NDRC NOFA Specific Q and A: Review Completeness Requirements
Webinar Transcript
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Duncan Yetman: Good afternoon. And welcome to the National Disaster Resilience Competition final webinar in our series, perhaps. It's our Q and A session to review completeness requirements and joining us today is myself, Duncan Yetman. I'm the CPD Specialist in the Office of Block Grant Assistance here at HUD. And also, Jessie Handforth Kome, the Deputy Director of the Office of Block Grant Assistance here at HUD.

Jessie Handforth Kome: Hi there.

Duncan Yetman: And Diane Schmutzler, also on our logistics team in the (sic) Office of Block Grant Assistance (*ed. note*, Office of Special Needs Assistance Programs) is also with us in the room.

Today's agenda is fairly simple. We're going to overview the exhibits and attachments in your Phase 2 application, and we will review the BCA and other NDRC resources at the end and then, of course, take your questions.

So without further ado, I'll hand the presentation over to Jessie.

Jessie Handforth Kome: Thanks Duncan. Just a sec, I'm grabbing the phone so I don't have to raise my voice. Well, hello, everybody. I saw a lot of you this past week at the final Rockefeller Resilience Academy, the Funder Summit. And I've been reading, as we see everybody start to go out for public comment, we've been checking to make sure you're doing your citizen participation and I've been reading a lot of the material. And so far, I love all of it. You guys should really be proud of the work that you've done. And it's just amazing seeing how much effort and thought has gone into all the proposals and the work you're doing. Thank you very much.

So today, we're going to talk about something completely bureaucratic, and that is exactly the content and form of your application. If you want to follow along with this thrilling adventure, it's section IV B, Content and Form of Application Submission found on pages 20 to 24 of the NOFA. And if you've read the NOFA, you also know that here and there scattered throughout the NOFA – and we'll try to talk to you about where – we have references to bits and pieces that can get attached to various things like, you know, where to put your sources and uses statement, things like that.

So if you take a look at the next slide, we have the list of all of the – what a complete application - what the pieces of the complete application are going to look like, and this is from Appendix J. The items 2 through 8 are going to count against your 75-page limit. There's one thing I want to note here is, of course, this is more forms, more files than Grants.gov will let you submit. So, if you have to combine a couple of exhibits or attachments into one file, just make sure that in your Crosswalk Checklist, which we put from Attachment H, it's actually a table of contents. You tell us the file name and tell us what you did so we can find everything. We want you to get credit for everything.

Everybody seems to have figured this out pretty well with no problem in Phase 1, and you've all been through this once so I'm not that worried about it. But as just a quick caveat, I think that a few applicants in Phase 1 had trouble with more than 16 attachments.

So, we're going to walk you through and talk about where things can be combined but this is sort of, you know, another place to get a master list. But of course, if anything we say conflicts with the NOFA, the NOFA wins. It always prevails.

Okay, next slide. So Appendix J still – does it still say CDBG-RDR?

Duncan Yetman: It does.

Jessie Handforth Kome: That was the original name. It was going to be Resilient Disaster Recovery instead of just National Disaster Recovery. Oh, well.

So use that as the table of contents and it will also serve as your completeness checklist to help you make sure the application is complete. We use the document. We actually do use the document during review to find all your required responses. So give us exhibit or attachment titles and page numbers so we can find everything. It is a very handy cheat sheet for us and it can serve as a completeness check for you.

Okay, jump forward to Exhibit A, your Executive Summary. It only has a suggested three pages but what we're looking for is for you to summarize your application briefly and specifically. For those of you who went to the Funders Summit, that's a little longer than your elevator speech but not a whole heck of a lot. If you are using a cloud storage service such as Dropbox, Google Docs for optional maps, drawings, renderings, and graphical representations, you can put the link here. Some of you gave us your password here, as well, and some of you emailed the password to ResilientFuture@HUD.gov and some of you emailed the password to ResilientRecovery@HUD.gov. The NOFA asks you to send it to ResilientFuture@HUD.gov but we'll watch all those channels and then collect all the passwords and it is actually – the password is something we can actually contact you for after the fact if we can't make the link work without it. But it's really helpful if you have the password right out of the gate so we can get to all your files, your optional files. And some of you used the same cloud storage service when you did MID-URN and we want you to make sure you put a link on your MID-URN summary form or checklist form but you can also put it on your executive summary if you'd like, if it's all in the same place and it's just different folders.

Those were incredibly helpful. We did use all those materials. And if you are going to use a secure FTP site – a few of you used secure FTP sites for cloud storage – and you had to verify that I existed, your security people actually did a verification on me, you might want to start that now and make sure that I can get in, or that ResilientRecovery@HUD.gov can get in, depending on which mailbox you want to use. Just for those of you who have, you know, really, really, really bulldog security – bulldog IT staff.

Okay, jump forward. Exhibit B, the Threshold Requirements. Make sure you hit every point on the Crosswalk Checklist and address all of the threshold requirements on pages 17 and 19 of the NOFA for every project or program proposal that you submit. Some of these are for you as entities in an applicant and some of them are for each project or program.

If an application doesn't meet the threshold requirement, we're not going to consider the application eligible for funding and we're not going to rate and rank it. So as long as you get at least one project and one MID-URN area through, we will consider the application. But you know, you want to get them all through, right? So you need to do this homework.

Now, we're going to walk you through a little bit on the threshold requirement. As ever with this NOFA, we are telling you where we want all of this. But if your Exhibit B says, "We're dealing with this particular threshold over there in Exhibit D," tell us the page number, we'll go look it up there. We're not insisting – we don't want you to repeat yourself. You only get 75 pages so you don't need to keep repeating yourself during the NOFA. Just make sure that in the threshold requirements –because there'll be a group doing completeness checks – they know where to look to find it if you don't put it in the threshold requirements in Exhibit B.

So General Section, there are required responses for the general section. You need to provide all the required responses. For eligible applicants, just tells us who's submitting the application and it better be one of the 40 invited applicants. But it does not have to be the same agency, you know, if you're a State government or a local government. It doesn't have to be the same agency that submitted before, it has to be somebody who represents the jurisdiction.

And yes, we actually did have some question about who was representing the jurisdiction the first time. You know who I'm talking to on this. We don't want that to happen again. Make sure it's really clear that you represent your jurisdiction.

Eligible County. We want to know the area primarily benefitting from the proposed funding or areas. Must be in, or a county listed in, the NOFA Appendix B. Provide the county name or parish name or we have something in lieu of counties in the territories, I think.

So for Most Impacted and Distressed Target Area, I am so not going at length here. You will have a MID-URN submission, and this is where you just summarize that the area primarily benefitting for the proposed activities is the most impacted and distressed related to the effects of the qualified disaster. We have a ton of information out there on MID-URN if you need to know more about that. Just make sure you cover MID-URN – that you've covered the threshold here and in the other submitted material for MID-URN.

Okay? Eligible Activity. So there's a lot of different ways to deal with this. You are going to certify that you're going to follow all applicable laws but you also, here for Phase 2, need to, we say demonstrate each activity proposed to be carried out is an eligible activity or request an eligibility waiver. So Appendix A gives you the requirements for eligible activities. If you have any questions, submit an eligibility waiver using Appendix E instructions. We do not have a required format for the waiver. If you submit a waiver, we want you to just follow the instructions and make your case. We'll contact you, however. Eligible activity is the one threshold requirement, or one of the threshold requirements. If we think you made the wrong judgment call and you think something's eligible and we do not think it's eligible, we'll contact you and ask you to submit a waiver. So this is one that we can help you with but you are still – for completeness, you must at least try to demonstrate that each activity is eligible, or request a waiver.

Your proposal must incorporate resilience. Now this is one of the ones I was talking about that may well be actually in your soundness of approach, where you're talking about with your resilience value, fair and soundness of approach. If you want to say, "Our proposal incorporates resilience and here are all the ways," as a narrative in Exhibit B, that's great. If you want to say, "Our proposal incorporates resilience. Please see page X of Soundness of Approach," that's great. Either way, make sure that we know where to look to make sure that we can reasonably expect that you are improving the MID-URN area's resilience to current and future threats and hazards if we fund you. Okay?

So National Objective. Heart and soul of the CDBG program and also, probably the most alien thing to those of you who don't deal with CDBG. We want that every activity that you're funding, other than general administration and planning, that you're going to actually assist with the CDBG-NDR funding. It is going to be able to meet a CDBG-NDR national objective, as in Appendix A, or request and receive a waiver from HUD. And want you to note, again, there is a default national objective if you can demonstrate tie-back, which we're going to be discussing in a little bit, in a minute. If you demonstrate tie-back, Appendix B has a waiver for the Urgent Need National Objective that essentially says that if you demonstrate tie-back to a MID-URN, then we will deem you as meeting the Urgent Need National Objective within a set timeframe. Just need to take a look at that.

So most of you are going to be saying that you have that one in the can and you're going to try to meet the low-mod national objective, and you're going to try to meet slum-blight. And so you're going to need to tell

us for each activity or each project – and your projects are essentially an activity – how it's going to meet national objective. Knowing that this one could tie into your tie-back.

Overall Benefit. Now, overall benefit is also referred to as the primary objective of the CDBG program. If you look it up in the Entitlement – CDBG Entitlement Regulations at 570, it's got, I think it's at 200. You will see it's called the primary objective there. And that's for the funds that you are requesting or that you get, that at least 50% of the funds requested assist activities that will qualify under the low and moderate income national objective.

So the national objective is an activity test, a beneficiaries test, and the overall benefit is a fund test. If you're not going to be able to meet overall benefit, it is possible for HUD to grant a waiver for this. The instructions are in Appendix E. This waiver, though, by law, has a higher standard than good cause. You have to demonstrate compelling need, so it's a harder waiver to get. But it's not impossible, it has been done.

Okay? So other things in your threshold requirements. You need to establish tie-back. This one is also quite possibly going to be something that you demonstrate in your soundness of approach and just refer to here, or that you demonstrate here and then don't worry about explaining in your soundness of approach and just cross-reference back here. There are mentions of tie-back in both places and you're just going to have to decide where you write that all up. You don't have to repeat yourself, okay?

If you have a covered project, you will submit a Benefit Cost Analysis in compliance with Appendix H, and you need to let us know that you're doing that in the threshold narrative – that you have a covered project and that you know you have a covered project and that you have submitted a BCA. But you don't have to put the whole BCA here, although you could put a summary. But the BCA doesn't have page limits to why would you waste page limits here? Okay?

And then, your Applicant Certifications, we did have a couple people submit without the certifications in Phase 1 so this is curable, but it's really helpful if you include them in the first place and submit them. And Appendix F has the certification for states and local government applicants and the specific electronic submission requirements are in Section 4 of the NOFA. Okay?

So now, we're in the other exhibits. Yay, we're done with B. B doesn't get to the really super interesting part of the exercise here. So it's in NOFA Section V.A.1, Exhibit C, Factor 1, is your response to the capacity prompts and demonstrating what your capacity is, the past experience of the applicant and partners. So, you're going to want to make sure – and we'll get there – that you're nailing down your partner documentation.

We want your management structure – we've gotten a lot of questions about the required organization chart. And we don't need the organization chart of absolutely everybody in your organization. We are just looking for the key players – the key managers, the key divisions or departments or everybody has different words for those. Who do we need to keep our eye on and know about for you and for each partner? Yes, these are also covered by page limits. Attach and include these documents in Appendices C and D, and please include at least two references as asked for in the NOFA. And for those of you who've asked, yes, we do check them. And so make sure the phone numbers work and that you ask their permission. It's really bad to put somebody as a reference who you haven't talked to first, I'm just saying.

Okay, Exhibit D Factor 2, so your Exhibit D is going to be clearly labeled "Exhibit D Factor 2 Need." You're going to have an update to your Phase 1 response – your unmet recovery need and target geography. And we can already see out there that some of you have taken this really seriously and you're adding areas or

you have uncovered additional needs, you've completed some studies, you have citizens who come to you and raise additional needs, other stakeholders who've pointed out indirect effects of disaster.

You can use your BCA to establish the basis for your benefit calculations and your need issues, and just provide a crosswalk or summary in Exhibit D. But for the most part, except for this one place, we are not going to be going back and forth between your BCA and your application. Those are going to be scored on separate tracks – reviewed on separate tracks. It'll join at the end. But as ever, we are compulsive followers of cross-references.

Okay, also in Exhibit D Factor 2, we have the two narratives that have been the hardest for people to figure out how to deal with. So Resilience Needs Within Recovery Needs is a look back. It's one of the few places where we're not looking forward yet. We're looking at the need and it's Monday morning quarterbacking. So follow the NOFA formulation, see the link between the Need and Soundness of Approach webinar, and say, "If we had just had a floodwall, then X, Y, and Z would not have happened, we'd have had this much less damage. These terrible things happened because, you know, because we were the way we were. If we had tried a basic X, Y, or Z in advance, if we had made sure that we translated everything so our limited English proficiency populations could evacuate, we wouldn't have had this problem," whatever it is. But it's not a whole approach yet. It's a way of saying that, you know, even just doing one thing at a time with the disaster that you had, the event that you had, how much better it could've been. You're building up because the next thing is your appropriate approach. And appropriate approach is given the disaster you have, this is where we want you to cross-reference, specifically update or iterate your Phase 1 framing Soundness of Approach in this response. We're looking – this is about general approaches, not your specific projects, which you're going to tell us about in soundness of approach in the next exhibit. This is about the level of generality for Phase 1, which I think is still really hard for people. But what's the general idea or approach to take?

And this is where you explain that, for example, you're going to do a layered approach that includes a physical and economic or whatever component because you have X, Y, and Z needs and community development objectives and all your other things. This is looking at an iteration, an update, and a summary of your framing idea as it is evolved now. And we want you to pay really close attention to the prompts here and all throughout Phase 2. We want you to answer all the prompts. It's not like Phase 1 where you got to pick and choose, okay?

On Exhibit E Factor 3, Soundness of Approach. This is the meat of the exercise. And we're looking for a sound approach description that is a single, woven together, cogent narrative that meets these three goals. And we're basically signaling that the scoring is based on these three goals for most of the points in this factor if you look at it. So we want a clear, thoughtful, and compelling correspondence between your project and your updated Phase 1 framing. We want you to increase resilience and convince us that funding this would – your approach would increase resilience and demonstrate that your approach is a model, replicable or holistic. And we're kind of pigheaded about model, replicable and holistic. We're just going to use dictionary definitions for those words.

So the NOFA was changed as we reopened Phase 2 to emphasize the items that must be done are present in your application for your application to score highly in this complex critical factor. Look carefully for the words like "must" in the application. Just do a find and make sure that you're responding to all of those.

We're going to want you, of course, to provide at least one metric per each of the four categories to track for each of your proposed projects. If you are using the same metric for each of your projects but each one is going to contribute some aspect to that metric, that's fine, too. A couple of people have asked me that. But we want a metric for resilience value, environmental value, social value, and economic revitalization. We're allowing you to set the measures for the desired outcomes and we'd like to see you consider

periodic evaluation of program outcomes and resilience outcomes in the scope of your effort. But in general, we're going to take those outcome measures and we'll be loading them into the reporting system, DRGR, if you get funded and we will be tracking your progress against them as we go forward.

Then we're going to jump forward to Exhibit E, Soundness of Approach, slide 2 here. No, I think we're still back one, aren't we? Yes, this is the second slide. This is all the stuff that's in that one essay still, the long essay with the three factors. So you're going to weave together one essay from all of these prompts. We want – of course, we have this fixation on vulnerable populations. We'd like to see decreased risk to vulnerable populations. We talked about the metrics. You're going to describe the project or program's alternatives you considered. And you can talk here about eligibility and national objectives or put it back in Exhibit B threshold response, that's your call.

How does your project – your proposal – address current and future risks? We go back to vulnerable populations again – how they benefit, not just how they decrease risk but are there other benefits. Maybe you're meeting some community development objective in addition to decreasing risk.

How are you a model? This is your chance to go for those model holistic replicable points.

Discuss whether your project is going to be feasible and how do you know that it's feasible? And of course, we're looking for regional consultation and updates to your consultation summary. And if you want to give us optional maps, drawings, and renderings, we really love those in Phase 1. We got quite a lot of them. Just make sure you follow the instructions and don't try to bury text in them because we won't use it to score anything. Okay?

So let's jump forward. So on Factor 3, once you get out of your long essay, there are some additional things, some of which you can get points for and some not but they all must be present. So scaling and scoping options, you're required to identify scaling and scoping options within your proposal. You may be able to sew it all together into your essay or you may want to identify this separately. And we made it optional for you to tell us what your priorities were. If HUD decides to only fund a portion of your proposal, what would be your priority items that we fund first?

We want a program schedule incorporating – you have to include when you're going to be expending funds. So, if you're going to go beyond two years from when you plan to have funds obligated, and all funds must be obligated by HUD to you before September 30, 2017 - and I'm telling you that that's actually the statutory deadline but about a week before it is actually the day that we really need to get all the agreements signed to get them into the financial systems in time for you to get your money, which is good.

So if you're going to go more than two years from the point of obligation of your funds, make sure you include an Expenditure Deadline Waiver Request. Appendix B, of course, has the directions for that. And so Attachment G is your schedule.

So we want to budget. The costs are only – it's only a budget at the DRGR level of detail. All of the applicants have at least one DRGR user in your community, but there's also a lot of DRGR training material available on the HUD Exchange. If you're not familiar with DRGR, this is an activity level of detail. It is not a line item budget with like, you know, salaries and expenses and travel costs or anything. This is not a super budget that's detailed that way. It's a little more detailed than standard action plans. It's closer to the budget detail that you might see – well, it's really DRGR.

If you're doing consistency with other planning documents, provide those at the end of Attachment D with a comment summary. Attachment D we'll get to you, but it's your Consultation Summary.

Duncan Yetman: Jessie, do you want me to – I wanted to ask…

Jessie Handforth Kome: We're just about to pop an FAQ up about this so Duncan's going to tell you what we're going to say.

Duncan Yetman: So with regard to that attachment summary, we also – or to the comment summary – we also wanted to note that the Certification of Consistency with the Consolidated Plan is not currently listed on your Crosswalk Checklist. So if you do – you know, when you do include it, let us know where you put it if you decided not to provide it at the end of Attachment D.

Jessie Handforth Kome: Just so we can find it.

Duncan Yetman: Right.

Jessie Handforth Kome: It's a housekeeping matter. Okay? So we're going to move on from Exhibit E, at long last, to Exhibit F Factor 4, Leverage. Note here the word "brief." Provide a "brief" narrative response to the leverage factor. We're anticipating that most of the response to the leverage factor in Phase 2 is going to be all of the required firm commitments. But you do have some narrative that you need to put in that explains so we understand which is direct financial and which is supporting commitment and to respond to the prompts in Factor 4. Remember here, the key to Factor 4 leverage is that our lawyers will be scoring it. So make it, you know, airtight and really, really do cover all the bases on Factor 4.

On Exhibit G, that's going to be where you're going to put your response to Factor 5 – Regional Coordination and Long Term Commitment. We're looking for you to – we changed this – this factor probably changed the most between Phase 1 and Phase 2 because to be honest, virtually all of you had trouble with this factor. A lot of trouble with this factor in Phase 1. You probably saw it in your comments. It was in Phase 1, inadvertently, the knockout factor for some applicants. We want you to extremely, carefully pay attention to the instructions on what you must include, which is a baseline, a goal outcome measure, including the expected duration of the outcome being measured and an effective date for each commitment. Make sure to note the "musts" carefully in Factor 5.

If you miss on the appropriate category of Long Term Commitment and put it in, you know, whether it's in Lessons Learned or Legislative Action or Raising Standards, we're not going to ding you for that. But we aren't going to be able to count your commitment as a long term commitment if you don't take care of the "musts." And we need those baseline and goal outcome measures. Remember that long term commitments are only rarely going to be projects. You have to lift out, remember, including things like legislative actions and plan alignment and standards-changing and some of the lessons learned. We're not looking for single projects that will – in general – that will also be resilience projects but we just don't happen to be funding them. What we're looking for is ways that you as a community are setting yourself up so that you will – just as a matter of doing regular business – be more resilient.

And I don't know how to explain this more. I know that this has been hard for people but please, please read this factor and pay really, really close attention to what we're really driving for here. Because we give you time if you make a commitment here. You have a year after we announce awards to actually complete the action.

Okay, my sell job is done on that. We have other BCA resources. If you're still working on your benefit cost analysis, as I know a few of you are, here's the links for the OMB circulars on this, how to quantify and monetize benefits and costs, resources from FEMA and DOT. You can always submit NDRC questions to ResilientRecovery@HUD.gov . I got the mailbox empty last night and I notice it's filling back up today and I will go back and work on it again. And of course, our NOFA and Resilience webinar series, we have BCA – Benefit Cost Analysis webinars available for you.

Other NDRC resources, there's a quick link, which is just www.HUD.gov/Resilience . Of course, we have our HUD Exchange page. There's a page on the Resilient Recovery on the competition. There's a page on Community Resilience, in general. We have a fact sheet on the NDRC and a variety of other resources. And again, you can always send email to ResilientRecovery@HUD.gov where Duncan and Chris and I stand ready to answer your questions. And also, a lot of those questions have been answered on the webinar series. We're working also, as we speak, I believe, we're working on getting another round of FAQs out there to you, although there's not too many new ones now.

Duncan, you want to take us out and then we'll start taking questions?

Duncan Yetman: Okay, alright. So we do have a couple of questions already in the queue and I'll just read those aloud. What is the difference between the budget and the source and uses statement?

Jessie Handforth Kome: Funny you should ask. We have an FAQ coming on this, and I don't have it in front of me. But the budget is by activity. It's going to show every activity you're going to do as if you were setting it up in DRGR. Sources and Uses is going to be by project and we want to see the sources of all the funds and the uses of all the funds by broad category. And they are different things and used for different purposes. I realize that including both in something at this level has confused people. Duncan, you want to try to…?

Duncan Yetman: The Sources and Uses statement is peculiar to your leverage documentation. We're using that document to see how leveraged your project is, to score leverage.

Jessie Handforth Kome: No, not really.

Duncan Yetman: Well, no, not really.

Jessie Handforth Kome: No, not really to score leverage, Duncan.

Duncan Yetman: No, but…

Jessie Handforth Kome: You just gave a whole bunch of people a heart attack out there so please take a deep breath. No, what's happening is if you set up in a budget, you're just showing us a flat number, right? You're showing us your budget for your activity. What you're going to – or by activity for your – and when you set up in DRGR, you show us other funds but we don't know whether when you set up your activity, for example, if you're showing us a big infrastructure project, right? If you tell us, "We are going to build a water and sewer system," CDBG – you would set that up but that water and sewer system is going to have – and that would be the budget level. But it's going to have acquisition costs, it's going to have labor costs, it's going to have some soft costs, design costs. We don't see those in a budget.

In a Sources and Uses Statement for the activity, you're going to say to us, "We're using CDBG for acquisition. We're going to use FEMA HMGP for construction, and we're going to use our own money for design maybe." Sources and uses is going to show how those things go together. And an automatic thing for HUD looking at that is, "Oh, our money's going to go in really early on acquisition and then we're going to be sitting here waiting for a long time until we meet a national objective." It tells us a lot, a Sources and Uses Statement, about how the project is going to come together. In a simple, quick and dirty way, it's incredibly useful for project managers and grant funders to see how a project will come together, that a budget simply doesn't give you that sense at all. And so getting both of them together is very, very helpful.

Duncan Yetman: Okay, alright.

Jessie Handforth Kome: So that's officially what we're coming after. But you know, I hope you're all still breathing. We're not scoring it…

Duncan Yetman: Sorry about that.

Jessie Handforth Kome: … [Laugh] for leverage.

Duncan Yetman: [Laugh] Okay, next question. Are all org charts included in the page limits?

Jessie Handforth Kome: Yes, I believe we've answered this question on the FAQs but if we haven't, it's one of the ones going out. Which gives you a sense of how complicated the org charts are supposed to be. Not your big giant huge deep ones, right? With every, absolutely everybody in it.

Duncan Yetman: Okay. Next question is: When will the presentation be available online for review? If you're talking about this presentation, it probably will be about seven days.

Jessie Handforth Kome: You have to make it 508 compliant.

Duncan Yetman: Right.

Jessie Handforth Kome: And we were bad, we only gave it to them today. We're supposed to do it in advance. Okay, what else do we have?

Duncan Yetman: Next question. Whoops, okay. This question has to do with leveraged commitment and documentation. If a partner commits to long term maintenance of an infrastructure project, what happens if that project is not funded? Can the commitment letter say "contingent on funding of X project?"

Jessie Handforth Kome: I believe that we allowed – the only contingency that we allowed was contingency on funding. But I would have to actually read the factor to be sure. I have been deferring to the lawyers compulsively on all of these. Give me just a second, I'm going to take a look. But what will happen if HUD, you know, picks and chooses – if we pick one of your projects and not another is that we will be contacting you and verifying but it's post scoring. So what you want to make sure is you take the pledge, firmly committed, blah, blah, blah, blah, we've answered this in the FAQs and I'm not – because it's dedicated to the CDBG-NDR grant activity and if the activity doesn't go forward, I believe we allow – because that's not a decision you make, it's a decision we make.

I'll have to get back to you on that because I'm not seeing it right off the bat but I know we've answered this question. Take a look at the FAQs and we'll make sure we get it out there.

Duncan Yetman: Okay, alright. The next question, to count as supporting leverage, must the funds be given to an applicant or a partner?

Jessie Handforth Kome: The definition of supporting commitment or supporting leverage is funding that you or your partners have available to carry out activities that directly support the overall proposal. And so I think have available is a little tricky. In general, I would say it's safer if you have funds given to an applicant or a partner. But if you have a binding way to make sure that the funds are available to get the work done, our lawyers might be willing to review it. But you know, you'd better have your lawyers write it up, you're going to have to convince lawyers. I can't answer for them. I can take that question and throw it in to the lawyers and try to get it out in the FAQs as soon as I can.

Duncan Yetman: Okay. Just there's another followup on the organization chart question as to whether they do indeed count in the page limits.

Jessie Handforth Kome: Yes.

Duncan Yetman: Yes, they do. They're part of your Exhibit C. Alright, so next question. Should we add, the consistent with other planning documents reference to our Crosswalk Checklist? Is it okay to do so even if in Attachment D?

Jessie Handforth Kome: Yeah.

Duncan Yetman: As a stand alone document.

Jessie Handforth Kome: You can add it to the Crosswalk Checklist if you want to make sure we know where it is, and that'd be lovely. It could be a stand alone document but I'm just telling you, you're going to run into Grants.gov is – I've heard they upgraded it but I haven't tried it myself. It has a limit on the number of files you can send in. And we're supposed to only consider files that are - documents that are duly submitted through Grants.gov. Unless we tell you otherwise in the NOFA.

Duncan Yetman: Okay, here's a question. On the BCA, can you speak to quantitative versus qualitative data on topics such as economic resilience? Environmental is a particularly difficult topic for economic resilience.

Jessie Handforth Kome: Yeah, this webinar, I don't have the BCA experts in the room right now so I can't tackle quantitative versus qualitative. I can say that I have heard them say recently that if you are uncertain about whether you have good quantitative data, you probably have qualitative.

But we have material out there on this. I'm not really sure – you know, just speaking broadly about environmental, how to relate it to economic resilience or what kind of data source – I would need a lot more information and then I would get in trouble for trying to give you advice. So I can't really tackle this one very well. Again, if you send it to ResilientRecovery, I'll route it to the BCA staff and see if they can do anything with it. But I think this is a question that we would find almost unanswerable.

Duncan Yetman: Okay. The next question is are footnotes allowed in the BCA?

Jessie Handforth Kome: If you really need to do footnotes. I don't know what it is but everybody really likes footnotes. The BCA does not have page limits but you need to make your case as succinctly as possible so we can actually get done in January because it looks like you're all doing BCAs. So yeah, if you want to footnote it, the format isn't even dictated in the BCA.

Duncan Yetman: Okay. We have another question from somebody who'd like to raise their hand and ask this question verbally. But before we get into that, I'd like to see if there's any more written questions that we can address before we answer any verbal questions from folks raising their hands. Are there any written questions? Any further written questions from anybody? If not…

Jessie Handforth Kome: I'll see if I can get a lawyer to come down.

Duncan Yetman: Patrick, if you could allow us to hear the question.

TJ Winfield: Yup, I'll let Lois call on either so she can go ahead and talk. Lois, are you there?

Lois: Yes, I am. Can you all hear me?

TJ Winfield: Yup.

Duncan Yetman: Yes.

Lois: Okay, thanks. I completely understand about the needing the lawyers but I just wanted to elaborate a little bit because we got a little turned around and confused. And we were going to do a partner letter but since it's supporting leverage, there's actually not going to be any NDR funding in these projects. But the projects themselves definitely support our entire approach. And I'll just go ahead and say it so it's just easier to talk real than hypothetical. Our Coastal Authority has a lot of money to put into storm surge protection and coastal projects that are in Orleans Parish, which is our MID-URN area. But it doesn't really make sense to partner with them since we're not giving them any money. I understand we can take out the budget piece in the partner agreement but the rest of the language in there is very strong in terms of us being the grantee and the Coastal Authority abiding by the CDBG-NDR rules, which wouldn't really apply because they're not using any of the NDR funds, even though they would be committing their sources to these projects that support our overall proposal. That's why I'm asking that question so specifically.

Jessie Handforth Kome: Sure. Well, the reason that the lawyers are answering that they want you to keep the partner agreement the way it is for the partner agreement – I'm going to back up one and start from that point – is that you are, as the grantee, committing to have that supporting work done, and we're giving you points for it. So that's the rule that would actually apply to them because they would have to know that they were basically getting into an arrangement where before we were going to close your grant out, we are going to make sure that that work – actually, that supporting work got done. Because it's driving your resilience value and your outcome – your four outcome values that you're giving us. So it binds into some things that are getting you points.

If you can't get that binding – if it doesn't work, if there's no – I mean, the political reality is that you can't do it, then you can't do it. You could describe it and set it in context in your Soundness of Approach and explain the sea you're swimming in, as it were.

Lois: OK.

So we don't know all those local political realities and what's going to work and what's not going to work. And we don't know – like if you have a partner who's a contractor to them, maybe – you know, we're seeing some questions about situations like that, like what is available to mean in that kind of a context. One of them – you know, the contractor's willing to be a partner but the contracting agency isn't. That's an odd situation.

So you can get into all of these but that's what's going on. It's okay to add things to the partner agreement that don't directly contradict the clauses that we put in there -

Lois: OK.

Jessie Handforth Kome: - you know, if you need to like explain or clarify. But you know, if it's not a comfortable fit, I would argue against doing it because we will ride through those agreements to enforce anything that you have points riding on.

Lois: Right, right. So you just said something that reminded me. The supporting leverage needs to be included in our BCA, is that correct?

Jessie Handforth Kome: The BCA is for your entire project proposal and to the extent that your supporting leverage is enhancing your benefits, it is to your advantage to include it in the [interruption] BCA. You would want to, you know, explain how it is – I wouldn't say severable but you know, separately identifiable.

Lois: OK

Jessie Handforth Kome: It's essentially a – I mean, if your covered project benefits are substantially increased by the additional work, I would definitely identify it in your BCA. I wouldn't imbed it in your covered project.

Lois: Okay, gotcha. Thank you.

Jessie Handforth Kome: Mm-hmm.

Duncan Yetman: Okay, we did get another written question in. This is on the BCA footnote. For BCA footnote followup, would you prefer file references or hyperlinks? [Knock on door]

Jessie Handforth Kome: Just a sec. Ah, look a lawyer. Give me a second.

[Long pause.]

Jessie Handforth Kome: Hey, I'm sorry about leaving the dead air. Makani Drummond came in, who's one of our attorneys on this, and we were just having a quick back and forth on Lois Colson's question about the supporting leverage. And he's reminding me that we do have FAQs on when partner agreements are necessary and when they're not. But I think we need to – Lois, if you can put that question into the ResilientRecovery mailbox and ask, you know, explicitly, lay out your case again, we'll get that in and turn it around about what "have available to the applicant or its partners" means.

Makani Drummond: Right. So I don't know if we've – hi, this is Makani Drummond. I don't know if we've covered specifically what "have available to" means in the context of the NDRC NOFA. But there is a FAQ, I think it's in the sort of second batch of FAQ questions, that gives a little guidance on when partner documentation is required in the context of leverage and when it isn't. There are two sort of separate and distinct requirements. But you know, you can have possibilities – you can have a circumstance where an entity is just providing leverage commitment but isn't acting – isn't serving as a partner to the applicant's project. And in that limited circumstance, you know, you can run into a scenario where HUD would require partner – leverage documentation but not the associated partner documentation.

Jessie Handforth Kome: But that's cash into direct commitment, which he's talking about now as supporting commitment. And I think that's what the additional – it's like a Part B to the original question.

Makani Drummond: [Inaudible]

Jessie Handforth Kome: Yeah, she's saying the FAQ is they'd be under leverage and it wasn't that helpful to their specific case. Yeah, he doesn't know the numbering and stuff. They give us all of that and then Duncan and Chris organize all of the FAQs. So doesn't know necessarily which FAQ it got by number. Lois, go ahead and write it in and we will get it – you know, we'll try to get the variation based on your case. I actually heard something similar from a different community while I was at the Funders Academy. And it hasn't come in from the mailbox yet so if you can get it in there, it's much easier for us.

Do we have any other questions on leverage or supporting leverage while we have Makani visiting us?

Duncan Yetman: I don't see any right now. We've got another twenty minutes or so.

Jessie Handforth Kome: Everybody's out in the public comment and they're much more interested in what their public says than what we say at this point.

Duncan Yetman: That's great.

Jessie Handforth Kome: Yeah, [laughter] pretty psyched about that. Does anybody else have any more questions? You can type them in or put your hand up.

Duncan Yetman: No.

Jessie Handforth Kome: After the last webinar when we got lots of hot and heavy questions.

Duncan Yetman: Well, so with that then, I think we're going to close today's webinar if there are no further questions. I do want to briefly let you know that the next NDRC live webinar, How HUD is Building Resilience Beyond the NDRC, it was originally scheduled for next week at this same time but it has been postponed. The new date and time will be announced so watch the NDRC webinar series news page for further updates on that.

Jessie Handforth Kome: Somebody – Patrick just sent up a note saying that we might have another question. Do we have another question? Pull that down, this will be – do we have one more?

Duncan Yetman: Alright, no.

Jessie Handforth Kome: We're not seeing another question, Patrick.

Duncan Yetman: Yeah, I've been keeping abreast of everything.

Patrick: Okay, and this is Patrick from Cloudburst. That's the lawyer specifying which [interruption]…

Jessie Handforth Kome: Yeah, so I was wondering – so if he can't, because he doesn't [background noise] compile these numbers or anything. They give us the answers and then we organize them and get them out there.

Patrick: Thank you.

Jessie Handforth Kome: Yeah.

Duncan Yetman: Okay, alright. So if there are no further questions…

Jessie Handforth Kome: We have absolutely loved this run of webinars with you all the way through Phase 1 and Phase 2. This has been so much fun and again, thank you for your hard work on this. Nobody's ever going to thank you that you're protecting but thank you, thank you, thank you.

Duncan Yetman: Okay, thanks very much and have a good afternoon. Bye bye.

[End of audio.]