expressed interest.

These funds are not intended to duplicate or replace projects eligible for the American Recovery and Reinvestment Act Funds or FEMA Public Assistance, but may be allowed for FEMA ineligible repairs to public facilities with the appropriate support.

#### **3.3.1 Flood and Drainage Facilities**

This type would be used for those activities that will be used for flood control or irrigation (e.g., retention ponds or catch basins). This does not include storm sewers, street drains, or storm drains. When in doubt, use water/sewer improvements for storm sewers and street improvements for street or storm drains. (Refer to Exhibit A for additional drainage project requirements.)

#### **3.3.2 Water/Sewer Improvements**

Water/Sewer Improvements include installation or replacement of water lines, sanitary sewers, storm sewers, and fire hydrants. All water/sewer projects undertaken with only minor or no street improvements should be identified as a water/sewer improvements project.

Repaving of streets is generally required as part of the installation of water/sewer improvements. However, if the activity is primarily for the purpose of street improvements but involves some water/sewer improvements, the project should be identified as street improvements. For example, an activity that involves paving 6 blocks of Main Street and installing 100 feet of new water lines in one of those blocks should be classified under street improvements. Activities classified under the water/sewer improvements generally should not include flood and drainage facilities; flood and drainage facilities should be classified under flood drainage improvements.

Since rehabilitation is not an eligible activity identified in the Action Plan, no CDBG funds can be used in this program to pay for connection lines to residential structures

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that are occupied by low and moderate income persons. Any connection costs must be paid by the municipality for low and moderate income persons.

#### **3.3.3 Street Improvements**

A street improvement project may include street construction, reconstruction or rehabilitation (maintenance activities not allowed), street drains, storm drains, curb and gutter work, tunnels, bridges, and the installation of street lights or signs. If sidewalks and trees will be installed as a peripheral part of a street improvement, the activity should still be identified as street improvements. Street improvements that include landscaping, street lights, and/or street signs (commonly referred to as “streetscapes”) should also be identified as street improvements. (Refer to Exhibit A for additional drainage project requirements.)

Rehabilitation of streets consists of addressing surface deficiencies and base failures followed by the construction of a wearing course. The correction of the existing deficiencies may be corrected by pavement patching, crack sealing, cold planing, etc. Patching shall be deep enough to strengthen the base.

State roads are not eligible for funding under this program.

#### **3.3.4 Fire & Emergency Equipment**

Eligible projects would include the purchase of fire trucks, ambulances, and rescue equipment for these vehicles. No fire stations will be funded under this program.

#### **3.3.5 Other Public Facilities and Improvements**

This type of general activity should not be used if the activity could fall under one of the more specific eligible activity categories (i.e. flood/drainage, water/sewer, streets, or fire/emergency equipment). The following are examples of some activities that would fall under this general activity category:

- FEMA ineligible repairs - Repairs needed for disaster-related damages that are not eligible for FEMA Public Assistance nor covered by insurance. An example would be paying for the FEMA-ineligible portion of repairs to a building that was damaged by the storm.
- Failure to function – The public service was not provided due to a failure to function as anticipated or designed (i.e. no sewer service due to lack of electricity or any municipal facility unable to function due to lack of electrical power). For this infrastructure program, eligible projects would be the installation of generators for dedicated use to reduce the risk of failure of public services or facilities requiring an electrical power source to operate.

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- Hardening - Retrofitting structures (including municipal buildings) and facilities to minimize damages from high winds, earthquake, flood, wildfire, or other natural hazards.
- Foundation Reconstruction - Elevation of flood prone structures.

#### **3.4 National Objectives**

Before any activity can be funded in whole or in part with CDBG funds, a determination must be made as to whether the activity is eligible under Title I of the Housing and Community Development Act of 1974, as amended. Each proposed project must meet a national objective, and the applicant must identify only one national objective. A determination of the eligibility of an activity is made as a part of the OCD-DRU Project Application review process. OCD-DRU also reviews which national objective category a project will fall under. However, under the CDBG regulations, a project is not considered as meeting a national objective until it is complete. Therefore, applicants must be aware of the national objective category and document compliance appropriately. There are a number of different criteria by which an activity can meet one of the three National Objectives. [42 U.S.C. 5304(b)(3) and 24 CFR 570.483]

The three National Objectives are:

- Benefit low- and moderate-income (LMI) persons;
- Aid in the prevention or elimination of slums or blight; and,
- Urgent Need

##### **3.4.1 Benefit low- and moderate-income (LMI) persons**

In order to qualify as addressing the national objective of benefit to LMI persons on an area basis, an activity must meet the identified needs of LMI persons residing in an area where at least 51 percent of the residents are LMI income persons. The benefits of this type of activity are available to all residents in the area regardless of income.

The requirement that an Area Benefit activity must qualify on the basis of the income levels of the persons who reside in the area served by the activity is statutory. (This means that the activity may not qualify as meeting the LMI Area Benefit national objective on any other basis. For example, if the assisted activity is a park that *serves* an area having a LMI concentration below 51 percent, the activity may not qualify even if there is reason to believe that the park will actually be *used* primarily by LMI persons.)

##### **3.4.2 Aid in the prevention or elimination of slums or blight**

In developing the criteria for qualifying under this national objective, HUD has taken considerable care to ensure that activities that qualify under the objective are either clearly *eliminating* objectively determinable signs of slums or blight in a defined *Slum or*

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*Blighted Area* or are *strictly limited to eliminating* specific instances of blight outside such an area (“Spot Blight”). Accordingly, the subcategories under this national objective are:

- Addressing slums/blight on an area basis (24 CFR 570.483(c)(1)); and
- Addressing slums/blight on a spot basis (24 CFR 570.483(c)(2)).

To qualify under the national objective of slums/blight on an area basis, an activity must meet **ALL** of the following criteria:

The area must be officially designated by the grant recipient and must meet a definition of a slum, blighted, deteriorated, or deteriorating area under State or local law. (For these purposes, it is not necessary to formally designate/declare the area to be blighted, but the area must meet the definitions for designation.)

- The area must exhibit at least one of the following physical signs of blight or decay:
  - There must be a substantial number of deteriorated or deteriorating buildings throughout the area. As a “safe harbor,” HUD will consider this test to have been met if *either*:
    - ✓ The proportion of buildings in the area that are in such condition is at least equal to that specified in the applicable State law for this purpose;
    - or**
    - ✓ In the case where the applicable State law does not specify the percentage of deteriorated or deteriorating buildings required to qualify the area, then at least one quarter of all the buildings in the area must be deteriorated or deteriorating.
  - The public improvements throughout the area must be in a general state of deterioration. (For this purpose, it would be insufficient for only one type of public improvement, such as a sewer system, to be in a state of deterioration; rather, the public improvements taken as a whole must clearly exhibit signs of deterioration.)

To comply with the national objective of Elimination or Prevention of Slums or Blight on a spot basis, i.e., outside a slum or blighted area, an activity must meet the following criteria:

- The activity must be designed to eliminate specific conditions of blight or physical decay not located in a designated slum or blighted area; and,
- The activity must be limited to one of the following:
  - Acquisition;
  - Clearance;
  - Relocation;

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- Historic Preservation; or
- Rehabilitation of buildings, but only to the extent necessary to eliminate specific conditions detrimental to public health and safety.

#### 3.4.3 Urgent Need

To comply with the national objective of meeting community development needs having a particular urgency, an activity must be designed to alleviate existing conditions which the local government certifies and state determines:

- Pose a serious and immediate threat to the health or welfare of the community,
- Are of recent origin or recently became urgent,
- The state grant recipient is unable to finance the activity on its own, and
- Other sources of funding are not available to carry out the project.

In addition, if this objective is selected based on the municipality's inability to finance the activity, the governing authority must adopt a resolution stating this fact and include with the application.

For more information regarding the national objectives, Applicants should download a copy of the Guide to National Objectives and Eligible Activities for the State CDBG Program or contact OCD-DRU staff for assistance.

#### 3.5 Size of Project

OCD-DRU has allocated \$30 million in funds to this program in two competitive tiers: Tier I (population less than 1,500) and Tier II (population 1,500 or greater). The following list identifies the minimum and maximum amounts of funding that may be requested for each category within each tier:

##### Tier I

	<b>Minimum</b>	<b>Maximum</b>
● Public Facilities and Improvements	\$125,000	\$1,000,000
○ Permanently installed generators for dedicated use	\$ 50,000	\$ 250,000
● Flood Drainage Improvements	\$250,000	\$1,000,000
● Water/Sewer Improvements	\$250,000	\$1,000,000
● Street Improvements	\$125,000	\$1,000,000
● Fire & Emergency Equipment	\$ 50,000	\$ 250,000

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**Tier II**

	<b>Minimum</b>	<b>Maximum</b>
• Public Facilities and Improvements	\$250,000	\$2,000,000
○ Permanently installed generators for dedicated use	\$100,000	\$ 500,000
• Flood Drainage Improvements	\$500,000	\$2,000,000
• Water/Sewer Improvements	\$500,000	\$2,000,000
• Street Improvements	\$250,000	\$2,000,000
• Fire & Emergency Equipment	\$100,000	\$ 500,000

**4.0 APPLICATION PROCESS**

**4.1 Application Deadline**

The deadline for submission of a MIP application is August 31, 2010. If hand delivered, applications must be received by the Disaster Recovery Unit by 4:30 p.m. on or before August 31, 2010. If mailed, the postmark must be stamped no later than August 31, 2010. The applicant must obtain a “certificate of mailing” from the Post Office, certifying the date mailed. OCD-DRU may require the applicant to submit the “certificate of mailing” to document compliance with the deadline.

Any applications that are submitted after the stated deadline will not be rated.

**4.2 Application Submission Requirements**

All submitted applications must be signed by the Mayor and be consistent with the submission requirements of the local government. All submitted applications are final. No modifications, corrections, or edits will be permitted after submission. OCD-DRU may, however, request additional information or clarification.

A municipality may submit only one (1) application. The application submitted will be used to score and rank for funding selection. If all available funds are not obligated, another round of application submission will be conducted.

A signed original and one copy of the completed application must be submitted to the address below. A copy of the complete application on a computer disc (CD) is requested but not required. Submittal of an incomplete application may result in the application being rejected and/or a delay in the funding of the project.

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**Mail to:**

Attn: Municipalities Infrastructure Program  
Application  
Division of Administration  
Office of Community Development  
Disaster Recovery Unit  
Post Office Box 94095  
Baton Rouge, LA 70804-9095

**Deliver to:**

Attn: Municipalities Infrastructure Program  
Application  
Division of Administration  
Office of Community Development  
Disaster Recovery Unit  
150 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, LA 70801

**4.3 Standard Application Forms**

Only applications submitted on the standard forms included herein as Exhibit B will be accepted. Additional application forms are available from the Division of Administration, Office of Community Development, Disaster Recovery Unit, Post Office Box 94095, Baton Rouge, Louisiana 70804-9095. Telephone number (225) 342-1700, (800) 846-5277 (TTY Users), (800) 947-5277 (Voice Users). The application package is also available on the Internet at:

<http://lra.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=165>

**5.0 APPLICATION INSTRUCTIONS**

**5.1 Section I – General Information**

**5.1.1 Applicant**

In the Applicant box indicate the municipality's information as requested.

If the municipality has not obtained a Data Universal Numbering System (DUNS) Number for US Government registration purposes, this is required for application processing (Refer to Exhibit C – DUNS Number Guide for assistance in obtaining a DUNS Number).

**5.1.2 Contact Person**

In the contact person box, enter the requested information. This should be the person that would be contacted by OCD-DRU for any questions related to this application.

**5.2 Section II – Project Information**

**5.2.1 Project Name, Address and Location**

Enter the name and the physical address of the project including the latitude and longitude (at or near geographical center).

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#### **5.2.2 Beneficiaries**

Enter the applicable census tract(s) for the target area.

The applicant should utilize the spreadsheets of parish census data to calculate the total beneficiaries and the percentage of low and moderate income (LMI) persons located at: [http://doa.louisiana.gov/cdbg/LOGRECNO\\_Low\\_Mod.htm](http://doa.louisiana.gov/cdbg/LOGRECNO_Low_Mod.htm).

Sheet 1 of the parish spreadsheet contains the census data for calculating beneficiaries and percentage of low and moderate income (LMI) persons. The column titled "L/M" is the LMI and the column titled "UNIV" is the beneficiaries.

When a project area does not coincide with census tracts, block groups, or logical record numbered areas, the applicant must perform a best match estimate to determine beneficiaries.

If the number of beneficiaries for the target area cannot be calculated with census data, Applicants are required to contact OCD-DRU staff for assistance.

#### **5.2.3 National Objective**

Check the appropriate box for the national objective to be met by this project. Only one national objective can be selected. Explain how this project meets the selected national objective, If slum/blight, identify designated area, who designated the area as slum/blight and how the area was designated. If urgent need, the resolution discussed in Section 3.4.3 must be attached.

#### **5.2.4 Eligible Activity Category**

Check one of the eligible activity categories listed.

#### **5.2.5 FEMA Public Assistance Eligibility**

Indicate whether or not the proposed project is eligible for FEMA Public Assistance. If yes, indicate whether an application has been submitted to FEMA for Public Assistance for this project. If yes, please enter the FEMA Project Worksheet number(s) for that application. OCD-DRU may request additional verification.

*(The FEMA project worksheet # should include the FEMA disaster declaration # in the first four digits, and the project worksheet # in the last 5. For instance, an Ike related project with project worksheet # "567" would be entered as "1792-00567".)*

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#### **5.2.6 Budget/Cost Summary Instructions**

For each category, complete each applicable cost. Be sure to include all costs related to a category in the cost columns. For example, if the proposed project involves construction improvements to a building, the design costs, construction costs, construction observation costs, etc. must be included in the applicable category column.

*Administrative Costs* will not be eligible for reimbursement under this program. Administrative costs relate to activities generally defined as non-specific to any one project, which would include public or general legal notices, audits, monitoring, and financial services of the Gustav/Ike grant. It includes staff time of administrator, chief financial officer, budget or finance director, for example, if not linked specifically to a project, or to that part of the scope of engaged consultants, contractors or planning commission that involves the same.

*Project Delivery Costs* will be eligible for reimbursement and should be included in the project's budget. Program Delivery Costs are generally linked to a project or are project-specific. They are costs directly related to implementing the eligible CDBG projects/activity – i.e. applicant staff costs at mid-management/departmental level or below & other departmental staff, clerks, permit officials, etc.; third parties sub-recipients or contractors, construction contractors, engineers, environmental review specialists etc. Delivery Costs also cover services such as appraisals, legal fees or recordation fees of titles if linked to specific projects. Project Delivery Costs can also consist of the hiring of staff and consultants for application development and implementation as well as project specific citizen participation.

#### **5.3 Section III – Competitive Scoring Information**

Applicant should expand the allotted space on the application form as needed to provide appropriate responses or attach additional pages.

##### **5.3.1 Relationship to Disaster**

Check the appropriate box to indicate the project's relationship to Hurricane Gustav or Ike. (See definitions under Section 3.2)

##### **5.3.2 Project Description**

Provide a comprehensive description in response to each of the four information requests. Reference any attachments that might be included.

##### **5.3.3 Low and Moderate Income Percentage**

Indicate whether or not the target area LMI percentage is 51% or above for the target area. Surveys may or may not be accepted as basis for LMI determination.

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#### **5.3.4 CDBG cost per person to benefit**

Calculate the cost per person to benefit by dividing the CDBG portion of the project cost by the total number of beneficiaries.

#### **5.3.5 Capacity to Implement CDBG Program**

Describe the staff person(s) and/or consultant who will be responsible for implementing the project, their job title or position, and a brief listing of their previous experience in implementing CDBG or other federal program, such staff must have proved its capacity to implement CDBG or other federal programs through previous experience.

Applicants and consultants must demonstrate an adequate administrative capacity to ensure the timely implementation and completion of the project in compliance with applicable laws and regulations.

Applicants and consultants that are implementing current CDBG or CDBG-DR projects will also be evaluated with regard to the timeliness and progress of existing projects as well as their continuing capacity.

#### **5.4 Section IV – Required Documentation**

##### **5.4.1 Resolution**

Applicants are required to provide a resolution from the governing body authorizing the submission of this application.

##### **5.4.2 Citizen Participation**

The Department of Housing and Urban Development (HUD) requires citizen participation in order to expend disaster CDBG funds. The aim of citizen participation is to engage and solicit input from citizens in the identification of recovery priorities and the development of a recovery program. The public meeting must adhere to the requirements of 24 CFR Sec. 570.486 and other applicable regulations.

Applicants are required to conduct at least one public hearing during the course of the application process to elicit citizen feedback on the proposed application. Attach a copy to the application of the tear sheet of the public notice, signed minutes of the public hearing including a list of attendees and a copy of response(s) to comment(s) and/or complaint(s).

##### **5.4.3 Statement of Assurances**

Applicants are required to execute Exhibit D –Statement of Assurances. Signing these assurances means that Applicant agrees to implement its program in accordance with

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these provisions. Failure to comply can result in serious audit and/or monitoring findings that require repayment of funds to the State or expending Applicant funds to correct deficiencies.

#### **5.4.4 Urgent Need Resolution**

Applicants are required to provide a resolution from the governing body if urgent need is selected as national objective. (See Exhibit E for sample resolution.)

#### **5.4.5 Cost Estimate**

All proposed project activities shall be accompanied by a detailed cost estimate.

All cost estimates shall identify the description, estimated quantity, unit of measure, unit price and amount. (See Exhibit F for sample cost estimate.)

All construction projects require a cost estimate prepared and signed by a Licensed Architect or Professional Engineer licensed in the State of Louisiana. The cost estimate shall contain the cost of construction, architectural/engineering fees, and related costs. The construction estimate shall be a listing of construction items (as a bid proposal), estimated quantity, unit of measure, unit price, and amount. Provide an estimate of the number of parcels that will be needed to be acquired to construct the proposed improvements. Provide a listing of anticipated permits and government approvals that may be necessary. (See Exhibit G for sample Architect/Engineer's cost estimate.)

If any other funds (federal, local, etc.) will be used to complete the project, then the cost estimate must identify the amount of those funds as well as the specific use of those funds.

## **6.0 PROJECT SELECTION**

### **6.1 Eligibility Review**

The proposed project must meet the following five (5) requirements in order for the application to be scored:

- Applicant must be eligible.
- Project must be related to either Hurricane Gustav or Ike disaster, or both.
- Project must qualify in an eligible activity category.
- Project must meet a national objective.
- Proposed funding must be within the minimum and maximum project size.

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Additionally, any municipal project already identified for funding as a priority project in their parish's Gustav/Ike Parish Proposal is not eligible for submittal under this program.

#### 6.2 Scoring Criteria

The maximum scoring points is 100 points. Each eligible application will be scored according to the following five (5) criteria.

##### 6.2.1 Proposed Project's Relationship to Disaster (maximum of 30 points)

<i>Directly</i>	<i>30 Points</i>
<i>Indirectly</i>	<i>20 Points</i>
<i>Economic Revitalization</i>	<i>10 Points</i>

##### 6.2.2 Project Description (maximum of 40 points)

The application provides a complete description of the infrastructure project for which the entity is requesting funds. The description must include the following:

- a) *Explains in detail the needs to be addressed and how the proposed project addresses those needs* *up to 10 Points*
- b) *Describes how the proposed project is related to disaster recovery* *up to 10 Points*
- c) *Describes a detailed scope of work for the project* *up to 10 Points*
- d) *Explains how the project design minimizes damage in the event of future storm events* *up to 10 Points*

##### 6.2.3 Low and Moderate Income Percentage (maximum 15 points)

*Score 15 points for low and moderate income percentage 51% or above for the target area. (Surveys may or may not be accepted as basis for LMI determination).*

##### 6.2.4 CDBG cost per person to benefit (maximum 10 points)

Points will be awarded based on comparative cost per benefit.

##### 6.2.5 Capacity to Implement CDBG Program (maximum of 5 points)

*Score up to 5 points for documented capacity including detailed information regarding staff and/or consultant's experience implementing a CDBG or federal program.*

#### 6.3 Selection

- a) Once the score has been defined for each application, OCD-DRU will rank according to the highest score within each applicant tier. The final ranking list shall be based on

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both the size of the municipalities and the assessed needs as defined in the Action Plan Amendment Three.

- b) After rankings have been determined, OCD-DRU will consider a recommended amount to award to each project according to ranking starting from highest to lowest within each applicant tier. OCD-DRU reserves the right to adjust the amount of each award from the amount requested, and to determine the amount awarded, if any, to projects as it deems appropriate.
- c) OCD-DRU will establish funding levels for each project in order of ranking, but if not enough funds are available to fund an application, OCD-DRU may offer to the applicant the funds remaining in the allocation, and if it is not accepted, offer the funds to the next eligible applicant in order of ranking until the funds are expended; or,
- d) In the event of a tie, the OCD-DRU Executive Director and LMA will make the final funding determination.

#### **7.0 OTHER FEDERAL AND STATE STATUTES AND REGULATIONS**

The following are some of the regulations, standards and/or requirements that may be applicable and should be considered in the preparation of your application.

- Audit Requirements: OMB Circular A-133 requires single audits of all applicants that have total annual federal expenditures in excess of \$500,000. Financial audits and/or certifications are required in accordance with State law when applicant has total annual federal expenditures less than \$500,000. Single audit costs may be eligible for reimbursement in part as an administrative expense.
- Uniform Act (Acquisition and Relocation): Requires appraisals for all acquisition (valued over \$10,000) undertaken in connection with activities included in the application, including easements/servitudes for public facilities. The local governing body is required to pay at least fair market value for all properties acquired. Acquisition must be completed before construction begins. Acquisition and relocation can be very time consuming, please develop your program time schedule accordingly.
- Davis-Bacon Act & Contract Work Hours and Safety Standards Act (CWHSSA): Requires that Federal prevailing wage rates are paid to all employees working under a construction contract of \$2,000 or more. Also, all employees must be paid at least time and a half for any time they work more

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than forty hours per week. The Federal Labor Standards Provisions and the applicable federal wage decision(s) must be included in bid packages and contract documents as well as referenced in all bid advertisements. Prevailing wage rates are higher than regular wages in many rural areas and may affect the project budget.

- Environmental Review: Every project undertaken with Disaster Recovery CDBG funds, and all activities related to that project, is subject to the provisions of the National Environmental Policy Act of 1969 (NEPA), as well as to the HUD environmental review regulations at 24 CFR Part 58. The applicant is responsible for ensuring that the HUD environmental review process is completed. A violation of this requirement may jeopardize federal funding to this project.
  
- Duplication of Benefits: Applicants must be aware that the Supplemental Appropriations Act authorizing CDBG funding or the Stafford Act itself may include restrictions on using those program funds to provide assistance when insurance providers or other federal or state agencies have already funded all or a portion of the activity. Certain Supplemental Appropriations Acts also include restrictions against use of those program funds as matching requirement, share or contribution for any other federal program. The Stafford Act also contains eligibility requirements for recipients who have received prior disaster funding based upon whether or not they are in compliance with requirements associated with receipt of those funds. Where applicable, recipients must be in compliance with these restrictions or individual funding will be denied.
  
- Procurement Requirements: Both applicants and sub recipients must follow federal procurement rules when purchasing services, supplies, materials or equipment. The federal procurement rules establish standards and guidelines for the procurement of supplies, equipment, construction, engineering, architectural, consulting, and other professional services for Disaster Recovery CDBG programs. These standards are furnished to ensure that such materials and services are obtained efficiently and economically and in compliance with the provisions of applicable Federal and State laws and executive orders.
  
- Architectural Barriers Act: Requires that all non-residential structures and public facilities constructed, renovated, or rehabilitated with federal funds be accessible to the handicapped. Entrances must be ramped, bathrooms must accommodate wheelchairs, etc.

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- Section 3: Requires that to the greatest extent feasible, employment and other economic opportunities should be directed to (1) low and very low income persons, and (2) business concerns which provide economic opportunities to low and very low income persons. Requirements are triggered when a recipient of Disaster Recovery CDBG assistance that invests \$200,000 or more into projects/activities involving housing construction, rehabilitation, or other public construction. If Section 3 of the HUD Act of 1968 is triggered for the applicant, then contractors/subcontractors whose contracts exceed \$100,000 must also comply. The applicant will have to report to the OCD-DRU information on Section 3 new hires and contracts awarded to Section 3 business concerns.

### 8.0 OTHER RESOURCES AND INFORMATION

It is very important to note that the applicable regulations and requirements are subject to change. Applicants are responsible for ensuring that they are in compliance with all applicable rules. This can be accomplished by periodically checking the websites listed below to see if updated or revised regulations have been issued:

Office of Community Development, Disaster Recovery Unit:  
<http://www.doa.louisiana.gov/cdbg/drhome.htm>

Louisiana Recovery Authority: <http://lra.louisiana.gov/>

Disaster Recovery CDBG Administrative Manual:  
<http://www.doa.louisiana.gov/cdbg/dradmin-manual.htm>

Guide to National Objectives and Eligible Activities for State CDBG Programs:  
[www.hud.gov/offices/cpd/communitydevelopment/library/stateguide/index.cfm](http://www.hud.gov/offices/cpd/communitydevelopment/library/stateguide/index.cfm)

HUD database: [www.hud.org/adm/hudclips](http://www.hud.org/adm/hudclips)

National Archives: [www.gpoaccess.gov/nara/index.html](http://www.gpoaccess.gov/nara/index.html)

HUD Office of Labor Relations: [www.hud.gov/offices/olr/](http://www.hud.gov/offices/olr/)

HUD Office of Environment and Energy: [www.hud.gov/offices/cpd/environment](http://www.hud.gov/offices/cpd/environment)

Department of Labor: [www.dol.gov](http://www.dol.gov)

Office of Management and Budget: [www.whitehouse.gov/omb](http://www.whitehouse.gov/omb)

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HUD acquisition and relocation brochures, claim forms, and other documents may be obtained from [www.hud.gov/offices/cpd/library/relocation/publications/index.cfm](http://www.hud.gov/offices/cpd/library/relocation/publications/index.cfm).

The HUD rules and regulations that govern the Uniform Act Relocation process can be found at 24 CFR Part 42. [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title24/24cfr42\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title24/24cfr42_main_02.tpl)

For more information or assistance, applicants are encouraged to contact OCD-DRU.

#### **9.0 EXHIBITS**

Exhibit A – Special Review Process for Drainage Projects

Exhibit B – Application Form

Exhibit C – DUNS Number Guide

Exhibit D – Applicant Statement of Assurances

Exhibit E – Sample Resolution

Exhibit F – Sample Cost Estimate

Exhibit G – Sample Architect/Engineer's Cost Estimate