

NEBRASKA

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DEPT. OF ECONOMIC DEVELOPMENT

Program Management Guide

State of Nebraska CDBG-DR Program

JANUARY 2022

RECORD OF CHANGES

The following table summarizes amendments to the Program Management Guide.

Date Change Approved	Change Number	Description of Change

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1 EXECUTIVE SUMMARY

The Program Management Guide serves as an overarching framework for Nebraska Department of Economic Development (DED) to implement programs funded by CDBG-DR for the State of Nebraska. This guide includes the following:

- A program overview, including a general description of the CDBG-DR program, cross-cutting requirements, and a description of specific programs covered under associated allocation(s);
- The program's organizational structure, which includes DED's staffing chart for the program and a description of further staffing procedures;
- Roles and responsibilities for all organizations involved in CDBG-DR program implementation;
- Information regarding training and technical assistance (TA) for DED staff, program applicants, Subrecipients, and Successful Applicants;¹
- A list of all guides, policies and procedures, and other tools that will be used in implementing the program; and
- A description of the process for document amendments and approvals, including substantial and non-substantial amendments to the State Action Plan.

This guide should be used to give a "big picture" overview of the program and as a proverbial springboard to initiate program implementation under the operational structures that will be used for administration of CDBG-DR funds.

In implementing this Guide for the CDBG-DR Program, the State of Nebraska will ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination in any housing program or activity because of their age, race, color, creed, religion, familial status, national origin, sexual orientation, military status, sex, disability, or marital status.

1.1 ASSOCIATED ALLOCATION(S)

- Winter Storm Ulmer ([DR-4420](#))

¹ Successful Applicants include any eligible entity that is selected to enter into a funding agreement with DED to implement CDBG-DR program activities (e.g., for-profit developers).

- In early 2019, the State of Nebraska suffered record-breaking damage from severe winter weather, straight-line winds, and its worst flooding event in 50 years, leading to a federal major disaster declaration (DR-4420) under the Stafford Act. Damage from DR-4420 was widespread, leading to disaster declarations in 84 of the State’s 93 counties (and four tribal areas), with the worst damage located in the eastern part of the state.
- HUD Most Impacted and Distressed (MID) is detailed in the Action Plan and includes Dodge, Douglas, and Sarpy counties.
- Pursuant to the federal requirements of DR-4420, a minimum of 80% of this allocation must be invested in HUD-designated MID areas.
- A minimum of 70% of total CDBG-DR program funds must be spent on Low-to-Moderate Income (LMI) populations.

This subsection may be updated should other allocations become available due to subsequent disaster events or supplemental allocations.

2 ACRONYMS

Acronym	Meaning
ADC	Activity Delivery Costs
AFFH	Affirmatively Furthering Fair Housing
AHTC	Affordable Housing Tax Credits
CA	DED CDBG Certified Administrator
CDBG-DR	Community Development Block Grant – Disaster Recovery
DED	Nebraska Department of Economic Development
NeDNR	Nebraska Department of Natural Resources
DOB	Duplication of Benefits
FEMA	Federal Emergency Management Agency
FR	Federal Register
FSRS	Federal Funding Accountability Act Subaward Reporting System
GMS	Grants Management System
HUD	Department of Housing and Urban Development

Acronym	Meaning
LIHTC	Low-Income Housing Tax Credit
LMA	Low- and Moderate-Income Area Benefit
LMC	Low- and Moderate-Income Limited Clientele
LMH	Low- and Moderate-Income Housing Activities
LMI	Low- and Moderate-Income
LMJ	Low- and Moderate-Income Job Creation or Retention Activities
MID	Most Impacted and Distressed
NEMA	Nebraska Emergency Management Agency
NIFA	Nebraska Investment Finance Authority
OIG	Office of the Inspector General
P&P	Policy and Procedure
PR	Performance Report
RE	Responsible Entity
SBA	Slum Blight Area Basis
SBS	Slum Blight Spot Basis
TA	Technical Assistance
US	United States

3 PROGRAM OVERVIEW

3.1 TYPES OF PROGRAMS

DED has defined a series of programs within the Action Plan. Each program has a separate program guide that defines all programmatic operations, expectations for Subrecipients or Successful Applicants, and key standards for program implementation that exceed the cross-cutting standards set forth for the CDBG-DR program.

Table 1: Types of Programs

Program Category	Program Name	Primary Resource
Infrastructure Programs	Public Assistance Match	Infrastructure Match Program Guide
	Hazard Mitigation Grant Program Match	
Housing Programs	Affordable Housing Construction Program	Affordable Housing Construction Program Guides
	Homeowner Assistance Program	Homeowner Assistance Program Guide
Planning Programs	Risk Awareness Planning Program	Risk Awareness Planning Program Guide
	Housing Resilience Planning Program	Housing Resilience Planning Program Guide

3.2 CDBG-DR REQUIREMENTS

HUD’s National Objectives will guide development of activities to be funded through Nebraska’s CDBG-DR Program. To be funded, each activity and program must be tied to a National Objective. The National Objectives include:

- Benefiting LMI persons:** This is the primary National Objective in that at least 70% of the funding be expended for activities that benefit LMI populations. Four (4) approaches may be utilized to meet this objective, each with their own requirements for the CDBG-DR program. These categories include: Low- and Moderate-Income Area Benefit (LMA), Low- and Moderate-Income Limited Clientele (LMC), Low- and Moderate-Income Housing Activities (LMH), and Low- and Moderate-Income Job Creation or Retention Activities (LMJ).
- Meeting a need having a particular urgency (urgent need):** This National Objective alleviates emergency conditions under the criteria that there be existing conditions posing an immediate threat to the health or welfare of the community, these conditions must have developed recently, and there is no alternative way for the project to be funded.

- **Aiding in the prevention or elimination of slums or blight:**² This National Objective benefits areas that are deteriorating by upgrading the physical environment. Meeting this objective is achieved by determining the extent of blight and physical conditions that contribute to it in the proposed area. There are two (2) approaches, Slum Blight Area Basis (SBA) and Slum Blight Spot Basis (SBS), to demonstrate compliance with this National Objective, each with its own requirements under the CDBG-DR program.

Alignment of the National Objectives to program activities are defined in the table below.

Table 2: CDBG-DR Program Descriptions

Program Name		Description	Connection to National Objectives
INFRASTRUCTURE	Infrastructure Match Program	This program will utilize CDBG-DR funding to alleviate the burden for local communities in meeting the local match requirements for the PA program and HMGP in the aftermath of the 2019 disasters.	Benefiting LMI Persons; Urgent Need
HOUSING	Affordable Housing Construction Program	This program is intended to increase affordable renter- and owner-occupied housing supply in flood-impacted areas. The program will be administered by DED and will consist of three subprograms: <ul style="list-style-type: none"> • CDBG-DR LIHTC Gap Financing; • Small/Non-LIHTC Rental Production; and • Homeownership Production. 	Benefiting LMI Persons

² As detailed in Table 2, DED does not anticipate utilizing this National Objective in connection with the CDBG-DR Program activities set forth in the Action Plan. Use of slum and blight is unusual in CDBG-DR programs given the balance of the requirements on the funding source.

Program Name	Description	Connection to National Objectives
	<p>Homeowner Assistance Program</p> <p>This program will utilize CDBG-DR funding to provide grants for housing counseling, training, and homebuyer down payment and closing cost assistance. The program will also provide forgivable loans to LMI homeowners who lost their homes in the disaster and have insufficient funds from other sources to afford another moderately priced home.</p>	<p>Benefiting LMI Persons; Urgent Need</p>
<p>PLANNING</p>	<p>Risk Awareness Planning Program</p> <p>This program will target areas with risk exposure from private levees or levee-like structures in counties that received a disaster declaration under DR-4420 and focus on flood hazard vulnerabilities that led to flood damage during Winter Storm Ulmer. Efforts under this program will educate individuals on the risk associated with private levees and levee-like structures as water control infrastructure and provide alternative flood mitigation options to promote resilience.</p>	<p>N/A</p>
	<p>Housing Resiliency Planning Program</p> <p>The Housing Resiliency Planning Program focuses on providing support to Subrecipients to develop plans related to housing recovery, housing resilience, and affordable housing that reduce flood vulnerability. The Program intends to provide for the development of housing plans to address flood vulnerabilities.</p>	<p>N/A</p>

4 CDBG-DR TIMELINE OVERVIEW

A general overview of the timeline for project launch and implementation is described in **Figure 1**. Note this will differ by project, as defined within the respective Program Guides.

Figure 1: Timeline Overview

Months 0-1	Months 0-3	Months 3-4	Months 4-24	Month 24
<p>DED executes the Subrecipient Agreement with the Subrecipient or Funding Agreement with the Successful Applicant</p> <p>Subrecipient or Successful Applicant is provided access to the Grants Management System (i.e., AmpliFund) and sets up an account</p>	<p>Subrecipient or Successful Applicant submits Special Conditions to DED</p> <p>Subrecipient or Successful Applicant reviews P&Ps and applicable program guide(s)</p> <p>Subrecipient or Successful Applicant uploads applicable files needed for launch</p>	<p>DED and the Subrecipient or Successful Applicant execute contracts associated with project activities</p> <p>Project activities begin</p> <p>DED can submit Request for Funds (drawdowns) to HUD</p>	<p>Subrecipient or Successful Applicant is under the period of performance</p> <p>Subrecipient or Successful Applicant must submit quarterly reports</p> <p>DED conducts regular monitoring reviews</p>	<p>DED and the Subrecipient or Successful Applicant conduct closeout by completing the following:</p> <ul style="list-style-type: none"> • Request Closeout • Final Financial Report • Final Performance Report • Final Wage Compliance Report • Final Product

5 ORGANIZATIONAL STRUCTURE

The State of Nebraska is the recipient of the CDBG-DR grant and DED is responsible for administering grant funds. The Director of DED reports to the Governor.

Daily oversight responsibility of the CDBG-DR grant will be provided by the Deputy Director – Programs and the Director of Disaster Recovery. This team will oversee program operations, budget oversight, and communication with Subrecipients, Successful Applicants, and other units of local government.

DED will oversee local Subrecipients and Successful Applicants . For programs and projects administered directly by DED, the responsibilities of the Subrecipient and Successful Applicant will be taken on by DED.

5.1 STAFFING OVERVIEW

The State of Nebraska is implementing the program with a combination of DED staff, contractor staff, and Subrecipients and Successful Applicants. DED has three (3) principal leaders, overseeing teams for Programs, Operations, and Strategy. The Director of Disaster Recovery, who leads the Disaster Recovery Team, reports to the Deputy Director – Programs.

The Disaster Recovery Team leverages in-house resources and includes personnel who were originally assigned to administer the CDBG Program. While the Disaster Recovery Team will take the lead, other internal teams assist with grants management, policy and planning, financial management, data systems and reporting, compliance and monitoring, communications and outreach, and program operations.

Additional detail is provided regarding the implementation model in a series of organizational charts under sections 5.2.2 and 5.2.3 describing **Administrative Oversight** and the **CDBG-DR Core Team Structure**, respectively. DED may hire additional staff as programs are implemented to support grant and program administration, including timely expenditure. Such determinations will be made based on capacity assessments and need. Similarly, as programs are launched and underway, DED may consider retaining additional contractors as needs are identified.

5.2 STAFFING & TEAM MODEL

DED operates under a team approach, relying on multiple Divisions and/or Teams for carrying out its mission. This operational structure incorporates considerable collaboration between teams to ensure efficiencies and efficacies in the delivery of programs. For example, Field Services

Representatives may be asked to support program staff as it relates to on-site reviews, including project site inspections.³

The Disaster Recovery Team principally works with the Operations, Finance, and Data/Research Teams to administer and implement the CDBG-DR program but also collaborates and coordinates with the Field Services, Housing, and Community Development Team members. While the Disaster Recovery Team is taking the lead, other internal teams are tapped to assist with grants management, policy and planning, financial management, data systems and reporting, compliance and monitoring, communications and outreach, and program operations. This model promotes a good working environment and allows for redundancies in roles and responsibilities to ensure continuity of programs, meeting of goals and objectives, etc.

5.2.1 EXECUTIVE OVERSIGHT

The State of Nebraska core team, led by DED's Director, provides executive overview to all programs that DED manages, including CDBG-DR. The DED Director is an appointee who serves at the direct guidance of the Governor. The Director, or their designee, will:

- Serve as authorized signatory of the legally binding CDBG-DR agreement (i.e., contract) between HUD and the State;
- Authorize major contracts and change orders; and
- Certify financial reporting.

5.2.2 ADMINISTRATIVE OVERSIGHT

Daily oversight responsibility of the CDBG-DR grant will be provided by the Deputy Director – Programs and the Director of Disaster Recovery. With the support of the Deputy Director of Programs, the Director of Disaster Recovery will oversee program operations; budget oversight; and communication with Subrecipients, Successful Applicants, and other units of local government, including announcements of outreach and training or technical assistance opportunities. The Disaster Recovery Team is led by the Director of Disaster Recovery.

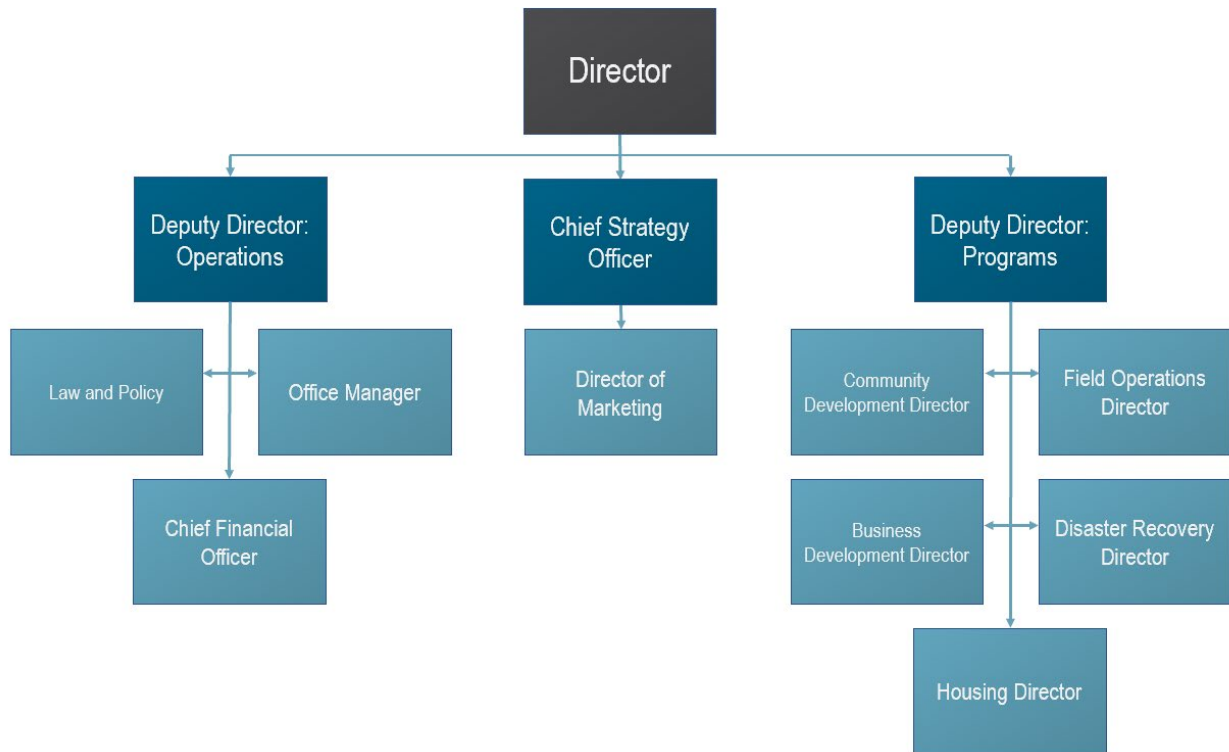
The Deputy Director – Operations will oversee other functions, including compliance and monitoring, financial management, oversight of the HUD line of credit, and management of

³ DED's Field Staff are positioned throughout the state, where their first-hand knowledge of Nebraska's diverse economic climate is matched only by their expertise at building productive partnerships. Field Staff are the "eyes and ears" of the agency, and a resource to assist communities, established business owners, new entrepreneurs and everyday citizens in any aspect of economic development — from support for business expansions, disaster recovery, workforce housing development, and more.

reporting and timely expenditures for CDBG-DR. These functions will be shared between team leads for compliance, finance, and research/data.

The Chief Strategy Officer will oversee the dissemination of public information, including public hearings, announcements of funding opportunity availability, and success stories for CDBG-DR.

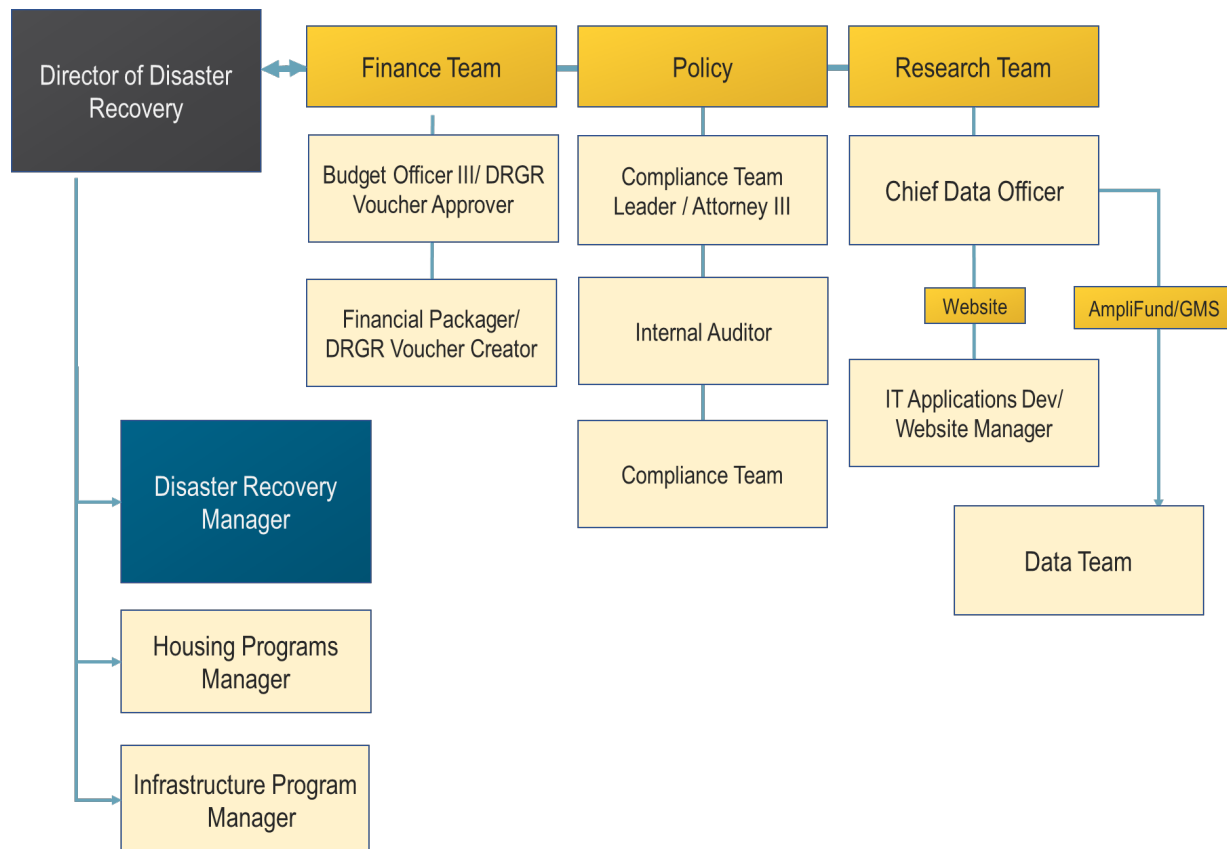
Figure 2: Nebraska's Core Leadership Team Organization Chart



5.2.3 CDBG-DR CORE TEAM STRUCTURE

The Disaster Recovery Team oversees implementation of the CDBG-DR programs, as described in the associated Program Guides and P&Ps. DED staff will oversee local Subrecipients and Successful Applicants, whose specific oversight functions include, but are not limited to, applicant intake and eligibility, construction and contract management, policies and procedures, public information, and reporting. For programs and projects administered directly by DED, the responsibilities of the Subrecipient and Successful Applicant will be taken on by DED. Sections 5.2.3.1, 5.2.3.2, and 5.2.3.3 summarizes how DED staff coordinate within and across teams, as well as with partner agencies.

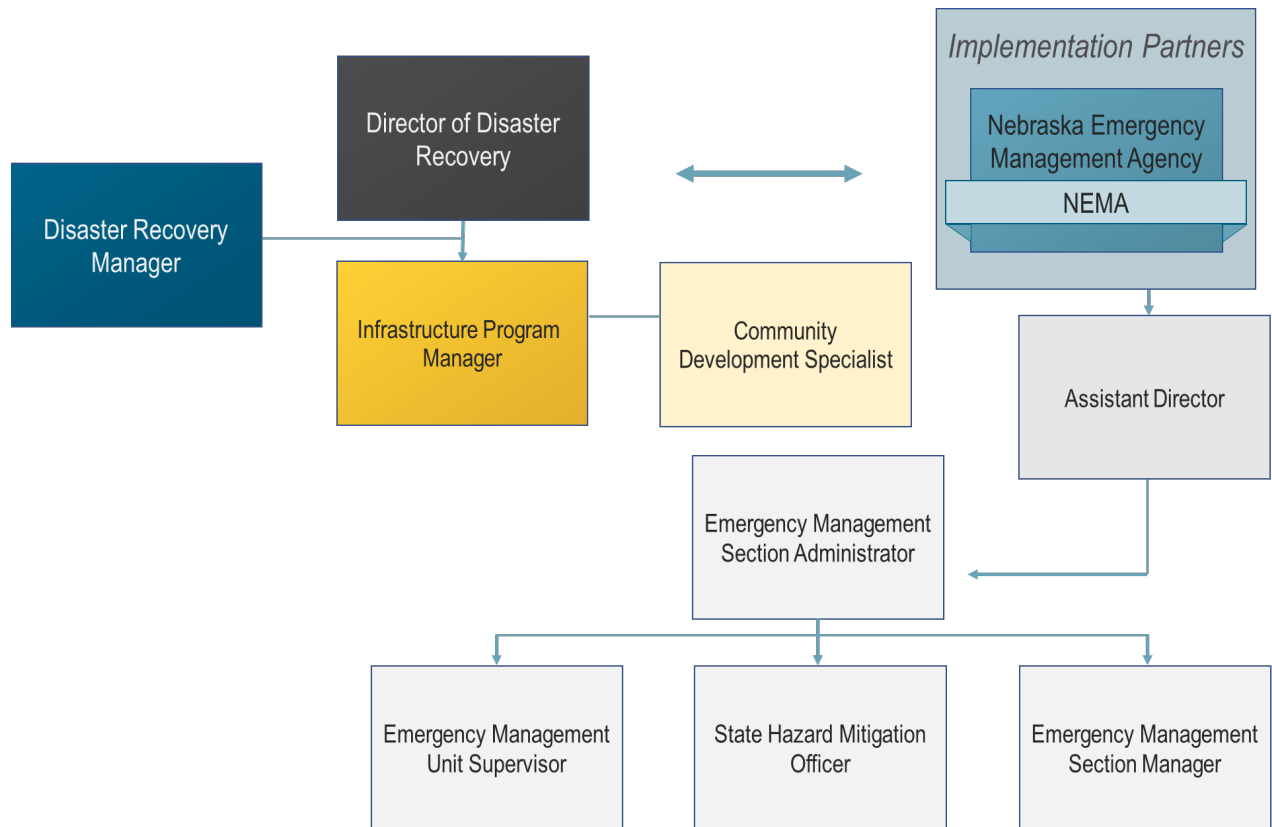
Figure 3: Nebraska's Core Leadership Team Organizational Chart



5.2.3.1 INFRASTRUCTURE MATCH PROGRAM TEAM

This program team shall work with NEMA to manage the Infrastructure Match Program and support Subrecipients with implementation.

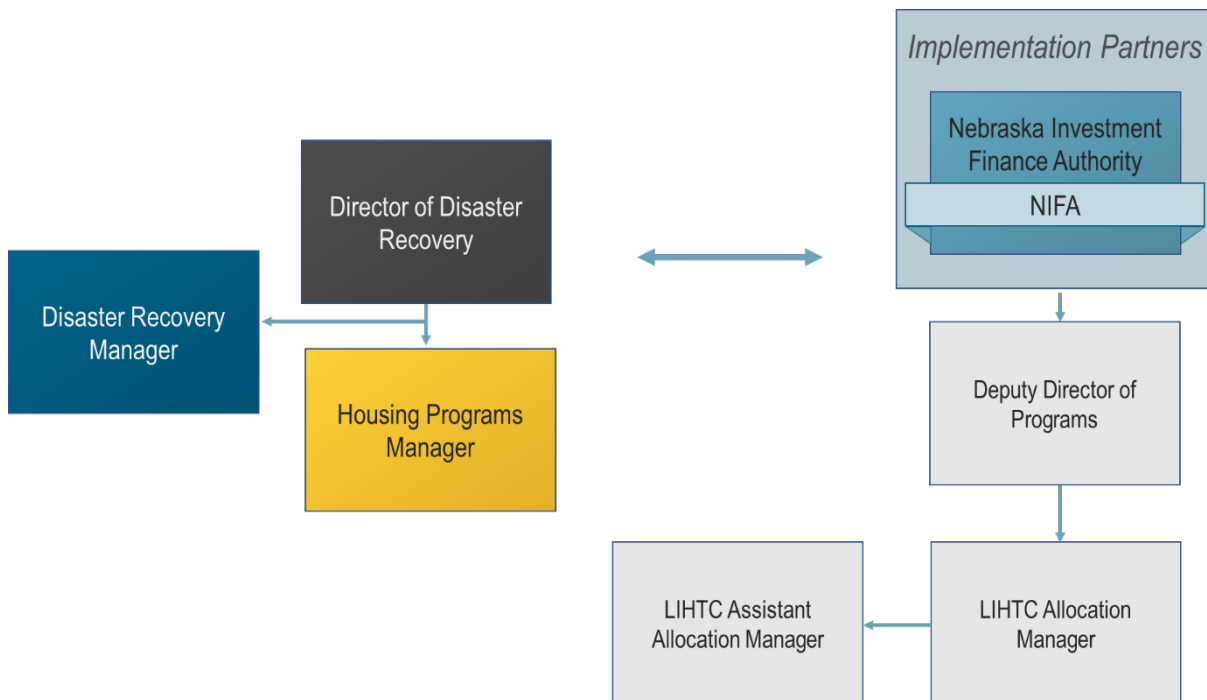
Figure 4: Infrastructure Match Program Team Structure



5.2.3.2 HOUSING PROGRAMS TEAM

This program team shall work with NIFA to deliver Housing Programs to Subrecipients and Successful Applicants.

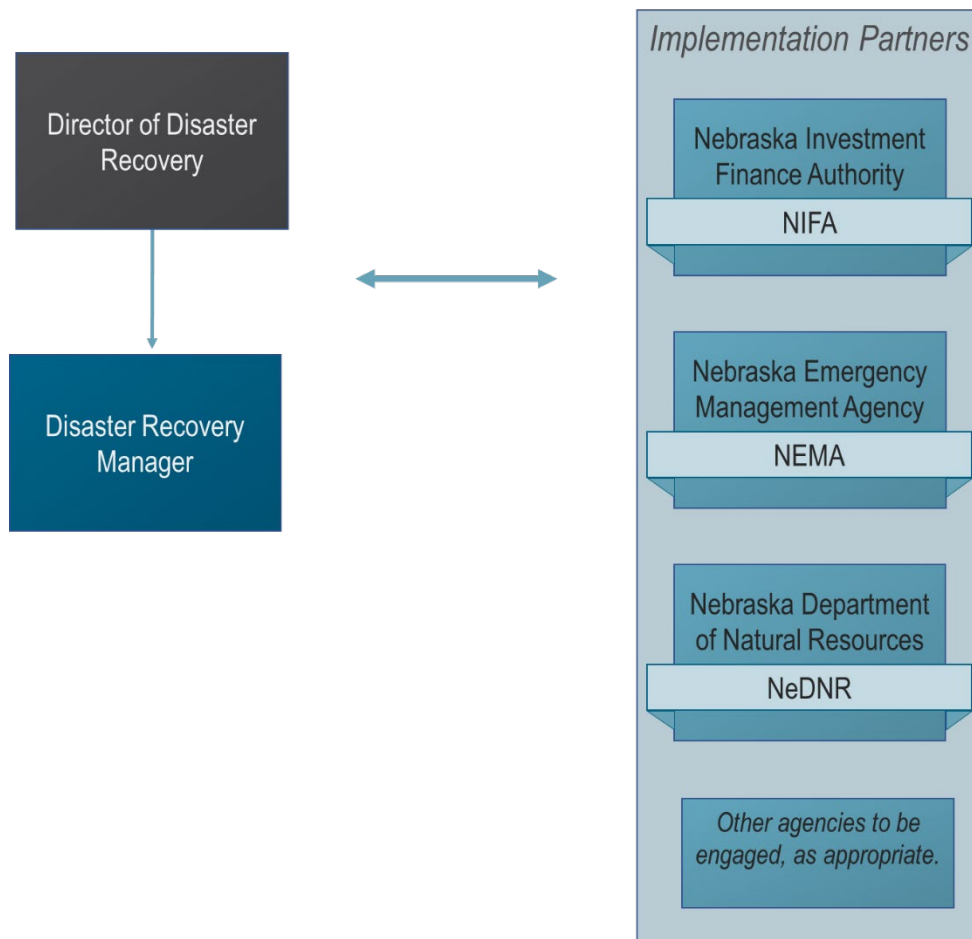
Figure 5: Housing Program Team Structure



5.2.3.3 PLANNING PROGRAMS TEAM

This program team shall work with partner agencies to deliver Planning Programs, including those involving Subrecipients and planning costs associated with the Action Plan and any amendments thereof.

Figure 6: Planning Program Team Structure



6 ROLES AND RESPONSIBILITIES

6.1 GRANTEE (DED)

As Lead Agency, DED is responsible for administration of the CDBG-DR funds. DED must ensure that CDBG-DR funds are expended in compliance with HUD regulations contained in the Federal Register Notice dated January 27, 2020 (85 FR 4681) and at 24 CFR Part 570 and all other applicable Federal Register Notices. These responsibilities include:

- Determining allocations based on Unmet Needs Assessment and has developed the CDBG-DR Action Plan;
- Ensuring that the State complies with its Citizen Participation Plan during the Action Plan development process;
- Submitting the Action Plan and any subsequent Amendments to HUD;
- Submitting all required reports including the Quarterly Performance Report, Semi-Annual Davis Bacon reports, Section 3 Reports, and Program Monitoring Reports;
- Executing Subrecipient Agreements with Subrecipients and funding agreements with Successful Applicants;
- Providing technical assistance to Subrecipients and Successful Applicants of CDBG-DR funds throughout the program lifecycle: Subrecipient and Successful Applicant selection process, program setup, implementation, and closeout;
- Ensuring any capacity gaps in DED or its Subrecipients and Successful Applicants are filled by hiring additional staff, engaging outside consultants, or getting support from government agencies, as needed;
- Completing all Environmental Reviews and acting as the Responsible Entity for HUD Environmental Clearances;
- Setting up activities and budgets in the DRGR system;
- Ensuring all invoices paid in the program align with CDBG-DR rules and regulations, compliance documents are completed, Performance Reports (PRs) are submitted, and budgets are managed;
- Procuring qualification-based contracts and will use this authority to procure relevant support services;

- Executing CDBG-DR draws through the DRGR system;
- Ensuring expenditures do not duplicate benefits of other funding sources;
- Monitoring Subrecipients and Successful Applicants for program compliance with HUD and State requirements;
- Internally monitoring the CDBG-DR funded activities to ensure compliance with HUD regulatory requirements;
- Tracking performance metrics to ensure timely expenditure of funds; and
- Ensuring that the CDBG-DR website is in compliance with HUD requirements.

6.2 PARTNER ORGANIZATIONS

Nebraska DED leads all programs under the CDBG-DR grant. Within DED, the CDBG-DR grant has a single oversight point of contact and program implementation staff are integrated with the annual CDBG Program to ensure, as appropriate and applicable, consistent policies and implementation.

DED will coordinate with other state partners as necessary to gain information, technical assistance, or ensure coordination on program goals.

6.2.1 NEBRASKA EMERGENCY MANAGEMENT AGENCY (NEMA)

The Infrastructure Match Program will be administered in partnership with NEMA, which administers FEMA's Public Assistance (PA) and Hazard Mitigation Grant Program (HMGP) funds.

To support the implementation of the Infrastructure Match Program, DED, with the support of NEMA, will conduct the tasks outlined in the Interagency Agreement between DED and NEMA.

6.2.2 NEBRASKA INVESTMENT FINANCE AUTHORITY (NIFA)

Through the application phase of the Affordable Housing Construction Program conducted in coordination with the NIFA's LIHTC application, DED and NIFA will coordinate to leverage CDBG-DR funds with LIHTC and affordable housing tax credits (AHTC) to increase the supply of affordable rental housing in disaster-impacted areas. CDBG-DR funds will be used as gap funding for LIHTC developments in impacted communities, incentivizing developers to target these communities.

To support the implementation of a portion of the Affordable Housing Construction Program, DED, with the support of NIFA, will conduct the tasks outlined in the Memorandum of Understanding between DED and NIFA.

6.2.3 NEBRASKA DEPARTMENT OF NATURAL RESOURCES (NEDNR)

The Risk Awareness Planning Program will be administered in partnership with NeDNR. As part of this collaboration, NeDNR will assist DED by sharing data related to zoning in floodplains and regularly attending meetings to collaborate on decision making as it relates to the program. To support the implementation of the Risk Awareness Planning Program, DED, with the support of NeDNR, will conduct the tasks outlined in the Interagency Agreement between DED and NeDNR.

6.3 TECHNICAL PROVIDERS

Supplementing staff, DED has retained a technical provider to provide grant implementation and management assistance for the award. The technical provider will be responsible for assisting with the program design, pre-application and application process, project development, bidding and pre-construction, construction, review invoices and bidding processes by Subrecipients and Successful Applicants, managing budget reports and other supportive financial management duties as assigned, and closeout associated with programs. The Director of Disaster Recovery provides administrative oversight of the technical provider for the activities conducted pursuant to the agreement and makes final determinations and approvals of any documents or materials.

6.4 SUBRECIPIENTS AND SUCCESSFUL APPLICANTS

Subrecipients and Successful Applicants will implement the planning, housing and infrastructure programs, as appropriate, with oversight and technical assistance from DED and other partner agencies. DED will be in regular communication with Subrecipients and Successful Applicants to ensure program implementation and ensure projects done by different Subrecipients and Successful Applicants do not conflict with each other.

Subrecipient and Successful Applicant responsibilities include:⁴

- Implementing program operations including:
 - Application Intake;
 - Eligibility review, including DOB test;
 - Ensuring beneficiaries are always aware of their project status;
 - All requirements described in the SRA or Funding Agreement;
 - Project management;
 - Financial management (i.e., contractor invoicing); and
 - Project closeout.
- Coordinating with DED for review of program expenditures and reporting to HUD in DRGR;
- Coordinating with DED for reporting in FSRS, as applicable;
- Coordinating with DED finance for payment and DED for reimbursement through draws working through the AmpliFund grant management system;
- Managing detailed program implementation budgets, including ADCs and Project Costs;
- Reviewing all procurement for HUD regulatory requirements, as applicable, subject to verification by DED;
- Leveraging existing purchasing processes and ensure purchasing follows CDBG-DR purchasing procedures; and
- Coordinating with DED to prepare for any HUD and OIG monitoring or audits.

Under the annual CDBG program, Subrecipients are required to hire or employ a Nebraska CDBG Certified Administrator (CA) to oversee projects and ensure the project and parties involved are in good standing. See also 7.2, ***Technical Assistance for Subrecipients and Successful Applicants***.

⁴ Subrecipient and Successful Applicant expectations and responsibilities are further detailed in each of the Program Guides and P&Ps.

7 TRAINING AND TECHNICAL ASSISTANCE

DED's CDBG-DR program is led by veteran CDBG staff. Following the 2019 floods, DED established a new Disaster Recovery Team with existing staff taking on leadership roles and began creating new positions to fill out duties. In addition, DED has procured a technical provider for assistance in the implementation phase of the grant (see section 6.3, **Technical Providers**). Prior to the 2019 allocation, Nebraska did not have an active CDBG-DR program, so such assistance shall help ensure other staff working on the program and Subrecipients and Successful Applicants are onboarded efficiently. Updates to the technical assistance plan will occur as the program's policies and procedures change, needs are identified by management and staff, and feedback from project staff.

7.1 TECHNICAL ASSISTANCE FOR GRANTEE/DED STAFF

DED will provide technical assistance for personnel. The technical assistance will be presented using a combination of presentations, job shadowing, training guides (i.e., job aides), and web-based tools. Following the first week of employment, technical assistance will occur in ongoing staff trainings and meetings.

The technical assistance topics will include, but are not limited to, the following:

- **HUD and CDBG Overview** – This training will provide a high-level overview of HUD, the CDBG State Program, and the CDBG-DR program. In addition, the training will include information on the State of Nebraska's existing State CDBG Program and its relationship to Nebraska's CDBG-DR Program..
- **CDBG-DR Program Overview** – This topic will include the history of CDBG-DR and the purpose of CDBG-DR programs. Personnel will receive the most current information on the CDBG-DR program in Nebraska (e.g., funding levels, CDBG-DR programs, etc.). Specific discussion topics within the overview will include the CDBG-DR Organization Chart, CDBG-DR Core Team Structure, CDBG-DR website, and Program's Workflow Process(es), including the GMS and other data management and recordkeeping tools, software, etc.
- **CDBG-DR Laws, Regulations, and Federal Register Notices** – An overview of the laws, regulations, and federal register notices applicable to the State's CDBG-DR program are presented to staff. The specific content for this training topic will reference HUD resources located at: <https://www.hudexchange.info/cdbg-dr/cdbg-dr-laws-regulations-and-federal-register-notice/>.

- **State of Nebraska Action Plan, as amended** – A copy of the plan and/or directions on how to obtain a copy of the plan from the website is given to new personnel. The content of the plan will be presented throughout the training in other sections (e.g., CDBG-DR Program Overview and CDBG-DR Laws, Regulations, and Federal Register Notices, etc.). Any amendments to the Action Plan will be communicated to all staff and integrated into the ongoing personnel training.
- **DRGR** – This will include a high-level overview of HUD’s DRGR system. Individuals assigned to contribute to the completion of reports in DRGR will receive a separate training through the HUD Exchange and other resources. HUD hosts a variety of resources, including videos and user guides at: <https://www.hudexchange.info/programs/drgr/>.
- **Duplication of Benefits (DOB)** – This will include training on identifying sources of funding that can be considered as duplicative of the CDBG-DR funds. Training includes steps to verify assistance and how to calculate awards factoring in DOB. HUD has provided specific guidelines on the calculation of DOB and Income Limits. Technical assistance training will be provided on the calculation of DOB based on applicable federal and program requirements.
- **Case Management** – Direct aid to individual homeowners by DED is not expected to be part of this grant. If Subrecipients have individual homeowner applicants, they will manage direct communication with applicants, and DED will assign a representative to each Subrecipient. Additional training and resources will be provided to staff assigned to this specific job function.
- **Environmental Compliance** – DED will manage review of projects so that all necessary environmental reviews are completed and aid Subrecipients and Successful Applicants with following applicable rules and regulations. This will include an overview of the process associated with HEROS.
- **Section 3 and Fair Housing and Equal Opportunity (FHEO) Compliance** – DED will leverage existing CDBG staff and may engage outside consultants to ensure Subrecipients receive all applicable training, encourage use of HUD’s Section 3 Business Registry, and promptly file all required reporting documents.

Where possible, DED will direct staff to training materials made available by HUD for topics related to cross-cutting requirements.

7.2 TECHNICAL ASSISTANCE FOR SUBRECIPIENTS AND SUCCESSFUL APPLICANTS

DED will provide ongoing training and technical assistance to Subrecipients and Successful Applicants to effectively administer and manage CDBG-DR funds throughout the program lifecycle. Initially, DED will leverage their HUD-assigned TA provider for assisting in TA delivery to program applicants and Subrecipients and Successful Applicants (i.e., “train the trainer”). Updates to the technical assistance plan will occur as the program’s policies and procedures change, management and staff identify needs, and project staff offer feedback.

The technical assistance topics are likely to mirror those listed above for DED staff and be tailored for the subrecipient and successful applicant role, respectively . Topics will include, but are not limited to, the following:

- **HUD and CDBG Overview** – DED will present the CDBG program overview, with general information regarding how the program works and its relationship to HUD.
- **CDBG-DR Program Overview** – DED will present the different programs made available through CDBG-DR funds, to include general material introducing CDBG-DR and its requirements.
- **CDBG-DR Laws, Regulations, and Federal Register Notices** – DED will direct Subrecipients and Successful Applicants to statutory requirements as reflected in laws, regulations, and Federal Register Notices. DED may also provide training specifically describing these different requirements and how the inform program implementation.
- **State of Nebraska Action Plan, as amended** – DED will direct Subrecipients and Successful Applicants to the State’s Action Plan to review the overall structure of the CDBG-DR program and its requirements. DED may also provide training specifically describing the Action Plan and how it can be used to inform the public about the program.
- **DRGR** – This topic will be focused on how Subrecipients and Successful Applicants submit progress reports to DED in relation to how DED, as grantee, reports to HUD.
- **Duplication of Benefits (DOB)** – This topic will be focused on describing what a duplicative benefit looks like, why it is a priority to prevent DOB, how Subrecipients and Successful Applicants should support DOB checks, and what those checks entail.
- **Case Management** – If Subrecipients have individual homeowner applicants, they will manage direct communication with applicants, and DED will assign a representative to each Subrecipient.

- **Environmental Compliance** – DED will manage review of projects so that all necessary environmental reviews are completed and aid Subrecipients and Successful Applicants with following applicable rules and regulations.
- **Section 3 and Fair Housing and Equal Opportunity (FHEO) Compliance** – This topic will be focused on describing Section 3 and FHEO compliance requirements, as well as what Subrecipients and Successful Applicants need to do to meet such requirements.

DED will identify additional training focuses based on emerging challenges and needs identified during the rollout of programs. Where possible, DED will direct Subrecipients and Successful Applicants to training materials made available by HUD for topics related to cross-cutting requirements. The full scope of training materials – both for DED-generated training and links to HUD materials – will be made available via the DED website.

Subrecipients and Successful Applicants will be encouraged to participate in DED's CDBG Certified Administrator (CA) program. Under the annual CDBG program, Subrecipients are required to hire and/or employ a CA to oversee projects and ensure the project and parties involved are in good standing. To become certified, individuals must complete a multi-day course led by veteran DED staff with extensive knowledge and experience with cross-cutting federal requirements and CDBG regulations and pass a written exam. Certification by DED is based upon the premise that the person who will be assisting the municipality in meeting CDBG requirements must have a high level of proficiency in all areas of CDBG project management.

DED will strongly encourage CDBG-DR Subrecipients and Successful Applicants to utilize CAs (or equivalent). Furthermore, DED will supply Subrecipients and Successful Applicants with access to and be notified of any CDBG training opportunities relating to any CDBG-DR program requirements. CAs are often employees of units of local government; consultants or staff at consulting firms, including planning and engineering firms; or similar. A significant number of CAs are employed by Economic Development Districts (EDDs), and others are often employed by private consulting firms; both of which routinely assist communities in carrying out CDBG projects or other projects involving federal resources.

Across the state, EDDs serve local communities under the CDBG program by providing business, community, and economic development services. EDDs' extensive experience with CDBG and cross-cutting requirements allows communities to effectively manage their CDBG awards. Because of their regional nature, communities often benefit in partnering with an EDD not only due to their familiarity of CDBG but also the unique conditions of the community. Within the three (3) counties to receive a minimum of 80% of the CDBG-DR allocation, Sarpy, Dodge, and Douglas, there are units of local government and EDDs that could serve as Subrecipients or as support to Subrecipients and Successful Applicants to administer programs or projects under the grant.

Furthermore, Sarpy County contains the entitlement community of Bellevue, which – as described in the Unmet Needs Assessment – suffered extensive damages as a result of the flooding event. DED has a good working relationship with city staff as they became an entitlement community in 2011; current DED staff participated in that transition and the city’s staff have participated in DED’s CDBG Certification program as a learning opportunity.

8 PROGRAM POLICIES AND PROCEDURES

The following policies and procedures (P&Ps) are used to guide program processes and ensure a clear understanding and compliance with State and Federal regulations and requirements. Items indicated in “1.0 Program Management Policies” indicate policies that are cross-cutting to all programs and activities. Specific requirements relating to each program are provided in the applicable Program Guide. Standard operating procedures and checklists maintained internally by DED to support program operations in compliance with the below P&Ps.

Document Type	#	Document	Description
1.0 Program Management Policies	1.01	Program Management Guide	Serves as an overarching framework for the CDBG-DR Program, which includes a description of the overall program, its organizational structure, roles and responsibilities of all organizations involved, training and technical assistance, and identifies all guides, policies, and procedures that are built out to execute the program.
	1.02	Monitoring and Compliance	Provides guidance for assessing State and Subrecipient/Successful Applicant compliance with State and Federal rules and regulations to ensure compliant use of CDBG-DR funds.
	1.03	Anti-Fraud, Waste, and Abuse	Defines the policies and procedures for preventing, detecting, reporting and rectifying fraud, waste, and abuse.
	1.04	Davis-Bacon	Provides an overview of the Davis-Bacon Act and Related Acts (DBRA) and describes steps the State of Nebraska will need to take to ensure compliance with DBRA by the State,

			Subrecipients and Successful Applicants.
1.05	Section 3		Provides an overview of Section 3 and describes steps the State of Nebraska will need to take to ensure that economic opportunities, most importantly employment, generated by certain HUD financial assistance be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which the Federal assistance is spent.
1.06	National Environmental Policy Act		Provides an overview of the National Environmental Policy Act (NEPA) and describes steps the State of Nebraska will need to take to ensure compliance with NEPA by the State, Subrecipients and Successful Applicants, and other Responsible Entities (REs).
1.07	One-for-One Replacement Housing Relocation and Real Property Acquisition Requirements		Provides an overview of the One-for-One Replacement Housing Relocation and Real Property Acquisition Requirements and describes steps the State of Nebraska will need to take to minimize displacement and ensure compliance with applicable federal relocation requirements when displacement occurs in the context of infrastructure and housing projects assisted with CDBG-DR funds by the State, Subrecipients and Successful Applicants.
1.08	Recordkeeping and Data Management		Addresses responsibilities regarding recordkeeping and data management for all programs funded by CDBG-DR to ensure transparency, accountability, and compliance for data collection across the CDBG-DR Program and set clear expectations for federal, state, and local stakeholders on what

			information will be gathered throughout the lifecycle of program activities.
	1.09	Duplication of Benefits	Provides an overview of DOB and describes steps the State of Nebraska will need to take to ensure compliance with DOB by the State, Subrecipients and Successful Applicants.
	1.10	Affirmatively Furthering Fair Housing	Provides an overview of Affirmatively Furthering Fair Housing (AFFH) and describes steps the State of Nebraska will need to take to ensure compliance with AFFH by the State, Subrecipients and Successful Applicants.
2.0 Financial Processes	2.1	Financial Management	Describes DED's system for managing finances and identifies processes DED will follow in conducting financial management for the CDBG-DR programs.
	2.2	Audit	Describes the responsibilities related to the CDBG-DR auditing process and outlines the steps and requirements related to a successful auditing process.
	2.3	Procurement	Guides the procurement of supplies, equipment, construction services and professional services for DED's implementation of programs using CDBG-DR funds.
3.0 Subrecipient Outreach and Technical Assistance	<p>To be developed. See Project Toolbox on the Nebraska DED website:</p> <ul style="list-style-type: none"> • Infrastructure: https://opportunity.nebraska.gov/program/cdbg_dr/#infrastructure-guidelines-toolbox • Affordable Housing Construction: https://opportunity.nebraska.gov/program/cdbg_dr/#housing-construction • Homeowner Assistance: https://opportunity.nebraska.gov/program/cdbg_dr/#homeowner-assistance 		

		<ul style="list-style-type: none"> • Housing Resiliency Planning: https://opportunity.nebraska.gov/program/cdbq_dr/#housing-resiliency-planning • Risk Awareness Planning: https://opportunity.nebraska.gov/program/cdbq_dr/#risk-awareness-planning • Technical Assistance Guides: (To be developed) 	
4.0 Infrastructure Match Program Policies	4.1	Infrastructure Match Program Guide	Describes the purpose of the Infrastructure Match Program, as well as the processes that DED will use to administer the program.
	4.2	Infrastructure Match Environmental Review Guide	Describes the environmental review process that DED will need to follow when implementing the Infrastructure Match Program.
5.0 Affordable Housing Construction Program Policies	5.1	Affordable Housing Construction Program Guide (LIHTC)	Describes the purpose of the Affordable Housing Construction Program, as well as the processes that DED will use to administer the program.
	5.2	Affordable Housing Construction Program Guide (DED-only/Non-LIHTC MF Rental Production)	
	5.3	Affordable Housing Construction Program Guide (SF Production)	
6.0 Homeowner Assistance Program	6.1	Homeowner Assistance Program Guide	Describes the purpose of the Homeowner Assistance Program, as well as the processes that DED will use to administer the program.
7.0 Risk Awareness Planning Program	7.1	Risk Awareness Planning Program Guide	Describes the purpose of the Risk Awareness Planning Program, as well as the processes that DED will use to administer the program. This program does not involve Subrecipients.

8.0 Housing Resilience Planning Program	8.1	Housing Resilience Planning Program Guide	Describes the purpose of the Housing Resilience Planning Program, as well as the processes that DED will use to administer the program.
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9 PROGRAM CHANGES & REVISIONS

As the CDBG-DR Program continues to evolve in response to emerging needs in Nebraska communities, DED regularly reviews and updates associated program documentation in order to reflect operational structures that are the most appropriate for effective program implementation. Document maintenance is ongoing and carried out as needed for the full life of the Program. If there are changes to program operations, DED completes updates to P&Ps, Program Guides, and the Action Plan accordingly.

9.1 ACTION PLAN AMENDMENTS

DED may need to update the Action Plan, due to any of the following reasons:

- Unmet needs of its communities have changed;
- DED’s recovery priorities have shifted;
- DED gathers new information as a result of citizen participation process.

DED may therefore choose to update its Action Plan in order to either recalibrate existing programs or develop new programs or projects. DED will be responsible for amending the Action Plan to most effectively use the CDBG-DR funds. Amendments to the Action Plan can take one of two forms:

- **Non-substantial:** This type of amendment requires HUD acknowledgement but no approval or citizen participation requirements. This tends to be “clean up” changes or revisions to the process that do **not** constitute a substantial amendment (as defined below).
 - **Example 1:** Corrections to typos.
 - **Example 2:** Re-allocation of less than \$5 million.
 - **Example 3:** Change in program management processes while maintaining existing programmatic structures and defined activities within the Action Plan.

- **Substantial:** This type of amendment involves a similar process to Initial Action Plan approval.
 - HUD approval is required for the amendment to be effective and before it can be implemented.
 - DED must follow citizen participation requirements.
 - HUD will review the amendment using the Substantial Amendment checklist, which consists of activity-level, appropriation-specific, and overall Action Plan Budget questions.

Modifications that trigger a **substantial amendment** include:

- Change in program benefit or eligibility criteria;
- Allocation or re-allocation of more than \$5 million;
- Addition or deletion of an activity; or
- Any other criteria as established by DED in its Action Plan.

Substantial amendments must be managed through the prescribed process described within the **Citizen Participation Plan**.

9.1.1 SUBSTANTIAL AMENDMENT PROCEDURE

If the DED elects to complete a substantial amendment to the public-facing Action Plan, the following steps will be taken:

1. Develop a 'redlined' version of the Action Plan with the amendment incorporated.
2. Develop a memo (e.g., Summary of Changes) describing the amendment.
3. Hold a thirty (30) day public comment period to provide an opportunity for community members and stakeholders to respond to the amendment.
 - a. Conduct a public hearing and associated outreach to support the comment period.
4. After the public comment period is complete, submit a 'clean' version of the Action Plan to HUD for review. Include an accompanying memo that describes the justification for the amendment and public comment period, including the Record of Public Comment (i.e., a summary of public comments received and DED's responses thereof).

5. Create and post to the DED website and updated version of the Summary of Changes to reflect the Record of Public Comment.
6. Receive HUD approval of the Action Plan amendment prior to proceeding with steps 7 and further.
7. Update the 'clean' version submitted to HUD for the version number on the Title Page and complete the Record of Changes for the version number and HUD approval date.
8. Post on the DED website, the updated 'clean' Action Plan with the amended changes
 - a. Retain the 'redlined' version and notification memo for recordkeeping purposes.
 - b. Direct any website users to the most recent version of the draft.
9. Send a notice to the CDBG-DR mailing list noting the amended Action Plan and where it can be accessed.

If DED elects to complete a substantial amendment to the DRGR Action Plan, the following steps will be taken:

1. Submit the revised DRGR Action Plan to its HUD Grant Manager or as otherwise directed.
2. Receive HUD Grant Manager's approval of the DRGR Action Plan amendment prior to proceeding with steps 3 and further.
3. Submit changes to the DRGR Action Plan in DRGR, per the process defined in the DRGR Manual.
4. Post the amended DRGR Action Plan to the DED website.

9.2 OTHER PROGRAM DOCUMENTATION

DED maintains the above described Program Guides and P&Ps to guide program implementation. All principal documents include a Record of Changes section to outline changes to the documents over time.

Unless a revision to the Program requires a substantial amendment, revisions to Program Guides and P&Ps will be completed and authorized internally at DED. As appropriate, any associated partner agencies will be provided an opportunity to comment on revisions to Program Guides.

Cross-cutting P&Ps and Program Guides will be monitored and updated at the discretion of DED and will be made available to the public via the CDBG-DR website.