

State of Alabama

Alabama Department of Economic and Community Affairs (ADECA)

**2020 Community Development Block Grant Disaster Recovery (CDBG-DR) Grant for
Hurricanes Sally and Zeta**

Action Plan for Program Administrative Costs

Purpose: This document is the State of Alabama’s / ADECA’s Action Plan for Program Administrative Costs (“PACs”) for the proposed use of administrative funds allowed under the Community Development Block Grant Disaster Recovery (“CDBG-DR”) allocation made available through the United States Department of Housing and Urban Development (“HUD”) to the State under the Disaster Relief Supplemental Appropriations Act, 2022 (“Appropriations Act”) (Public Law 117-43).

Grantee Name:	Alabama Department of Economic and Community Affairs (ADECA)
State:	State of Alabama
Date Plan Submitted:	March 15, 2022
Total Grant Amount:	\$311,732,000
Amount of Administrative Funds Budgeted:	\$15,586,600 (which is 5% of \$311,732,000)
Grantee Contact (Name):	Mr. Shabbir Olia, Division Chief ADECA Community and Economic Development Division 401 Adams Avenue, Room 500; Post Office Box 5690 Montgomery, Alabama 36103-5690
Grantee Contact (Email/Phone):	Shabbir.olia@adeca.alabama.gov (334) 242-5468
HUD Contact (Name):	Mr. Thomas E. Tiffin, Jr. Community Planning and Development Specialist U.S. Department of Housing and Urban Development Office of Block Grant Assistance Disaster Recovery and Special Issues Division 417 20 th Street North, Suite 700 Birmingham, AL 35203
HUD Contact (Email/Phone):	Thomas.E.TiffinJr@hud.gov (205) 745-4353

I. Background:

Public Law 117-43 allows CDBG-DR grantees receiving an award under the Appropriations Act to access funding for program administrative costs prior to the HUD Secretary’s certification of financial controls and procurement processes, and adequate procedures for proper grant management. HUD’s February 3, 2022 Federal Register’s Consolidated Notice governing these grants requires grantees to use the Public Action Plan in HUD’s Disaster Recovery Grant Reporting (DRGR) system to submit their action plans for the full amount of the grant, but in

order to expedite access to administrative funds, grantees will follow a different process for the action plan for program administrative costs.

If the grantee chooses to access funds for program administrative costs prior to the HUD Secretary's certification, the grantee must first prepare an action plan outside of DRGR, describing the grantee's use of funds for program administrative costs. It is for that purpose that ADECA, as the grantee, is submitting this action plan to HUD for these program administrative costs. This plan to access grant funds for program administrative costs is being submitted to HUD by ADECA prior to the State / ADECA submitting its Public Action Plan for the full CDBG-DR grant in DRGR. Please note that per HUD's February 3, 2022 Federal Register's Consolidated Notice, in considering the amount of administrative funds to request through this process, ADECA has calculated its need to cover program administrative costs over the life of this grant, and has considered how much of its available administrative funds may be reasonably budgeted – as this is an early stage of this grant's lifecycle.

The amount budgeted for ADECA's program administrative costs includes anticipated expenditures of grant funds for ADECA's staff to work on this program. These funds include staff salaries (direct and indirect costs), travel, equipment, supplies, and other necessary and proper uses of funds as needed for management and oversight of the grant program. Staff work includes, but is not limited to, drafting the State's plans and any substantial amendment(s); drafting and publishing public notices of public hearings, plans, and notices of funds availability in statewide newspapers and online on ADECA's Disaster Program webpage; posting draft and final versions of plans online on ADECA's Disaster Program webpage; conducting public hearings and public comment periods for said plans; conducting training workshops that include grant application and compliance requirements; providing technical assistance to subgrant recipients; processing grant award documents and requests for payment of grant funds; monitoring local projects for program compliance; closing out open grants; maintaining records per ADECA's Records Disposition Authority requirements; drafting and submitting quarterly progress reports to HUD; and participating in federal monitoring visits conducted by HUD.

Recognizing the magnitude of the grant allocation, ADECA heretofore recognizes the need of a national consulting firm experienced in assisting States and communities with the development and implementation of disaster recovery grants. This is more so true with the February 3, 2022 Federal Register's Consolidated Notice that has created additional requirements, many of which are technical in nature. Thus, to ensure that this disaster recovery and mitigation grant is properly and timely implemented, ADECA is setting aside a significant amount of this grant's funds for such consultant contractual purposes.

II. Public Notices and Comment Period:

A notice of the State's / ADECA's Proposed Action Plan for Program Administrative Costs has not been published in an Alabama statewide newspaper for public comment prior to said Plan's submission to HUD due to the fact that, in order to permit a more streamlined process, HUD has waived the provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.105(b) through (d), and 24 CFR 91.115(b) through (d), with respect

to the State’s / ADECA’s citizen participation requirements. Thus, the manner of publication of the State’s / ADECA’s Proposed Action Plan for Program Administrative Costs included prominent posting of said Plan on ADECA’s official disaster recovery website at www.adeca.alabama.gov at the link <https://adeca.alabama.gov/cdbg-disaster-recovery/hurricanes-sally-and-zeta/>. ADECA has afforded the State’s residents, affected local governments, and other interested parties a reasonable opportunity to access and review the contents of said Plan for a period of no less than seven (7) days beginning on Friday, March 4, 2022 and ending on Friday, March 11, 2022. The State / ADECA has also offered multiple methods, including electronic submission via email, for receiving public comments on this Plan – including electronic submission via email to Mr. Shabbir Olia at Shabbir.olia@adeca.alabama.gov.

ADECA has considered and responded to all oral and written comments received in relation to this Plan. No updates or changes were made to this Plan in response to the public comments that were received by ADECA during the seven-day public comment period. A summary of the public comments received, if any, and ADECA’s response to each comment, is included with this Plan. ADECA’s responses have addressed the substance of the actual public comment rather than merely acknowledging that the public comment was received by ADECA.

Proof of posting for seven days attached	<input checked="" type="checkbox"/>
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Public Comments Received (Insert additional rows, as needed)	ADECA’s Responses to Public Comments
No public comments were received by ADECA.	No public comments were received by ADECA.

III. Proposed Allocation of Funds:

The proposed uses for the allocation of this grant program’s administrative funds that may be incurred by the State / ADECA prior to ADECA’s submission of its Public Action Plan in DRGR are stated below. The amount budgeted for ADECA’s program administrative costs is included.

Program Administration Activity	Budget/Allocation
Total (Amount up to 5% of grant total)	\$15,586,600 (which is 5% of \$311,732,000)

ADECA plans to incur pre-award administrative costs prior to submitting a Public Action Plan in DRGR, which include procurement of a professional services contractor to assist in program implementation, meetings with community stakeholders, translation services, and related items. The estimated amount of the “pre-award funds” to accomplish these tasks is budgeted at \$540,000.00, which amount is inclusive of ADECA personnel costs, professional contractual services, and the approved indirect costs rate. Subsequent to the “pre-award funds,” the balance of the administrative funds is for CBDG-DR eligible program administration expenses throughout the life of the grant.

IV. Criteria for Eligibility:

For eligibility, the State / ADECA may include activities listed at Section 105(a)(12) and (13) of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*) (“HCDA”), as well as activities spelled out in 24 CFR 570.205 and 570.206.

V. Certifications & Standard Form 424 (SF-424):

a. The State / ADECA, in having chosen to submit an Action Plan for Program Administrative Costs, makes the following certifications that are listed in section III.F.7. of HUD’s February 3, 2022 Federal Register’s Consolidated Notice, and has included these certifications with the submission of this Plan. NOTE: The State / ADECA must make all certifications included in section III.F.7. of HUD’s February 3, 2022 Federal Register’s Consolidated Notice and submit them to HUD when it submits its Public Action Plan in DRGR, which means that some certification statements will be submitted twice.

b. The State / ADECA certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.

c. The State / ADECA certifies that the action plan for disaster recovery is authorized under state and local law (as applicable) and that the State / ADECA and any entity or entities designated by the State / ADECA, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG-DR funds, possess(es) the legal authority to carry out this program for which it is seeking funding, in accordance with applicable HUD regulations and the February 3, 2022 Federal Register’s Consolidated Notice.

d. The State / ADECA certifies that activities to be undertaken with CDBG-DR funds are consistent with the State’s / ADECA’s action plan for these funds.

e. The State / ADECA certifies that it is following its detailed Citizen Participation Plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each local government receiving assistance from the State / ADECA must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements).

f. The State / ADECA certifies that it is complying with each of the following criteria:

(1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*).

(2) With respect to activities expected to be assisted with CDBG-DR funds, the State's / ADECA's action plan has been developed so as to give the maximum feasible priority to activities that will benefit low-income and moderate-income families.

(3) The State's / ADECA's aggregate use of these CDBG-DR funds shall principally benefit low-income and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver published in an applicable Federal Register notice) of the grant amount is expended for activities that benefit such persons.

(4) The State / ADECA will not attempt to recover any capital costs of public improvements assisted with these CDBG-DR grant funds, by assessing any amount against properties owned and occupied by persons of low-income and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

(a) disaster recovery grant funds are used 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 under this title; or

(b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the State / ADECA certifies to the HUD Secretary that the State / ADECA lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).

g. The State / ADECA and its local government grant recipients certify that this grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations, and that they will affirmatively further fair housing.

h. The State / ADECA certifies that it has adopted and is enforcing the following policies, and, in addition, certifies that it will require local governments that receive these grant funds to certify that they have adopted and are enforcing:

(1) 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

(2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

i. The State / ADECA certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner, and that the State / ADECA has reviewed the requirements of HUD's February 3, 2022 Federal Register's Consolidated Notice.

j. The State / ADECA certifies that it will comply with environmental requirements at 24 CFR part 58.

k. The State / ADECA certifies that it will comply with the provisions of Title I of the HCDA and with other applicable laws.

l. The State / ADECA certifies that any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001, and 31 U.S.C. 3729.


Signature of Certifying Official

Kenneth W. Boswell, ADECA Director
(Printed Name of Certifying Official)

3/4/2022
(Date)

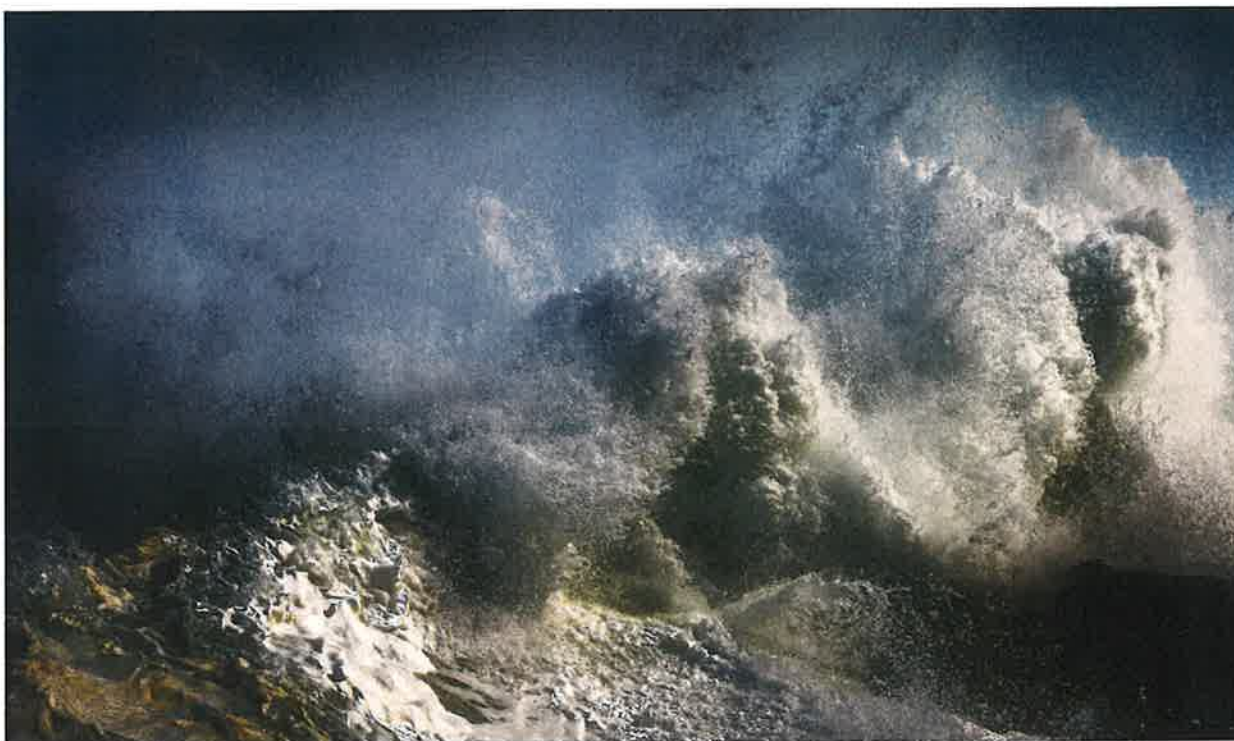
**State of Alabama's Public Notice of 7-Day Public Comment Period
For 2020 Community Development Block Grant Disaster Recovery (CDBG-DR) Grant
For Hurricanes Sally and Zeta**

The State of Alabama has been designated to receive \$311,732,000 under the Community Development Block Grant Disaster Recovery allocation made available through the United States Department of Housing and Urban Development (HUD) to the State under the Disaster Relief Supplemental Appropriations Act, 2022 (Public Law 117-43). This Act allows the State, as the grantee receiving these grant funds, to access a portion of these grant funds for expenditure on program administrative costs prior to the HUD Secretary's certification of the State's financial controls, procurement processes, and adequate procedures for proper grant management of this program. As a result, the State of Alabama, by and through the Alabama Department of Economic and Community Affairs (ADECA), has developed an "Action Plan for Program Administrative Costs" for accessing the pre-award administrative costs for purposes of initiating this grant program. The Plan is to be submitted by ADECA to HUD after first undergoing a seven day (7-day) public comment period which is to allow the general public to submit comments on the Plan and its statement of planned uses of these pre-award administrative funds.

The Plan may be viewed online on the ADECA website at www.adeca.alabama.gov at the link <https://adeca.alabama.gov/cdbg-disaster-recovery/hurricanes-sally-and-zeta/> for a period of seven (7) days beginning on Friday, March 4, 2022 and continuing through Friday, March 11, 2022. The general public and interested parties may offer public comments by submitting written comments to ADECA. Written comments should be received in the ADECA office no later than Monday, March 14, 2022. Such comments should be addressed to Mr. Shabbir Olia, ADECA, P.O. Box 5690, Montgomery, AL 36103-5690, or e-mailed to shabbir.olia@adeca.alabama.gov. All comments will be acknowledged by ADECA and will be addressed to the best possible extent.



Hurricanes Sally and Zeta



Overview

The Disaster Relief Supplemental Appropriations Act of 2022 (Public Law 117-43, authorized by Congress on September 30, 2021) makes available \$5 Billion in Community Development Block Grant Disaster Recovery (CDBG-DR) funds for qualifying major disasters that occurred throughout the nation during 2020 and 2021. Of this amount, the United States Department of Housing and Urban Development (HUD) has allocated over \$2 Billion in CDBG-DR funds from that Appropriations Act to assist in long-term recovery from disasters occurring in 2020. As required by the Appropriations Act, the allocated amount allows for fifteen percent (15%) of the funds to be expended on disaster mitigation activities that are intended to reduce risks from future disasters in the most impacted and distressed (MID) areas.

In HUD's Notice that was published in the Federal Register on February 3, 2022 (Volume 87, No. 23, pages 6364-6392), HUD notified the state of Alabama that HUD has allocated \$311,732,000 for the disaster-qualifying areas in Alabama that were impacted by Hurricanes Sally and Zeta in 2020. ADECA will use this webpage as an official site relating to the Hurricanes Sally and Zeta 2022 CDBG-DR Grant Program. ADECA will post on this site the State's CDBG-DR Program information on required notices and other communications for the general public.

[2022 DR Consolidated Notice](#)

[2020 CDBG-DR Notice Overview for Grantees](#)

[Notice of Request for Proposals for Assistance Administering 2020 CDBG-DR Hurricanes Sally and Zeta Grant Program](#)

[Request for Proposals for assistance with administering 2020 CDBG-DR Hurricanes Sally and Zeta grant program](#)

[CDBG-DR Action Plan For Program Administrative Costs | Spanish](#)

Contact

(334) 242-0492

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[2011 Tornado Disaster Fund: Round 2](#)

[2011 Tornado Disaster Fund: Round 1](#)

[State DR Contracts](#)

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[CARES Act / COVID-19 Grant Program Resources](#)

Community Development Block Grant (CDBG)

CDBG – Disaster Recovery

Appalachian Regional Commission

Delta Regional Authority

Emergency Solutions Grant

Housing Opportunities for Persons with AIDS

Recreational Trails Program

Land and Water Conservation Fund

Neighborhood Stabilization Program

Office of Minority Business Enterprise

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Hurricanes Sally and Zeta



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[2011 Tornado Disaster Fund: Round 2](#)

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Delta Regional Authority

Emergency Solutions Grant

Housing Opportunities for Persons with AIDS

Recreational Trails Program

Land and Water Conservation Fund

Neighborhood Stabilization Program

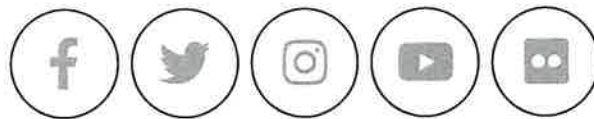
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Opportunity Zones Program

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