

	<p>Housing and Community Development Department (HCDD)</p>	Procedure Number	23-007
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		Procedure Owner	Mary Itz
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		Last Revised Date	N/A

CDBG-DR17 Planning Funds Procedure

Purpose

In response to the Presidentially declared disaster Hurricane Harvey, the Department of Housing and Urban Development (HUD) appropriated \$5,024,215,000 in Community Development Block Grant-Disaster Recovery (CDBG-DR) funding to the Texas General Land Office (GLO). Of this \$5 billion allocation, the City of Houston (City) has received a direct allocation from the GLO in the amount of over \$1 billion for the development and implementation of programs that directly benefit the residents of the City of Houston. The allocation includes funds dedicated for planning activities to support and promote long-term recovery efforts. The City's Housing and Community Development Department (HCDD) performs the day-to-day administration and oversight of the CDBG-DR17 funds.

The CDBG-DR17 Planning Funds Procedure is developed as a framework for implementing planning activities. Planning activities include studies of specific topics and/or plans for specific projects, as defined by 24 CFR 570.205, such as, but not limited to flood control, drainage improvement, resilient housing solutions, fair housing, homelessness, surge protection, economic development, infrastructure improvements, or other efforts to further recovery from Hurricane Harvey, mitigate future damages, and establish plans for comprehensive recovery efforts.

Scope

This document sets forth the standing operating procedures that will be utilized by the Planning Section staff of the HCDD's Planning and Grant Management Division. This document provides guidance on the steps for identifying projects and utilizing planning funds for City of Houston's CDBG-DR17 allocation.

References

- 83 FR 5844¹
- 24 CFR 570.205²
- 2 CFR 200.318 – 326³
- HCDD Procedure 05-008a: Procurement Checklist Standing Operating Procedures

¹ <https://www.govinfo.gov/content/pkg/FR-2018-02-09/pdf/2018-02693.pdf>

² <https://www.govinfo.gov/content/pkg/CFR-2011-title24-vol3/pdf/CFR-2011-title24-vol3-part570-subpartC.pdf>

³ <https://www.govinfo.gov/content/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-part200-subpartD.pdf>

Version Block

Version	Date	Changes Adopted
1.0	07/08/2020	N/A

Term Definitions

Community Development Block Grant Disaster Recovery (CDBG-DR) – Funding provided to states and local jurisdictions by the U.S. Department of Housing and Urban Development to assist with recovery from Presidentially declared disasters; governed by the Housing and Community Development Act of 1974; waivers and alternative requirements published in the Federal Register for each disaster.

Federal Register (FR) – is the official daily publication for rules, proposed rules, and notices of Federal agencies and organizations, as well as executive orders and other presidential documents.

LMI – A low- and moderate-income (LMI) household is a household that earns less than 80% of the area median income.

Recipient – The government to which a grant is awarded, and which is accountable for use of the funds provided. The recipient is the entire legal entity even if only a particular component of the entity is designated in the grant award document.

Subrecipient – The government or other legal entity to which a sub-grant is awarded, and which is accountable to the recipient for the use of the funds provided. Subrecipients can be a commonwealth agency, local government, private nonprofit organization, or Native American Tribe. An applicant becomes a subrecipient upon receipt of financial assistance.

Responsible Parties

This section contains the responsible parties for carrying out this SOP. Per HCDD Policy #01-001: Governing Documents, the HCDD Policy Analyst may edit this section as a minor edit, without need for concurrence or additional authorization.

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HCDD Planning and Grants Management Division (PGM)			
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I. Process and Description

- a) The HCDD's Planning and Grants Management Division's (PGM) Planning Section staff is responsible for the coordination of planning activities. Planning Section staff identify relevant parties in the development of activities in accordance with the City of Houston Administered Disaster Recovery Program in the State of Texas Plan for Disaster Recovery: Hurricane Harvey⁴.
- b) Planning Section staff manages the priority activities, list of proposed plans, and proposed budget in coordination with the Mayor's Office and in consideration of the City's Resilience Strategy. The listing of activities, proposed plans, and budget may update to align with priorities, address new priorities, or ensure timely expenditures.
- c) Planning activities may be undertaken by City staff, subrecipients, or contractors. CDBG-DR17 funds may be utilized to cover the administrative cost of City staff, third-party consultants or subrecipients for time expended on completing eligible planning activities. Subrecipients will be selected through a formal application process, simplified or limited application process, or a survey of qualified organizations through direct solicitation; contractors will be selected through a competitive procurement process, and other contractual relationships will be determined as needed.

II. Objective

Planning activities are intended to make the City and its residents more prepared for future disaster events. These activities may range from short-term, in-depth studies that will determine next steps for specific projects, programs, or future funding priorities to long-term, multifaceted engagements with local and regional stakeholders that will develop strategies for (1) protecting residents and the built environment from future natural hazards; (2) determining sustainable, long-term, resilient, and equitable housing solutions; (3) enhancing building and development codes; and (4) protecting and preparing vulnerable populations that are often the least likely to recover from disasters.

a) Goals

- i. The goals of the CDBG-DR17 planning funds are for the City and other organizations to:
 1. Increase the frequency of data-driven decision making;
 2. Improve ability to serve vulnerable populations;
 3. Employ best practices in creating required HUD and GLO planning documents;
 4. Design, implement, and evaluate outcome-driven programs;
 5. Build planning capacity by leveraging outside expertise; and
 6. Increase citywide capacity to engage in affordable housing planning and policy processes.
 - A. Planning activities must:
 - Tie back to Hurricane Harvey, and

⁴ This document is located at <http://recovery.texas.gov/action-plans/hurricane-harvey/index.html>

- Be eligible under 24 CFR 570.205⁵.

b) Priorities

- i. When selecting planning activities, the following outcomes will be prioritized:
1. Development of required planning documents including but not limited to Consolidated Plan, Action Plan for Disaster Recovery, Needs and Risk Assessments, or Analysis of Impediments to Fair Housing Choice;
 2. Evaluation of outcomes and impacts of recent and future investments; and
 3. Determination of needs, priorities, strategies, goals, or actions related to:
 - A. Housing and/or affordable housing;
 - B. Community development;
 - C. Mitigation, resilience, and/or adaptation;
 - D. Housing and serving vulnerable populations;
 - E. Affordable housing and community development investment opportunities;
 - F. Equitable housing or development;
 - G. Environment, open space, and environmental hazards;
 - H. Smart growth; and
 - I. Economic development and resilience.
 - Disaster planning

III. Development of Planning Activities with Other City Departments

- a) Planning Section staff supports the Mayor's Office by bringing awareness to staff from City Departments and Offices on CDBG-DR17 funds available for planning activities.
- b) Planning Section staff provides information on the types of planning activities eligible for funding to City Department staff, advises on HCDD priorities focusing on LMI communities, and offers guidance as necessary.
- c) Utilizing existing interdepartmental coordination efforts, Planning Section staff collaborates with City Department staff on planning activity development. City Departments engaged in the development of planning activities for CDBG-DR17 may include: the Office of Emergency Management, Houston Public Works, the Mayor's Office of Resilience and Recovery, and the City Planning Department.
- d) As applicable, each City Department drafts a scope of work for a plan or study incorporating PGM guidance.
- e) Planning Section staff review scopes of work to ensure alignment with goals and grant eligibility and provides feedback to City Department staff for any needed updates.
- f) Planning Section staff submits planning scopes of work to the GLO for review.

⁵ <https://www.govinfo.gov/content/pkg/CFR-2011-title24-vol3/pdf/CFR-2011-title24-vol3-part570-subpartC.pdf>

- g) Upon the GLO's review, Planning Section staff advises City Department staff on incorporating any feedback from the GLO and the development of any necessary additional materials.
- h) City Department staff seeking planning funds will then submit approved scopes of work and applicable materials to the appropriate City Procurement staff for RFP/RFQ development, as applicable.
- i) Planning Section staff will send a final draft of the RFP/RFQ to the GLO for review. Upon receipt of GLO's review notes, City Department staff will make edits to be incorporated into the final RFP/RFQ.
- j) After the solicitation process has been completed and a consultant is selected, the City Department and HCDD will execute a Letter of Agreement (LOA); thereafter, a contract between the City and Consultant is executed, after City Council approval, if applicable.
- k) HCDD staff will review the City Department payment requests and reimburse payments for eligible planning activities in accordance with the LOA and consultant contract.
- l) Supporting documentation for invoices should include:
 - i. For consultant and professional fees – Invoices or receipts detailing the description of the services performed by the consultant/professional against scope of contract and benchmarks achieved for each payment request.
 - ii. For salaries – Payroll journal, cancelled payroll checks, signed timesheets (detailing CDBG-DR tasks performed for the program), and check stubs.
- l) HCDD and City Department staff will work together to adhere to all necessary regulations throughout the end of the contract and LOA. HCDD staff will provide technical assistance to City Department staff, as needed.

IV. Procurement / Solicitation Process

- a) City staff will follow federal procurement requirements 2 CFR § 200.318 – 326 and Appendix II to Part 200, as outlined in the latest HCDD Procedure 05-008a, Procurement Checklist Standing Operating Procedures.
- b) The GLO Procurement Checklist is filled out per the prescribed procurement methodology used for each solicitation. The GLO Procurement Checklist will be maintained with each procurement file.
- c) City staff will determine the type of solicitation and develop a scope of work. HCDD staff will notify and receive authorization from the GLO for non-competitive or sole-source procurements.
- c) City staff will work with departmental staff and the City's Strategic Purchasing Department for procurement processing and compliance, on small and large bids. Necessary review is performed by legal staff, and where applicable the Office of Business Opportunity, for compliance with state and federal laws throughout the process.

- d) City staff will maintain the procurement file to include:
 - i. GLO Procurement Checklist (filled out per procurement methodology used for each solicitation)
 - ii. RFP/RFQ as applicable
 - iii. Listing of Bid Proposals/Summary of Scoring Criteria
 - iv. Grantee approval of selected vendor/winning bid
 - v. Contract

V. HCDD Reporting Structure to the GLO

- a) HCDD staff may request approval from the GLO to utilize CDBG-DR17 for City staff time supporting planning activities using non-CDBG-DR17 funding. CDBG-DR17 funds may also be used support City staff time related to development of a study or plan, without contractors
- b) Document Review
 - i. HCDD staff will provide scopes of work to the GLO for review and approval before publication of one-time planning solicitations under \$50,000.
 - ii. HCDD staff will provide scopes of work to the GLO for review before RFPs/RFQs are developed. HCDD staff will provide final drafts of RFPs/RFQs to the GLO for review.
- c) Reimbursements: HCDD Finance staff will send reimbursement request with applicable GLO checklist (“Draw Request Checklist: Administrative, Planning and Project Delivery”) and supporting documentation to the GLO for reimbursement.
- d) Reporting: By the 15th of each month, Planning Section staff ensure that monthly planning reports are provided to the PGM Reporting Section staff communicating with the GLO, in a format prescribed by the GLO.