

# Meeting Notes

## NEBRASKA CDBG-DR FOCUS GROUP 1 INFRASTRUCTURE MATCH PROGRAM

January 20, 1:00 p.m. – 2:30 p.m. CT

<b>Purpose of Meeting</b>	The purpose of this meeting was to provide an overview of the Infrastructure Match Program, describe eligibility requirements, review the selection process, and elicit feedback. The outcomes from this session will inform upcoming stages of the Infrastructure Match Program’s implementation and design.
<b>Facilitators</b>	<b>DED:</b> Aaron Rozanski, Jenny B. Mason, Mackenzie Martin Waldron <b>Hagerty:</b> Laura Munafò
<b>Participants</b>	Names and organizations omitted for privacy.

Questions and answers have been edited for clarity.

## Q&A NOTES: BREAKOUT SESSION 1

The following table presents questions asked by participants during the first breakout session. Questions and answers have been edited for clarity.

Question	Answer
Is it better to have a completed project or non-completed project?	In some respects, yes. Projects completed by July 7, 2021, have certain federal requirements that won’t be triggered. Completed vs. Non-Completed is one marker being utilized for how DED is evaluating projects. Typically, Davis Bacon and Labor Rates apply for HUD funded projects. DED is actively working with HUD to clarify and see if the projects completed prior to July 7, 2021 are subject to Davis Bacon. For projects that are ongoing, it is imperative to incorporate the requirements on contractor side. The cross-cutting requirements are required for the post-execution agreement. Please reach out for projects that are just now getting started, so you can be informed of the requirements.

<b>Question</b>	<b>Answer</b>
Can you talk more about the project size and if that's important?	The project size is not a big concern. It's just a DED and NEMA consideration. It is one means to evaluate the level of effort for the project. It doesn't impact the match. For example, the administrative burden may be such that a "small" project wouldn't elect to undertake the necessary additional compliance and recordkeeping considerations.
Is it assumed an already approved HMGP or PA project automatically qualifies for the DR funding?	It is not an automatic approval, unfortunately. There are additional layers (i.e., federal cross-cutting requirements) of the DR funding, but it opens the door, and there will be opportunities to meet with communities to complete the process. HUD has a service area for each project and that will need to fit into the National HUD programming objectives. FEMA and HUD requirements align excepting where they do not.
For communities who do not have a project because they did not have the initial match amount, will they ever be eligible?	They would likely be restricted for this particular program because of the HMGP-, or PA- approved project stipulation. If there are additional needs, it is important to highlight them so they may be addressed with other funding or resources, inclusive of DR resources not currently available for this purpose. At this time, we cannot promise, that DR resources will be available for these types of non-Match projects however.
Do projects have to fit within their initial scope of the project (i.e., points of failure were found during project work, and it was adjusted to avoid failure), does that still make an Applicant eligible?	It will be based on the FEMA Project Worksheet and what was noted in the original scope.
What if funds are unused?	We will look to reallocate the dollars within the Match program or elsewhere.

## Q&A NOTES: BREAKOUT SESSION 2

The following table presents questions asked by participants during the second breakout sessions. Questions and answers have been edited for clarity.

Question	Answer
<p>How will DED choose Subrecipients? How will you choose who will be allowed to apply to the program?</p>	<p>To become a Subrecipient, an applicant must be eligible to receive federal dollars. If you have already received federal dollars, you are eligible. Although, there is a paperwork process, and the entity must be available to receive the funds. DED will look at whether projects have been completed or not. DED will then tier them and see which ones fall within a HUD MID area or LMI (see Tiering Criteria as described in the Action Plan). DED anticipates sending an NOI and Pre-Application to those that have completed projects, then open projects, and evaluate project scope of work to make sure it's CDBG-DR eligible. In the detailed project vetting phase, DED will review project location, service area, and whether the project is benefiting an LMI population. There are a lot of considerations. NOI is the process of reaching out to Applicants to gather additional information and figure out the service area (i.e., where the project is being implemented and who it serves). DED plans to have a webinar training for Applicants on the NOI and Pre-Application process.</p>
<p>Working with NEMA, are we asked to go through the application processes as entities since the approvals are already on file?</p>	<p>Yes and no. While you've completed the FEMA/NEMA application process. That information and what is required to use DR for the "non-federal share"/match, do not fully align. There are additional requirements outside of NEMA which need to be completed to meet compliance with HUD and DED.</p>
<p>Most of the FEMA PA projects at the County are closed out, and not ongoing. Will already completed projects be recommended by NEMA/DED?</p>	<p>DED is working together with NEMA to facilitate implementation of the Match program, we are also working with local governments and organizations to gather and cultivate the information and resources needed to move forward. Projects that are already completed will be given consideration.</p>

## Q&A NOTES: BREAKOUT SESSION 3

The following table presents questions asked by participants during the third breakout session. Questions and answers have been edited for clarity.

Question	Answer
What are the criteria for LMI? \$80K?	LMI is a National Objective. Match projects will likely meet this on an Area Basis. So, over 51% of the households must be low- to- moderate income in the service area. DED will look at census block groups and overlay census block group with income and the service area. DED will publish further detail to facilitate understanding of what LMI means and its relationship to the Match program.
Is there anything communities can do after a project has been started to ensure or implement compliance (e.g., Davis-Bacon, Section 3)?	That would need to be analyzed on a project-by-project basis. The first step is to begin to collect the appropriate information, which is obtained from contractors, vendors, and partners.

## Q&A NOTES: BREAKOUT SESSION 4

The following table presents questions asked by participants during the fourth breakout session. Questions and answers have been edited for clarity.

Question	Answer
There won't be new PA or HMGP projects, correct?	Correct. PA and HMGP projects have already been obligated by FEMA. There will be no new infrastructure projects supported by the Match program unless FEMA approves additional project worksheets, which would require a reopening of those applications. DED is not aware of any such possibility at this time. The Match program is only available for projects having an approved Project Worksheet.
What was the cutoff date?	FEMA has already identified the projects. The question may be referring to the July 7, 2021, date. This date referred to cross-cutting requirements. DED is currently in discussion with HUD regarding DBRA requirements as there is precedence for these projects being treated differently. Projects completed prior to the execution of DED's grant agreement with HUD (July 7, 2021) will potentially not be subject to certain requirements (e.g., wage rates). Projects completed after that date will be subject to these federal cross-cutting requirements. We've identified those projects having been completed as of July 7. Again, FEMA and HUD have different requirements.