



U.S. Department of Housing and Urban Development

Public and Indian Housing

Community Development Block Grant Program for Indian Tribes and Alaska Native Villages

FR-6300-N-23

Application Due Date: 02/03/2020

Community Development Block Grant Program for Indian Tribes and Alaska Native Villages
FR-6300-N-23

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U.S. Department of Housing and Urban Development

Program Office:	Public and Indian Housing
Funding Opportunity Title:	Community Development Block Grant Program for Indian Tribes and Alaska Native Villages
Announcement Type:	Initial
Funding Opportunity Number:	FR-6300-N-23
Primary CFDA Number:	14.862
Due Date for Applications:	02/03/2020

Overview

Prospective applicants should carefully read all instructions in all sections to avoid sending an incomplete or ineligible application. HUD funding is highly competitive. Failure to respond accurately to any submission requirement could result in an incomplete or noncompetitive proposal.

HUD is prohibited from disclosing 1) information regarding any applicant's relative standing, 2) the amount of assistance requested by an applicant, and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For Further Information Regarding this NOFA: Please direct questions regarding the specific program requirements of this Program Notice of Funding Availability (NOFA) to the office contact identified in Section VII.

OMB Approval Number(s): 2577-0191

Paperwork Reduction Act.

I. Funding Opportunity Description.

A. Program Description.

1. Purpose.

The purpose of the ICDBG program is the development of viable Indian and Alaska Native communities, including the creation of decent housing, suitable living environments, and economic opportunities primarily for persons with low- and moderate- incomes. See the ICDBG regulation of 24 CFR §1003, the full text of which is available at [24 CFR 1003](#).

a. Single Purpose Grants. Projects funded by the ICDBG program must principally benefit low- and moderate-income persons (24 CFR §1003.208). These are competitive grants and are the subject of this NOFA.

b. Imminent Threat Grants. Projects funded with Imminent Threat grant funds are to address issues that have an immediate negative impact on public health or safety of tribal

residents.

You do not have to submit an application for an Imminent Threat grant by the deadline established in this NOFA. These funds are awarded on a first-come first-serve basis until the amount set aside for this purpose is expended. The Imminent Threat request must be submitted to the Area ONAP for your region and include the following documentation:

1. Standard Form-424 (Application for Federal Assistance).
2. HUD-2880 (Application/Disclosure/Update Report).
3. Detailed budget information.
4. HUD-4123 (Cost Summary).
5. HUD-4125 (Implementation Schedule).
6. Project Description Summary. Information submitted includes:
 1. A written description of the project the applicant wants to undertake.
 2. A written statement describing the roles/responsibilities (including partnerships) and the knowledge/experience of all individuals and organizations involved in the implementation of the project.
7. Evidence that the applicant can implement and complete the funded project within 12 months of the grant award unless there is good cause, determined by ONAP, for not being able to do so.
8. Information showing that the threat is not of a reoccurring nature. Note that conditions caused by a lack of maintenance are reoccurring and will not be considered for IT funding.
9. Proof showing that the imminent threat has an impact on an entire service area as defined at 24 CFR §1003.400(a). Specify the number of homes/families affected and/or impacted.
10. Information showing that the proposed project outcomes will help alleviate the imminent threat conditions.
11. Form 7015.16, Authority to Use Grant Funds, or a letter with the Responsible Entities' (RE) finding of exempt activity. a. The RE should use HUD recommended formats¹ to document their environmental review determinations, and HUD recommended worksheets² to document compliance with environmental review requirements. Once the review is completed, the applicant must send Form HUD-7015.15, Request for Release of Funds (RROF) and Environmental Certification, completed by the RE to their Area ONAP. After the Area ONAP approves the RROF, the office will then send a completed Form HUD-7015.16 to the applicant approving the release of funds. The applicant must then submit the completed Form 7015.16 with their application; or b. If Form HUD-7015.15 is not required because the project is exempt under 58.34(a) or it is categorically excluded and not subject to 58.5 under 58.35(b), then the applicant must submit the RE's finding of exempt activity with their application. A finding of exempt activity is a statement of the result of the RE's environmental review and is required even when Form HUD-7015.15 is not required. However, a letter from the RE will suffice.
12. Independent verification from a qualified third party not affiliated with the applicants' organization that the threat is urgent, exists at present, or will exist very soon and must be addressed immediately to save lives and reduce threats towards health and safety. Such third parties could be representatives of the IHS, BIA, FEMA, state, county, local

officials, or privately employed engineers.

13. Applicants must demonstrate to HUD's satisfaction that funds cannot be made available from other tribal or federal sources to alleviate the threat including IHBG and program income. Proposed IT projects and activities that are not eligible uses of IHBG or program income funds may be considered for an IT grant even if IHBG or program income are available. Please note, IT funds may not be used to reimburse the use of other funds that were made available to alleviate a threat unless a Notice to Proceed was issued. The application must include: a. A written statement that federal or tribal agencies, that would normally provide assistance for such improvements, have no funds available. b. Verification that the applicants have no available funds, including unobligated IHBG funds. To determine IHBG obligation, HUD will follow PIH Notice 2000- 26, Performance Measures for the Obligation of Funds Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA) (extended indefinitely by Notice PIH 2002-24). According to that Notice, a point of obligation is the time when a commitment is made to pay a specific sum of money for contract labor, supplies, materials, or services.

Please refer to the [Imminent Threat Program Guidance 2018-04](https://www.hud.gov/sites/dfiles/PIH/documents/PG18SEP27PNPG1011F.pdf) (<https://www.hud.gov/sites/dfiles/PIH/documents/PG18SEP27PNPG1011F.pdf>) issued by the Office of Native American Programs (ONAP) for additional information on applying for the Imminent Threat grant.

2. Changes from Previous NOFA.

Major Changes:

- This NOFA is being issued to cover two fiscal years under one grant cycle. Grants will be awarded using FY 2019 and FY 2020 funds.
- Grant ceilings were increased in all regions to accommodate two years of funding.
- The minimum score to be considered for funding was increased to 75.
- Applicants requesting a waiver to submit a paper application must request a waiver no later than 7 business days before the application deadline date.

Minor Changes:

- The rating period was modified to be two years from the application due date for Past Performance of grantees in Subfactor 1.2.
- New and unfunded subfactor was revised to award points to those that have not received an ICDBG in the last 10 years.

3. Definitions.

a. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH) Regulations. Statutory obligation to affirmatively further the purposes and policies of the Fair Housing Act and guidance promulgated thereunder.

Assurances. By submitting your application, you provide assurances that, if selected to receive an award, you will comply with U.S. statutory and public policy requirements, including, but not limited to civil rights requirements.

Authorized Organization Representative (AOR) is the person authorized to submit applications on behalf of the organization via Grants.gov. The AOR is authorized by the E-Biz point of contact in the System for Award Management. The AOR is listed in item 21 on the SF-424.

Award, as used in this NOFA means a federal grant OR cooperative agreement as specified in Section II.E (Type of Funding Instrument).

Catalog of Federal Domestic Assistance (CFDA) is a directory of the various Federal listings, projects, services and activities offering financial and non-financial assistance and benefits to the American public. CFDA Number is the unique number assigned to each program, project, service or activity listed in the Catalog of Federal Domestic Assistance (CFDA).

Consolidated Plan is a document developed by states and local jurisdictions. This plan is completed by engaging in a participatory process to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions with funding from formula grant programs. (See 24 CFR part 91 for more information about the Consolidated Plan and related Annual Action Plan).

Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used in this NOFA does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (See 2 CFR 200.22.)

Contractor means an entity receiving a contract.

Deficiency is information missing or omitted within a submitted application. Deficiencies typically involve missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box.). Depending on specific criteria, deficiencies may be either curable or non-curable.

- Curable Deficiency – Applicants may correct a curable deficiency with timely action.

To be curable the deficiency must:

- Not be a threshold requirement, except for documentation of applicant eligibility;
- not influence how an applicant is ranked or scored versus other applicants; and
- be remedied within the time frame specified in the notice of deficiency.

- **Non-Curable Deficiency** – An applicant cannot correct a non-curable deficiency after the submission deadline.

Non-curable deficiencies are deficiencies that, if corrected, would change an applicant's score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application's score and final determination.

DUNS Number is the nine-digit identification number assigned to a business or organization by Dun & Bradstreet and provides a means of identifying business entities on a location-specific basis. Requests for a DUNS number can be made by visiting the Online DUNS Request Portal.

Eligibility requirements are mandatory requirements for an application to be eligible for funding.

Federal Awardee Performance and Integrity Information System (FAPIS) is a database that has been established to track contractor misconduct and performance.

Grants.gov is the website serving as the Federal government's central portal for searching and applying for federal financial assistance throughout the Federal government. Registration in Grants.gov is required for submission of applications to prospective agencies.

Historically Black Colleges and Universities (HBCUs). -The Higher Education Act of 1965 defines historically Black colleges and universities (HBCUs) as "any historically Black college or university that was established prior to 1964, whose principal mission was, and is, the education of Black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation..."

Institution of Higher Education (IHE), has the meaning given at 20 U.S.C. 1001.

Non-Federal Entity means a state, local government, Indian tribe, institution of higher education (IHE), or non-profit organization carrying out a Federal award as a recipient or sub recipient.

Nongovernmental organizations include Non-Federal entities and for-profit entities for the purpose of calculating indirect cost proposals accompanying applications submitted under this NOFA.

Personally identifiable information (PII) means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. For more detail, refer to 2 CFR 200.79.

Point of Contact (POC) is the person who may be contacted with questions about the application submitted by the AOR. The point of contact is listed in item 8F on the SF-424.

Opportunity Zone according to the IRS, is an “economically-distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment.” Opportunity Zones are further defined in 26 U.S.C. 1400Z.

Promotores/Promotoras are Spanish-speaking Community Health Workers who work in their communities to reduce barriers to health services and make health care systems more responsive.

Recipient means a non-Federal entity receiving an award directly from HUD to carry out an activity under a HUD program.

Section 3 Business Concern means a business concern: (1) 51 percent or more owned by Section 3 residents; (2) of which at least 30 percent of permanent, full-time employees are currently Section 3 residents, or were Section 3 residents within three years of the date of first employment with the business concern; or (3) provides evidence of a commitment to subcontract over 25 percent of the dollar award of all subcontracts to be awarded to business concerns meeting the qualifications in this definition.

Section 3 Residents means: 1) Public housing residents; or 2) Low and very-low income persons, as defined in 24 CFR 135.5, who live in the metropolitan area or non-metropolitan county where Section 3 covered assistance is expended.

Standard Form 424 (SF-424) means the government-wide forms required to apply for Application for Federal Assistance Programs, required by discretionary Federal grants and other forms of financial assistance programs. Applicants for this Federal assistance program must submit all required forms in the SF-424 Family of forms, including SF-424B. For an application under this notice to be complete, the applicant must sign and submit all required forms in the SF-424 Family.

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the recipient. It does not include payments to a contractor or payments to an individual beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. The legal agreement must contain the subrecipient’s assurance of compliance with program requirements, including but not limited to nondiscrimination and equal opportunity requirements.

Subrecipient means a non-Federal entity receiving a subaward from a pass-through entity to carry out part of a HUD program; but does not include an individual beneficiary of such program. A subrecipient may also receive other Federal awards directly from a Federal awarding agency (including HUD).

System for Award Management (SAM), is an official website of the U.S. government. SAM is a U.S. Government system that consolidated the capabilities of Central Contractor Registry (CCR), Excluded Parties List System (EPLS) and the Online Representations and Certifications Application (ORCA). Registration with Sam.gov is required for submission of applications via Grants.gov. You can access the website at Sam.gov There is no cost to use SAM.

Threshold Requirement – Threshold requirements are a type of eligibility requirement. Threshold requirements must be met for an application to be reviewed; are not curable, except for documentation of applicant eligibility and are listed in Section III.D *Threshold Eligibility Requirements*. Similarly, there are eligibility requirements under Section III.E, *Statutory and Regulatory Requirements Affecting Eligibility*.

4. Program Definitions.

The following definitions apply to the ICDBG program. See a more detailed list at 24 CFR §1003.4.

Adopt - To approve by vote of the governing body of the tribe or tribal organization.

Community Based Development Organization (CBDO) - As defined in 24 CFR §1003.204(c).

Current Applicant/ Current ICDBG Grantee – An applicant that has an ICDBG that is currently open or that was closed within the 2 years of the application deadline date.

Document - When the NOFA asks you to document something it means that you should provide information and/or data in your application to satisfy that particular NOFA requirement.

Entity Other Than Tribe - This means that the organization is not part of the tribal government.

Firm Commitment - A letter of commitment from a partner by which an applicant or an applicant's partner agrees to perform an activity specified in the application and demonstrates the financial capacity and conditional agreement to deliver the resources necessary to carry out the activity, either in cash or through in-kind contributions if HUD awards ICDBG funds. If a tribe is committing resources to the project the amount of such commitment should be included in the tribal resolution. If a tribal organization is the applicant, it should submit evidence of such commitment in the equivalent of a tribal resolution.

Ineligible Activities - A complete list of ineligible activities can be found at 24 CFR §1003.207.

Low- and Moderate-Income (LMI) - As defined in 24 CFR §1003.4, LMI means a family, household, or individual whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families. However, HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low household or family incomes. In reporting income levels to HUD, the applicant must include and identify the distributions of tribal or village income to families, households, or individuals.

New Applicant - An applicant that has either never received an ICDBG or an applicant whose prior grants have been closed for at least 2 years before the applications are due.

Rating Period- The term "Rating Period" used in Rating Subfactor 1.1.c. Audit Findings and Rating Subfactor 1.2. Past Performance (current ICDBG grantees only) is the two-year period immediately preceding from the application deadline date.

Standard Housing/Standard Conditions - Housing that meets the quality standards (HQS) adopted by the tribe or tribal organization depending on the type of housing proposed. The HQS adopted by the applicant must be at least as stringent as the Section 8 HQS contained in 24 CFR §982.401 (Section 8 Tenant-Based Assistance: Housing Choice Voucher program) unless the Area ONAP approves less stringent standards based on a determination that local conditions make the use of Section 8 HQS infeasible. The adopted standards must provide for: (a) a safe house, in physically sound condition with all systems performing their intended design functions; (b) a livable home environment that is energy efficient and incorporates energy conservation measures; and, (c) provides adequate space and privacy for all intended household members.

Tribal Resolution - The formal manner in which the tribal government expresses its legislative will in accordance with its organic documents. In the absence of such organic documents, a written expression adopted pursuant to tribal practices will be acceptable (24 CFR §1003.4).

Youth- A community member that has not reached the age of 24.

5. Web Resources.

- [Affirmatively Furthering Fair Housing Regulations](#)
- [Code of Conduct list](#)
- [Do Not Pay](#)
- [Dun & Bradstreet](#)
- [Equal Participation of Faith-Based Organizations](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [FFATA Subaward Reporting System](#)
- [Grants.gov](#)
- [Healthy Homes Strategic Plan](#)
- [Healthy Housing Reference Manual](#)
- [HUD Funding Opportunities](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [Limited English Proficiency](#)
- [NOFA webcasts](#)
- [Opportunity Zone](#)
- [Procurement of recovered materials](#)
- [Section 3 Business Registry](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)
- [Uniform Relocation Act – Real Property Acquisition and Relocation Requirements](#)
- [USA Spending](#)

6. ICDBG Program Related Web Resources

- [24 CFR ;part 1003](#)
- [ONAP Environmental Review Resources](#)

B. Authority.

The authority for this program is Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and the program regulations in 24 CFR Part 1003. HUD's authority for making funding available under this NOFA is the Consolidated Appropriations Act, 2019, (Public Law 116-6, enacted February 15, 2019), and any other authorities that may make additional funds available for award under this NOFA at any time.

II. Award Information.

A. Available Funds.

Funding of up to **\$65,000,000** is available through this NOFA.

Additional funds may become available for award under this NOFA, because of HUD's efforts to recapture unused funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the applicable funding restrictions contained in this NOFA.

Funding of up to \$65,000,000 is available through this NOFA from funds appropriated for FY 2019. Funding for FY2020 is contingent on FY2020 federal appropriations for this program. If funding is appropriated for this program in FY 2020, it will also be awarded through this NOFA.

HUD has moved to a two-year NOFA for this cycle to reduce administrative burden on both HUD and ICDBG applicants, and to encourage longer term planning and bigger projects. HUD is accepting applications under this NOFA for both years' funding (FY 2019 and FY2020).

Applications that pass the screening and threshold requirements will be rated and ranked. Funds will be awarded in descending rank order, starting with FY 2019 funds and continuing with the FY 2020 funds until exhausted. FY 2020 funds, including Area Allocations, will be announced through a PIH Notice and posted to the ONAP Codetalk website at www.hud.gov/codetalk.

HUD reserves the right to issue a supplemental or independent NOFA if necessary (e.g. to ensure that all appropriated funds are awarded or if additional requirements apply to future funds).

1. Allocations to Area ONAPs. The ICDBG regulations specify how the funds for the Single Purpose ICDBGs will be allocated among the six Area ONAPs. See 24 CFR part 1003.101.

The chart below **only** provides the FY 2019 Area Allocations. Upon the enactment of additional appropriations for FY 2020, HUD will allocate additional funding to each Area ONAP in accordance with the ICDBG regulations at 24 CFR part 1003.101. Area Allocations will be announced through a PIH Notice and posted to the ONAP Codetalk website at www.hud.gov/codetalk.

Area ONAP Office	Total Area ONAP Allocation
Alaska	\$7,885,067

Eastern Woodlands	\$5,026,760
Northern Plains	\$9,256,850
Northwest	\$3,379,618
Southern Plains	\$14,865,238
Southwest	\$21,068,859

2. Grant Ceilings.

This NOFA will award applications with FY 2019 and FY 2020 funding. Under this two-year NOFA, grant ceilings for Area ONAP offices have increased to accommodate two years of funding in one grant cycle. Applications may include more than one project but the entire grant may not exceed the limits listed below for your region.

Area ONAP	Population	Ceiling
Alaska	ALL	\$800,000
Eastern Woodlands	ALL	\$900,000
Northern Plains	ALL	\$1,500,000
Northwest	ALL	\$750,000
Southern Plains	ALL	\$900,000
Southwest	50,001+	\$7,000,000
	10,501-50,000	\$4,000,000
	7,501-10,500	\$3,000,000
	7,500 and below	\$1,500,000

In the Southwest ONAP jurisdiction, HUD will determine the ceiling for applications based on the Native American population that resides on a reservation or Rancheria. You should contact SWONAP prior to submitting your application to confirm the population that HUD will use to determine the ceiling.

NOTE: Only one ICDBG application may be submitted for each area within the jurisdiction of

an entity eligible under 24 CFR part 1003. An applicant may include more than one project, but it cannot exceed the grant ceilings listed in Section II. Tribal organizations applying on behalf of multiple tribes may combine ceiling amounts for a project if the project will benefit the members of all such respective tribes. Several tribes may submit individual applications for one combined activity if the project will benefit the members of all such respective tribes.

3. Housing Rehabilitation Cost Limits. HUD will not provide more than the following amounts for each housing unit rehabilitated with ICDBG funds. The rehabilitation costs may exceed these limits, but your budget must show that you will not spend more than these amounts of ICDBG funds on each unit.

Alaska	\$100,000
Eastern Woodlands	up to \$65,000
Northern Plains:	up to \$65,000
Northwest	up to \$65,000
Southern Plains	up to \$65,000
Southwest	up to \$65,000

B. Number of Awards.

HUD expects to make approximately 120 awards from the funds available under this NOFA.

C. Minimum/Maximum Award Information.

Please refer to the grant ceilings listed in the section above. Only one large tribe in the SWONAP region is eligible for the maximum award amount.

Estimated Total Funding:	\$65,000,000
Minimum Award Amount:	\$50,000 Per Project Period
Maximum Award Amount:	\$7,000,000 Per Project Period

D. Period of Performance.

The period of performance and planned drawdowns for any grant awarded under this NOFA must be identified in the Implementation Schedules, Form HUD-4125, and approved by HUD. The Implementation Schedules cannot exceed April 20, 2026. Costs must be incurred during the period of performance identified on the grant award or addendum. HUD can require you to spend funds in accordance with the Implementation Schedule submitted with your application. If funded and you do not make progress toward meeting your Implementation Schedule, HUD reserves the right to recapture funds.

If ICDBG funding is appropriated in FY 2020, and additional awards can be made, Implementation Schedules submitted with the application may need to be adjusted. The period of performance for grants funded for the FY20 appropriation may vary based on the period of time

appropriated funds are available for expenditure. Funds remaining after the period of availability will be cancelled and returned to the Department of Treasury.

Estimated Project Start Date:	05/07/2020
Estimated Project End Date:	05/06/2023
Length of Project Periods:	Other
Length of Project Periods Explanation of Other:	The length of the project period is generally based on the implementation schedule submitted by the applicant and approved by HUD. For grants made with FY 2020 funds, project start and end dates may vary.

E. Type of Funding Instrument.

Funding Instrument Type:	Grant
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III. Eligibility.

A. Eligible Applicants.

- Native American tribal governments (Federally recognized)
- Native American tribal organizations (other than Federally recognized tribal governments)

An applicant must be eligible as an Indian tribe (or as a tribal organization), as required by 24 CFR part 1003.5, by the application deadline date.

Tribes: Eligible applicants are any Indian tribe, band, group, or nation, including Alaska Indians, Aleuts, and Eskimos, and any Alaska Native village of the United States which is considered an eligible recipient under Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450) or which had been an eligible recipient under the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. 1221). Eligible recipients under the Indian Self-Determination and Education Assistance Act will be determined by the Bureau of Indian Affairs and eligible recipients under the State and Local Fiscal Assistance Act of 1972 are those that have been determined eligible by the Department of Treasury, Office of Revenue Sharing. [See Eligible Indian Entities \(https://www.govinfo.gov/content/pkg/FR-2019-02-01/pdf/2019-00897.pdf\)](https://www.govinfo.gov/content/pkg/FR-2019-02-01/pdf/2019-00897.pdf).

Tribal Organizations: Tribal organizations which are eligible under Title I of the Indian Self-Determination and Education Assistance Act may apply on behalf of any Indian tribe, band, group, nation, or Alaska Native village eligible under that act for funds under this NOFA when one or more of these entities have authorized the tribal organization to do so through concurring resolutions. In addition, the Bureau of Indian Affairs (BIA) or the Indian Health Service (IHS), must provide a letter that states that the tribal organization is eligible under Title I of the Indian Self-Determination and Education Assistance Act. A copy of this letter must be included in your application submission, unless your organization has already provided such a letter in previous years approved by HUD and the status of your tribal organization has not changed.

HUD will not review an application submitted by a tribal organization on behalf of a specific tribe if the tribe itself submits an application for the same funding round.

Due to the unique structure of tribal entities eligible to submit ICDBG applications in Alaska, and as only one ICDBG application may be submitted for each area within the jurisdiction of an entity eligible under 24 CFR part 1003.5, a tribal organization that submits an application for activities in the jurisdiction of one or more eligible tribes or villages must include a concurring resolution from each such tribe or village authorizing the submission of the application. The hierarchy for funding priority continues to be the IRA Council, the Traditional Village Council, the ANCSA Village Corporation, and the ANCSA Regional Corporation. Questions regarding eligibility determinations and related documentation requirements for entities in Alaska should be referred to the Alaska Area ONAP prior to the application deadline. Due to the unique structure of tribal entities in Alaska you should contact the Alaska ONAP prior to the application due date if you plan to apply for an Alaska tribe or village.

B. Ineligible Applicants.

HUD does not award grants to individuals and will not evaluate applications from ineligible applicants.

C. Cost Sharing or Matching.

This Program does not require cost sharing, matching or leveraging.

Cost sharing or matching is not required under this grant; but applicants are encouraged to leverage other Federal and non-Federal awards. Applicants who leverage this grant with other funds receive points under Rating Factor 4.

D. Threshold Eligibility Requirements.

Applicants who fail to meet any of the following threshold eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated.

Outstanding civil rights matters must be resolved to HUD's satisfaction prior to grant award, provided that all applicable legal processes have been satisfied.

1. Timely Submission of Applications. – Applications submitted after the deadline stated within this NOFA that do not meet the requirements of the grace period policy will be marked late. Late applications are ineligible and will not be considered for funding. See also Section IV Application and Submission Information, part D. Application Submission Dates and Times.

2. ICDBG Program and Project Specific Thresholds-

The following requirements are threshold requirements and will not be considered curable deficiencies if not submitted or submitted incorrectly. If the thresholds are not met, the application will be deemed ineligible.

a. Outstanding ICDBG Obligation - Pursuant to 24 CFR part 1003.301(a), if you have an outstanding ICDBG obligation to HUD that is in arrears, or have not agreed to a repayment schedule you will be disqualified from the competition and not evaluated.

b. Untimely ICDBG Closeouts - HUD will not review your application if you have any ICDBG that is open two or more years past the due date for closeout identified on the most recently submitted project implementation schedule approved by the Area ONAP.

c. Housing Rehabilitation projects- The requirements for this threshold are in Section IV.B.2.b. of this NOFA.

d. New Housing Construction projects- The requirements for this threshold are in Section IV.B.2.b. of this NOFA.

e. Economic Development projects- The requirements for this threshold are in Section IV.B.2.b. of this NOFA.

E. Statutory and Regulatory Requirements Affecting Eligibility.

Eligibility Requirements for Applicants of HUD's Grants Programs.

The following requirements affect applicant eligibility. Detailed information on each requirement is posted on HUD's Funding Opportunities Page ([click here](#)).

[Outstanding Delinquent Federal Debts](#)
[Debarments and/or Suspensions](#)
[Pre-selection Review of Performance](#)

[Sufficiency of Financial Management System](#)

[False Statements](#)

[Mandatory Disclosure Requirement](#)

[Prohibition Against Lobbying Activities](#)

[Equal Participation of Faith-Based Organizations in HUD Programs and Activities](#)

F. Program-Specific Requirements Affecting Eligibility.

If you are awarded a grant under this NOFA you will have to comply with all laws, regulations, and other requirements relating to federal funds, as well as the specific ICDBG requirements found at 24 CFR part 1003.

Other statutory or regulatory requirements specific to the ICDBG program are:

Indian Preference - HUD has determined that the ICDBG program is subject to Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C.450e(b)). The provisions and requirements for this section are found at 24 CFR part 1003.510.

Eligible Activities- A complete list and description of eligible activities can be found at 24 CFR part 1003, subpart C.

G. Criteria for Beneficiaries.

The ICDBG program must primarily benefit persons with low- and moderate income as defined in 24 CFR part 1003.4.

IV. Application and Submission Information.

A. Obtaining an Application Package.

Instructions for Applicants.

You must download both the Application Instruction and the Application Package from Grants.gov. You must verify that the CFDA Number and CFDA Description on the first page of the Application Package, and the Funding Opportunity Title and the Funding Opportunity Number match the Program and NOFA to which you are applying.

The Application Package contains the portable document forms (PDFs) available on Grants.gov, such as the SF-424 Family. The Instruction Download contains official copies of the NOFA and forms necessary for a complete application. The Instruction Download may include Microsoft Word, Microsoft Excel and additional documents.

An applicant demonstrating good cause may request a waiver from the requirement for electronic submission. For example, a lack of available Internet access in the geographic area in which your business offices are located. Lack of SAM registration or valid DUNS is not deemed good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic grant submission requirements. HUD will not grant a waiver if HUD does not receive your written request at least 15 days before the application deadline and if you do not demonstrate good cause. An email request for a waiver sent 15 days before the application is due will also be considered. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFA. To request a waiver you must contact:

ONAP Grants Management Director
 Email: ONAP-ICDBG@hud.gov
 Office of Public and Indian Housing
 451 7th St. SW, Rm. 4108
 Washington, DC 20410

Notwithstanding the 15-day deadline references in Section IV.A. of this NOFA, applicants may submit waiver requests up to 7 business days prior to the application deadline date.

Applicants should send waiver requests to their respective Area Office with a copy to the contact listed above.

For more information, please contact your Area Office:

Area ONAP	Phone Numbers and Addresses	
Alaska	(907) 677-9800	3000 C Street, Suite 401 Anchorage, AK 99503
Eastern Woodlands	(800) 735-3239	Ralph H. Metcalfe Federal Building 77 West Jackson Boulevard, Room 2404 Chicago, Illinois 60604-3507
Northern Plains	(303) 672-5465	1670 Broadway, 24th Floor Denver, CO 80202-4801
Northwest	(206) 220-5270	909 1st Avenue, Suite 300 Seattle, WA 98104-1000
Southern Plains	(405) 609-8520	301 N.W. 6th Street Suite 200 Oklahoma City, OK 73102

Southwest	Phoenix Office One North Central Avenue, Suite 600 Phoenix, AZ, 85004-2361 (602) 379-7213	Albuquerque Office 500 Gold Avenue SW, 7th Floor, Suite 7301 PO Box 906, Albuquerque, NM 87103-0906 (505) 346-6923
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Examples of good cause for a waiver may include: lack of reliable Internet, broadband, or other infrastructure conducive to electronic application submissions. Applicants granted a waiver of the electronic submission requirement will receive specific instructions about submitting paper applications with the approval of the waiver.

B. Content and Form of Application Submission.

You must verify that boxes 11, 12, and 13 on the SF424 match the NOFA for which you are applying. If they do not match, you have downloaded the wrong Application Instruction and Application Package.

Submission of an application that is otherwise sufficient, under the wrong CFDA and Funding Opportunity Number is a curable deficiency.

1. Content.

Forms for your package include the forms outlined below:

Additionally, your complete application must include the following narratives and non-form attachments.

See required application components listed in Section IV.B.2. See below for a list of required content.

2. Format and Form.

Narratives and other attachments to your application must follow the following format guidelines.

You must submit the forms and information listed. Do not submit third party documents, such as audits, resolutions, or policies, unless specifically asked to do so. Unsolicited information will not be used to rate the applications.

a. Submissions for All Projects: The following information must be submitted by applicants for all types of ICDBG projects. If information under this section is not submitted with the application or is submitted incorrectly **and** the deficiency is not curable and cannot be requested, the application will be disqualified and not evaluated.

- **Narrative addressing the five rating factors in Section V.A. of this NOFA, including**

a one-page summary of the proposed project(s). If you are requesting funds for more than one type of ICDBG-eligible project you must include a summary and narrative for each project. Indicate on the first page of each narrative and in the one-page summary, the type of project(s) you are proposing: *Economic Development, Homeownership Assistance, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing, Microenterprise Programs, New Housing Construction, or Public Facilities and Improvements*. This will help to ensure that HUD will apply the appropriate project-specific criteria and rating subfactors in reviewing your application. Label each section of your narrative in accordance with the applicable factors and subfactors in the NOFA.

- **Application for Federal Assistance - (SF-424)**
- **Applicant/Recipient Disclosure Update Report - (Form HUD-2880) This is a curable deficiency.**
- **Implementation Schedule (Form HUD-4125) - An Implementation Schedule is required for each project.**
- **Cost Summary (Form HUD-4123) - If you are proposing more than one type of project, you are required to submit a separate budget for each project and a consolidated budget. The budget(s) should include cost information for specific activity costs, administration, planning, technical assistance and total HUD share. Planning and administrative costs cannot exceed 20 percent of each grant and may be funded only in conjunction with a physical development activity. See subfactor 3.2.**
- **Citizen Participation – A current tribal resolution stating the Citizen Participation requirements were followed in accordance with 24 CFR part 1003.604 for the proposed project.**
- **Low and moderate-income (LMI) benefit - It is required that your application demonstrates that at least 70 percent of the grant funds will be used for activities that benefit LMI persons in accordance with the requirements of 24 CFR part 1003.208. See Section IV subfactor 2.2 Project Benefit, for non-housing projects. If you are applying for any type of housing-related activity (construction, rehabilitation, and acquisition) or housing assistance, you must state in your application that all units will be occupied by**

LMI households upon completion or when assistance (e.g., down payment assistance) is provided.

b. Submissions for Certain Projects/Applicants: The following information must be submitted if it applies to your project or organization. If information under this section is not submitted with the application or is submitted incorrectly and the deficiency is not curable **and** cannot be requested, the application will be disqualified and not evaluated. Curable deficiencies will be determined by headquarters on a case by case basis.

- **Acknowledgement of Application Receipt (Form HUD-2993)** - This form is only required if you have been granted a waiver of the electronic submission requirements and you are submitting a paper application.

- **Resolution for Tribal Organization to Submit** - If you are a tribal organization defined in 24 CFR part 1003.5(b) and are submitting an application on behalf of an Indian tribe, you are required to include a resolution from the Indian tribe stating that you are submitting the application on their behalf.

- **Resolution on Tribal Funds Committed** - For tribes committing funds for the project, it is required that your application includes a current tribal resolution (or legal equivalent) that states the exact amount of funds, including but not limited to Indian Housing Block Grant (IHBG) funds, that the tribe is committing. If a tribal organization is committing the funds, the equivalent of a resolution must be provided.

- **Demographic Data** - If you are applying for any type of project other than a housing project your application must include information about the number of LMI persons that will benefit from the project. You can either use the data provided on HUD's website at: [FY 2019 Data Update for Low- and Moderate-Income \(LMI\) Area Benefit Designation for HUD ICDBG](#) ;or submit your own data. For more information on how to submit your own demographic data, see Rating Factor 2, in Section V.A.1 of this NOFA.

- **Housing Rehabilitation Project Requirements** - In accordance with 24 CFR part 1003.302(a), you must submit the required information below:
 - Provide a written statement that the applicant has adopted rehabilitation standards and policies. The adopted rehabilitation standards and policies must be adopted before the application submission. Do not submit the policies.
 - Provide a written statement that ICDBG funds will be used to rehabilitate

housing only when the homeowner's payments are current or the homeowner is current in a repayment agreement. (This includes rental units that are being rehabilitated as well.) The Area Administrator on a case by case basis, may approve exceptions to this requirement if you provide adequate justification for the exception with your application. (For purposes of meeting this timely payment requirement, HUD-assisted houses are houses owned, operated or assisted by the tribe or its TDHE.)

- **New Housing Construction Project Requirements** - In accordance with 24 CFR part 1003.302(b), you must submit the required information below:
 - Documentation to demonstrate new housing construction will be implemented through a Community Based Development Organization (CBDO). If the organization has been previously determined by ONAP to be a CBDO, do not resubmit documentation of this in the application. Please contact your area ONAP to determine if your CBDO has not been previously approved.
 - You must state in your application that the project will be constructed in accordance with construction standards that were adopted by tribal resolution prior to the application deadline date. See definition at Section I.A.4. Standard Housing/Standard Conditions.
 - Provide documentation that shows:
 - No other housing is available in the immediate reservation area that is suitable for the households to be assisted; **and**
 - No other sources, including Indian Housing Block Grants (IHBG), can meet the needs of the household(s) to be served (applicants that receive minimum IHBG funding pursuant to the IHBG regulation at 24 CFR part 1000.328 are exempt from this provision); **and**
 - Rehabilitation of the unit occupied by the household(s) to be assisted is not economically feasible; **or**
 - The household(s) to be assisted is currently living in overcrowded conditions (more than one household per house); **or**
 - The household to be assisted has no current residence.

- **Economic Development Project Threshold Requirements** – In accordance with 24 CFR part 1003.302(c), you must submit the required information below:
 - Reasonable financial support will be committed from non-federal sources prior to disbursement of federal funds;
 - Any grant amount provided will not substantially reduce the amount of non-federal financial support for the activity;
 - Not more than a reasonable rate of return on investment is provided to the owner; **and**
 - That grant funds used for the project will be disbursed on a pro-rata basis with amounts from other sources.

- **Public Services** - You may not receive a Single Purpose grant solely to fund public service activities. However, your application may contain a public service component for up to 15 percent of the total grant. In addition, the public service(s) may be unrelated to the other project(s) in the application. If your application does not receive full funding, HUD will reduce the public service allocation so that it comprises no more than 15 percent of the total grant award. A complete description of public service projects can be found at 24 CFR part 1003.201(e).

- **Infrastructure Projects** - If your infrastructure project will support future housing or community development project(s), you must submit evidence that the housing or community development project(s) will be completed within three years of the grant award.

- **Land Acquisition to Support New Housing Projects** - Land for future housing projects must include evidence that the land is suitable for housing. You must also establish that there is a reasonable ratio between the number of net usable acres to be acquired and the number of LMI persons to benefit from the project. See Rating Factor 3, Subfactor 1.1 in Section V.A.1. of this NOFA. Award of a grant does not constitute approval of specific sites where activities that are subject to environmental review may be carried out.

- **Health Care Facilities** - If you are applying for a facility that would provide health care services funded by the Indian Health Service (IHS), you must include a statement that the facility will meet all applicable IHS facility requirements. HUD recognizes that tribes are contracting services from the IHS may establish other facility standards. These tribes must assure these standards at least compare to nationally-accepted minimum standards.

- **Correctional Facilities/Juvenile Detention Centers** - If you are applying for a correctional facility or juvenile detention center that would provide correctional services to be funded by the U.S. Department of Justice (DOJ) and/or Bureau of Indian Affairs (BIA), you must include a statement that the facility meets all applicable BIA/DOJ standards regarding correctional operations, programs and designs.

- **Evidence of Partner Commitment** - If you are proposing to partner with other

entities/organizations on your project, you must submit a letter on letterhead of the entity/organization and signed by the chief executive of the entity/organization that demonstrates that the entity/organization is willing and able to participate. This includes entities providing funds for the project as well as service providers and entities contributing to the operation of the project.

- **Indirect Cost Rate Agreement** - If your application will include funds for indirect costs, your application must include the documentation described in Section IV.F. of this NOFA. **This is a curable deficiency.**
- **Code of Conduct** - If your Code of Conduct (code) is not listed on HUD's website at [Code of Conduct for HUD Grant Programs](#) or if the information on the website has changed, you must submit a copy of your code of conduct with your application. **This is a curable deficiency.**

C. System for Award Management (SAM) and Dun and Bradstreet Universal Numbering System (DUNS) Number.

1. SAM Registration Requirement.

Applicants must be registered with SAM before submitting their application. In addition, applicants must maintain an active SAM registration with current information while they have an active Federal award or an application or plan under consideration by HUD.

2. DUNS Number Requirement.

Applicants must provide a valid DUNS number, registered and active at SAM, in the application. DUNS numbers may be obtained for free from [Dun & Bradstreet](#).

3. Requirement to Register with Grants.gov.

Anyone planning to submit applications on behalf of an organization must register at Grants.gov and be approved by the EBiz Point of Contact in SAM to submit applications for the organization.

Registration for SAM and Grants.gov is a multi-step process and can take four (4) weeks or longer to complete if data issues arise. Applicants without a valid registration cannot submit an application through Grants.gov. Complete registration instructions and guidance are provided at Grants.gov. See also Section IV.B for necessary form and content information.

D. Application Submission Dates and Times.

The application deadline is 11:59:59 p.m. Eastern time on **02/03/2020**. Applications must be received no later than the deadline.

Submit your application to Grants.gov unless a waiver has been issued allowing you to submit your application in paper form. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

"Received by Grants.gov" means the applicant received a confirmation of receipt and an application tracking number from Grants.gov. Grants.gov then assigns an application tracking number and date-and time-stamps each application upon successful receipt by the Grants.gov system. A submission attempt not resulting in confirmation of receipt and an application tracking number is not considered received by Grants.gov.

Applications received by Grants.gov must be validated by Grants.gov to be received by HUD.

"Validated by Grants.gov" means the application has been accepted and was not rejected with errors. You can track the status of your application by logging into Grants.gov, selecting "Applicants" from the top navigation, and selecting "Track my application" from the dropdown list. If the application status is "rejected with errors," you must correct the error(s) and resubmit the application before the 24-hour grace period ends. Applications in "rejected with errors" status after the 24-hour grace period expires will not be received by HUD. Visit Grants.gov for a complete description of processing steps after submitting an application.

HUD strongly recommends applications be submitted at least **48 hours before the deadline** and during regular business hours to allow enough time to correct errors or overcome other problems.

You can verify the contents of your submitted application to confirm Grants.gov received everything you intended to submit. To verify the contents of your submitted application:

- Log in to Grants.gov.
- Click the Check Application Status link, which appears under the Grant Applications heading in the Applicant Center page. This will take you to the Check Application Status page.
- Enter search criteria and a date range to narrow your search results.
- Click the Search button. To review your search results in Microsoft Excel, click the Export Data button.
- Review the Status column.
- To view more detailed submission information, click the Details link in the Actions column.
- To download the submitted application, click the Download link in the Actions column.

Please make note of the Grants.gov tracking number as it will be needed by the Grants.gov Help Desk if you seek their assistance.

HUD may extend the application deadline for any program if Grants.gov is offline or not available to applicants for at least 24 hours immediately prior to the deadline date, or the system is down for 24 hours or longer and impacts the ability of applicants to cure a submission

deficiency within the grace period.

HUD may also extend the application deadline upon request if there is a presidentially-declared disaster in the applicant's area.

If these events occur, HUD will post a notice on its website establishing the new, extended deadline for the affected applicants. HUD will also include the fact of the extension in the program's Notice of Funding Awards required to be published in the Federal Register.

In determining whether to grant a request for an extension based on a presidentially-declared disaster, HUD will consider the totality of the circumstances including the date of an applicant's extension request (how closely it followed the basis for the extension), whether other applicants in the geographic area are similarly affected by the disaster, and how quickly power or services are restored to enable the applicant to submit its application.

PLEASE NOTE: Busy servers, slow processing, large file sizes, improper registration or password issues are not valid circumstances to extend the deadline dates or the grace period.

1. Amending or Resubmitting an Application.

Before the submission deadline, you may amend a validated application through Grants.gov by resubmitting a revised application containing the new or changed material. The resubmitted application must be received and validated by Grants.gov by the applicable deadline.

If HUD receives an original and a revised application for a single proposal, HUD will evaluate only the last submission received by Grants.gov before the deadline.

2. Grace Period for Grants.gov Submissions.

If your application is received by Grants.gov before the deadline, but is rejected with errors, you have a grace period of 24 hours after the application deadline to submit a corrected, received, and validated application through Grants.gov. The date and time stamp on the

Grants.gov system determines the application receipt time. Any application submitted during the grace period not received and validated by Grants.gov will not be considered for funding. There is no grace period for paper applications.

3. Late Applications.

An application received after the NOFA deadline date that does not meet the Grace Period requirements will be marked late and will not be received by HUD for funding consideration. Improper or expired registration and password issues are not causes that allow HUD to accept applications after the deadline.

4. Corrections to Deficient Applications.

HUD will not consider information from applicants after the application deadline. HUD may contact the applicant to clarify information submitted prior to the deadline. HUD will uniformly notify applicants of each curable deficiency. A curable deficiency is an error or oversight that, if corrected, it would not alter, in a positive or negative fashion, the review and rating of the

application. See curable deficiency in the definitions section (Section I.A.3.). Examples of curable (correctable) deficiencies include inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

When HUD identifies a curable deficiency, HUD will notify the authorized representative by email. This email is the official notification of a curable deficiency. Each applicant must provide accurate email addresses for receipt of these notifications and must monitor their email accounts to determine whether a deficiency notification has been received. The applicant must carefully review the request to cure a deficiency and must provide the response in accordance with the instructions contained in the deficiency notification.

Applicants must email corrections of curable deficiencies to applicationsupport@hud.gov within the time limits specified in the notification. The time allowed to correct deficiencies will be no less than 48 hours and no more than 14 calendar days from the date of the email notification. The start of the cure period will be the date stamp on the email sent from HUD. If the deficiency cure deadline date falls on a Saturday, Sunday, Federal holiday, or on a day when HUD's Headquarters are closed, then the applicant's correction must be received on the next business day HUD Headquarters offices in Washington, DC are open.

The subject line of the email sent to applicationsupport@hud.gov must state: Technical Cure and include the Grants.gov application tracking number or the GrantSolutions application number (e.g., Subject: Technical Cure - GRANT123456 or Technical Cure - XXXXXXXXXXXXX). If this information is not included, HUD cannot match the response with the application under review and the application may be rejected due to the deficiency.

Corrections to a paper application must be sent in accordance with and to the address indicated in the notification of deficiency. HUD will treat a paper application submitted in accordance with a waiver of electronic application containing the wrong DUNS number as having a curable deficiency. Failure to correct the deficiency and meet the requirement to have a DUNS number and active registration in SAM will render the application ineligible for funding.

5. Authoritative Versions of HUD NOFAs. The version of these NOFAs as posted on Grants.gov are the official documents HUD uses to solicit applications.

6. Exemptions. Parties that believe the requirements of the NOFA would impose a substantial burden on the exercise of their religion should seek an exemption under the Religious Freedom Restoration Act (RFRA).

E. Intergovernmental Review.

This program is not subject to Executive Order 12372, Intergovernmental Review of Federal Programs.

F. Funding Restrictions.

Not Applicable

Indirect Cost Rate.

Normal indirect cost rules apply. If you intend to charge indirect costs to your award, your application must clearly state the rate and distribution base you intend to use. If you have a Federally negotiated indirect cost rate, your application must also include a letter or other documentation from the cognizant agency showing the approved rate. Successful applicants whose rate changes after the application deadline must submit new rate and documentation.

Nongovernmental organizations and Indian tribal governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If you have never received a Federally negotiated indirect cost rate and elect to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC). As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until you choose to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

State and local governments. If your department or agency unit has a Federally negotiated indirect cost rate, your application must include that rate, the applicable distribution base, and a letter or other documentation from the cognizant agency showing the negotiated rate. If your department or agency unit receives more than \$35 million in direct federal funding per year, you may not claim indirect costs until you receive a negotiated rate from your cognizant agency for indirect costs as provided in Appendix VII to 2 CFR part 200.

If your department or agency unit receives no more than \$35 million in direct federal funding per year and your department or agency unit has developed and maintains an indirect cost rate proposal and supporting documentation for audit in accordance with 2 CFR part 200, Appendix VII, you may use the rate and distribution base specified in that indirect cost rate proposal. Alternatively, if your department or agency unit receives no more than \$35 million in direct federal funding per year and has never received a Federally negotiated indirect cost rate, you may elect to use the de minimis rate of 10% of MTDC. As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until you choose to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

G. Other Submission Requirements.

1. Application Certifications and Assurances.

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), the applicant and the signing authorized representative affirm that they have reviewed the certifications and assurances associated with the application for federal assistance and (1) are aware the submission of the SF424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to federally-recognized Indian tribes, and those applicable to applicants other than federally-recognized Indian tribes. All program-specific certifications and assurances are included in the program Instructions Download on Grants.gov.

2. Lead Based Paint Requirements.

When providing housing assistance funding for purchase, lease, support services operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

When providing education or counseling on buying or renting housing that may include pre-1978 housing, when required by regulation or policy, applicants must inform clients of their rights under the Lead Disclosure Rule (24 CFR part 35, subpart A), and, if the focus of the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subparts B, R, and, as applicable, F - M)

V. Application Review Information.

A. Review Criteria.

1. Rating Factors.

The factors for rating and ranking applications and the points for each factor are explained below. A maximum of 100 points may be awarded under Rating Factors 1 through 5. An additional 2 points are available under this NOFA for **Opportunity Zones or Promise Zones**, which applicants **must provide the required documents/certification in the application.**

To be considered for funding, your application must receive a minimum of 15 points under Rating Factor 1 and a total of at least 75 points.

The criteria for Subfactors 2.2 and 3.4 will vary according to the type of project you are applying for.

RATING	FACTOR TITLE	POINTS	PROJECT TYPE
1	CAPACITY OF THE APPLICANT	34 (Current)/ 24 (New)	Minimum of 15 Points Required
1.1	Managerial, Technical and Administrative Capability	24	
1.1.a.	Managerial and Technical Staff	10	All Project Types
1.1.b.	Audits	5	All Project Types
1.1.c.	Audit Findings	4	All Project Types
1.1.d.	Procurement and Contract Management	5	All Project Types
1.2.	Past Performance	10 or 0	
1.2.a.	Disbursements	3 or 0	All Project Types
1.2.b.	Reports	3 or 0	All Project Types
1.2.c.	Close-outs	2 or 0	All Project Types
1.2.d.	Monitoring Findings	2 or 0	All Project Types
2	NEED/EXTENT OF THE PROBLEM	20 (Current)/ 30 (New)	

2.1	Need and Viability	6	All Project Types
2.2	Project Benefit	10	All Project
2.2.a.	Public Facilities and Infrastructure Projects	10	---
2.2.b.	Economic Development Projects	10	---
2.2.c.	New Housing Construction, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing, and Homeownership Assistance Projects	10	---
2.2.d.	Microenterprise Programs	10	---
2.3.	Project Connection to Tribal Youth	4	All Project Types
2.4.	New/Unfunded Applicants (New Applicants Only)	10	All Project Types
3	SOUNDNESS OF APPROACH	34	
3.1.	Description of and Rationale for Proposed Project	10	All Project Types
3.2	Budget and Cost Estimates	10	All Project Types
3.3	Project Implementation Schedule	4	All Project Types
3.4	Commitment to Sustain Activities	10	All Project Types
3.4.a.	Public Facilities and Infrastructure Projects	10	---
3.4.b.	Economic Development Projects	10	---
3.4.c.	New Housing Construction, Housing Rehabilitation, Housing Acquisition and Homeownership Assistance Projects	10	---
3.4.d.	Microenterprise Programs	10	---
3.4.e.	Land Acquisition Projects	10	---
4	LEVERAGING RESOURCES	6	All Project Types
5	COMPREHENSIVENESS AND COORDINATION	6	All Project Types
5.1	Coordination	2	---
5.2	Outputs, Outcomes, and/or Goals	4	---

Preference Points	Points
Opportunity Zones or Promise Zones	2

Rating Factor 1: Capacity of the Applicant Maximum Points: 34

Rating Factor 1 Maximum Points: (up to 34 points for Current Grantees/ up to 24 points for New Applicants)

Subfactor 1.1. Managerial, Technical, and Administrative Capability.

Subfactor 1.1.a. Managerial and Technical Staff (up to 10 points). You must describe the project specific roles and responsibilities and the knowledge/experience of all individual key staff, in planning, managing, and implementing projects in accordance with the implementation schedule for which funding is being requested. HUD will consider experience pertaining to the specific activities being proposed or the specific roles and responsibilities described in the application to be **relevant**, experience within the last 5 years to be **recent**, and evidence of completing past projects on or ahead of schedule to be **successful**. You must provide a brief description of the past project(s), the dates they were targeted to be completed and the dates they were actually completed.

Do not include job descriptions or resumes. Staff included in this subfactor will be considered as key staff and each individual included in this subfactor will be must meet the following criteria below. Individuals must be listed. Do not include an organization as key staff.

(10 points) You describe the roles/responsibilities and the knowledge/experience of all individual key staff in planning, managing, and implementing projects for which funding is being requested. Experience of all individual key staff is relevant, recent, and successful.

(5 points) You describe the roles/responsibilities and the knowledge/experience of most individual key staff, in planning, managing, and implementing projects for which funding is being requested. Experience of most individual key staff is relevant and is either recent or successful.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 1.1.b. Audits (5 points).

Describe how you, the applicant or responsible designee has met the audit requirements outlined in 2 CFR part 200, Subpart F. Indicate whether an audit submission was required the last two audit periods and whether it was submitted timely or required a deadline extension. 2 CFR part 200.512 that the audit must be complete and submitted within nine months after the end of the audit period. If the due date falls on a Saturday, Sunday, or Federal holiday, the reporting package is due the next business day. (*Specific references: §200.501 Audit requirements, §200.504 Frequency of audits, §200.512 Report submission; Federal Audit Clearinghouse: <https://harvester.census.gov/facdissem/main.aspx>*.)

Points will be assigned as follows:

(5 points)

- The annual audits for the last two audit periods were submitted and accepted by the FAC in accordance with 2 CFR part 200.500 (within 30 days after completion of the audit or 9 months after the fiscal year ends, whichever is earlier), **or**
- You received an extension of the audit submission date and you submitted your audit by the extended due date. If you received an extension, you must submit a copy of the extension approval letter. Do not submit your audit with the application, **or**,
- You are not required to submit an annual audit; you must state that you did not meet the audit threshold under 2 CFR part 200.500.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 1.1.c. Audit Findings. (4 points)

Describe whether there are any audit findings that were cited to HUD or any financial statement findings that impact the management of ICDBG or IHBG programs and if so, whether these will be resolved. Points will also be assigned based on the auditor's opinion for the most recent audit. (References: *Specific references: 200.511 Audit findings follow-up and 200.504 Frequency of audits*).

Points will be assigned as follows:

(4 points) You will receive the maximum points for this rating factor if there were no audit findings that were cited to HUD or any financial statement findings.

(2 points) During the rating period, you resolved all open audit findings that were cited to HUD or any financial statement findings that impact the management of ICDBG or IHBG programs by the established target date(s) and the most recent audit contained an unmodified opinion.

(0 points) During the rating period, you did not resolve all open audit findings that were cited to HUD or any financial statement findings that impact the management of ICDBG or IHBG programs by the established target date(s).

Subfactor 1.1.d. Procurement and Contract Management (5 points).

Describe how the policies and procedures of you, the applicant or responsible designee for procurement and contract management of the project meets the applicable regulatory requirements at 2 CFR part 200 and 24 CFR part 1003. [*Specifically 200.318 General procurement standards, as well as 200.319 Competition, 200.320 Methods of procurement, 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms, 200.323 Contract cost and price, 200.325 Bonding requirements, and 200.326 Contract provisions*], **and** 24 CFR Part 1003 [*including 1003.510 Indian preference requirements and 1003.606 Conflict of interest*].

Do not submit your procurement policy. If the procurement policy is submitted and inconsistent with the application, you may lose points.

Points will be assigned as follows:

(5 points) You described how you, the applicant or responsible designee for the project meet all 9 of the procurement and contract management policies and procedures referenced in the regulatory requirements at 2 CFR part 200 and 24 CFR part 1003.

(2 points) You did not clearly describe how you, the applicant or responsible designee for the project meet a majority of the 9 procurement and contract management policies and procedures referenced in the regulatory requirements at 2 CFR part 200 and 24 CFR part 1003.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 1.2. Past Performance (up to 10 points for current ICDBG grantees only). You are not required to respond to the past performance subfactors unless information is requested elsewhere in this rating factor. The term “rating period” in the subfactors below refers to the 2-year period immediately preceding the application due date. *Your performance in implementing Imminent Threat grants and Mold grants will also be considered in this subfactor.*

Subfactor 1.2.a. Disbursements (up to 3 points). For this subfactor, performance will be evaluated for all ICDBG grants that are open during the rating period. ICDBG funds awarded within 2-years of the application deadline are not included when calculating the Line of Credit Control System (LOCCS) percentage under this subfactor. However, ICDBG grants closed during the 2-year rating period are included in the calculating the LOCCS percentage under the subfactor.

Points will be assigned as follows:

POINTS	TOTAL AMOUNT IN LOCCS (as of application deadline date)
3	Up to 35%
2	More than 35% and less than 50%
1	More than 50% and less than 80%
0	More than 80%

Subfactor 1.2.b. Reports (up to 3 points). For this subfactor, performance will be evaluated for

ALL open ICDBG grants during the rating period.

Points will be assigned as follows:

(3 points) You submitted all Annual Status and Evaluation Report(s) (ASER(s)) **and all** Federal Financial Report(s) (FFRs)(SF-425) by the submission deadlines.

(1 points) You submitted **most of** the ASER(s) **or** the FFR(s) by the submission deadlines.

(0 points) You did not submit **all** the ASER(s) and all the FFR(s) by the submission deadlines.

Subfactor 1.2.c. Close-outs (2 points). For this subfactor, performance will be evaluated for all ICDBGs that were closed, due to be closed or should have been closed in the past 2 years of the Application Deadline Date of this NOFA. Applicant submitted closeout documents within the date the criteria for closeout has been met as described in the most recent implementation schedule HUD-4125 or the date the Area Office determined the criteria for closeout has been met. **Applicants will be awarded full points if they are current and in-compliance with the most recent implementation schedule and the close-out process has not commenced.**

Points will be assigned as follows:

(2 points) You submitted the close-out documents within 90 days of the date that the criteria for closeout has been met, in accordance with 24 CFR part 1003.508 and as described in the most recent implementation schedule HUD-4125 **or** the Area ONAP determined that the criteria for closeout had been met **or** you are current and in-compliance with the most recent implementation schedule and the close-out process has not commenced.

(0 points) You did not submit closeout documents within 90 days of the date that the criteria for closeout had been met, in accordance with 24 CFR part 1003.508 and as described in the most recent implementation schedule HUD-4125 **or** Area ONAP determined that the criteria for closeout had not been met.

Subfactor 1.2.d. Monitoring Findings. (2 points). For this subfactor, performance will be evaluated for resolved or unresolved ICDBG and/or IHBG monitoring and findings during the rating period. Do not submit responses to open monitoring findings with the application.

Points will be assigned as follows:

(2 points) During the rating period, you resolved open ICDBG and/or IHBG monitoring findings by the established target date(s). You will receive the maximum points for this rating factor if there were either no findings or the findings were not due to be resolved during the rating period.

(1 point) During the rating period, you are working to resolve open ICDBG and/or IHBG monitoring findings by the established target date(s).

(0 points) During the rating period, you did not resolve open ICDBG and/or IHBG monitoring findings by the established target date(s).

Rating Factor 2: Need/Extent of the Problem

Maximum Points: 30

Rating Factor 2 Maximum Points: (up to 20 points for Current Grantees/ up to 30 points for

New Applicants)

Subfactor 2.1. Need and Viability (up to 6 points).

(6 points) To receive full points:

- You describe the need for the project
- You demonstrate that the project will meet an essential community development need,
- You describe **how and why** the project will improve the viability of the community.

(3 points) To receive points:

- You describe the need for the project
- You demonstrate that the project meets an essential community development need **or**
- You describe how and why the project will improve the viability of the community.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 2.2. Project Benefit (up to 10 points). The criteria for this subfactor will vary according to the type of project you are applying for. Information below is based on the data you will be using.

To determine the percentage of LMI persons who will benefit from area-wide public facility and improvement projects as well as economic development projects, you may rely on census data HUD provides or data you can provide as explained below. The calculation of LMI benefit may be calculated based on households or persons, whichever is more advantageous to the applicant.

Using HUD Data

If you wish to use HUD data you must indicate which tabulation of census data you will use from the tables at: <https://www.huduser.gov/portal/icdbg2019/home.html>

Using Your Own Data

You may submit data that are unpublished, not generally available, and not older than the latest data available from the U.S. Census Bureau. If you are submitting demographic data other than the Census, you must state in your application that:

- Generally available published data are substantially inaccurate or incomplete;
- Data you are submitting has been collected systematically and is statistically reliable;
- Data are, to the greatest extent feasible, independently verifiable; and
- Data differentiate between reservation and BIA service area populations, when applicable.

If you are submitting your own data, you must include each of the following in your application:

- A sample copy of the survey form used to collect the data;
- An explanation of the methods used to collect the data;
- The number of persons that will benefit from the project;

- A list of incomes by household including household size; and
- The number of LMI persons that will benefit from the project.

Your survey cannot be older than 2010. If you fail to include all components listed above to support your own demographic data, HUD will use the information at: <https://www.huduser.gov/portal/icdbg2019/home.html> to determine points to be assigned in this subfactor.

Applicants proposing projects that meet the standard for limited clientele activities as described in 24 CFR §1003.208(b) will receive the full 10 points in this subfactor and do not have to submit demographic information.

Subfactor 2.2.a. Public Facilities and Infrastructure Projects (up to 10 points). If you are proposing a project that will serve a limited clientele as defined in 24 CFR part 1003.208(b) you must demonstrate that families/individuals to be served by the project will be LMI to receive the full points in this subfactor.

HUD will rely on the most advantageous demographic information to assign points for this subfactor.

Points will be assigned as follows:

- (10 points)** At least 85 percent of the beneficiaries are LMI.
- (5 points)** At least 75 percent but less than 85 percent of the beneficiaries are LMI.
- (2 points)** At least 55 percent but less than 75 percent of the beneficiaries are LMI.
- (0 points)** Less than 55 percent of the beneficiaries are LMI.

Subfactor 2.2.b. Economic Development Projects (up to 10 points). The beneficiaries from this type of project can be the persons served by the project (see above) and/or persons employed by the project based on the jobs created or retained because of the project. As with public facility and infrastructure projects, HUD will rely on demographic information submitted with your application to assign points for this subfactor.

To document persons employed by the project, you must describe the nature and number of jobs created or retained for LMI people. This information includes but is not limited to brief descriptions of proposed job responsibilities, job titles, salaries, and the number of full-time equivalent positions. HUD will assess whether the person employed by the project qualifies as LMI if the person will be LMI at the time the person is hired. If jobs will be retained because of the ICDBG project, you must include information that shows clearly and objectively that jobs will be lost without the project. Jobs retained only for the period of the grant will not count under this rating factor; they must be permanent jobs.

Points will be assigned as follows:

- (10 points)** At least 85 percent of the beneficiaries are LMI.
- (5 points)** At least 75 percent but less than 85 percent of the beneficiaries are LMI.
- (2 points)** At least 55 percent but less than 75 percent of the beneficiaries are LMI.

(0 points) Less than 55 percent of the beneficiaries are LMI.

Subfactor 2.2.c. New Housing Construction, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing and Homeownership Assistance Projects (up to 10 points).

Every year to accompany the ICDBG NOFA, HUD prepares a Factor 2 Needs Table (Needs Table) that is used to determine the need for housing in tribal areas. The ratio is based on the dollars allocated to a tribe/TDHE under the Indian Housing Block Grant (IHBG) formula program for need divided by the total number of American Indian and Alaskan Native (AIAN) households in the following categories:

- annual income below 80 percent of the median;
- overcrowded or without kitchen or plumbing;
- housing cost burden greater than 50 percent of annual income; and
- housing shortage (number of low-income AIAN households less total number of NAHASDA and Formula Current Assisted Stock).

You can find a copy of the Needs Table in the zip file with the Application Instructions for the ICDBG program when you download your application from [grants.gov](https://www.grants.gov). You do not need to attach the table with your application. HUD will refer to it when assigning points in this subfactor.

(10 points) The dollar amount for the Indian tribe is \$0 - \$750 or the tribe's total FY 2019 IHBG amount was \$100,000 or less and the Needs Table indicates that the Indian tribe has American Indian and Alaskan Natives (AIAN) households experiencing income or housing problems.

(5 points) The dollar amount for the Indian tribe is \$751 - \$1,250.

(2 points) The dollar amount for the Indian tribe is \$1,251 - \$3,999.

(0 points) The dollar amount for the Indian tribe is \$4,000 or higher, or the Needs Table indicates that the Indian tribe has no AIAN households experiencing income or housing problems.

Subfactor 2.2.d. Microenterprise Programs (up to 10 points). A microenterprise is a business with five or fewer employees, one or more of whom owns the business. The owner(s) of the microenterprise must be LMI and the majority of the jobs created or retained must be for LMI persons. For documenting persons employed by the project, you do not need to submit a demographic data statement and corresponding documentation. However, you need to submit information that describes the nature and number of the jobs created or retained. These types of projects will be scored as follows:

(10 points) All employees are LMI.

(5 points) At least 75 percent but less than 100 percent of the employees are LMI.

(2 points) At least 51 percent but less than 75 percent of the employees are LMI.

(0 points) Less than 51 percent of the employees are LMI.

Sub Factor 2.3: Connection to Tribal Youth (up to 4 points)

This sub factor provides points to tribes/tribal organizations who are proposing ICDBG-related activities with the main purpose of helping prepare youth to be contributing members of their community by increasing access to developmental programs. The ICDBG project may propose other activities, but the main purpose must be preparing youth to be contributing members of their community for the proposed project to receive points under this subfactor. Applicants must demonstrate how the ICDBG project would foster opportunities for youth in general skill building, including life skills, pursuing higher education, access to trades, leadership opportunities, etc. Applicants are required to provide a description of the how the project will have a clear and direct connection to the youth and impact their communities, in addition to being able to show reportable output and outcome measures. Failure to submit this information may result in not receiving the maximum points in this subfactor and Rating Factor 5.

Examples of youth-related projects include: projects that house or provide dedicated space for youth, such as homeless shelters for families, youth counseling facilities, gymnasiums, classrooms, student housing, and recreational centers, or projects that incorporate youth into the actual design and construction portion of the project, such as training of youth for building trades and related on-the-job training.

Points will be assigned as follows:

(4 points) The main purpose of the proposed project and/or activities is to prepare youth to be contributing members of their community, the proposed project has a clear and direct connection to tribal youth and the proposed project will have a direct impact on the community.

(2 points) The main purpose of the proposed project and/or activities is to prepare youth to be contributing members of their community and the proposed project and/or activities are geared towards tribal youth, but the connection is not direct and/or the project/activities will not have a direct impact on the community.

(0 points) Preparing youth to be contributing members of their community is not the main purpose of the proposed project and/or activities.

Subfactor 2.4: New and Unfunded Applicants (New Applicants Only) (up to 10 points).

Points are provided in this subfactor to applicants who have applied for but have not received ICDBG awards in recent years. It applies to the tribe, or the tribal organization on whose behalf the tribal organization is submitting the application, not the subrecipient working on the project. Only applicants that have never received an ICDBG or applicants whose prior grants have been closed for 2 years prior to the application deadline date can receive the points.

(10 points) You did not receive an ICDBG under the NOFAs between FY 2008 and FY 2018.

(5 points) You did not receive an ICDBG under the NOFAs between FY 2013 and FY 2018.

(2 points) You did not receive an ICDBG under the last two NOFA application cycles (FY17 and FY18).

(0 points) You received an ICDBG in the last two NOFA cycles (FY17 and FY18).

Subfactor 3.1. Description of and Rationale for Proposed Project (up to 10 points).

Points will be assigned as follows:

(10 points)

- You describe the project in detail including: *size* (for example: square feet, linear feet, and bedroom size as applicable); *type* (for example: type of building, type of construction, and material used); and *location* (for example: a map, address and aerial photo), if available, provide architectural renderings and floor plans;
- You described how the project is feasible and cost effective;
- You explain your rationale behind the project design;
- Describe how you will train and/or employ Section 3 residents or contract with Section 3 businesses to provide other economic opportunities in accordance with Section VI.B.1. of this NOFA.
- Describe how you will comply with Indian Preference requirements. If a conflict is identified between Section 3 and Indian Preference requirements, describe the nature of the conflict and how it will be addressed.
- **Housing Construction/Rehabilitation or Public Facility Building projects (only):** You describe and provide the cost savings (in percentage or dollar amount) resulting from either the building design or construction methods or energy efficiency measures that will be realized in future years;
- **Land for Future Housing (only):** You establish that there is a reasonable ratio between the number of usable acres to be acquired and the number of LMI households to benefit from the project.

(5 points)

- You described the project, but not in detail including: *size* (for example: square feet, linear feet, and bedroom size as applicable); *type* (for example: type of building, type of construction, and material used); and *location* (for example: a map, address and aerial photo), if available, provide architectural renderings and floor plans;
- You describe how the project is feasible and/or cost-effective; **or (but not both)**
- You explain your rationale behind the project design;
- **Housing Construction/Rehabilitation or Public Facility Building projects (only):** You describe and provide the cost savings (in percentage or dollar amount) resulting from either the building design or construction methods or energy efficiency measures that will be realized in future years;
- **Land for Future Housing (only):** You establish that there is a reasonable ratio between the number of usable acres to be acquired and the number of LMI households to benefit from the project.

(2 points)

- You did not describe the project in detail;
- You did not describe how the project is cost-effective; or

- You did not explain your rationale behind the project design;
- **Housing Construction/Rehabilitation or Public Facility Building projects (only):** You did not describe and provide the cost savings (in percentage or dollar amount) resulting from either the building design or construction methods or energy efficiency measures that will be realized in future years;
- **Land for Future Housing (only):** You did not establish that there is a reasonable ratio between the number of usable acres to be acquired and the number of LMI households to benefit from the project.

(0 points): The application did not contain information sufficient to award points under this Subfactor.

Subfactor 3.2. Budget (up to 10 points). You must submit form HUD-4123 (Cost Summary) and may supplement the budget information in your narrative. If your application includes a public service component, your budget must also include a breakdown of those costs.

For planning and administrative costs, do not include direct project costs /activity delivery costs (e.g. certain architectural/engineering, environmental, technical assistance, and some staff/overhead costs related to directly carrying out eligible activities) but include any funds the applicant will contribute toward administering the grant including planning and administrative costs that are charged as indirect costs charged to the ICDBG program under a cost sharing plan prepared under 2 CFR Part 200 as applicable. If you are not requesting ICDBG funds to administer the project, you must specify who will pay for this.

HUD will consider experience pertaining to the specific activities being proposed or the specific roles and responsibilities described in the application to be **relevant** and experience within the last 5 years to be **recent**.

Points will be assigned as follows:

(10 points)

- Your budget is reasonable and reflects construction costs for the area, if applicable.
- To demonstrate the budget is reasonable, you must provide a cost comparison to one or more similar type(s) project(s) in the area or within Total Development Costs.
- Costs are broken down by line item for each proposed activity and the budget includes planning and administration.
- You described the qualifications of the person who prepared the cost estimates.
- Experience of the cost estimator is recent and relevant to the type of project proposed.

(5 points)

- Your budget is reasonable.
- Costs are broken down for each proposed activity.
- You described the experience of the person who prepared the cost estimates. The experience is relevant, but not recent, or vice versa.

(0 points) The application did not contain information sufficient to award points under this

Subfactor.

Subfactor 3.3. Project Implementation Schedule (up to 4 points).

Points will be assigned based on the level of detail provided in your Implementation Schedule (for HUD-4125) and/or project implementation narrative.

Points will be assigned as follows:

(4 points) Your implementation schedule (form HUD-4125) and/or project implementation narrative includes a detailed breakdown of tasks needed to complete your project.

(2 points) Your implementation schedule and/or project implementation narrative includes a breakdown of tasks needed to complete your project.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

3.4. Commitment to Sustain Projects (up to 10 points).

Your application shows that you will be able to sustain your project once it is complete. How you do that depends on the type of project you are applying for.

Subfactor 3.4.a. Public Facilities and Infrastructure Projects (up to 10 points).

State that either the tribe or another entity has adopted an operations and maintenance (O&M) plan to maintain the project and that it commits, by resolution or commitment letter, the funds to do so and the dollar amount. The O&M plan should also include the time frame not less than five years after the project closeout. These five components must be addressed in an O&M plan:

- Daily or other periodic maintenance activities;
- Repairs such as replacing broken windows;
- Capital improvements or replacement reserves for repairs such as replacing the roof;
- Fire and liability insurance (may not apply to most types of infrastructure projects, such as water and sewer lines); and
- Security (may not apply to many types of infrastructure projects, such as roads).

Points will be assigned as follow:

(10 points)

- You included the O&M statement and funding commitment or resolution described above.
- You described how the O&M plan addresses all five of the above components and included a satisfactory cost breakdown for annual expenses. **(For public facilities or community buildings**, applicant demonstrated that funds for recreation, social, or other services that will be provided in the building have been committed.)
- You included letters of commitment from outside service providers that identify both operating expenses and space needs. If the applicant is providing the funds for the recreation, social or other services a written statement to that effect was provided.

- For **infrastructure projects** that are done underground like: water, sewer or power lines, applicant only needs to address the first 3 of the 5 components.

(5 points)

- You included the O&M statement and funding commitment or resolution described above.
- You described how the O&M plan addresses at least four of the above components. (**For public facilities or community buildings**, applicant also demonstrated that funds for recreation, social, or other services have been committed.)
- You included letters of commitment from outside service providers that identify either operating expenses or space needs. If the applicant is providing the funds for the recreation, social or other services a written statement to that effect was provided.
- For **infrastructure projects** that are done underground like: water, sewer or power lines, applicant only needs to address 2 of the first 3 components.

(2 points)

- You included the O&M statement and funding commitment or resolution described above.
- You described how the O&M plan addresses at least three of the above components.
- You included letters of commitment from outside service providers, but the commitments do not address operating expenses or space needs.
- For **infrastructure projects** that are done underground like: water, sewer or power lines only need to address 1 of the first 3 components.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 3.4.b. Economic Development Projects (up to 10 points).

In accordance with 24 CFR 1003.302(c), you must provide a financial analysis prepared by a qualified party that meet the following criteria:

- The qualified party preparing the analysis must have recent and relevant experience in the type of project being proposed;
- The financial analysis must demonstrate that the project is financially feasible and has a reasonable chance of success;
- The analysis should include information about the project's market share, sales levels, growth potential, revenue projections, project expenses and debt service, if applicable; and
- The analysis must also demonstrate the public benefit resulting from the ICDBG assistance.

Points will be assigned as follows:

(10 points) You addressed all of the financial analysis components listed above and provided evidence that the project's chance for financial success is excellent.

(5 points) You addressed most of the financial analysis components listed above and provided

evidence that the project's chance for financial success is average.

(2 points) You addressed some of the financial analysis components listed above and provided evidence that the project's chance for financial success is fair.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 3.4.c. New Housing Construction, Housing Rehabilitation, Housing Acquisition, and Homeownership Assistance Projects (up to 10 points).

Points will be assigned as follows:

(10 points) You described the ongoing maintenance and insurance responsibilities (if applicable) of the applicant and/or participants in detail. You also stated who is paying for it.

(5 points) You described the ongoing maintenance and insurance responsibilities (if applicable) of the applicant and/or the participants in general. You also stated who is paying for it.

(2 points) You described the maintenance and insurance responsibilities (if applicable) of the applicant and/or the participants but not who is paying for it.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 3.4.d. Microenterprise Programs (up to 10 points).

Your application must describe the microenterprise program including the types of assistance offered to microenterprise applicants and the types of entities eligible to apply for the assistance. It must explain how you will analyze microenterprise applicants' business plans, market studies, and financial feasibility. For credit programs, you must describe how you will determine the loan terms (i.e. interest rate, maximum loan amount and duration, loan servicing provisions) that you will offer to individual microenterprise applicants.

Points will be assigned as follows:

(10 points) You addressed all of the above information or documentation applicable to the proposed project and provided evidence that the chance for success is excellent.

(5 points) You addressed the above information or documentation applicable to the proposed project and provided evidence that the chance for success is reasonable.

(2 points) You addressed the above information or documentation applicable to the proposed project and provided evidence that the chance for success is marginal.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 3.4.e. New Land Acquisition Projects to Support New Housing (up 10 points).

Your application must show the results of a preliminary investigation conducted by a qualified independent

entity demonstrating that the proposed site has:

- Suitable soil conditions for housing and related infrastructure;
- Potable drinking water accessible for a reasonable cost;
- Access to utilities;
- Vehicular access;
- Drainage;
- Nearby social and community services;
- No known environmental problems; and
- The land is zoned for the type of housing proposed.

Points will be assigned as follows:

(10 points) Your application includes all of the above information and demonstrates that 100 percent of all units will be constructed within two years after site purchase.

(5 points) Your application includes all of the above information and demonstrates that 50 percent of the units will be constructed within two years after site purchase.

(2 points) Your application includes most of the above information and demonstrates that 25 percent of the units will be constructed within two years after site purchase.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Rating Factor 4: Leveraging Resources

Maximum Points: 6

HUD will award points based on the percentage of non-ICDBG resources provided relative to project costs.

Points will be assigned as follows:

Non-ICDBG Resources to Total Project Costs	Points
25 percent or more	6
At least 18 percent but less than 25 percent	5
At least 11 percent but less than 18 percent	4
At least 4 percent but less than 11 percent	2
Less than 4 percent	0

Leveraged resources must be used for ICDBG-eligible activities and are subject to all ICDBG program requirements.

Leveraged resources include, but are not limited to:

- Tribal trust funds;
- Loans from individuals or organizations;
- Private foundations, businesses, state or federal loans or guarantees;

- Other grants including IHBG funds;
- Donated goods and services needed for the project;
- Land needed for the project (which can include land purchased prior to the application deadline date) but not land that has been used as leverage for prior ICDBG projects or land that was previously purchased with ICDBG funds;
- Land used for a building expansion project if the land was not previously used for leverage
- Direct administrative costs but only up to the 20% cap allowed for administrative costs of the ICDBG grant amount

Leveraged resources do not include:

- Indirect administrative costs as identified in 2 CFR 200;
- Administrative costs that exceed the regulatory limit of 20% of the ICDBG grant amount
- Ineligible ICDBG expenditures such as contributions of funds to pay for anticipated operations and maintenance costs of the proposed project; and
- The value of the existing facility (if your application is to expand or rehab an existing facility).

To provide evidence of leveraged funds you must submit the following documents with your application:

Type of Leveraged Resource	Evidence/Documentation Needed
Tribal Resources	<ul style="list-style-type: none"> • Tribal resolution committing funds or equivalent; the resolution (or equivalent) must identify the exact dollar amount (or value of resources to be committed) • If using in-kind funds, a method of valuation detailing the dollars used must be included. • For IHBG funds, whether the tribe or a TDHE administers them, the most recently approved IHP must identify the dollar amount and commit the IHBG resources to the project or if a future IHBG will be used, the application must identify the program year of the future IHP and the dollar amount to be provided from that IHP.
Tribal Organization (applicant) Resources	<ul style="list-style-type: none"> • Statement committing and identifying the amount of funds to be committed for leveraging.
Public Agency, Foundation or Other	<ul style="list-style-type: none"> • Letters of commitment which must include: <ul style="list-style-type: none"> ○ the donor organization's name, ○ the specific funds proposed,

Private Party	<ul style="list-style-type: none"> ○ the dollar amount of the financial or in-kind resource, ○ method for valuation, and ○ the purpose of that resource within the proposed project. ● Memorandum of understanding, and/or agreement to participate, including any conditions to which the contribution may be subject. ● An official of the organization legally authorized to make commitments on behalf of the organization must sign the commitment.
Goods and Services	<ul style="list-style-type: none"> ● Must demonstrate that the donated items are necessary to the actual development of the project and include comparable costs that support the donation.
Land	<ul style="list-style-type: none"> ● Land valuation must be established using one of the following methods and the documentation must be contained in the application. The application of land valuation documentation must state the method used to determine land value and identify the land value. The methods include: <ul style="list-style-type: none"> ○ A site-specific appraisal no more than two years old; ○ An appraisal of a nearby comparable site also no more than two years old; ○ A reasonable extrapolation of land value based on current area realtor value guides; or ○ A reasonable extrapolation of land value based on recent sales of similar properties in the same area.

Applicants are reminded that environmental review requirements under 24 CFR Part 58 apply to the commitment or use of both ICDBG and non-ICDBG funds in a leveraged project. See Section VI.B. of this NOFA for information related to this requirement.

HUD recognizes that in some cases, you may not get a firm commitment of non-tribal funds by the application deadline. In such cases, you must include a statement from the contributing entity that describes why the firm commitment cannot be made at the current time. The statement must say that your tribe/organization and proposed project meets the eligibility criteria for receiving the leveraged funds. It must also include a date by which the funding decisions will be made. This date cannot be over six months from the anticipated date of grant approval by HUD. If you do not provide HUD with evidence of the firm commitment from the original leverage source or an alternative source within six months of the date of grant approval, HUD reserves the right to terminate the grant for cause in accordance with 24 CFR 1003.702 or 1003.703, and to recapture the grant funds and, may award such funds in accordance with 24 CFR 1003.102.

Leveraged funds will be calculated by dividing total eligible leverage resources by the total project cost as identified in the application.

Grantees will be required to show evidence that leveraging resources were actually received and used for their intended purposes through quarterly reports (SF-425) as the project proceeds.

Rating Factor 5: Comprehensiveness and Coordination

Maximum Points: 6

For this rating factor, show that you have designed your project and plan to implement it in coordination with community members, tribal departments, and other agencies/organizations. Your proposed project should be consistent with any tribal comprehensive plans if such exist. If funded, you will have to report on the outputs and outcomes you propose in your application.

Subfactor 5.1. Coordination (up to 2 points)

Points will be assigned as follows:

(2 points)

- You demonstrated that the activities are consistent with strategic plans or policy goals of your community.
- You identified and describe how you plan to coordinate and work on the project with organizations that will not be providing leveraged funds to the project.
- You summarized how you involved the community in developing the application pursuant to the regulatory requirements for citizen participation requirements.

(1 point)

- You stated that the activities are consistent with plans and goals of the community but did not say how.
- You identified and describe how you plan to coordinate with other organizations but does not summarize how you involved the community in developing the application.
- You did not include citizen participation description.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

Subfactor 5.2. Outputs and Outcomes (up to 4 points).

In this portion of your application you must include outcomes and outputs you hope to achieve with your project. Outputs are measured in the volume of work accomplished. They should be clear enough to allow HUD to monitor and assess the proposed project's progress if funded. An outcome is the impact you hope to achieve with your proposed project. They should be quantifiable measures or indicators that identify the change in the community, people's lives, economic status, etc.

Depending on the type of project(s) proposed outputs could include but are not limited to:

- Number of housing units rehabilitated;
- Number of jobs created;
- Number of housing units constructed;
- Number of community facilities built;
- Square feet for any public facility;
- Number of education or job training opportunities provided;

- Number of tribal youth participants;
- Number of homeownership units constructed or financed;
- Number of businesses supported (including number of minority/Native American);
- Number of persons assisted;
- Linear feet of infrastructure.

Depending on the type of project(s) proposed, outcomes could include but are not limited to:

- Reduction in the number of families living in substandard housing;
- Reduction in overcrowding;
- Increased income and self-sufficiency resulting from employment generated by project;
- Increase enrollment figures in higher education;
- Increase in homeownership rates;
- Reduction of drug-related crime or health-related hazards;
- Increased units connected to gas, phone or electric lines/roads/water/sewer;
- Increased accessibility for persons with disabilities; or
- Improved energy efficiency.

Points will be assigned as follows:

(4 points) You included measurable output(s) and outcome(s) for the proposed activity.

(2 points) You included measurable outputs, but not outcomes, or vice versa.

(0 points) The application did not contain information sufficient to award points under this Subfactor.

2. Other Factors.

Preference Points.

HUD encourages activities in Opportunity Zones (OZ) and activities in collaboration with HBCUs. HUD may award two (2) points for qualified activities supporting either or both initiative(s). In no case will HUD award more than two preference points for these activities.

Opportunity Zones.

HUD encourages activities in Opportunity Zones (OZ) communities. HUD will award two (2) points for qualified activities within a designated zone or area.

Applicants must certify to HUD that the investment is in a qualified OZ.

To view the list of designated OZs, please see the following link on the U.S. Department of the Treasury website: <https://www.cdfifund.gov/Pages/Opportunity-Zones.aspx>.

If a community is both an Opportunity Zone and Promise Zone, only two (2) points will be provided. Such applicants may select which points are applied and which certification is provided to HUD.

Promise Zones.

HUD encourages activities in Promise Zones (PZ) communities. HUD will award two (2) points for qualified activities within a designated zone or area.

To receive Promise Zones Preference Points, applicants must submit form HUD 50153, Certification of Consistency with Promise Zone Goals and Implementation, signed by the Promise Zone Official authorized to certify the project meets the criteria to receive preference points. To view the list of designated Promise Zones and persons authorized to certify, please see the Promise Zone pages on [HUD's website](#).

HBCU.

This program does not offer HBCU preference points.

B. Review and Selection Process.

1. Past Performance

In evaluating applications for funding, HUD will consider an applicant's past performance in managing funds. Items HUD may consider include, but are not limited to:

The ability to account for funds appropriately;
Timely use of funds received from HUD;
Timely submission and quality of reports submitted to HUD;
Meeting program requirements;
Meeting performance targets as established in the grant agreement;
The applicant's organizational capacity, including staffing structures and capabilities;
Time-lines for completion of activities and receipt of promised matching or leveraged funds;
and
The number of persons to be served or targeted for assistance;

HUD may reduce scores as specified under V. A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review results in an adverse finding related to integrity or performance, HUD reserves the right to take any of the remedies provided in Section III.E Pre-selection Review of Performance, above.

2. Assessing Applicant Risk.

In evaluating risks posed by applicants, the Federal awarding agency may use a risk-based approach and may consider any items such as the following:

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in this part;
- History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, conformance to the terms and conditions of previous Federal

awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;

- Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and
- The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

3. Application Selection Process - HUD will review each application and assign points in accordance with the selection factors described in this section.

a. **Application Screening and Acceptance** - The Area ONAP will screen and accept applications if they meet all the criteria listed below.

- The application is received or submitted in accordance with the requirements of this NOFA.
- The applicant is eligible to submit an application.
- The proposed project is eligible.
- The application contains all of the applicable components listed in Section IV. B. of this NOFA. Your application shows that at least 70 percent of the grant funds are to be used for activities that benefit LMI persons. For screening purposes HUD will use the census data posted at [FY2019 Data Update for Low- and Moderate-Income \(LMI\) Area Benefit Designation for HUD's ICDBG](#) if the data submitted with the application does not meet this screening requirement.

b. **Threshold Compliance** - The Area ONAP will review each application that passes the screening process to ensure that each applicant and each proposed project meets the eligibility and submission thresholds in this NOFA.

c. **ICDBG Past Performance** - HUD will evaluate past performance of current grantees in Rating Factor 1.

d. **Rating** - The Area ONAP will review and rate each project that meets the acceptance criteria and threshold requirements. Once all applications are rated, the Area ONAP will conduct a review to ensure consistency in the application rating.

e. **Minimum Points** - To be considered for funding, your application must receive a minimum of 15 points under Rating Factor 1 and an overall score of 75 points.

f. **Ranking** - All projects will be ranked against each other according to the point totals they receive, regardless of the type of project or component under which the points were awarded. Projects will be selected for funding based on the final ranking to the extent that funds are available. The Area ONAP will determine individual grant amounts in a manner consistent with the considerations in 24 CFR 1003.100(b)(2). Specifically, the Area ONAP may approve a grant amount less than the amount requested. In doing so, the Area ONAP may consider the size of the applicant, the level of demand, the scale of the activity proposed relative to need and operational capacity, the number of persons to be served, the amount of funds required to achieve project objectives, and the reasonableness of the project costs. If the Area ONAP determines there are not enough funds available to fund a

project as proposed by the applicant, it may decline to fund that project and may fund the next highest-ranking project or projects for which adequate funds are available. In such cases, the Area ONAP will select, in rank order, additional projects for funding. The Area ONAP may also select additional projects for funding, in rank order if additional funds become available.

g. **Tiebreakers** - When rating results in a tie among projects and there is not enough money to fund all tied projects, the Area ONAP will approve projects that can be fully funded over those that cannot be fully funded. When that does not resolve the tie, the Area ONAP will use the following factors in the order listed to resolve the tie:

- The applicant that has not received an ICDBG over the longest period of time;
- The applicant with the fewest active ICDBGs; and
- The project that would benefit the highest percentage of LMI persons.

h. **Technical Deficiencies and Pre-award Requirements-**

1. Technical Deficiencies- If there are technical deficiencies in successful applications, you must satisfactorily address these deficiencies within the established deadline before HUD can make a grant award.

2. Pre-Award Requirements- If you are to receive a grant, you may have to provide supporting documentation concerning the management, maintenance, operation, or financing of proposed projects before a grant agreement can be executed. HUD may ask for additional information on the scope, magnitude, timing or method of implementing the project; or information to verify the commitment of other resources required to complete, operate, or maintain the proposed project. HUD will notify applicants by facsimile or via the U.S. Postal Service, return receipt requested. Applicants will be provided fourteen (14) calendar days from the date of receipt of the HUD notification to respond to these requirements. No extensions will be provided. If the deadline date falls on a Saturday, Sunday, or federal holiday, the response must be received by HUD on the next day that is not a Saturday, Sunday, or federal holiday. If you do not respond within the prescribed time period or makes an insufficient response, the Area ONAP will determine that the requirement has not been met and will withdraw the grant offer. You may not substitute new projects for those originally proposed in the application and any new information will not affect the project's rating and ranking.

The time period for calculating the response deadline for pre-award requirements begins on the day after receipt of the pre-award letter from the Area ONAP.

i. **Agency Errors-** Judgements made within the provisions of this NOFA and the program regulations (24 CFR Part 1003) are not subject to claim of error. There is no appeal process. You may however, bring arithmetic and HUD errors within your application score to the attention of your Area ONAP's within 30 days of being informed your score. In the event that HUD committed an error that would result in funding when corrected, HUD may issue an award, subject to the availability of funds.

j. **Performance and Compliance Actions of Funding Recipients** - HUD will measure and

address the performance of and order compliance actions by funding recipients in accordance with the applicable standards and sanctions of their respective programs.

VI. Award Administration Information.

A. Award Notices.

Following the evaluation process, HUD will notify successful applicants of their selection for funding. HUD will also notify other applicants, whose applications were received by the deadline, but have not been chosen for award. Notifications will be sent by email to the person listed as the AOR in item 21 of the SF424.

Negotiation. After HUD has made selections, some HUD programs may negotiate specific terms of the funding agreement and budget with selected applicants. If HUD and a selected applicant do not successfully conclude negotiations in a timely manner, or a selected applicant fails to provide requested information, an award will not be made to that applicant. In this case, HUD may select another eligible applicant. Consult the program NOFA for specific details.

HUD may impose special conditions on an award as provided under 2 CFR 200.207:

- Based on HUD's review of the applicant's risk under 2 CFR 200.205;
- When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- When the applicant or recipient fails to meet expected performance goals; or
- When the applicant or recipient is not otherwise responsible.

Adjustments to Funding. To ensure the fair distribution of funds and enable the purposes or requirements of a specific program to be met, HUD reserves the right to fund less than the amount requested in an application.

a. HUD will fund no portion of an application that:

- (1) Is not eligible for funding under applicable statutory or regulatory requirements;
- (2) Does not meet the requirements of this notice; or
- (3) Duplicates other funded programs or activities from prior year awards or other selected applicants.

b. If funds are available after funding the highest-ranking application, HUD may fund all or part of another eligible fundable application. If an applicant turns down an award offer, or if HUD and an applicant do not successfully complete grant negotiations, HUD may make an offer of funding to another eligible application.

c. If funds remain after all selections have been made, remaining funds may be made available within the current FY for other competitions within the program area, or be held for future competitions, or be used as otherwise provided by authorizing statute or appropriation.

d. If, after announcement of awards made under the current NOFA, additional funds become available either through the current appropriations, a supplemental appropriation, other appropriations or recapture of funds, HUD may use the additional funds to provide additional funding to an applicant awarded less than the requested amount of funds to make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.

Funding Errors. If HUD commits an error that when corrected would cause selection of an applicant during the funding round of a Program NOFA, HUD may select that applicant for funding, subject to the availability of funds.

If selected, your Area ONAP will send you an award letter and a grant agreement to sign and return. If you do not already have one, you will have to establish an account in LOCCS so you can draw down grant funds as needed to complete your project/activities. You will also be encouraged to participate in award implementation training offered by your Area ONAP. All grants are conditioned on the completion of all environmental obligations and approval of release of funds by the Area ONAP in accordance with the requirements of 24 CFR Part 58. HUD may impose other grant conditions if additional actions or approvals are required, before the use of funds.

B. Administrative, National and Department Policy Requirements for HUD recipients.

For this NOFA, the following Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards apply. Please [Click here](#) to read the detailed description of each applicable requirement.

1. Compliance with Non-discrimination and Other Requirements

Unless otherwise specified, these non-discrimination and equal opportunity authorities and other requirements apply to all NOFAs. Please read the following requirements carefully as the requirements are different among HUD's programs.

- Compliance with Fair Housing and Civil Rights Laws, Which Encompass the Fair Housing Act and Related Authorities (cf. 24 CFR 5.105(a)).
 - Economic Opportunities for Low-and Very Low-income Persons (Section 3).
 - Improving Access to Services for Persons with Limited English Proficiency (LEP).
 - Accessible Technology.

2. Equal Access Requirements.

3. Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Businesses.

4. Equal Participation of Faith-Based Organizations in HUD Programs and Activities.

5. Real Property Acquisition and Relocation.

6. Participation in HUD-Sponsored Program Evaluation.

7. Drug-Free Workplace.

8. Safeguarding Resident/Client Files.

9. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L.109-282) (Transparency Act), as amended.

10. Eminent Domain.

11. Accessibility for Persons with Disabilities.

12. Conducting Business in Accordance with Ethical Standards/Code of Conduct.

13. Environmental Requirements.

Compliance with 24 CFR part 50 or 58 procedures is explained below:

Activities under this NOFA are subject to the environmental review provisions set out at 24 CFR part 1003.605. The expenditure or commitment of ICDBG or nonfederal funds on project activities (other than those listed in 24 CFR 58.22(f), 58.34 or 58.35(b)) prior to HUD approval may result in the denial of assistance for the project or activities under consideration. Where a tribal organization has applied for a grant on behalf of an Indian tribe, the tribe is considered the grantee responsible for environmental review requirements.

It is essential for the project applicant, its environmental review partners (such as consultants) and the responsible entity tribe to have the capacity to manage the environmental review process. Applicants should verify that the proper training, experience and protocols are in place to ensure the environmental review requirements that are applicable to the type of project being proposed in the application are met. More information on the environmental review process and requirements is available on the <https://www.hudexchange.info/programs/environmental-review/>.

C. Reporting.

HUD requires recipients to submit performance and financial reports under OMB guidance and program instructions.

1. Reporting Requirements and Frequency of Reporting. Applicants should be aware that if the total Federal share of your Federal award includes more than \$ 500,000 over the period of performance, you may be subject to post award reporting requirements reflected in Appendix XII to Part 200-Award Term and Condition for Recipient Integrity and Performance Matters.

2. Performance Reporting. All HUD-funded programs, including this program, require recipients to submit, not less than annually, a report documenting achievement of outcomes under the purpose of the program and the work plan in the award agreement.

3. Race, Ethnicity and Other Data Reporting. HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of HUD programs in order to carry out the Department's responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987. NOFAs may specify the data collection and reporting requirements. Many programs use the Race and Ethnic Data Reporting Form HUD-27061, U.S. Department of Housing OMB Approval No. 2535-0113.

4. ICDBG Post-Award Reporting Requirements

a. Quarterly Financial Reports

If funded, grantees will have to submit a SF-425. The Federal Financial Report is due your Area ONAP at the end of each quarter.

b. Annual Status and Evaluation Report (ASER)

If funded, grantees will have to submit this report annually. The ASER is due 45 days after the end of the federal fiscal year and at the time of grant close-out to your Area ONAP.

The report must include:

- The progress made on completing your project;
- A list of work remaining;
- A breakdown of funds spent, and
- When the project is done, an evaluation of its effectiveness in meeting your community development needs.

c. Minority Business Enterprise Report

If funded, grantees must submit this report on contract and subcontract activity by October 10th of each fiscal year.

d. Close-Out Report

If funded, grantees must submit this report within 90 days completion of grant activities. The report consists of the final Federal Financial Report (SF-425), the final ASER and the Close-Out Agreement.

Please direct questions regarding specific reporting requirements to the point of contact listed in Section VII. Agency Contact(s).

D. Debriefing.

For a period of at least 120 days, beginning 30 days after the public announcement of awards under this NOFA, HUD will provide a debriefing related to their application to requesting applicants. A request for debriefing must be made in writing or by email by the authorized official whose signature appears on the SF424 or by his or her successor in office and be submitted to the point of contact in Section VII Agency Contact(s), below. Information provided during a debriefing may include the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

VII. Agency Contacts.

HUD staff will be available to provide clarification on the content of this NOFA.

Questions regarding specific program requirements for this NOFA should be directed to the point of contact listed below.

ONAP Grants Management Director
ONAP-ICDBG@hud.gov

Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339. Please note that HUD staff cannot assist applicants in preparing their applications.

VIII. Other Information.

1. National Environmental Policy Act.

This NOFA provides funding under 24 CFR 1003, and applicants are required to follow the environmental requirements that are outlined at 24 CFR 1003.605. This NOFA does not alter any of those environmental requirements. Accordingly, under 24 CFR 50.19(c)(5), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Activities under this NOFA are subject to the environmental review provisions set out at 24 CFR part 1003.605.

Appendix.

Area ONAP	Phone Numbers and Addresses	
Alaska	(907) 677-9800	3000 C Street, Suite 401 Anchorage, AK 99503
Eastern Woodlands	(800) 735-3239	Ralph H. Metcalfe Federal Building 77 West Jackson Boulevard, Room 2404 Chicago, Illinois 60604-3507
Northern Plains	(303) 672-5465	1670 Broadway, 24th Floor Denver, CO 80202-4801
Northwest	(206) 220-5270	909 1st Avenue, Suite 300 Seattle, WA 98104-1000
Southern Plains	(405) 609-8520	301 N.W. 6th Street Suite 200 Oklahoma City, OK 73102
Southwest	Phoenix Office One North Central	Albuquerque Office 500 Gold Avenue SW, 7th

	Avenue, Suite 600 Phoenix, AZ, 85004-2361 (602) 379-7213	Floor, Suite 7301 PO Box 906, Albuquerque, NM 87103-0906 (505) 346-6923
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