

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



STEVEN C. McCRAW  
DIRECTOR  
DAVID G. BAKER  
CHERYL MacBRIDE  
DEPUTY DIRECTORS



COMMISSION  
A. CYNTHIA LEON, CHAIR  
CARIN MARCY BARTH  
ADA BROWN  
ALLAN B. POLUNSKY

January 4, 2013

The Honorable Ramon Garcia  
County Judge, Hidalgo County  
100 N. Closner  
Edinburg, Texas 78539

Dear Judge Garcia,

The Hidalgo County funding request for the TSSI Safe Room project has been approved by FEMA and the State of Texas.

This project is approved under the CFDA 97-039 Hazard Mitigation Grant Program (HMGP). Your jurisdiction qualified for this funding because you had a FEMA approved local mitigation plan. Your plan expires on November 5, 2013.

The project number is DR-1791-331 and should be used as a reference on all documents and correspondence. Under the terms of your application and the below listed conditions, Hidalgo County is authorized to proceed with the construction of the community safe room identified in your application. The federal share award for this grant project is \$1,800,000.00.

The activities identified in this project application have been cleared under the National Environmental Policy Act (NEPA). The project location and description identified in the Record of Environmental Consideration (REC) are specific and no additional activities that have not been pre-identified, submitted, and FEMA approved can be considered. The State, as grantee, must ensure that all conditions of the REC and the FONSI are met. (See Enclosure 1)

The effective date of the approval of this project is November 27, 2012. The Period of Performance (POP) is twenty-four months requiring project completion by November 27, 2014 or sooner. If, due to extenuating circumstances, the project cannot be completed within this period, the sub-grantee must submit a POP extension request in writing 90 days prior to the project completion date of November 27, 2014.

You are required to submit a Quarterly Progress Report to this office no later October 15<sup>th</sup>, January 15<sup>th</sup>, April 15<sup>th</sup>, and July 15<sup>th</sup> of each year until the project is completed. A report with 2 consecutive quarters indicating no progress may result in your project funding being forfeited. A copy of the report format is enclosed for your use and may be reproduced as required. (See Enclosure 2)

The sub-grantee is required to keep complete records of all work, including but not limited to receipts, canceled checks, job orders, contracts, equipment usage documentation, and payroll information. The sub-grantee is accountable to the State for all funds that are awarded. Requests for the reimbursement of expenses may be submitted as needed during the grant performance period. Payments will be made within 21-30 days after receipt of complete and accurate documentation (See Enclosure 3).

Any contract for service associated with this project, must be issued in accordance with local, State, and Federal laws. Contract material and labor costs must be specific and considered reasonable, “cost plus” type contracts will not be acceptable. For any contract awarded, a copy of the contract will be forwarded to the State with the first quarterly report following award, along with a report from the System for Award Management website ( <https://www.sam.gov/portal/public/SAM> ) showing that the chosen contractor is not currently excluded. (See Enclosure 4)

As notification that the project has concluded and is ready for the final audit, the sub-grantee will submit the Certificate of Completion along with a final quarterly report containing a recap of all project expenditures, an elevation certificate, and certificate of occupancy. A chief elected official or his/her designated representative must sign this document. Final project payments will be made based upon the submission of the certificate of completion, final programmatic inspection, and the financial compliance review by our staff. A copy of the form is attached. (See Enclosure 5).

Before breaking ground, the sub-grantee must provide the State a copy of the final construction plans and specifications with a raised architects seal, assuring that the safe room meets or exceeds the criteria outlined in “FEMA 361, Design and Construction Guidance for Community Safe Rooms” (second edition/August 2008). The State will have the plans peer reviewed and will issue an approval before the applicant may proceed with construction. In addition the project must also comply with the additional State requirements contained in “Texas Community Safe Room Policy Letter” dated December 2010 (see Enclosure 6).

Since you will receive over \$500,000.00 total funding from Federal programs, during this Federal fiscal year, you will be required to provide the Texas Division of Emergency Management with a copy of your current annual audit, performed per OMB Circular No. A-133. Please contact our Disaster Program Auditor, at (512) 424-7474 for further information on audit requirements. All HMGP grants are subject to Federal audit; therefore, all records must be maintained for three years from the date of project close out or, upon receipt of the final payment, whichever is later.

If you have any questions or concerns please contact your state project officer, Michael Ku, at 512-424-2397 or via email at [Michael.Ku@dps.texas.gov](mailto:Michael.Ku@dps.texas.gov)

Sincerely,



W. Nim Kidd, CEM ®  
Assistant Director  
Texas Department of Public Safety  
Chief  
Texas Division of Emergency Management

WNK: mk

*Enclosures:*

- 1 - Record of Environmental Consideration*
- 2 - Quarterly Progress Report Form*
- 3 - Payment Request Form*
- 4 - Excluded Parties List Verification Form*
- 5 - Certificate of Completion*
- 6 - Texas Community Safe Room Policy Letter*

*cc: Oscar Montoya, Emergency Management Coordinator , Hidalgo County.*  
*Dr. Alda T. Benavides, Superintendent, La Joya ISD*