

**DISASTER RECOVERY: TORNADOES OF APRIL 2011**

# **INFRASTRUCTURE APPLICATION**

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**



**Application Deadline: October 1, 2012**

For assistance in completing this application, please call 334-353-2028.

Forward original and two copies of completed application package to:

**DIRECTOR  
ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS  
401 ADAMS AVENUE  
POST OFFICE BOX 5690  
MONTGOMERY, ALABAMA 36103-5690**

**Attn: CDBG Disaster Recovery Application**

# INFRASTRUCTURE APPLICATION

## DISASTER RECOVERY: TORNADOES OF APRIL 2011

### COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Eligible applicants are cities, counties (except direct recipients), and Indian tribes in the Alabama counties of Bibb, Blount, Calhoun, Cherokee, Choctaw, Colbert, Cullman, DeKalb, Elmore, Etowah, Fayette, Franklin, Hale, Jackson, Jefferson, Lawrence, Limestone, Madison, Marengo, Marion, Marshall, Monroe, Morgan, St. Clair, Sumter, Tallapoosa, Tuscaloosa, Walker and Winston.

**A.1. Applicant:** \_\_\_\_\_  
\_\_\_\_\_ (County)

\_\_\_\_\_  
Mayor/Chairman/Chief

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_ e-mail: \_\_\_\_\_

**A.2. Requested Funds**

\$ \_\_\_\_\_

Other Funds (list)

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**A.3. 2010 Population**

\_\_\_\_\_

**A.4. House District** \_\_\_\_\_  
**Senate District** \_\_\_\_\_  
**Congressional** \_\_\_\_\_

**A.5. Briefly describe proposed Activities, Costs, and National Objective:**

## **A.6. CERTIFICATIONS**

- (a) A resolution passed by the City Council/ County Commission/Indian Tribe on \_\_\_\_\_ (date) has authorized the filing of this application by the Chief Local Elected Officer.
- (b) The public was informed about the local community development program including the proposed filing of this application in a public Hearing held on \_\_\_\_\_ (date) at \_\_\_\_\_ (location).
- (c) The information presented in this application is true and correct to the best of my knowledge.
- (d) I certify that:
  - 1. The City/County/Tribe will minimize displacement of persons as a result of activities with CDBG funds and will assist persons actually displaced as a result of such activities.
  - 2. The City's/County's/Tribe's program will be conducted and administered in conformance with Public Law 88-352 and Public Law 90-284, and the City/County/Tribe will affirmatively further fair housing.
  - 3. The City/County/Tribe has conducted a Four Factor Analysis to identify any limited English proficiency persons and if required is conducting all citizen participation activities in compliance with a locally adopted Language Access Plan.
  - 4. The City/County/Tribe has held a public participation hearing to obtain the views of citizens on community development and housing needs.
  - 5. The City/County/Tribe has furnished information to citizens concerning the amount of funds available for proposed community development and housing activities that may be undertaken, including the estimated amount of funds proposed to be used for activities benefiting low- and moderate-income persons.
  - 6. The City/County/Tribe has made available to the public a summary of the proposed project to afford affected citizens an opportunity to comment.
  - 7. The City/County/Tribe is providing citizens with a reasonable access to records on past use of CDBG funds.

8. The City/County/Tribe will provide citizens with reasonable notice of, and opportunity to comment on, any substantial change proposed to be made in the use of CDBG funds.
9. The City/County/Tribe will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing any amount against properties owned and occupied by persons of very low, low and moderate income. If a fee or assessment is required, the City/County/Tribe will use CDBG funds to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds. The City/County/Tribe through proper certification to the State may assess any amounts against properties owned and occupied by persons of moderate income who are not persons of very low or low income if the City/County/Tribe lacks sufficient funds received under the CDBG program to pay those costs.
10. The City/County/Tribe is  is not  (please check one) delinquent on any State or Federal debt. (If "is", please attach an explanation.)

(e) I further certify that the City/County/Tribe is following a detailed Citizen Participation Plan which:

1. provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which Section 106 funds are proposed to be used, and in the case of a grantee described in Section 106(a), provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
2. provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by regulations of the Secretary, and relating to the actual use of funds under this title;
3. provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
4. provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs,

the review of proposed activities and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;

5. provides for a timely written answer to written complaints and grievances, within 15 working days where practicable;
6. identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate; and
7. provides citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously described in the community development application, and for activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location, or beneficiaries.

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Mayor/Chairman/Chief

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Date

# **INFRASTRUCTURE APPLICATION**

## **DISASTER RECOVERY: TORNADOES OF APRIL 2011**

Applications for Alabama's CDBG Disaster Recovery Infrastructure Fund may contain one or more activities designed to seek assistance for restoration or construction of infrastructure directly related to the effects of the tornadoes of April 2011. These forms may also be used to apply for demolition, clearance and/or debris removal activities.

A detailed response to each item listed below will allow proper and thorough evaluation of proposed projects for funding consideration.

- B.1. Provide a pre-tornado assessment of inadequacies associated with housing and essential community development facilities.
- B.2. Assess (a) the full extent of damage in the community caused by the tornadoes; (b) the recovery activities completed or ongoing; and (c) the severity of remaining unmet needs including the post-tornado housing needs for all income groups.
- B.3. Describe the activities the community plans to undertake to address the post-tornado housing needs of all income groups including transitional housing needs of homeless individuals and families, prevention of low-income individuals and families with children (especially those with incomes below 30 percent of the area median) from becoming homeless, and the special needs of persons who are not homeless but require supportive housing (e.g., elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents).
- B.4. Describe the community's short- and long-term recovery plans for restoring and rebuilding housing (including affordable rental housing) and infrastructure, including plans for flood plain management; removal of barriers to reconstruction; adoption and enforcement of modern building codes to produce high quality, durable, energy efficient, mold resistant, and storm proof housing; and prior coordination with the planning requirements of other State and Federal programs and entities. Also describe how the community's use of grant funds will give priority to infrastructure development and/or rehabilitation.
- B.5. Describe all proposed activities and for each activity show estimates of the quantity and unit cost of all major cost items including the cost of professional and activity delivery services in order for ADECA to determine cost reasonableness. Clearly identify on one or more maps all proposed activities including relevant details about these activities such as lengths, widths, line sizes, etc. Explain in detail the community's ability and commitment in resources to properly maintain and operate all activities, and describe its plan for long-term sustainability of those activities. Explain the importance of the activity to

recovery needs. Also, show resources the community is pledging toward continued recovery efforts and explain the community's capacity and readiness to implement the project expeditiously and in compliance with applicable rules. Explain the long-term impact of proposed activities.

- B.6. Discuss any other funds leveraged or to be leveraged for these activities. A subrogation agreement will be required from each grantee to ensure that there is no duplication of benefits. In order to comply with HUD requirements relating to duplication of benefits, if funds are awarded by any other source for the same activities before or after the date of ADECA's grant award CDBG disaster recovery funds must immediately be repaid to ADECA.
- B.7. For each activity complete B.7. (i), (ii), or (iii) as applicable to your program based on the National Objective to be met. For Item (i), Project Beneficiary Table, describe in detail the methodology used to determine the data shown in the table. Item (ii) relates to qualifying activities based on clearance of slum and blight, and item (iii) relates to qualifying activities based on meeting urgent needs.

Further instruction for completing the table can be found in the CDBG Application Guide located at <http://www.adeca.alabama.gov/Divisions/ced/cdp/Pages/CDBG-Application-Manual.aspx#Table>

**B.7. (i) PROJECT BENEFICIARY TABLE**

For each proposed activity listed below, quantify the direct beneficiaries and indicate (by number, household, and percent) their respective income level, race, ethnicity, etc., in the appropriate classifications.

| Activity | Very Low Income (A) |          |                   | Low Income (B) |    |                   | Moderate Income (C) |    |                   | Total LMI (A+B+C) |    |                   |
|----------|---------------------|----------|-------------------|----------------|----|-------------------|---------------------|----|-------------------|-------------------|----|-------------------|
|          | Total People        | Total HH | % of Total People | People         | HH | % of Total People | People              | HH | % of Total People | People            | HH | % of Total People |
|          |                     |          |                   |                |    |                   |                     |    |                   |                   |    |                   |
|          |                     |          |                   |                |    |                   |                     |    |                   |                   |    |                   |
|          |                     |          |                   |                |    |                   |                     |    |                   |                   |    |                   |

| Race, Ethnicity, Etc.                    | Activity 1   |          |                       | Activity 2   |          |                       | Activity 3   |          |                       |
|--|--------------|----------|-----------------------|--------------|----------|-----------------------|--------------|----------|-----------------------|
|  | Total People | Total HH | Total Hispanic People | Total People | Total HH | Total Hispanic People | Total People | Total HH | Total Hispanic People |
| White                                    |              |          |                       |              |          |                       |              |          |                       |
| Black / African Am                       |              |          |                       |              |          |                       |              |          |                       |
| Asian                                    |              |          |                       |              |          |                       |              |          |                       |
| American Indian / Alaskan Native         |              |          |                       |              |          |                       |              |          |                       |
| Native Hawaiian / Other Pacific Is       |              |          |                       |              |          |                       |              |          |                       |
| Am Indian / Alaskan Native & White       |              |          |                       |              |          |                       |              |          |                       |
| Asian & White                            |              |          |                       |              |          |                       |              |          |                       |
| Black / African American & White         |              |          |                       |              |          |                       |              |          |                       |
| Am Indian / Alaskan & Black / African Am |              |          |                       |              |          |                       |              |          |                       |
| Other Multi-Racial                       |              |          |                       |              |          |                       |              |          |                       |
| Disabled                                 |              |          |                       |              |          |                       |              |          |                       |
| Female-Headed HH                         |              |          |                       |              |          |                       |              |          |                       |

Note: 1. Applicants proposing projects with more than three activities should use additional copies of this table.



B.7. (ii) Qualifying as Removal or Prevention of Slums or Blight Projects

Area Basis - To qualify under the national objective of slums/blight on an area basis, the area must be officially designated by the grant recipient and must meet a definition of a slum, blighted, deteriorated or deteriorating area under local law (resolution), and these conditions must be directly related to the effects of the April 2011 tornadoes. There must be a substantial number (at least one quarter) of all buildings in the area deteriorated or deteriorating, and/or the public improvements throughout the area must be in a general state of deterioration. Documentation must be kept showing the boundaries of the area and the conditions that qualified the area at the time of designation. Activities to be assisted with CDBG funds must be limited to those that address one or more of the conditions that contributed to the deterioration of the area.

Spot Basis - To qualify under the national objective of slums/blight on a spot basis, the activity must be designed to eliminate specific conditions of blight or physical decay caused by the April 2011 tornadoes and not located in a designated slum or blighted area, and must be limited to the following:

1. Clearance
2. Acquisition
3. Relocation
4. Historic Preservation
5. Rehabilitation of buildings, but only to the extent necessary to eliminate specific conditions detrimental to public health and safety.

B.7. (iii) Qualifying as Urgent Need Projects

To comply with the national objective of Urgent Need, a project must be designed to alleviate existing conditions which the locality certifies and the State determines:

1. Pose a serious and immediate threat to the health or welfare of the community;
2. Are of recent origin or recently became urgent (caused by or became urgent due to the effects of the tornadoes);
3. The grant recipient is unable to finance the activity on its own; and
4. Other sources of funding are not available to carry out the project.

Any locality intending to apply for funding for an urgent need project is STRONGLY encouraged to provide ADECA with all pertinent information demonstrating that a project meets these criteria before submitting its application. Activities designed solely to prevent a serious health or welfare threat from developing in the future will not qualify under this criterion.

**B.8. SOURCES AND USES OF FUNDS TABLE**

| Project Name:                    |                                 |               |                                     |       |
|----------------------------------|---------------------------------|---------------|-------------------------------------|-------|
| Line Item Activity               | Tornado Disaster Recovery Funds | Local Match * | Other Funds (e.g. FEMA, USDA, etc.) | Total |
| a. Drainage Facilities           |                                 |               |                                     |       |
| b. Street Improvements           |                                 |               |                                     |       |
| c. Water Facilities              |                                 |               |                                     |       |
| d. Sewer Facilities              |                                 |               |                                     |       |
| e. Demolition & Clearance        |                                 |               |                                     |       |
| f. Acquisition/Relocation        |                                 |               |                                     |       |
| g. Senior/Community Center, etc. |                                 |               |                                     |       |
| h. Park/Recreation/Etc.          |                                 |               |                                     |       |
| i. Debris Removal                |                                 |               |                                     |       |
| j. Other                         |                                 |               |                                     |       |
| k. Other                         |                                 |               |                                     |       |
| l. Other                         |                                 |               |                                     |       |
| m. Subtotal by Source            |                                 |               |                                     |       |
| n. Architectural/Engineering     |                                 |               |                                     |       |
| o. Activity Delivery Cost        |                                 |               |                                     |       |
| p. Total Cost by Source          |                                 |               |                                     |       |

\*Local (non-federal) source.  
Specify whether cash or in-kind.

**ALABAMA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
CERTIFIED ASSURANCES**

**General Assurances**

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms to the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval by the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating the prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in the construction or rehabilitation of residential structures.
10. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination Statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), as amended (P.L. 100-17) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the potential activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), The Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the

Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333) regarding labor standards for federally assisted construction contracts.

14. Will comply with the flood insurance purchase requirements of Section 102 (a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (c) notification of violating facilities pursuant to EO 11738; (d) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (f) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (g) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended, (42 U.S.C. 7401 et seq.); (h) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (i) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
18. Will cause to be performed the required financial and compliance audits in accordance with Single Audit Act of 1984, as amended, and OMB Circular A-128.
19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

## **Special State Assurances**

The applicant further assures and certifies that:

- (a) The proposed program benefits principally persons of low to moderate incomes, the latter being defined as persons in households having incomes at or below applicable income limits. Specifically the following percentages of low and moderate income beneficiaries serve as a minimum threshold depending on the type of project: 51% for public facilities activities and 100% for housing activities. Programs should be designed so as to give maximum feasible priority to activities which will benefit low and moderate income families or aid in the prevention of slums and blight. However, a proposed program may include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious threat to the health or welfare of the community where other financial resources are not available to meet such needs.
- (b) If it has a previous Community Development Block Grant Program which has not been closed out, it will, if requested by the State, present the State with documentation to adequately demonstrate that it can expeditiously close out the previous program and manage a future program.
- (c) The local governing body accepts the responsibility for citizen comments and concerns related to the proposed program.

## **Anti-Displacement Assurance**

As the duly authorized representative of the applicant, I certify that the applicant will comply with:

1. Section 104(d) of Title I of the Housing and Community Development Act of 1974, as amended. This provision, authorized by Section 509(a) of the Housing and Community Development Act of 1987, contains requirements for a residential anti-displacement and relocation assistance plan. Each State recipient must adopt, make public, and certify to the State that it is following a "residential anti-displacement and relocation assistance plan."
2. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended through 1987, (Public Law 100-17, 101 Stat. 246-256). This provision extends Uniform Relocation Assistance coverage to any person (family individual, business, nonprofit organization or farms) displaced as a direct result of rehabilitation, demolition, or privately undertaken acquisition carried out for a federally assisted project or program.

## **Certification for Contracts, Grants, Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, 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. 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 undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
2. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

## **Certification Regarding Survey**

If a survey to determine project beneficiaries was undertaken for the proposed project, such survey was conducted with full regard to obtaining accurate information. The City/County agrees that any evidence to the contrary could result in adverse consequences, including the repayment of grant funds.

## **Certification Regarding Excessive Force**

The undersigned certifies that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

**Certification Regarding Preventing Entrance and Exit**

The undersigned certifies that it has adopted and is enforcing applicable state and local laws against physically barring entrance or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

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Mayor/Chairman/Chief

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Date



INSERT CDBG DISCLOSURE REPORT