



Texas General Land Office  
Community Development and Revitalization Department  
2021 Winter Storms– Local Certifications

Each Applicant for Community Development Block Grant Disaster Recovery ("CDBG-DR") funding must complete the Federal Assistance Standard Form 424 (SF-424) and certify that the local certifications included in this application guide were followed in the preparation of any CDBG-DR program application. Additionally, the Applicant must certify that it will continue to follow local certifications in the event that funding is awarded, and Applicant is reclassified as a Subrecipient.

Each Applicant/Subrecipient must comply with the provisions of the National Environmental Policy Act ("NEPA"), the Council on Environmental Quality ("CEQ") regulations, the requirements set forth in Title 24 of the Code of Federal Regulations ("CFR") part 58, and applicable Texas General Land Office policy directives.

Each Applicant/Subrecipient must comply with all applicable federal and state laws, including environmental, labor (Davis-Bacon Act), the procurement procedures and contract requirements found at 2 C.F.R. §200.318 – §200.327, and all civil rights requirements.

As outlined in the updated Universal Notice, as amended, each Applicant/Subrecipient must make the following certifications:

- a. Uniform Relocation Act and Residential Anti-displacement and Relocation Plan: The Applicant/Subrecipient certifies that it:
  1. Will comply with the acquisition and relocation requirements of the Uniform Act, and implementing regulations at 49 CFR part 24, as such requirements may be modified by waivers or alternative requirements;
  2. Has in effect and is following RARAP in connection with any activity assisted with CDBG-DR grant funds that fulfills the requirements of Section 104(d), 24 CFR part 42, and 24 CFR part 570, as amended by waivers and alternative requirements.
- b. Authority of Applicant/Subrecipient: The Applicant/Subrecipient certifies that it and any entity or entities designated by the Applicant/Subrecipient, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG–DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations as modified by waivers and alternative requirements.
- c. Consistency with the Action Plan: The Applicant/Subrecipient certifies that activities to be undertaken with CDBG–DR funds are consistent with the action plan.
- d. Citizen Participation: The Applicant/Subrecipient certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in waivers and alternative requirements). Also, each local

government receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in waivers and alternative requirements).

- e. Use of Funds: The Applicant/Subrecipient certifies that it is complying with each of the following criteria:
  - 1. Purpose of the funding. 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 Stafford Act (42 U.S.C. 5121 et seq.).
  - 2. Maximum Feasibility Priority. With respect to activities expected to be assisted with CDBG–DR funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
  - 3. Overall benefit. The aggregate use of CDBG–DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver) of the grant amount is expended for activities that benefit such persons.
  - 4. Special Assessment. The Applicant/Subrecipient will not attempt to recover any capital costs of public improvements assisted with CDBG– DR grant funds, by assessing any amount against properties owned and occupied by persons of low- 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 grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).
- f. Grant Timeliness: The Applicant/Subrecipient 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 Applicant/Subrecipient has reviewed the requirements applicable to the use of grant funds.
- g. Order of Assistance: The Applicant/Subrecipient certifies that it will comply with the statutory order of assistance listed in Appendix C paragraph 9 and will verify if FEMA or USACE funds are available for an activity, or the costs are reimbursable by FEMA or USACE before awarding CDBG-DR assistance for the costs of carrying out the same activity.

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Name

Title

Entity

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Signature

Date