



U.S. Department of Housing and Urban Development

Public and Indian Housing

Indian Housing Block Grant (IHBG) - Competitive Grant Program

FR-6500-N-48

01/04/2022

Signature

Date

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Program Office:

Public and Indian Housing

Funding Opportunity Title:

Indian Housing Block Grant (IHBG) - Competitive Grant Program

Funding Opportunity Number:

FR-6500-N-48

Primary CFDA Number:

14.867

Due Date for Applications:

01/04/2022

Overview

The U.S. Department of Housing and Urban Development (HUD) issues this Notice of Funding Opportunity (NOFO) to invite applications from eligible applicants for the program and purpose described within this NOFO. 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.

During the selection process 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 NOFO: Please direct questions regarding the specific requirements of this Notice of Funding Opportunity (NOFO) to the office contact identified in Section VII.

Paperwork Reduction Act Statement. *The information collection requirements in this notice have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. Each NOFO will identify its applicable OMB control number unless its collection of information is excluded from these requirements under 5 CFR part 1320.*

OMB Approval Number(s):

2577-0218

I. FUNDING OPPORTUNITY DESCRIPTION.**A. Program Description.****1. Purpose**

This Notice of Funding Opportunity (NOFO) announces the availability of the Indian Housing Block Grant (IHBG)--Competitive Grant Program.

The IHBG program is authorized under Title I of the Native American Housing Assistance and

Self-Determination Act of 1996, as amended, (25 U.S.C. 4101 et seq.) (NAHASDA). Under the program, eligible Indian tribes and tribally designated housing entities (TDHEs) receive grants to carry out a range of affordable housing activities. Grant funds may be used to develop, maintain, and operate affordable housing in safe and healthy environments on Indian reservations and in other Indian areas and carry out other affordable housing activities. Grant funds must be used to primarily benefit low-income Indian families.

In the Consolidated Appropriations Act, 2021 (Appropriations Act) (Public Law 116-260), approved December 27, 2020) Congress provided a total of \$100,000,000 for competitive grants to eligible IHBG recipients authorized under NAHASDA in addition to formula-based funding. This NOFO describes the criteria that HUD will use to award IHBG Competitive grants, and outlines program requirements.

In January 2017, HUD released a study entitled, “Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs.” Among the findings, the study found that tribal households are substantially worse than other U.S. households, with overcrowding in tribal areas being especially severe. The study noted that in the 2013-2015 period alone, 68,000 new units would have been necessary to help eliminate overcrowding and replace physically deteriorating units. Additional information is available at: <https://www.huduser.gov/portal/pdredge/pdr-edge-research-022117.html>

The Department recognizes that this additional IHBG funding provides an opportunity to fund strong and viable affordable housing projects in Indian Country. These projects could begin to address the concerns identified in the study.

In accordance with the Appropriations Act, HUD will give priority to projects that spur construction and rehabilitation, while considering need and administrative capacity. HUD strongly encourages new affordable housing construction projects that will increase the number of housing units available for low-income Indian families and help address the housing shortage in Indian Country. Additionally, HUD encourages housing rehabilitation projects that will increase the useful life of existing affordable housing units and alleviate substandard housing conditions. HUD also encourages the acquisition of existing housing units that increases housing stock and necessary affordable housing-related infrastructure projects that will enable future construction or rehabilitation.

While HUD will give funding priority for new construction projects, rehabilitation projects, acquisition of existing housing units that increase housing stock, and necessary affordable housing-related infrastructure projects, applicants may also apply for funding to carry out other eligible activities under NAHASDA.

Finally, Indian tribes and TDHEs that are applying for funding under this NOFO are encouraged to propose projects that are part of a comprehensive plan to address housing conditions in their communities, including overcrowding and physically deteriorating units, as appropriate. Applicants should also engage in long-term planning and ensure that the project being proposed is part of a holistic plan that considers planned future infrastructure development, economic

development opportunities, and more.

All applications received through this NOFO that pass initial application screening and threshold review will be rated. Funds will be awarded in rank order based on the score received on the application submitted under this NOFO. HUD reserves the right to issue a supplemental or independent NOFO if necessary (e.g., to ensure that all appropriated funds are awarded). Grantees must comply with the requirements of NAHASDA and 24 CFR part 1000.

The Office of Native American Programs (ONAP) within HUD's Office of Public and Indian Housing will administer this program.

2. Changes from Previous NOFO.

Section II.A.-Available Funds

Updated to reflect that funding of **\$95,000,000** is available through this NOFO

Section III.A. Eligible Applicants

Subawards: Added language clarifying that eligible applicants may subaward to other entities under this NOFO. In this instance, HUD will assess the entity listed on the SF-424 throughout this competition.

Section III.D. Threshold Eligibility Requirements

- Threshold #3-Number of Applications and Eligible Activity Project(s): Added language specifying that if a TDHE serves as an umbrella organization for multiple tribes, the TDHE may only submit one application under this NOFO. Also, the applicant may not receive a grant that exceeds the applicable maximum grant amount set under this NOFO.
- Threshold #5-Late Audit Submissions. Will look at two years of data instead of one. Also, will now look at if the applicant or their corresponding Tribe/TDHE had a late audit. Finally, incorporated language to address submission delays caused by COVID-19.

Section IV.B.2. Format and Form

- Item "i." – Included in the list of submissions, any applicable firm commitment documentation for Rating Factor 4.

Section V.A.1. Rating Factors

- **Rating Factor 1**
 - Subfactor 1.1-Managerial and Technical Staff: Added language to clarify that the applicant does not need to address recent, relevant, and successful as part of the gap in capacity analysis.
 - Subfactor 1.2-Procurement and Contract Management: Added language to clarify that outdated references will not be accepted.
 - Subfactor 1.3-IHBG Expenditures: Added language to clarify that the applicant does not have to address the LOCCS balance in its work plan narrative unless

addressing the undisbursed balance. The maximum points allowed were reduced to two.

- Subfactor 1.4-Findings: Added language to clarify that the applicant does not have to address this subfactor in the work plan narrative. Also, added language to clarify that the findings of the corresponding Tribe/TDHE will be evaluated. The maximum points allowed were reduced to two.
- Subfactor 1.5-Timely Reporting. Added language to clarify that the applicant does not have to address this subfactor in the work plan narrative. The maximum points allowed were reduced to two.
- Subfactor 1.6- Late Audit Submission - Removed from threshold requirements and added as a sub-factor. Maximum points allowed is two.
- Sub-factor 1.7- Program Performance Going Forward was added to Rating Factor 1 that requires a detailed explanation of whether applicants are affected by COVID-19.

- **Rating Factor 2**

- Subfactor 2.1.b - Identified Needs and Supporting Data - added minimum needs to point value
- Subfactor 2.4-Sustainability: Added language to clarify that applicants that propose infrastructure projects where the proposed project will support the development of affordable housing after the Period of Performance must describe their plans to establish an affordability period in compliance with Section 205 of NAHASDA.

- **Rating Factor 3**

- Subfactor 3.1-IHBG Competitive Priorities: Added language to clarify that HUD will calculate percentage of funding proposed towards the eligible activity, excluding administration and planning costs. Added language to clarify the treatment of proposed infrastructure projects.
- Subfactor 3.2 - Deleted reference to Section 3
- Subfactor 3.4 – Budget – (Rating Factor Description) – deleted the following language from Rating Factor description – “HUD will also evaluate whether housing and non-dwelling structures that the applicant proposes to develop, acquire, or assist will meet moderate cost or design standards outlined in 24 CFR 1000.156-1000.162
- Subfactor 3.4 – Budget (Points Structure)- Added language to clarify acceptable supporting documentation in review of Total Development Costs.

- **Rating Factor 4-Leveraging Resources:** Added language to clarify that tax assessments are considered appraisals. Added language to point breakdowns to clarify that only leveraging resources with required firm commitment documentation will be counted.

3. Definitions.

a. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH). Affirmatively Furthering Fair Housing (AFFH) means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict

access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development.

Assistance Listings means a unique number assigned to identify a Federal Assistance Listing, formerly known as the CFDA Number.

Federal Financial Assistance means assistance that entities received or administer in the form of:

- 1) Grant;
 2. Cooperative agreements (which does not include a cooperative research and development agreement pursuant to the Federal Technology Transfer Act of 1986, as amended (15 U.S.C. 3710a));
 3. Loans;
 4. Loan guarantees;
 5. Subsidies;
 6. Insurance;
 7. Food commodities;
 8. Direct appropriations;
 9. Assessed or voluntary contributions; or
 10. Any other financial assistance transaction that authorizes the non-Federal entity's expenditure of Federal funds.
- b. Federal Financial Assistance does not include:
1. Technical assistance, which provides services in lieu of money; and
 2. A transfer of title to federally owned property provided in lieu of money, even if the award is called a grant.

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.

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 HUD's requirements regarding the Consolidated Plan and related Action Plan).

Contract means, [for the purpose of Federal financial assistance](#), a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a Federal award. For additional information on contractor and subrecipient determinations see 2 CFR 200.331.

Contractor means an entity that receives a contract as defined in 2 CFR 200.1.

Deficiency is information missing or omitted within a submitted application. Examples of deficiencies include 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 Deficiencies* may be corrected by the applicant 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 Deficiencies* cannot be corrected by an applicant 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 Dun and Bradstreet Data Universal Number

System identification number assigned to a business or organization by Dun & Bradstreet and provides a means of identifying business entities on a location-specific basis. OMB removed duplicate recipients based on recipient Data Universal Number System (DUNS) numbers, from Dun & Bradstreet (D&B). At this time all Federal financial assistance recipients are required to register for DUNS numbers.

E-Business Point of Contact (E-Biz POC) A user registered as an organization applicant who is responsible for the administration and management of grant activities for his or her organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The E-Biz POC authorizes representatives of their organization to apply on behalf of the organization (see Standard AOR and Expanded AOR). There can only be one E-Biz POC per DUNS Number.)

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

Federal award, has the meaning, depending on the context, in either paragraph (1) or (2) of this definition:

(1)(i) The Federal financial assistance that a recipient receives directly from a Federal awarding agency or a subrecipient receives indirectly from a pass-through entity, as described in 2 CFR §200.101; or

- ii. The cost-reimbursement contract under the Federal Acquisition Regulations that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity, as described in 2 CFR §200.101.

2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in 2 CFR §200.1, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.
3. Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).
4. See also definitions of Federal financial assistance, grant agreement, and cooperative agreement.

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 on Grants.gov is required for submission of applications to prospective agencies unless otherwise specified in this NOFO.

Non-Federal Entity (NFE) means a state, local government, Indian tribe, Institution of Higher Education (IHE), or non-profit organization that carries out a Federal award as a recipient or subrecipient.

Opportunity Zone (OZs) are defined in 26 U.S.C. 1400Z-1. In general, OZs are census tracts located in low-income communities where new investments, under certain conditions, may be eligible for preferential tax treatment.

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

Promise Zones (PZs) are high poverty communities where the federal government partners with local leaders to increase economic activity, improve educational opportunities, leverage private investment, reduce violent crime, enhance public health and address other priorities identified by the community.

Recipient means an entity, usually but not limited to non-Federal entities, that receives a Federal award directly from HUD. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

Small business is defined as a privately-owned corporation, partnership, or sole proprietorship that has fewer employees and less annual revenue than a corporation or regular-sized business. The definition of "small"—in terms of being able to apply for government support and qualify for preferential tax policy—varies by country and industry. The U.S. Small Business Administration defines a small business according to a set of standards based on specific industries. {[e-CFR Title 13-Chapter I – Part 121](#)}

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 pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that pass-through entity considers a contract.

Subrecipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award but does not include an

individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly for a Federal awarding agency.

System for Award Management (SAM) means the Federal Repository into which an entity must provide information required for the conduct of business as a recipient. Registration with SAM is required for submission of applications via Grants.gov. You can access the website at <https://www.sam.gov/SAM/>. There is no cost to use SAM.

Threshold Requirements are an eligibility requirement that must be met for an application to be reviewed. Threshold requirements 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.

Unique Entity Identifier means the identifier required for SAM registration to uniquely identify business entities.

4. Program Definitions

The definitions in NAHASDA and in the IHBG program regulations at 24 CFR 1000.10 apply to this program.

Other NAHASDA-eligible activities: For this NOFO, this term refers to the eligible activities found in NAHASDA Section 202, other than new housing construction, rehabilitation, acquisition of existing housing units that increases affordable housing stock, and affordable housing-related infrastructure. Model activities under Section 202(6) are not eligible under this NOFO.

Firm Commitment: This term refers to a letter of commitment, memorandum of understanding or agreement to participate from an applicant's partner specifying that it agrees to perform and/or support an activity specified in the application. The firm commitment must demonstrate that the partner has the financial capacity to deliver the resources or skills necessary to implement the proposed activity, either in cash or through in-kind contributions, if HUD awards IHBG competitive funds. Partners that may provide a firm commitment may be the tribal government, a public agency, foundation, or other private party resource provider.

B. Authority.

This program is authorized under the Consolidated Appropriations Act, 2021 (Public Law 116-260, approved December 27, 2020) the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), and any other authorities that may make additional funds available for award under this NOFO in the future.

II. Award Information.

A. Available Funds

Funding of approximately **\$ 95,000,000** is available through this NOFO. Additional funds may become available for award under this NOFO, because of HUD's efforts to recapture 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 funding restrictions contained in this NOFO.

Congress appropriated \$100 million for the IHBG Competitive Grant Program in FY2021. The maximum grant amount of \$5,000,000, and a minimum grant amount of \$500,000.

Additionally, Section VI.A. of the FY2020 IHBG Competitive NOFO provided that "if HUD commits an error that when corrected would cause selection of an application during the funding round of a Program NOFO, HUD may select that applicant for funding, subject to the availability of funds." Pursuant to this authority, HUD awarded amounts appropriated in FY2021 to an applicant under the FY2020 IHBG Competitive NOFO due to a HUD error. Accordingly, HUD is making \$95,000,000 available under this NOFO.

If an applicant requests more than the [maximum applicable grant amount](#) under this NOFO, then the application will not be reviewed. See Section III.D.4. Applicants must clearly document the amount requested under this NOFO on line 18a of the Application for Federal Assistance (SF-424). See Section IV.B.2.a. for guidance.

All applications received through this NOFO that pass the initial application screening and threshold requirements will be rated and ranked. Funds will be awarded in rank order based on the score received on the application submitted under this NOFO.

HUD reserves the right to issue a supplemental or independent NOFO if necessary (e.g., to ensure that all appropriated funds are awarded).

B. Number of Awards.

HUD expects to make approximately 20 awards from the funds available under this NOFO.

The number of awards will be based on the number of proposals HUD reviews, approves, and funds.

C. Minimum/Maximum Award Information

Estimated Total Funding:

\$95,000,000

Minimum Award Amount:

\$500,000

Per Project Period

Maximum Award Amount:

\$5,000,000

Per Project Period

D. Period of Performance

The period of performance and planned drawdowns for any grant awarded under this NOFO must be included on the SF-424 (Blocks 17a-17b) and Implementation Schedule (form HUD-53247), and approved by HUD. Costs must be incurred during the period of performance identified on the grant award.

Applicants may request a shorter period of performance based on the project(s) that is being

proposed for IHBG Competitive funding. The period of performance for projects considered under this NOFO cannot exceed 5 years.

Estimated Project Start Date:

03/17/2022

Estimated Project End Date:

03/17/2027

Length of Project Periods:

60-month project period and budget period

Length of Periods Explanation of Other:

E. Type of Funding Instrument.

Funding Instrument Type:

G (Grant)

III. Eligibility Information.

A. Eligible Applicants.

07 (Native American tribal governments (Federally recognized))

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

Additional Information on Eligibility

The following are eligible:

- Indian Tribes (as defined under section 4(13) of NAHASDA) and; Tribally Designated Housing Entity (TDHE) (as defined under 4(22) of NAHASDA) who have ever been allocated formula funding.

Applications submitted by a TDHE on behalf of an Indian tribe(s) must include a tribal certification(s) or resolution(s) on official letterhead authorizing the TDHE to apply on behalf of the tribe(s). HUD will accept existing Indian Housing Plan (IHP) certifications that state that the tribe has delegated to the TDHE the authority to submit an IHP or application on behalf of the tribe without prior review by the tribe. The certification(s) or resolution(s) must be submitted with the application. See Section IV.B.2.1.

An Indian tribe that authorizes a TDHE to apply on its behalf may not also submit its own application for funding. Such application will not be evaluated.

Subawards: Eligible applicants may subaward to other entities under this NOFO. In this instance, HUD will assess the entity listed on the SF-424 throughout this competition.

Alaska Tribes Only: Pursuant to Section 211 of the General Provisions in the 2021 Appropriations Act, only Native Alaskan Indian Housing Block Grant recipients that received IHBG grants in Fiscal Year 2005 are eligible to apply directly for funding under this NOFO. Native Alaskan tribes that are required to designate a Tribally Designated Housing Entities (TDHE) in Alaska for their IHBG formula program may not apply directly for funding

under this competition. Native Alaskan tribes that choose to but are not required to designate a TDHE in Alaska for its IHBG formula program may apply for IHBG competitive funds directly.

B. Ineligible Applicants.

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

C. Cost Sharing or Matching.

This Program does not require cost sharing or matching.

Cost sharing, mandatory matching or leveraging is not required under this grant, but applicants are encouraged to leverage other Federal (including IHBG formula funds) and non-Federal sources. HUD will award maximum points for applications that propose a certain percentage of leverage and provide the required firm commitments and/or supporting documentation to support each source of leverage. (See Rating Factor 4 of this NOFO). All leveraging must be secured and used by the end of the grant term. Other Federal sources are only allowed to be used as leveraging if permitted by a program's authorizing statute. Grantees will be required to show evidence that leveraging resources were actually received and used for their intended purposes through quarterly Federal Financial Reports (SF-425) as the project proceeds.

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.

1. Resolution of Civil Rights Matters. Outstanding civil rights matters must be resolved before the application deadline. Applicants, who after review are confirmed to have civil rights matters unresolved at the application deadline, will be deemed ineligible. Their applications will receive no further review, will not be rated and ranked, and they will not receive funding.

- a. Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that have not been resolved to HUD's satisfaction before or on the application deadline date are ineligible for funding. Such matters include:
 1. Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;
 2. Status as a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
 3. Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act or a claim under the False Claims Act related to fair

- housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
4. Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or the Americans with Disabilities Act; or
 5. Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.
- b. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:
1. Current compliance with a voluntary compliance agreement signed by all the parties;
 2. Current compliance with a HUD-approved conciliation agreement signed by all the parties;
 3. Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
 4. Current compliance with a consent order or consent decree;
 5. Current compliance with a final judicial ruling or administrative ruling or decision; or
 6. Dismissal of charges.

2. Timely Submission of Applications. Applications submitted after the deadline stated within this NOFO 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 Section IV. D. Application Submission Dates and Times.

3. Number of Applications and Eligible Activity Project(s)

Each eligible applicant may only submit one application under this NOFO, which may include one project or multiple projects. If an applicant submits more than one application under this NOFO, then HUD will only accept the last application submitted by the application deadline specified in Section IV.D.-Application Submission Dates and Times specified in this NOFO. Also, if a TDHE serves as an umbrella organization for multiple tribes the TDHE may only submit one application under this NOFO.

Regardless of whether the applicant proposes one or multiple projects with funding under this NOFO, the applicant may not receive a grant that exceeds the **applicable** maximum grant amount set under this NOFO. If an applicant requests more than the maximum applicable grant amount under this NOFO, the application will not be reviewed. See Section III.D.4. Additionally, if an applicant proposes multiple projects, HUD will evaluate all projects covered in the application together and will not separately score each project proposed.

An Indian tribe that authorizes a TDHE to apply on its behalf may not also submit its own application for funding. Such application will not be evaluated.

4. Grant Ceiling

If an applicant requests more than the maximum applicable grant amount under this NOFO, then the application will not be reviewed. Applicants must clearly document the amount requested under this NOFO on line 18a of the Application for Federal Assistance (SF-424). See Section IV.B.2.a. for guidance.

5. Rating Factors Thresholds

Applicants must receive a minimum combined score of 35 points for Rating Factor 1-Capacity of the Applicant and Rating Factor 2-Need, and a minimum of 820 points for Rating Factor 3-Soundness of Approach. Applicants who do not meet the minimum score for each of these rating factors and an overall score of 75 points (without the addition of Preference Points) will be ineligible to receive a grant under this competition.

6. Workplan Narrative

The Workplan Narrative is the response to all five rating factors listed in Section V of this NOFO and encompasses the proposed IHBG Competitive project(s). HUD will not review applications with Workplan Narratives that do not comply with the following requirements:

1. Maximum 30 pages (excluding supporting attachments and required forms);
2. Double-Spaced;
3. Letter-sized paper, 8-1/2 x 11 inches;
4. Times New Roman 12-point font; and
5. At least 1-inch margins on all sides.
6. Footnotes may follow standard footnote format of 10-point font and [single-spaced](#)
7. [Tables may be single-spaced](#)

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](#).

- Active Prime and Sub Recipient registration with SAM.gov
- 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.

Applicants awarded a grant under this NOFO are required to comply with all laws, regulations, and program requirements, including IHBG program regulations at 24 CFR part 1000.

Compliance with Fair Housing and Civil Rights Laws. Nondiscrimination requirements are outlined in 24 CFR 1000.12. Actions under NAHASDA by Federally recognized Indian tribes and their instrumentalities are subject to the requirements of Title II of the Civil Rights Act of 1968, known as the Indian Civil Rights Act, in addition to the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, and HUD's Equal Access requirements (24 CFR 5.105(a)(2)). Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act), including the obligation to Affirmatively Further Fair Housing apply to recipients that are not Federally recognized Indian tribes and their instrumentalities.

G. Criteria for Beneficiaries.

The beneficiaries of funds awarded under the IHBG Competitive program are families that meet the criteria of NAHASDA and 24 CFR 1000.104.

IV. Application and Submission Information.

A. Obtaining an Application Package.

Instructions for Applicants.

You must download both the Application Instructions and the Application Package from Grants.gov. You must verify that the Assistance Listing Number and Assistance Listing Description on the first page of the Application Package, and the Funding Opportunity Title and the Funding Opportunity Number match the Program and NOFO 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 NOFO 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 Number is not 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 mailed, shipped, or emailed request at least 15 calendar days before the application deadline and if you do not demonstrate good cause. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFO. To request a waiver, you must contact:

Name:

Director-Grants Mgmt

Email:

IHBGCompetitiveProgram@hud.gov

HUD Organization:

PIH-ONAP

Street:

451 7th Street SW, Rm. 4108

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

Notwithstanding the 15-day deadline referenced in Section IV.A. of this NOFO, applicants for the IHBG Competitive Grant Program may submit a waiver request from the electronic submission requirement up to 7 business days prior to the application deadline date. Applicants should send waiver requests to the contact listed above, with a copy to their respective ONAP Area Office.

B. Content and Form of Application Submission.

You must verify that boxes 11, 12, and 13 on the SF-424 match the NOFO 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 Assistance Listing and Funding Opportunity Number is non curable unless otherwise stated in Threshold requirements.

1. Content.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Application for Federal Assistance (SF424)	Submission is required for all applicants by the application due date.	
Disclosure of Lobbying Activities (SFLLL), if applicable	HUD will provide instructions to grantees on how the form is to be submitted.	If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
		States to insure or guarantee a loan, the applicant shall complete and submit the SF-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Applicants must furnish an executed copy of the Certification Regarding Lobbying prior to award.
HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report	HUD will provide instructions to grantees on how the form is to be submitted.	HUD instructions to grantees are provided by webcast, To view the webcast, click here.
Cost Summary (HUD-53246)	Submission is required for all applicants by the application due date.	For detailed instructions, see Section IV.B.2-Content and Form of Application Submission
Implementation Schedule (HUD-53247)	Submission is required for all applicants by the application due date.	For detailed instructions, see Section IV.B.2.-Content and Form of Application Submission
Certification for Opportunity Zone Preference Points (HUD-2996)	Submission is required for applicants requesting consideration for Preference Points	For detailed instructions, see Section IV.B.2.-Content and Form of Application Submission
Certification of Consistency with Promise Zone Goals and Implementation (HUD-510513)	Submission is required for applicants requesting	For detailed instructions, see Section IV.B.2.-Content and Form of Application Submission

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	consideration for Preference Points	
Tribal Area PCI	Resource document	A resource document that pertains to Rating Factor 4

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.

150 Pages maximum length of narratives

Double spaced 12-point (minimum) Times Roman font on letter sized paper (8 1/2 x 11 inches) with at least 1-inch margins on all sides

Submissions for All Projects: The following information must be submitted by applicants for all types of IHBG Competitive projects. Unless otherwise noted as a curable deficiency as defined in Section I.A.3.-Definitions, if information under this section is not submitted with the application or is submitted incorrectly, then the application will be disqualified and not evaluated. Submitted incorrectly includes documents or forms that are blank, forms for other competitive grant programs (e.g., Indian Community Development Block Grant), or that have file extensions that are incompatible with Grants.gov. Do not submit third-party documents, such as audits, general letters of support, or policies, unless specifically asked to do so. Unsolicited information will not be used when rating the applications.

a) Application for Federal Assistance (SF-424):

The SF-424 must include the information listed below. HUD may require successful applicants to update errors on the SF-424 based on the pre-award requirement process outlined in this NOFO. Line 18a (Federal) must list the amount requested under this IHBG Competitive Grant only. Other federal funding should not be listed.

1. Key Contact (Block 8f): List the contact information of the applicant's proposed IHBG Competitive Grant Program manager. Do not list a non-employee of the applicant, such as a contractor/consultant grant writer.
2. Catalog of Federal Domestic Assistance Number (Block 11): 14.867
3. Proposed Project Dates (Blocks 17a-b): The estimated period of performance start and end dates for projects awarded under this NOFO is 4/1/2022-3/31/2027. Applicants may request a shorter period of performance based on the project that is being proposed for

IHBG Competitive funding. Projects considered under this NOFO cannot exceed a 5-year period of performance.

4. Estimated Funding (Blocks 18a-g):
 - a. Line 18a (Federal) must list the amount requested under this IHBG Competitive grant only. This must not include any proposed federal funding used as leveraged funds.
 - b. Lines 18b-18f must list any proposed leveraged funds. Any federal funds proposed as leverage (e.g., IHBG formula) should be listed in line 18e, "Other."
 - c. Line 18g: Overall total from 18a-18g.
5. Authorized Representative (Block 21): Include the applicant's authorized representative contact information (e.g., Tribal Chief, TDHE Executive Director, etc.). This should not be the same person listed as the Key Contact in Block 8f.

b) Applicant/Recipient Disclosure/Update Report (form HUD-2880, Curable deficiency)

c) Implementation Schedule (form HUD-53247) for implementing the project. The dates listed on the Implementation Schedule must match the dates proposed on the SF-424, Blocks 17a-b. For applications proposing multiple projects, applicant may choose to submit a separate Implementation Schedule for each project. HUD may require successful applicants to update errors on the Implementation Schedule based on the pre-award requirement process outlined in this NOFO.

d) Cost Summary (form HUD-53246) providing cost information including specific activity costs, administration, planning, and total resources that will be committed to the project, including resources from both Federal and non-Federal sources. For applications proposing multiple projects, applicant may choose to submit a separate Cost Summary form for each project. HUD may require successful applicants to update errors on the Cost Summary form based on the pre-award requirement process outlined in this NOFO. The Cost Summary totals must match the information provided on the SF-424 and Budget Narrative and be completed as follows:

1. Planned NAHBG Expenditures (Column b): List the amount requested under this IHBG Competitive grant only and this must match requested amount listed in Line 18a of the SF-424. This must not include any proposed federal funding used as leveraged funds.
2. Planned Other Federal Funds Expenditures (Column c): List any proposed federal funds used as leverage (e.g., IHBG formula funds)
3. Planned Non-Federal Funds Expenditures (Column d): List any proposed non-federal funds used as leverage. Note: The totals for Columns c and d must match the total leveraged funds proposed in lines 18b-18f of the SF-424.
4. Administration (Line 5a-c): List any proposed funds towards administration and planning expenses in this section and must match the Budget Narrative. Any funds proposed towards Indirect Costs must be included in line 5b of the Cost Summary.
5. Grand Total (Line 7): The total must match the overall total in line 18g of the SF-424.

e) One-Page Proposal Summary (Curable deficiency): The applicant must include a one-page

summary of the proposed project(s), including which affordable housing activities it will implement under NAHASDA Sec. 202 and 24 CFR 1000 Subpart B. The summary must also include key outcomes the applicant will achieve (e.g., number of units constructed, rehabbed, number families targeted, etc.), should it be awarded an IHBG Competitive Grant. If the applicant is a TDHE applying on behalf of multiple tribes, then the TDHE must identify those tribes in its summary. HUD will not consider any information in the summary when rating applications and may require successful applicants to update the summary based on the pre-award requirement process outlined in this NOFO.

f) Workplan Narrative: The Workplan Narrative is the response to all five rating factors listed in Section V of this NOFO and encompass the proposed IHBG Competitive project(s). As stated in Section III.D.-Threshold Eligibility Requirements, HUD will not review applications with Workplan Narratives that do not comply with the following requirements:

1. Maximum 30 pages (excluding supporting attachments and required forms);
2. Double-Spaced;
3. Letter-sized paper, 8-1/2 x 11 inches;
4. Times New Roman 12-point font; and
5. At least 1-inch margins on all sides
6. Footnotes may follow standard footnote format of 10-point font and single-spaced
7. Tables may be single-spaced

g) Workplan Narrative Supporting Attachments:

Applicants may provide attachments to support the Workplan Narrative. Material provided in the attachments must support the rating factors information and will not be used in lieu of information provided in response to the rating factor criteria. Applicants are strongly urged to submit only information that is required and/or requested in the NOFO or relevant to a specific narrative response. The supporting attachments must not exceed 150 pages; supporting attachments submitted beyond the first 150 pages will not be reviewed. Label each page of each attachment with a page number and with a reference to the applicable Rating Factors and Subfactors in the NOFO.

h) Budget Narrative: The application must include a Budget Narrative separate from the Workplan Narrative that shows a breakdown for each budget line, including all sources and uses of funding for the proposed project(s). This Budget Narrative must match the figures on the SF-424 (Blocks 18a-g) and Cost Summary (HUD-53246). The applicant may also choose to submit this in the format of its own choosing (e.g., Word table attachment, Excel spreadsheet, etc.). The narrative must provide details on eligible activities and all planning and administrative costs (including indirect costs). For applications proposing multiple projects, applicant may choose to submit a separate Budget Narrative for each project. HUD may require successful applicants to update errors on the Budget Narrative based on the pre-award requirement process outlined in this NOFO.

i) Firm Commitment Documentation: If applicable, an applicant proposing any leveraged resources for this NOFO must provide the appropriate firm commitment documentation discussed in Rating Factor 4.

j) Certification of Compliance: Each application must include as a separate, standalone document signed by an authorized official of the applicant that provides the following:

1. The applicant certifies that, in carrying out a grant under this NOFO, it will comply with the applicable provisions of Title II of the Civil Rights Act of 1968, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and any other applicable federal laws and regulations;
2. The applicant certifies that it will maintain adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under this NOFO;
3. The applicant certifies that policies are in effect and are available for review by HUD and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under this NOFO;
4. The applicant certifies that policies are in effect and are available for review by HUD and the public governing rents and homebuyer payments charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under this NOFO;
5. The applicant certifies that policies are in effect and are available for review by HUD and the public governing the management and maintenance of housing assisted with grant amounts provided under this NOFO;
6. The applicant certifies that it will comply with section 104(b) of NAHASDA governing labor standards and 24 CFR 1000.16 governing labor standards; and
7. The applicant certifies that it will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) (42 U.S.C. 4601-4655), the regulations at 49 CFR part 24, and the requirements of 24 CFR 1000.14.

k) Code of Conduct (Curable deficiency): Applicants must submit their Code of Conduct with the application **if it is not listed on HUD's website**

at: https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conductgrants or if the information on the website has changed. This requirement is applicable to all applicants, even if the Code of Conduct is on file with the Area ONAP.

l) Environmental Review - Expression of Intent (Curable deficiency): Applicants must include, in a separate standalone document, a statement on whether the tribe plans to assume environmental responsibilities under 24 CFR part 58 or decline to assume environmental responsibilities and request HUD perform the review under 24 CFR part 50, in accordance with 24 CFR 1000.20.

m) Tribal Certification (Curable deficiency): If an application is submitted by a TDHE on behalf of a tribe, then a tribal certification or resolution on official letterhead must be submitted authorizing the TDHE to submit the application. HUD will accept copies of existing Indian Housing Plan (IHP) certifications that state that the tribe has delegated to the TDHE the authority to submit an IHP or application on behalf of the tribe without prior review by the tribe. The tribal

certification or resolution must be submitted with the application.

n) Indirect Cost Rate (Curable deficiency): The applicant must submit the following information if it is including indirect costs as part of the budget:

1. If the applicant is using a federally negotiated indirect cost rate, then the application must clearly state the approved rate and distribution base in the Budget Narrative and amount budgeted in the Cost Summary (HUD-53246, line 5B). The applicant must also include a letter stating the approved rate and distribution base or other documentation from the cognizant agency showing the approved rate; or
2. If the applicant has never had an indirect cost rate and wishes to use the de minimis rate, then the application must clearly state the intent to use the de minimis 10 percent of Modified Total Direct Costs (MTDC) in accordance with 2 CFR 200.414(f).

o) Disclosure of Lobbying Activities (SF-LLL) (Curable deficiency): State-recognized Indian tribes and TDHEs established under State law must submit this form.

Submission Requirements for Preference Points: Applicants may qualify for Preference Points under this NOFO by submitting the information below. Applicants may qualify for either Opportunity Zone Preference Points or Promise Zones Preference Points, not both.

p) Certification for Opportunity Zone Preference Points (HUD-2996): For Fiscal Year 2021, the applicant will earn points where the proposed activities/projects are located in a Census Tract that has been designated as an Opportunity Zone. Applicants that propose projects which substantially and directly benefit Opportunity Zone Census Tracts, but which do not consist of activities delivered within the Opportunity Zone Census Tracts may also be considered for competitive preference points.

In order to be eligible for Opportunity Zone preference points, applicants must complete and submit the HUD-2996 along with the SF-424. Applicants who do not complete this form and submit along with the rest of their application package will not be eligible to receive the points. Additionally, applicants who do complete this form, but indicate they intend to use less than 50% of the award within Opportunity Zone tracts will also be ineligible to receive preference points, unless: a.) the grantee can show why they are unable to expend at least 50% of the grant award within Opportunity Zone designated tracts, or b.) the grantee is able to make a compelling case for why the amount that will be expended will have a significant impact within Opportunity Zone designated tracts. 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>.

q) Certification of Consistency with Promise Zone Goals and Implementation (HUD-50153): 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 that 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 <https://www.hudexchange.info/programs/promise-zones/>.

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

1. SAM Registration Requirement.

Applicants must be registered with <https://www.sam.gov/> before submitting their application. Applicants must maintain current information in SAM on immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal contract or grant within the last three years, if applicable. Information in SAM must be current for all times during which the applicant has 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 <https://www.sam.gov/> 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 E-Biz POC 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 apply through grants.gov. Complete registration instructions and guidance are provided on grants.gov.

D. Application Submission Dates and Times.

Application Due Date Explanation

The application deadline is 11:59:59 PM Eastern Standard time on

01/04/2022

Applications must be received no later than the deadline, or, if HUD has issued you a waiver allowing you to submit your application in paper form, by HUD 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 timestamps 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 applying.

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

Grants.gov Customer Support. Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html> . Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to support@grants.gov. The customer support center is open 24 hours a day, seven days per week, except Federal holidays. The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service's teletype service at 800-877-8339.

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 NOFO 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 will uniformly notify applicants of each curable deficiency. 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 organization representative identified on the SF 424 Application for Federal Assistance via email. This email is the official notification of a curable deficiency.

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 - XXXXXXXXXXXX). 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 NOFOs. The version of these NOFOs as posted on Grants.gov are the official documents HUD uses to solicit applications.

6. Exemptions. Parties that believe the requirements of the NOFO 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.

1. Eligible activities: Projects funded under this NOFO are limited to eligible affordable housing activities, except for model activities, consistent with Section 202 of NAHASDA. Model activities under Section 202(6) of NAHASDA are ineligible under this NOFO.

2. Administrative and planning expenses: Consistent with 24 CFR 1000.238, recipients that are awarded a grant under this NOFO in excess of \$500,000 may use up to 20 percent of the grant award for IHBG-eligible administrative and planning expenses. Recipients awarded a grant in the amount of \$500,000 or less may use up to 30 percent of the grant award for these costs. Administrative and planning expenses include but are not limited to costs of overall program and/or administrative management, coordination of monitoring and evaluation, and preparation of reports. A detailed breakdown of these costs must be included in the Budget Narrative.

3. Pre-award costs: With the exception of proposal costs incurred to prepare an application for submission under this NOFO and the value of land acquisition used towards an applicant's leveraging contribution as discussed in Rating Factor 4, all costs, including leveraging resources, must be incurred within the period of performance dates established in the IHBG Competitive grant agreement. Applicants requesting reimbursement of proposal costs associated with the preparation of the IHBG Competitive application must clearly identify this amount and activity in the narrative. If successful, any proposal costs incurred that are reimbursed with grant funds will count towards the applicant's administration and planning cap.

4. Consultant Cap: In accordance with 24 CFR 1000.26(b)(2), IHBG Competitive Grant funds may not be used, directly or indirectly, to pay or provide reimbursement for payment of compensation to a consultant in an employer-employee type of relationship at more than the daily equivalent of the rate paid for the Level IV of the Executive Schedule ([For example, the 2021 rate is \\$82.65/hr, \\$661.24/day](#)). For more information on the Executive Schedule, please see the [Office of Personnel Management \(OPM\) website](#):

5. Investment of IHBG competitive funds: IHBG Competitive Grant funds awarded under this NOFO may not be invested pursuant to section 204(b) of NAHASDA. Applications that propose to invest IHBG Competitive Grant funds will not be funded.

6. Title VI Loan Guarantees: IHBG Competitive Grant funds awarded under this NOFO may not be used for guarantees under Title VI of NAHASDA. Applications that propose to use funds for this purpose will not be funded.

Indirect Cost Rate.

Applicants other than state and local 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 your agency does not have a current negotiated rate (including provisional) rate and elects 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.

G. Other Submission Requirements.

1. Application, Assurances and Certifications.

Standard Form 424 (SF-424) Application for Federal Assistance Programs is the government-wide form required to apply for Application for Federal Assistance Programs, 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 (Assurances of Non construction Programs) or SF424D (Assurances for Construction Programs). Applications receiving funds for both non-construction programs and construction programs must submit both the SF-424B and SF-424D.

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 organization 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 SF-424 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 organization 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, or Alaska native villages and those applicable to applicants other than federally recognized Indian tribes or Alaska native villages.

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. Applicants and recipients are required to submit assurances of compliance with federal civil rights requirements. *See, e.g.,* Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975; *see also* 24 C.F.R. §§ 1.5; 3.115; 8.50; and 146.25. HUD accepts these assurances in the form of the SF-424B and SF-424D, which also require compliance with all general federal nondiscrimination requirements in the administration of the grant.

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. To be considered for funding, the applicant must receive a minimum combined score of 35 points under Rating Factor 1 and Rating Factor 2, and a minimum of 20 points under Rating Factor 3. Applicants who do not meet the minimum score for each of these rating factors are ineligible to receive an award under the competition. Eligible applicants must also receive an overall total of at least 75 points without the addition of the Preference Points to be considered for funding.

1. Rating Factors

Maximum Points: 20

RATING FACTOR	FACTOR TITLE	POINTS
1	*CAPACITY OF THE APPLICANT	20
1.1	Managerial and Technical Staff	8
1.2	Procurement and Contract Management	2
1.3	IHBG Expenditures	2
1.4	Findings	2
1.5	Timely Reporting	2
1.6	Single Audit Submission	2
1.7	Program Performance Going Forward	2
2	*NEED/EXTENT OF THE PROBLEM	25

2.1	Identified Needs and Other Supporting Data	9
2.2	Project Beneficiaries	3
2.3	Past Efforts to Address Identified Need	3
2.4	Sustainability	5
2.5	New and Previously Unfunded Applicants	5
	*Minimum combined score of 35 points needed from Rating Factor 1 and Rating Factor 2 in order to meet the threshold requirement	
3	SOUNDNESS OF APPROACH (Minimum of 20 points needed to meet threshold requirement)	40
3.1	IHBG Competitive Priorities	10
3.2	Project Implementation Plan	10
3.3	Project Implementation Schedule and Project Readiness	10
3.4	Budget	10
4	LEVERAGING RESOURCES	5
5	COMPREHENSIVENESS AND COORDINATION	10
5.1	Coordination	7
5.2	Outputs and Outcomes	3
	PREFERENCE POINTS FOR EITHER OPPORTUNITY ZONES OR PROMISE ZONES	2
	TOTAL POINTS (Minimum of 75 points needed, without the addition of Preference Points, to meet threshold requirement)	102

Rating Factor 1: Capacity of the Applicant

Maximum Points: 20

The applicant must demonstrate in its Workplan Narrative and supporting attachments that it possesses the managerial, technical, and/or administrative capacity necessary to carry out the proposed project. Material provided in the attachments must support the rating factor information and will not be used in lieu of information provided in response to the rating factor criteria. Supporting attachments may include, but are not limited to, written summaries of qualifications and past experience of proposed staff, descriptions of staff responsibilities, and

references or letters of endorsement from others who have worked with the proposed staff. Do not submit job descriptions or resumes. Do not submit Social Security Numbers of any personnel or consultants.

Subfactor 1.1. Managerial and Technical Staff

Maximum Points: 8

The applicant must provide a description of the roles and responsibilities, and knowledge and experience, of the key staff who will plan, manage and implement the project(s) that will be funded with the IHBG Competitive Grant. Do not list tribal organizations (e.g., Tribal Councils, Board of Commissioners), contractors, or consultants for this Subfactor. Each key staff must be individually described in the Workplan Narrative.

Knowledge and experience will be judged in terms of recent, relevant and successful experience for each key staff. In rating this factor, HUD will consider the following:

- Recent: Experience within the last 5 years;
- Relevant: Experience pertaining to the specific activities being proposed or the specific roles and responsibilities described in the application; and
- Successful: Experience producing a measurable impact on the quality and/or quantity of housing in the tribal community. Some indicators of success may include a description of key outcomes, overall impact of the accomplishment, award recognition, etc.

The applicant must also identify whether there are any potential gaps in capacity for managing and implementing the proposed project. This could include staffing needs for key staff, and/or the capacity of current staff to manage and implement the proposed project. If there are identified gaps, the applicant must provide a detailed assessment and plan for addressing the identified gaps (e.g., hiring more staff, working with a contractor/consultant to address any staff capacity gaps, etc.). The applicant should discuss timeliness and methods for identifying and bringing on qualified staff. If there are no gaps, the applicant must confirm that there are no gaps in capacity. The applicant does not need to address recent, relevant, and successful as part of the gap in capacity analysis. This criterion is only applicable to the applicant's own key staff that will plan, manage, and implement the IHBG Competitive grant.

(8 points)

The applicant thoroughly described all of the following for this Subfactor:

- The applicant identifies key staff and describes the roles and responsibilities of each of its key staff in planning, managing, and implementing the proposed projects;
- Key staff knowledge and experience as described is recent;
- Key staff knowledge and experience as described is relevant;
- Key staff experience as described produced specific successful accomplishments; and
- The applicant either provided an assessment and plan for addressing identified gaps in capacity for managing and implementing the proposed project or the applicant confirmed there were no gaps in staff capacity for managing and implementing the proposed project.

(5 points)

The applicant described all of the following, but the information provided lacked detail in one of the following areas to warrant the full points for this Subfactor:

- The applicant identifies key staff and describes the roles and responsibilities of each of its key staff in planning, managing, and implementing the proposed projects;
- Key staff knowledge and experience as described is recent;
- Key staff knowledge and experience as described is relevant;
- Key staff experience as described produced specific successful accomplishments; and
- The applicant either provided an assessment and plan for addressing identified gaps in capacity for managing and implementing the proposed project or the applicant confirmed there were no gaps in staff capacity for managing and implementing the proposed project.

(2 points)

The applicant described all of the following, but the information provided lacked detail in two of the following areas to warrant the full points for this Subfactor:

- The applicant identifies key staff and describes the roles and responsibilities of each of its key staff in planning, managing, and implementing the proposed projects;
- Key staff knowledge and experience as described is recent;
- Key staff knowledge and experience as described is relevant;
- The applicant either provided an assessment and plan for addressing identified gaps in capacity for managing and implementing the proposed project or the applicant confirmed there were no gaps in staff capacity for managing and implementing the proposed project

(0 points)

The applicant did not address any of the components described above to receive points under this Subfactor.

Subfactor 1.2. Procurement and Contract Management

Maximum Points: 2

The applicant must describe how it will implement its procurement and contract management policies and procedures in accordance with each of the following regulatory requirements. Applicants must comply with the applicable requirements at 2 CFR part 200 to the extent that part 200 is incorporated into and made applicable by 24 CFR part 1000.

Recent amendments to 2 CFR part 200 were effective on August 13, 2020, November 12, 2020, and February 22, 2021. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in applicable Federal Register notices, Grant Agreements (as may be amended), or program regulations, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the part 200 requirements as replaced or renumbered by the part 200 amendments.

- General procurement standards at 2 CFR 200.318-326 (excluding 200.322 and 200.324);
- Indian and tribal preference at 24 CFR 1000.48-1000.54; and

- Conflict of interest at 24 CFR 1000.30.

For full points, the applicant must address each of the regulatory requirements and describe how its implementation policies and procedures are consistent with the applicable procurement requirements. Referring to copies of procurement policies and/or citing that the policies meet the regulatory requirements is insufficient for awarding points under this Subfactor. **Applicants may submit copies of policies or the appropriate extracts from the policies, but only as supporting documentation to their description of how their policies and procedures meet regulatory requirements.**

(2 points)

The applicant or the entity that will be responsible for procurement and contract management of the project clearly describes how it is implementing its procurement and contract management policies and procedures in accordance with each of the regulatory requirements cited above.

(1 point)

The applicant provided some description of how it is implementing its procurement and contract management policies and procedures in accordance with some of the regulatory requirements. However, it did not address each of the regulatory requirements cited above.

(0 points)

Either the applicant did not describe how it is implementing its procurement and contract management policies and procedures in accordance with the applicable regulatory requirements or the description provided does not meet the regulatory requirements.

Subfactor 1.3. IHBG Expenditures

Maximum Points: 2

HUD will evaluate administrative capacity by considering how applicants (or for the IHBG formula program, if they are not an IHBG recipient, their IHBG formula recipient) have spent or invested IHBG formula funds. In awarding points, HUD will take into account the amount of unexpended IHBG formula funds remaining in LOCCS and its plans for spending undisbursed IHBG funds, or if approved for investments, the status of the invested funds and the applicant's plans to use these funds for affordable housing activities.

HUD will evaluate administrative capacity under this Subfactor using the categories below. In assessing an applicant's undisbursed funds, HUD will not consider IHBG formula funds awarded in FY 2021, the IHBG funds awarded under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, or the IHBG funds awarded under the American Rescue Plan (ARP) Act.

Eligible applicants that have ever been allocated IHBG formula funds but neither accept those funds nor have a current IHBG formula recipient will automatically receive 2 points for this Subfactor.

Category #1: Applicants not approved for investing formula IHBG funds or approved for but not investing IHBG formula funds.

For this Subfactor, applicants not approved for the investment of formula IHBG funds (or applicants approved for but not investing IHBG funds) will be evaluated on the expenditure of IHBG formula funding received in the 2018-2020 Federal fiscal years in comparison with the amount of undisbursed IHBG funds remaining in LOCCS on the date the NOFO is published. Applicants should not submit LOCCS or formula funding data for this Subfactor, as HUD will utilize its records to verify. Applicants do not have to address the LOCCS balance in its workplan narrative unless addressing the undisbursed balance described below.

An applicant with an undisbursed balance that is more than 25% of IHBG formula cumulative amounts that it received for the last three Federal fiscal years may qualify for full points under this Subfactor only if it includes a justification that is satisfactory to HUD demonstrating well-developed plans to accumulate IHBG funds to carry out a specific activity in the future. The justification must include supporting information on when and how the recipient intends to spend its undisbursed IHBG funds in the future to qualify for the full 3 points. This may include specific references to past Indian Housing Plans, Annual Performance Reports, or other related documents.

(2 points)

One of the following applies:

- The applicant's undisbursed amount in LOCCS is no more than 25% of IHBG formula cumulative amounts it received for the 2018-2020 Federal fiscal years; or
- The applicant's undisbursed amount is more than 25% of IHBG formula cumulative amounts and the applicant provided sufficient justification demonstrating well-developed plans to accumulate IHBG funds to carry out specific IHBG eligible activities in the future. The justification included supporting information on when and how the recipient intends to spend its undisbursed IHBG funds in the future.

(1 point)

One of the following applies:

- The applicant's undisbursed amount in LOCCS is between 26% and 75% of IHBG formula cumulative amount for the 2018-2020 Federal fiscal years. The applicant did not provide a justification and supporting information satisfactory to HUD demonstrating well-developed plans to spend its undisbursed IHBG amounts; or
- The applicant does not currently administer the IHBG formula program and accordingly does not have balances of IHBG funds.

(0 points)

The applicant's undisbursed amount in LOCCS is more than 75% of IHBG formula cumulative amount for the 2018-2019 Federal fiscal years. The applicant did not provide a justification and supporting information demonstrating a well-developed plan to spend its undisbursed IHBG amounts.

Category #2: Applicants approved for and investing IHBG formula funds

An applicant approved for and investing formula IHBG funds in accordance with Section 204(b) of NAHASDA and 24 CFR 1000.58 must submit information about its investment balances and its plans to spend the invested IHBG funds on affordable housing activities.

(2 points)

The applicant submitted all of the following information addressing its invested IHBG funds:

- The amount of IHBG grant funds that it currently has invested;
- The investment securities and other obligations in which the funds are invested; and
- A well-developed plan for spending the invested IHBG funds on affordable housing activities.

(1 point)

The applicant submitted some, but not all, of the following information addressing its invested IHBG grant funds:

- The amount of IHBG grant funds that it currently has invested;
- The investment securities and other obligations in which the funds are invested; and
- A well-developed plan for spending the invested IHBG funds on affordable housing activities.

(0 points)

The applicant is approved for and investing IHBG funds but did not provide information addressing its invested IHBG grant funds.

Subfactor 1.4. Findings

Maximum Points: 2

For this Subfactor, HUD will evaluate the performance of the applicant (or for the IHBG formula program, if they are not an IHBG recipient, their IHBG formula recipient) during the rating period of October 1, 2017, up to and including the NOFO publication date. To receive maximum points, the applicant must not have had any Single Audit findings, HUD-ONAP monitoring findings (IHBG, ICDBG, and other programs monitored by ONAP), or findings pertaining to ONAP programs from either HUD's Office of the Inspector General (OIG) and/or the US Government Accountability Office (GAO) at any time during the rating period. Applicants that have Single Audit findings pertaining to financial management, accounting, and internal controls (including procurement) for HUD- ONAP programs during the rating period will receive zero points in this Subfactor.

Applicants should neither submit supporting attachments nor address this subfactor in the work plan narrative, as HUD will utilize HUD records to verify.

(2 points)

The applicant did not have Single Audit findings, HUD-ONAP monitoring, HUD-OIG, or GAO findings at any time during the rating period.

(1 point)

One of the following applies:

- The applicant had outstanding HUD-ONAP monitoring, HUD-OIG, or GAO findings during the rating period but submitted information by the established target date(s) or revised target date(s) that ultimately resolved these findings; or
- The outstanding HUD-ONAP monitoring, HUD-OIG, or GAO findings were not due for resolution during the rating period based on the established target date(s) or revised date(s).

(0 points)

One of the following applies:

- During the rating period, the applicant had HUD-ONAP monitoring, HUD-OIG, or GAO monitoring findings that were due for resolution, and the applicant did not resolve the findings by the established target date(s) or revised target date(s); or
- The applicant had Single Audit findings pertaining to financial management, accounting, and internal controls for HUD-ONAP programs during the rating period.

Subfactor 1.5. Timely Reporting

Maximum Points: 2

Applicants who currently receive HUD-ONAP grants under the Indian Housing Block Grant formula program, IHBG Competitive Program, Indian Community Development Block Grant (ICDBG) program, COVID-19 Recovery Programs (IHBG-CARES, ICDBG- CARES, IHBG-ARP or ICDBG-ARP) or Tribal HUD-VASH program must ensure the timely submission of the following required reports: Annual Performance Report (APR), Annual Status and Evaluation Report (ASER), and the Federal Financial Report (SF-425). Applicants who have never received a HUD-ONAP grant will be awarded 2 points under this Subfactor.

HUD will award maximum points to those who have submitted all reports by the submission deadlines (which includes any granted extensions) for all HUD-ONAP grants during the two-year period immediately preceding the date that this NOFO is published. Applicants should neither submit supporting attachments nor address this Subfactor in its workplan narrative as HUD will utilize its records to verify.

(2 points)

The applicant submitted all required reports by the submission deadlines for all HUD-ONAP grants during the two-year period immediately preceding the date that this NOFO was published.

(1 point)

- The applicant has never received a HUD-ONAP grant.
- The applicant submitted some, but not all, required reports by the submission deadlines for HUD-ONAP grants during the two-year period immediately preceding the date this NOFO was published.

(0 points)

The applicant did not submit any required reports by the submission deadlines for HUD-ONAP

grants during the two-year period immediately preceding the date that this NOFO was published.

Subfactor 1.6. - Single Audit Submission

Maximum Points: 2

Applicants (or for the IHBG formula program, if they are not an IHBG recipient, their IHBG formula recipient) subject to the audit reporting requirements of 2 CFR part 200, Subpart F must not have any late Single Audit report submissions during the two-year period immediately preceding the date that the NOFO is published. This threshold includes those past fiscal year audit reports that were already overdue as of the NOFO publish date and those current fiscal year audit reports that were due during the two-year period but submitted late. Report submission will be verified using the Federal Audit Clearinghouse (FAC) at <https://harvester.census.gov/facdissem/main.aspx>.

If an applicant's audit submission is delayed by the COVID-19 national emergency, applicants may satisfy this threshold requirement by submitting evidence that the applicant's Area ONAP has acknowledged the delay is due to COVID-19 and not to the applicant's lack of action. Acceptable evidence for this threshold is a copy of a Voluntary Compliance Agreement (VCA) with the Area ONAP or a copy of a Letter of Warning (LOW) issued by the Area ONAP making this acknowledgment, along with evidence of compliance (i.e., the applicant's most recent Audit Progress Report). HUD will rely on this evidence and its own records to assess whether the applicant is substantially in compliance with the terms of the VCA or the LOW, including contacting the applicant's Area ONAP to confirm that compliance.

In cases where the audit submission was due on a weekend or holiday and was submitted the following business day, the audit submission will be considered timely. If the information available in the FAC is unclear as to whether the audit submission occurred after it was due, HUD will reach out to the applicant for additional information. HUD will consider an audit report submission that was on time in the time zone in which it was submitted to be timely. If an audit was submitted within a deadline extension afforded due to the COVID-19 national emergency, that is not considered late.

Points will be assigned as follows:

(2 points)

- The annual audits for the last two audit periods were submitted and accepted by the FAC in accordance with 2 CFR part 200, subpart F (within 30 days after completion of the audit or 9 months after the fiscal year ends, whichever is earlier), **or**
- The applicant 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**,
- The applicant is submitting a copy of the VCA or a copy of a LOW issued by the Area ONAP acknowledging the delay is due to COVID-19, along with evidence of compliance with the VCA or LOW (i.e., the applicant's most recent Audit Progress Report, or,

- The applicant is not required to submit an annual audit; the applicant must state why it did not meet the audit threshold under 2 CFR part 200, subpart F.

(0 points)

The application did not contain information sufficient to award points under this Subfactor

Subfactor 1.7 - Program Performance Going Forward

Maximum Points: 2

HUD recognizes the COVID-19 pandemic has presented and continues to present significant challenges for tribes to conduct normal program operations, including drawdowns, closeouts, the submission of audits, the resolution of audit and monitoring findings, the submission of financial reports, and the submission of ONAP program reports. For this subfactor, performance will be evaluated on your plans and ability to meet submission and reporting deadline requirements moving forward.

Points will be assigned as follows:

(2 points)

- Applicant provided a brief summary of how COVID-19 has affected (or not) the submission of drawdowns, closeouts, audits, the resolution of audit and monitoring findings, the submission of financial reports, and the submission of ONAP program reports; **and**
- Applicant provided a detailed explanation of how they plan to meet the requirements for the submission of drawdowns, closeouts, audits, the resolution of audit and monitoring findings, the submission of financial reports, and the submission of ONAP program reports going forward. Explained processes already in place, or that will be in place, to ensure requirements will be met, along with an estimated date of when meeting required deadlines will resume. If COVID-19 has not affected all or some of these operations, why? If COVID-19 has not hit the community, are there plans in place to maintain submission and reporting deadline requirements in the event that it happens?

(1 point)

- Applicant provided a brief summary of how COVID-19 has affected (or not) the submission of drawdowns, closeouts, audits, the resolution of audit and monitoring findings, the submission of financial reports, and the submission of ONAP program reports; **and**
- Applicant provided a detailed explanation of how COVID-19 has affected (or not) the submission of drawdowns, closeouts, audits, the resolution of audit and monitoring findings, the submission of financial reports, and the submission of ONAP program reports. Explain processes already in place, or that will be in place, to ensure requirements will be met, along with an estimated date of when meeting required deadlines will resume. If COVID 19 has not affected all or some of these operations, why? If COVID-19 has not hit the community, are there plans in place to maintain submission and reporting deadline requirements in the event that it happens?; **but**

- Applicant did not address two or more of the named performance areas in either or both the brief summary or the detailed explanation.

(0 points)

- The applicant did not provide sufficient information to award points under this subfactor.

Rating Factor 2: Need/Extent of the Problem

Maximum Points: 25

The applicant must identify its reasons for applying for an IHBG Competitive Grant and the activities that will be carried out with the grant funds. The narrative must explain the nature and extent of the need for the planned project or planned IHBG activities that the applicant will implement if awarded funding under this NOFO. The applicant must support its description of its needs and the extent of the problem with credible, reliable, and quantitative information.

Applicants are strongly encouraged to discuss their identified needs as they relate to long-term comprehensive plans for housing, infrastructure development, economic development, and related issues.

Subfactor 2.1. Identified Needs and Other Supporting Data

Maximum Points: 9

2.1.a Identified Needs (up to 6 points)

First, the applicant must identify the needs of the Indian tribe. The applicant must limit its description to the following factors for determining need. The applicant is not required to address all the factors listed in #1-7 below but instead must identify only the factors that are relevant to its proposed project or activities.

1. American Indian and Alaskan Native (AIAN) households with housing cost burden greater than 50 percent of formula annual income in its formula area (as defined under 24 CFR 1000.302).
2. AIAN households that are overcrowded or without kitchen or plumbing in their formula area
3. Housing Shortage in its formula area
4. AIAN households with annual income less than or equal to 30 percent of formula median income in its formula area
5. AIAN households with annual income between 30 percent and 50 percent of formula median income in its formula area
6. AIAN households with annual income between 50 percent and 80 percent of formula median income in its formula area
7. Number of AIAN persons in its formula area

Then, the applicant must describe how each proposed project or activity (e.g., new construction, infrastructure, rehabilitation, acquisition of existing housing units that increases housing stock, other NAHASDA eligible activities, etc.) will address the identified needs. Each identified need factor that the applicant chooses to identify must be discussed.

An applicant proposing to acquire existing housing units that increase its affordable housing

stock must also: 1) indicate the total number of units it proposes to acquire with IHBG competitive funds; and 2) demonstrate that the new units that it plans to acquire will result in an increase in the affordable housing stock in the community, and will not be entirely offset by the disposition or demolition of affordable housing units that it currently owns or operates.

Indian tribes that receive minimum needs funding must instead describe how the proposed project or activities will address the needs of the low-income households addressed in the certification that they are required to submit in their IHP pursuant to 24 CFR 1000.328. This description is in lieu of addressing factors #1-7 listed.

(6 points)

The applicant identified some or all of the need factors listed in #1-7 above and described how the project will address each identified need factor OR minimum needs.

(3 points)

The applicant identified the need for some or all of the need factors listed in #1-7 above but did not describe how the project will address each identified need factor.

(0 points)

The application did not discuss any of the need factors listed in #1-7 above.

2.1.b. Other Supporting Data (up to 3 points)

The needs identified in Subfactor 2.1.a. must be supported by final published U.S. Decennial Census data and American Community Survey data, and any other data used by HUD to calculate the FY 2021 final IHBG formula allocations. Alternatively, the needs identified in Subfactor 2.1.a. may be supported by any data included in a successful IHBG Census challenge previously approved by HUD before the date of publication of this NOFO.

A copy of all supporting data including census data or formula calculations from HUD must be included in the application.

In accordance with 24 CFR 1000.328, Indian tribes that receive minimum needs funding because of insufficient data can receive full points for this Subfactor if they certify the presence of any households at or below 80 percent of median income in their formula area.

(3 points)

The applicant thoroughly supported the needs identified in Subfactor 2.1.a. with data as described above in Subfactor 2.1.b.

(1 point)

The applicant provided data to support the needs identified in Subfactor 2.1.a. However, the data was not the data described in Subfactor 2.1.b.

(0 points)

The applicant did not provide any data to support the needs identified in Subfactor 2.1.a

Subfactor 2.2. Project Beneficiaries

Maximum Points: 3

The applicant must explain how eligible families will benefit from the proposed project and the number of families that will be assisted. The applicant must provide supporting documentation (e.g., waiting lists with identifying information removed, etc.) demonstrating that eligible families that will benefit from the proposed project either have been identified and will be able to be served with grant funds under this NOFO or supporting documentation describing how the applicant will identify eligible families that will benefit from the proposed project in the future, such as through putting in place a policy on how to identify eligible families.

(3 points)

The following is applicable for awarding points under this Subfactor:

- The applicant adequately described how eligible families would benefit from the proposed project, including the total number of families that will be assisted; and
- The applicant provided supporting documentation showing that the applicant either has identified eligible families or has a plan to identify eligible families.

(1 point)

The applicant described how eligible families would benefit from the proposed project, but did not provide supporting documentation showing that the applicant has either identified eligible families or has a plan to identify eligible families.

(0 points)

The applicant failed to include information describing the eligible families that will benefit from the proposed project.

Subfactor 2.3. Past Efforts to Address Identified Need

Maximum Points: 3

The applicant must describe why it is an opportune time to pursue this project. The applicant must indicate whether it has actively pursued the proposed project or similar activity in the past, or whether this is a new undertaking based on this NOFO. If pursued in the past, the narrative must include an explanation of the time elapsed since the applicant has actively pursued the project or similar eligible activity. If the applicant has not pursued the project in the past, then the narrative should explain the reasons why it is an opportune time to pursue the project. Applicants may describe projects that were funded by HUD grants or other funding sources to address past efforts to address the identified need.

All applicants must discuss any past or potential barriers towards implementing the project and strategies for overcoming possible barriers if awarded IHBG competitive funds.

(3 points)

One of the following applies:

- If pursued in the past, then the applicant has clearly addressed why this is an opportune time for this project, including an explanation of the time since last pursuing the proposed activity, a discussion of barriers, and strategies for overcoming possible barriers in the implementation process; or
- If the applicant has not pursued the project in the past, then the narrative explained the reasons why it is an opportune time to pursue the project and how it will overcome possible barriers.

(1 point)

The narrative either lacked a full explanation of why it is an opportune time to pursue the project or a discussion of barriers and strategies for implementation.

(0 points)

The applicant did not include an explanation of why it is an opportune time to actively pursue the project and did not identify possible barriers and how it will overcome possible barriers

Subfactor 2.4. Sustainability

Maximum Points: 5

HUD encourages projects that are part of a comprehensive plan to address housing conditions in the Indian tribe's or TDHE's community, including overcrowding and physically deteriorating units, as appropriate. Applicants should engage in long-term planning and ensure that the project being proposed is part of a holistic plan that considers planned future infrastructure development, economic development opportunities, and related issues.

For this Subfactor, the applicant must describe its plans to operate and maintain the project upon completion, including a plan for securing future funding sources to sustain the project. The applicant must also describe its plans to ensure that it will establish a minimum affordability period to ensure dwelling units assisted with funds under this NOFO will remain available to IHBG-eligible families for their remaining useful life in accordance with Section 205 of NAHASDA, including applicants that propose infrastructure projects where the proposed project will support the development of affordable housing after the Period of Performance. Finally, the applicant must describe how the project furthers the applicant's goals for implementing its IHBG program.

Applicants are reminded that they are required to adequately maintain all housing assisted under this program, and to ensure that the housing remains affordable for the required applicable affordability periods. An applicant's failure to comply with these requirements may result in HUD taking corrective and remedial actions under 24 CFR Part 1000, Subpart F.

(5 points)

The applicant fully explained all of the following:

- How it would continue to operate and maintain the project beyond the period of performance including the source(s) of funding;
- Its plans to ensure that each housing unit assisted under the program will remain affordable, according to binding commitments for the remaining useful life of each property; and

- How the project furthers its goals for implementing its IHBG program.

(3 points)

The applicant did not explain one of the following:

- How it would continue to operate and maintain the project beyond the period of performance including the source(s) of funding;
- Its plans to ensure that each housing unit assisted under the program will remain affordable, according to binding commitments for the remaining useful life of each property; and
- How the project furthers its goals for implementing its IHBG program.

(1 point)

The applicant did not explain two of the following:

- How it would continue to operate and maintain the project beyond the period of performance including the source(s) of funding;
- Its plans to ensure that each housing unit assisted under the program will remain affordable, according to binding commitments for the remaining useful life of each property; and
- How the project furthers its goals for implementing its IHBG program.

(0 points)

The applicant did not explain any of the following:

- How it would continue to operate and maintain the project beyond the period of performance including the source(s) of funding;
- Its plans to ensure that each housing unit assisted under the program will remain affordable, according to binding commitments for the remaining useful life of each property; or
- How the project furthers its goals for implementing its IHBG program

Subfactor 2.5. New and Previously Unfunded Applicants

Maximum Points: 5

The applicant, including its corresponding tribe or TDHE, will receive points if it did not receive an award under the FY18/19 IHBG Competitive Grant NOFO or FY20 IHBG Competitive Grant NOFO.

(5 points)

The applicant, including its corresponding tribe or TDHE, did not receive an IHBG Competitive Grant under the FY 2018/2019 and/or FY20 NOFOs.

(0 points)

The applicant, including its corresponding tribe or TDHE, received an IHBG Competitive Grant under the FY 2018/2019 and/or FY20 NOFOs.

Rating Factor 3: Soundness of Approach

Maximum Points: 40

The applicant must address the IHBG Competitive Priorities and its plans, schedule, and budget for implementing its proposed project.

Subfactor 3.1. IHBG Competitive Priorities

Maximum Points: 10

The Consolidated Appropriations Act, 2021, Public Law 116–260, provided that in awarding funds under this program, HUD is required to give priority to projects that will spur construction and rehabilitation. Accordingly, HUD is prioritizing applications that propose funding new housing construction projects, housing rehabilitation, acquisition of existing housing units that increase affordable housing stock, and affordable housing-related infrastructure projects that spur construction or rehabilitation.

HUD will award the maximum number of points under this Subfactor to new housing construction projects that address the critical housing shortage and further the development of new affordable housing in Indian Country. Proposals that include multiple NAHASDA-eligible activities will be rated according to the Subfactor category that would provide the applicant with the highest number of points. HUD will calculate percentage of funding proposed towards the eligible activity, excluding administration and planning costs.

HUD will rate applications that propose to use grant funds for acquisition under the appropriate Subfactor depending on the nature of the project being proposed. For instance, if an applicant is acquiring land or developing utilities to support the development of affordable housing in the future, then HUD will rate the application under Subfactor category 3.1.d. Affordable Housing-Related Infrastructure Projects. Similarly, if an applicant is acquiring units to rehabilitate them, then HUD will rate the application under Subfactor category 3.1.b. Housing Rehabilitation Projects. HUD will rate applications that propose the acquisition of existing housing units that increases affordable housing stock without any associated costs for construction, rehabilitation, or infrastructure using Subfactor category 3.1.c. Acquisition of Units.

Additionally, infrastructure associated with the construction, rehabilitation, or acquisition of units within the Period of Performance will be rated according to Subfactors 3.1a-3.1c. Infrastructure projects that will support the development of affordable housing after the Period of Performance requested in the application will be rated under Subfactor 3.1.d Affordable Housing-Related Infrastructure Projects.

HUD will use its best judgment based on the contents of the application when assessing which Subfactor category to use when rating an application.

3.1a - New Housing Construction Projects

Maximum Points: 10

HUD will award points for applications that propose to carry out new housing construction projects (including demolition followed by reconstruction and acquisition of manufactured housing, since such housing is constructed before acquisition) as follows:

(10 points)

The applicant is proposing to use 100% of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for

IHBG eligible families.

(8 points)

The applicant is proposing to use 80-99% of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(6 points)

The applicant is proposing to use 60-79% of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(4 points)

The applicant is proposing to use 40-59% of funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(2 points)

The applicant is proposing to use less than 39% of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(0 points)

The application does not propose to carry out NAHASDA-eligible new housing construction activities with the funds awarded under this NOFO.

3.1.b. Housing Rehabilitation Projects

Maximum Points: 7

HUD will award points for applications that propose to carry out housing rehabilitation projects as follows:

(7 points)

The applicant is proposing to use 75-100% of the funds awarded under this NOFO to carry out a housing rehabilitation project that will improve the conditions of existing affordable housing units that are occupied or will be occupied, by IHBG eligible families, and increase the useful life of such housing. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(5 points)

The applicant is proposing to use 50-74% of the funds awarded under this NOFO to carry out a housing rehabilitation project that will improve the conditions of existing affordable housing units that are occupied, or will be occupied, by IHBG eligible families, and increase the useful life of such housing. The applicant is also proposing to use the remainder of IHBG

Competitive Grant funds towards other NAHASDA-eligible activities.

(3 points)

The applicant is proposing to use less than 49% of the funds awarded under this NOFO to carry out a housing rehabilitation project that will improve the conditions of existing affordable housing units that are occupied or will be occupied, by IHBG eligible families and increase the useful life of such housing. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(0 points)

The application does not propose to carry out NAHASDA-eligible housing rehabilitation activities with the funds awarded under this NOFO.

3.1.c. Acquisition of Units

Maximum Points: 7

HUD awards points for applications that propose the acquisition of existing housing units that increases affordable housing stock without any associated costs for construction, rehabilitation, or infrastructure, as follows:

(7 points)

The applicant is proposing to use 75-100% of the funds awarded under this NOFO to acquire existing housing units that increase affordable housing stock for IHBG eligible families. The applicant is also proposing to use the remainder of the IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(5 points)

The applicant is proposing to use 50-74% of the funds awarded under this NOFO to acquire existing housing units that increase affordable housing stock for IHBG eligible families. The applicant is also proposing to use the remainder of the IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(3 points)

The applicant is proposing to use less than 49% of the funds awarded under this NOFO to acquire existing housing units that increase affordable housing stock for IHBG eligible families. The applicant is also proposing to use the remainder of the IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(0 points)

The application does not propose to carry out NAHASDA-eligible acquisition of affordable housing unit activities with the funds awarded under this NOFO.

3.1.d. Affordable Housing-Related Infrastructure Projects

Maximum Points: 7

HUD will award points under this Subfactor for applications that propose to carry out necessary affordable housing-related infrastructure projects that will spur construction or rehabilitation. In order to be rated under this Subfactor, applications must demonstrate that the infrastructure will either support existing affordable housing or will support the development of affordable

housing that will be developed soon after the Period of Performance requested in the application. HUD will award points as follows:

(7 points)

The applicant is proposing to use 75-100% of the funds awarded under this NOFO to carry out an affordable housing-related infrastructure project that will spur construction or rehabilitation activities.

(5 points)

The applicant is proposing to use 50-74% of the funds awarded under this NOFO to carry out an affordable housing-related infrastructure project that will spur construction or rehabilitation activities. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(3 points)

The applicant is proposing to use less than 49% of the funds awarded under this NOFO to carry out an affordable housing-related infrastructure project that will spur construction or rehabilitation activities. The applicant is also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

(0 points)

The application does not propose to carry out NAHASDA-eligible affordable housing-related infrastructure activities with the funds awarded under this NOFO.

3.1.e. Other NAHASDA-eligible activities

Maximum Points: 2

HUD will award points for applications that propose to carry out other NAHASDA-eligible activities as follows:

(2 points)

The applicant is proposing to use 100% of the funds awarded under this NOFO to carry out other NAHASDA-eligible activities.

(0 points)

The application does not propose to carry out NAHASDA-eligible affordable housing activities with the funds awarded under this NOFO.

Subfactor 3.2. Project Implementation Plan

Maximum Points: 10

The applicant must provide a narrative that describes its plans for implementing the proposed project that will be funded with the IHBG Competitive Grant. HUD will evaluate whether the proposed project is viable and cost-effective in relation to the applicant's IHBG Competitive Grant application and the amount of funding being requested.

The applicant must describe the project in detail and include the following components:

- Description of how the project is viable and cost-effective;
- Rationale behind the project design;

- Location of the project (e.g., include a map, address, and/or aerial photo), site control of the location, and whether the units are on fee-simple or trust land;
- Description of how the applicant will comply with Indian Preference requirements.
- Infrastructure Projects: If the infrastructure project will support the development of affordable housing beyond the Period of Performance requested in the application, then the applicant must describe its plans for the housing development project(s) and the anticipated completion date.

An applicant proposing new construction, reconstruction, rehabilitation, acquisition, modernization, infrastructure projects where affordable housing will be developed beyond the Period of Performance requested in the application, or other development activities using IHBG Competitive Grant funds must also address the following:

- Affordability Period: The applicant must establish a minimum affordability period to ensure dwelling units assisted with funds under this NOFO will remain available to IHBG-eligible families for their remaining useful life in accordance with Section 205 of NAHASDA. For this NOFO, HUD will award maximum points for an applicant that proposes an affordability period of at least 20 years;
- Description of estimated cost savings (in percentage or dollar amount) resulting from either the building design, construction methods, or energy-efficient measures that will be realized in future years;
- Size (in square feet) and number of units; and
- Type of units (e.g., number of bedrooms proposed, single-family, multi-family units, etc.).

Applicants that propose multiple NAHASDA-eligible projects in its IHBG Competitive Grant application must ensure all the applicable components above are addressed for each project.

HUD will award points as follows:

(10 points)

The proposed project(s) is viable and cost-effective in relation to the IHBG Competitive Grant request. The applicant described its project(s) in detail and includes all the applicable components outlined in this Subfactor. If the applicant is proposing to carry out development activities, the applicant has proposed affordability periods of at least 20 years.

(7 points)

The proposed project(s) is viable and cost-effective in relation to the IHBG Competitive Grant request. The applicant described its project(s) in detail and includes all the applicable components outlined in this Subfactor. However, the applicant is proposing to carry out development activities and has proposed affordability periods of less than 20 years.

(6 points)

The proposed project(s) is viable and cost-effective in relation to the IHBG Competitive Grant request. The applicant described its project(s) but is missing a description for one of the applicable components outlined in this Subfactor regardless of the proposed affordability period.

(4 points)

The proposed project is viable and cost-effective in relation to the IHBG Competitive Grant request. The applicant described its project(s) but is missing a description for 2-3 of the applicable components outlined in this Subfactor regardless of the proposed affordability period.

(0 points)

Either the proposed project(s) is not viable and cost-effective in relation to the IHBG Competitive Grant request or the applicant described its project(s) but is missing a description for 4 or more of the applicable components outlined in this Subfactor regardless of the proposed affordability period.

Subfactor 3.3. Project Implementation Schedule and Project Readiness

Maximum Points: 10

For this Subfactor, the applicant must discuss the Implementation Schedule (Form HUD-53247) for its proposed project(s) submitted with the application. Additionally, points will be awarded on whether the applicant has already completed or will quickly implement key milestones. Examples of key milestones may include but are not limited to completion of environmental review, developing proposed plans or specifications for new construction or rehabilitation, proposed site for new development, initiating the bid process for procurement assistance, securing leveraged financing (See Rating Factor 4), beginning coordination efforts with the community (See Rating Factor 5), etc.

The applicant must address the following components:

- Describe the specific tasks and timelines that the applicant and/or hired contractors, consultants, and sub-recipients will undertake to complete the proposed project on time and within budget;
- Implementation Schedule (Form HUD-53247) must identify each significant activity and milestone required for completing the planning process and should list key milestones, including planned start and completion dates of all tasks;
- Describe whether the applicant has already completed major steps to facilitate the implementation of the proposed project or activities (e.g., completion of environmental review, developing proposed plans or specifications for new construction or rehabilitation, proposed site for new development, initiating the bid process for procurement assistance, securing leveraged financing, beginning coordination efforts with the community, etc.);
- Identify key milestones that will begin immediately upon receipt of an IHBG Competitive Grant and description of how the applicant will ensure completion of the proposed project by the Period of Performance end date; and
- Ensure that no choice limiting actions will occur prior to completion of the environmental review process, and approval of the Request for Release of Funds where applicable, as discussed in Section VI.A. A choice limiting action may include but is not limited to, real property acquisition, demolition, disposition, rehabilitation, repair, new construction, site preparation or clearance, ground disturbance, and leasing.

HUD will award points as follows:

(10 points)

The applicant fully addressed all of the components required in this Subfactor.

(8 points)

The applicant has already completed major steps to facilitate the implementation of the proposed project or activities, and has fully addressed **all but one** of the other components required in this Subfactor.

(7 points)

The applicant has **not** already completed major steps to facilitate the implementation of the proposed project or activities, and also did not fully address one of the other components required in this Subfactor.

(4 points)

The applicant did not fully address 2 of the components required in this Subfactor, regardless of whether the applicant has already completed major steps to facilitate the implementation of the proposed project or activities.

(0 points)

The applicant did not fully address 3 or more of the components required in this Subfactor, regardless of whether the applicant has already completed major steps to facilitate the implementation of the proposed project or activities.

Subfactor 3.4. Budget

Maximum Points: 10

The applicant must submit the Cost Summary (HUD-53246) and a detailed Budget Narrative for the proposed project and activities. HUD will evaluate whether the budget is thoroughly prepared and that all costs are eligible under NAHASDA, allowable, allocable, reasonable, and necessary for implementing the proposed project and activities. HUD will evaluate whether costs are reasonable and use the current Total Development Cost (TDC) Notice PIH-2019-19, as a reference.

The applicant must include the following components in its Cost Summary and Budget Narrative:

- Breakdown of cost estimates by line item for each proposed activity, including administration and planning costs;
- Budget calculations must all be mathematically correct;
- The SF-424, Cost Summary (HUD-53246), Budget Narrative, and supporting documentation must be consistent;
- Adequate information to allow HUD to determine whether the costs for the housing structures that the applicant proposes to develop, acquire, or assist with funds under this NOFO will be reasonable. HUD will evaluate whether the costs are reasonable by using the current Total Development Cost (TDC) Notice as a reference, where applicable. See definition of TDC in 24 CFR 1000.302 and [Notice PIH-2019-19 Total Development](#)

Costs (TDC) for Affordable Housing under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA).

Applicants are reminded that projects must meet all IHBG regulatory requirements, including TDC requirements. HUD will ensure that successful applications meet TDC requirements prior to funding under Section B.3.k - Pre-Award Requirements. Note that TDCs are not applicable to projects rated under either Subfactor 3.1.d. Affordable Housing-Related Infrastructure Projects or Subfactor 3.1.e. Other NAHASDA-eligible activities, since no units will be developed within the requested Period of Performance requested by the applicant.

- Description of the qualifications and experience of the individual(s) that prepared the budget as it pertains to budget preparation, and how the experience is recent and relevant to the proposed project;
- If applicable, applicants including indirect costs as part of the budget must demonstrate how they are calculating these costs in accordance with either their current federally-approved negotiated rate or the de minimis rate in accordance with 2 CFR 200.414. Indirect costs that are administrative costs will count towards the administration and planning cap; and
- If applicable, a breakdown of how the applicant proposes to use any leveraged resources towards the project.

HUD will award points as follows:

(10 points)

The budget is thoroughly prepared, and all costs are eligible under NAHASDA, allowable, allocable, reasonable, and necessary for implementing the proposed project. The applicant addressed all the components discussed above in detail.

(8 points)

The budget is adequately prepared, and all costs are eligible under NAHASDA, allowable, allocable, reasonable, and necessary for implementing the proposed project. However, the applicant addressed some of the components discussed above but some details were lacking

(6 points)

The budget is adequately prepared, and all costs are eligible under NAHASDA, allowable, allocable, reasonable, and necessary for implementing the proposed project or the applicant addressed some of the components discussed above but some details were lacking.

(4 points)

The budget is adequately prepared, and all costs are eligible under NAHASDA, allowable, allocable, reasonable, and necessary for implementing the proposed project and the applicant only addressed some of the components discussed above but some details were lacking.

(0 points)

The budget is not adequately prepared and not all costs are eligible under NAHASDA, allowable, allocable, reasonable, and necessary for implementing the proposed project.

Rating Factor 4: Leveraging Resources

Maximum Points: 5

Cost-sharing or mandatory matching is not required under this grant, but voluntary leveraging with both Federal (including IHBG formula funding) and non-Federal funds is encouraged. Applicants proposing leveraging must identify the source and specific amount in its workplan narrative and include references to the Firm Commitment documentation submitted with the application.

A Firm Commitment must be submitted for any sources of leveraging including cash or in-kind contributions (e.g., property or services such as computers, software, furniture, equipment, supplies, transportation, administrative support, space, mail, internet, etc.). Contributions that could be considered as leveraged resources for point award include, but are not limited to:

- Tribal government funds;
- Donations from individuals or organizations, private foundations, businesses;
- State, Federal (e.g., Title VI), or private loans;
- Other federal grant funds permitted by statute;
- Donated goods and services needed for the project;
- Land needed for the project; and
- Direct administrative costs.

With the exception of the value of land acquisition and proposal costs, funds that have been expended on the project prior to the Period of Performance start date will not be counted as leverage. Applicants are not allowed to spend leveraged dollars before the approval of the Request for Release of funds, with the exception of acceptable pre-award leveraging (value of land acquisition and proposal costs). Additionally, leverage resources must be for the same project that is proposed, and incurred within the same Period of Performance as the proposed project.

Applicants are reminded that all IHBG requirements apply to the commitment or use of both IHBG and non-IHBG funds in a leveraged project. Other Federal sources are only allowed to be used as leveraging if permitted by the statutory authorities governing the other Federal source.

The applicant must submit the appropriate firm commitment documents with the application:

LEVERAGED RESOURCE	FIRM COMMITMENT 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 the resources to be committed. • If using in-kind resources, specify the dollar amount of the financial or in-kind resource and the method for valuation.
Federal Resources	<ul style="list-style-type: none"> • IHBG formula funds (whether administered by the tribe or a TDHE): <ul style="list-style-type: none"> ○ Leveraging with current program year funds: The most recently approved Indian Housing Plan (IHP) must identify the dollar amount and commit the IHBG resources to the

	<p>project. If not currently approved in the most recent IHP, the application must state that an amendment to the IHP will be processed if the applicant is awarded IHBG Competitive Grant funds.</p> <ul style="list-style-type: none"> ○ Future IHBG funding: If future IHBG funds will be used, then the application must identify the program year and the dollar amount of IHBG funds that will be used. Other Federal Program Funds: might include funds from the U.S. Department of Agriculture, Indian Health Service, Bureau of Indian Affairs, or any other federal agency. If allowable by the federal program's statute, the applicant must submit a statement (e.g. letter, email, etc.) from the federal agency approving the amount of funds to be committed for leveraging.
Public Agency, Foundation, or Other Private Party	<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 ○ the dollar amount of the financial or in-kind resource ○ method for valuation ○ the purpose of that resource within the proposed project ○ signed commitment from an official of the organization legally authorized to make the commitment • Memorandum of understanding, and/or agreement to participate, including any conditions to which the contribution may be subject.
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 value.
Land	<ul style="list-style-type: none"> • A tribal resolution or certification which clearly identifies the land value and method used to determine land value is acceptable documentation. • 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. Land that has previously been used as leverage towards other ONAP competitions may not be proposed as leveraging for this NOFO. • The methods for land valuation include: <ul style="list-style-type: none"> ○ A site-specific appraisal no more than two years old. Tax assessments are considered appraisals.

	<ul style="list-style-type: none"> ○ 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 ○ A reasonable extrapolation of land value based on recent sales of similar properties in the same area.
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Grantees will be required to show evidence that leveraging resources were received and used for their intended purposes through quarterly reports (SF-425) as the project proceeds.

HUD recognizes that in some cases, the applicant cannot receive a firm commitment of non-tribal funds by the application deadline. In such cases, the applicant 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 the 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 the applicant does 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, or if anticipated leverage is not provided, HUD will re-rate and re-rank the application with the updated leverage information. If the application no longer meets the threshold point requirements after re-rating and re-ranking the application, HUD will rescind the grant and recapture grant funds.

HUD will award points based on the percentage of leveraged resources committed relative to the total IHBG Competitive Grant project costs. If an applicant proposes leveraging but does not provide firm commitment documentation for that source of leveraging, that source of leveraging will not be included in the total leverage resource amount.

HUD will calculate leverage percentage relative to the total IHBG Competitive Grant Project costs provided on line 18g of SF-424.

Example: Percentage of leverage = (equals) Total leverage resource amount/ (divided by) Total project cost (grant amount requested + total leverage resource amount)

Distress: HUD also recognizes that some Indian tribes and TDHEs may have significant challenges leveraging funds to carry out affordable housing projects due to severely distressed economic, housing, and infrastructure conditions in their communities. HUD noted in its 2017 Housing Needs Study that problems of American Indians and Alaska Natives living on reservations and other tribal areas remain strikingly more severe than those of other Americans. Particular circumstances of tribal areas — remoteness, lack of infrastructure, and complex legal and other constraints related to land ownership — make it extremely difficult to improve housing conditions in those areas. These challenges may mean that some Indian tribes and TDHEs simply do not have the ability to effectively leverage funds.

To address this concern, HUD will award at least 3 points under this Rating Factor to applicants that may have an inability to effectively leverage funds due to the distressed conditions of their communities. HUD will measure this by assessing AIAN incomes in each Indian tribe's IHBG formula area. HUD will award these 3 points to the bottom 25 percent of Indian tribes that received an IHBG formula allocation in FY 2020 that have the lowest AIAN per capita income, where the area AIAN per capita income is determined as the lesser of their multi-race or single-race estimate in their IHBG formula area (and the lesser of the overlapping area geography for overlapping Indian Tribes or their census-designated area) using 2011-2015 ACS data if the applicant does not otherwise score points under this Rating Factor for leveraging funds. HUD will provide the list of all tribes on its website (https://www.hud.gov/program_offices/public_indian_housing/ih/grants/ihbg_cgp), their per capita income estimate, and those Indian tribes that qualify for these points.

HUD will award points as follows:

(5 points)

The application includes a commitment of leveraging resources, with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements, in the amount of 25% or more towards the total IHBG Competitive Grant project costs.

(3 points)

One of the following applies:

- The application includes a commitment of leveraging resources, with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements, in the amount of 11-24% towards the total IHBG Competitive Grant project costs; or
- The applicant is an Indian tribe, or TDHE applying on behalf of an Indian tribe, that ranks in the bottom 25 percentile of Indian tribes that have the lowest AIAN per capita income in their IHBG formula area nationally, according to the 2011-2015 ACS data.

(1 point)

The application includes a commitment of leveraging resources, with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements, in the amount of 5-10% towards the total IHBG Competitive Grant project costs.

(0 points)

One of the following applies:

- The application includes a commitment of leveraging resources, with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements in the amount of 4% or less towards the total IHBG Competitive Grant project costs; or
- The applicant does not propose any leveraging resources towards the total IHBG Competitive Grant project costs.

Rating Factor 5 Comprehensivness and Coordination

Maximum Points: 10

Subfactor 5.1. Coordination

Maximum Points: 7

For this Subfactor, the applicant must address how it has designed the project and plans to implement it in coordination with community members, tribal departments, and other agencies/organizations. The applicant must explain how its coordination efforts tie into its long- term planning efforts to address housing conditions in the community. HUD will assign points as follows:

(7 points)

The applicant identifies and describes in detail how it will coordinate and work on the project with community members, tribal departments, and other agencies/organizations. The applicant describes how its coordination efforts tie into its long-term planning efforts to address housing conditions in the community.

(5 points)

The applicant identifies and describes in detail how it will coordinate and work on the project with community members, tribal departments, and other agencies/organizations. The applicant lacks detail in its description of how its coordination efforts tie into long-term planning efforts to address housing conditions in the community.

(3 points)

The applicant specifies that it plans to coordinate with community members, tribal departments, and other agencies/organizations on the project. However, the applicant does not describe how its coordination efforts tie into its long-term planning efforts to address housing conditions in the community.

(0 points)

The applicant neither identifies nor describes how the applicant plans to coordinate with other organizations on the project. The applicant does not describe how its coordination efforts tie into long-term planning efforts to address housing conditions in the community.

Subfactor 5.2. Outputs and Outcomes

Maximum Points: 3

The applicant must include outcomes and outputs it strives to achieve with the project and describe them in detail. Outputs are measured in the volume of work accomplished and must be identified by each key task proposed in the workplan. They should be clear enough to allow HUD to monitor and assess the proposed project's progress if funded. An outcome is the impact achieved from the outputs of the proposed project. They should be quantifiable measures or

indicators that identify the change in the community, people's lives, economic status, etc.

Examples of outputs could include but are not limited to:

- Number of housing units constructed;
- Number of housing units rehabilitated;
- Number of housing units acquired to increase the affordable housing stock;
- Number of homeownership units constructed or financed;
- Number of units connected to utilities (e.g., gas, phone, internet or electric lines/roads/water/sewer);
- Number of persons assisted; and
- Number of jobs created.

Examples of outcomes could include but are not limited to:

- Reduction in the number of families living in substandard housing;
- Reduction in overcrowding;
- Increase in homeownership rates;
- Reduction of drug-related crime or health-related hazards;
- Accessibility for persons with disabilities; and
- Improved energy efficiency.

HUD will assign points as follows:

(3 points)

The applicant clearly described measurable outputs and outcomes for each key task proposed in the workplan.

(2 points)

The applicant included measurable outputs and outcomes for each key task proposed the workplan but did not clearly describe them in detail.

(1 point)

The applicant included either measurable outputs or outcomes for each key task proposed in the workplan, but not both.

(0 points)

The applicant did not describe measurable outputs and outcomes for each key task proposed in the workplan.

2. Other Factors.

This program does not offer points for Section 3.

Preference Points

HUD encourages activities in support of the Secretary's Initiatives. HUD may award no more than two (2) points for any of the three (3) preferences (OZ, PZ or HBCU). Each preference is

worth two points and only one preference can apply to any situation, meaning that applicants will ONLY be awarded 2 points for being within an OZ, PZ or involving HBCUs.

Opportunity Zones.

Opportunity Zone (OZ) Certification: HUD encourages activities in Opportunity Zones. To receive two (2) points for this preference, applicants proposing projects in an Opportunity Zone community must submit the Certification for Opportunity Zone Preference Points (HUD-2996) that identifies the state, county and census tract(s) of the opportunity zone(s) in which the activity will be carried out. To view the list of designated Opportunity Zones, please see the following link on the U.S. Department of the Treasury website:

<https://opportunityzones.hud.gov/>

Applicants who do not complete this form and submit it along with the rest of their application package will not be eligible to receive the points. Additionally, applicants who do complete and submit this form, but indicate they intend to use less than 50% of the award within Opportunity Zone tracts, will also be ineligible to receive preference points, unless: a.) the applicant can show why they are unable to expend at least 50% of the grant award within Opportunity Zone designated tracts, or b.) the applicant is able to make a compelling case for why the amount that will be expended will have a significant impact within Opportunity Zone designated tracts. [Click here to view HUD's Opportunity Zones webpage.](#)

HBCU.

This program does not offer HBCU preference points.

Promise Zones

HUD encourages activities in Promise Zones (PZ). 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.

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 will consider include, but are not limited to:

The ability to account for funds in compliance with applicable reporting and recordkeeping requirements;

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;

Timely completion of activities and receipt and expenditure of promised matching or leveraged funds;

The number of persons served or targeted for assistance;

HUD may reduce scores based on the past performance review, 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 of performance, HUD reserves the right to take any of the remedies provided in Section III E., Statutory and Regulatory Requirements Affecting Eligibility, "Pre-selection Review of Performance" document link above.

2. Assessing Applicant Risk.

In evaluating risks posed by applicants, HUD 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, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, 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 from an eligible applicant and assign points in accordance with the selection factors described in this section.

a) Application Screening and Acceptance

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 NOFO;
- The applicant is eligible to submit an application;
- The proposed project is eligible; and
- The application contains all of the applicable components listed in Section IV.B. of this NOFO.

b) Threshold Compliance: HUD 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 the Eligibility Requirements and this NOFO.

c) Past Performance: HUD will evaluate applicants' past performance under Rating Factor 1-Capacity of the Applicant.

d) Rating: HUD will rate all eligible applications that meet the Threshold Requirements against the criteria in Rating Factors 1 through 5 and assign a rating score. The maximum total rating

score for the five Rating Factors is 100 points. An applicant can receive Preference Points if it scores a minimum of 75 points for the five Rating Factors. HUD will award up to two Preference Points to applicants that meet either the Opportunity Zones or Promise Zones criteria. An applicant can receive a possible total of 102 points which includes Rating Factors 1 through 5 and Preference Points. HUD will review and rate each application that meets the acceptance criteria and threshold requirements. Once all applications are rated, HUD will conduct a review to ensure consistency in the application rating.

e) Minimum Points: To be considered for funding, the application must receive a minimum combined score of 35 points under Rating Factor 1-Capacity of the Applicant and Rating Factor 2-Need, a minimum of 20 points under Rating Factor 3-Soundness of Approach, and an overall score of at least 75 points (without the addition of the Preference Points). HUD will reject any application that does not meet the minimum rating score requirements.

f) Ranked Order: After adding any Preference Points, HUD will place eligible applications that meet the minimum rating score requirements in ranked order. HUD will award funds in rank order based on the score received on the application submitted under this NOFO. HUD will consider applicants for funding within the fundable range of 75 or more points in ranked order up to the amount requested, or a lesser amount if sufficient funds are not available. Meeting the minimum score of 75 points does not guarantee the funding of an award. HUD also reserves the right to adjust funding to meet urgent policy priorities. HUD reserves the right to issue a supplemental or independent NOFO if necessary (e.g., to ensure that all appropriated funds are awarded).

g) Grant Award Adjustments: At its discretion, if HUD determines that there are not enough funds available to fully fund a project as proposed by a successful applicant, then HUD may contact the applicant to determine whether revisions can be made to the program budget and work plan to reflect the actual award offer. If it is not possible to agree on a revised program budget and work plan, then an award will not be made to that applicant. In such an instance, HUD may offer an award, in rank order, to another applicant. HUD may also select additional applicants for funding, in rank order, if additional funds become available. See also Adjustments to Funding information in section VI.A. below.

h) Tiebreakers: When rating results in a tie among projects and there is not enough money to fund all tied projects, HUD will use the following factors in order to resolve the tie:

- HUD will approve projects that can be fully funded over those that cannot be fully funded;
- Projects that address IHBG Competitive Priorities: HUD will prioritize projects according to the rating criteria order of Subfactor 3.1-IHBG Competitive Priorities; and
- Applicants that score the highest cumulative points for Rating Factor 1-Capacity of the Applicant and Rating Factor 2-Need/Extent of the Problem.

i) IHBG Competitive Grant Progress and Performance: Failing to make significant progress on your grant by September 30, 2023, as evidenced by failing to meet planned activities described in an IHBG Competitive work plan, may constitute substantial noncompliance under

24 CFR 1000.534. HUD will review the circumstances of each grantee on a case-by-case basis to determine if the noncompliance is substantial.

j) Additional IHBG Competitive Funds:

If, after the publication of this NOFO, additional funds become available either through additional appropriations or through the de-obligation or recapture of funds, HUD reserves the right to:

- Award funding to additional applicants based on their score from this competition;
- Use the additional funds to provide additional funding to an applicant awarded less than the originally requested amount of funds to make the full award
- Fund additional applicants that were eligible to receive an award, but for which there were no funds available from the FY2021 appropriations; and
- Award funding to applicants that meet the funding errors category in section VI.A. below.

k) Curable Deficiencies and Pre-Award Requirements:

- **Curable Deficiencies:** If there are curable deficiencies identified in successful applications, then applicants must satisfactorily address these deficiencies before HUD can make a grant award.
- **Pre-Award Requirements:** Successful applicants 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, budget, or method of implementing the project. HUD may also ask for further information to verify the commitment of other resources required to complete, operate, or maintain the proposed project. HUD will notify applicants by email, 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 an applicant does not respond within the prescribed time period or makes an insufficient response, then ONAP will determine that the requirement has not been met and will withdraw the grant offer. [Applicants](#) 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 ONAP. [HUD](#) will ensure that successful applications meet TDC requirements prior to funding.

[If](#) for any reason HUD must re-rate and re-rank an application and the total points awarded to the applicant after falls below 75 (without the addition of Preference Points), the combined score from Rating Factor 1 and Rating Factor 2 points falls below 35, and/or Rating Factor 3 points fall below 20, HUD will not fund the application.

l) Agency Errors: Judgments made within the provisions of this NOFO and all program statutory and regulatory requirements are not subject to a claim of error. There is no appeal process. An applicant may, however, bring arithmetic errors in application scoring to the attention of HUD within 30 days of being informed of its score.

m) Anticipated Announcement and Award Dates: HUD anticipates announcing awards for FY2021 funds under this NOFO approximately four to six months after the application due date.

n) 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.

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, HUD will 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.

HUD may impose special conditions on an award as provided under 2 CFR 200.208:

- Based on HUD's review of the applicant's risk under 2 CFR 200.206;
- 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 contained in a Federal award; 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 withdraw the award offer and 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 NOFO, 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 NOFO, HUD may select that applicant for funding, subject to the availability of funds. If funding is not available to award in the current fiscal year, HUD may make an award to this applicant during the next fiscal year, if funding is available then.

The HUD Reform Act prohibits HUD from notifying applicants as to whether they have been selected to receive a grant until it has announced all successful award recipients.

If selected and as soon as a Congressional release has been obtained, ONAP will send the applicant an award letter and a grant agreement to sign and return. If the applicant does not already have one, it will have to establish an account in LOCCS so that it can draw down grant funds as needed to complete project/activities. Grantees will also be encouraged to participate in award implementation training offered by ONAP.

All grant awards are conditioned on the successful completion of an environmental review in accordance with the requirements of 24 CFR 1000.18-1000.24, and an environmental review must be completed before funds are released. Applicants must comply with HUD environmental review requirements, in accordance with 24 CFR 1000.18-1000.24. An Indian tribe can assume environmental responsibilities under 24 CFR part 58 or decline to assume environmental responsibilities and request HUD perform the review under 24 CFR part 50, in accordance with 24 CFR 1000.20(a).

B. Statutory and Administrative, National and Department Requirements for HUD Recipients

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

1. Unless otherwise specified, these non-discrimination and equal opportunity authorities and other requirements apply to all NOFOs. 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)).

- Affirmatively Furthering Fair Housing.
 - Improving Access to Services for Persons with Limited English Proficiency (LEP) See https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency.
 - Accessible Technology. See <https://www.hud.gov/sites/dfiles/OCIO/documents/s508103017.pdf>
2. Equal Access Requirements. See 24 CFR 5.105(a)(2)
 3. Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business.
 4. Equal Participation of Faith-Based Organizations in HUD Programs and Activities.
 5. Uniform Relocation Act – Real Property Acquisition and Relocation Requirements. See 49 CFR part 24.
 6. Participation in HUD-Sponsored Program Evaluation.
 7. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
 8. Drug-Free Workplace.
 9. Safeguarding Resident/Client Files.
 10. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) (Transparency Act), as amended.
 11. Eminent Domain.
 12. Accessibility for Persons with Disabilities. See https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_overview
 13. Violence Against Women Act. See 24 CFR part 5, subpart L and applicable program regulations.
 14. Conducting Business in Accordance with Ethical Standards/Code of Conduct.
 15. Environmental Requirements, which include compliance with environmental justice requirements under Executive Order 12898.

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

All awards under this NOFO will be conditioned on the successful completion of an environmental review, and environmental reviews must be completed before funds are released.

Applicants must comply with HUD environmental review requirements, in accordance with 24 CFR 1000.18-1000.24. An Indian tribe can assume environmental responsibilities under 24 CFR part 58 or decline to assume environmental responsibilities and request HUD perform the review under 24 CFR part 50, in accordance with 24 CFR 1000.20(a).

An environmental review, all required notifications, and approval of the Request for Release of Funds and Certification when applicable under 24 CFR part 58 or HUD's approval of the project or activity under 24 CFR part 50, must be completed before a recipient may commit HUD or non-HUD funds, or take any other choice limiting action, including but not limited to real property acquisition, demolition, disposition, rehabilitation, repair, new construction, site preparation or clearance, ground disturbance, and leasing. Any mitigating/remedial measures required by the responsible entity (or HUD) must be carried out. Environmental review resources including training, guidance, forms, sample letters and worksheets are available on the HUD Exchange at: <https://www.hudexchange.info/programs/environmental-review/>.

2 CFR 200.216 *Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment*

Lead Based Paint Requirements.

Not Applicable

When providing housing assistance funding for purchase, lease, support services, operation, or work that may be 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 under your grant you 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).

C. Reporting.

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

1. Recipient Integrity and Performance Matters. 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. 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.

4. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) as amended (FFATA). FFATA requires information on Federal awards be made available to the public via a single, searchable website, which is www.USASpending.gov. Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to 2 CFR Part 170, "REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed \$30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-grant equal to or greater than \$30,000. Each applicant under this NOFO must have the necessary processes and systems in place to comply

with this Award Term, in the event that they receive an award, unless an exception applies under 2 CFR 170.110.

5. Program-Specific Reporting Requirements

IHBG Competitive Grant Program: Post-Award Reporting Requirements

a) Quarterly Federal Financial Reports: Grantees will have to submit a Federal Financial Report (SF-425) to the Area ONAP within 30 days after the end of each quarter. If applicable, the SF-425 must also show that leveraging resources were received and used for their intended purposes. A final SF-425 must be submitted within 90 days after the end of the period of performance identified on the grant agreement.

b) Annual Performance Reports:

Grantees are required to submit an Annual Performance Report (APR) Form HUD-52737 to HUD within 90 days of the end of their program year and within 90 days after the end of the period of performance identified on the grant agreement. This APR must pertain only to the activities of IHBG Competitive Grant and submitted separately from the traditional IHBG formula APR. Grantees must also include a narrative accompanying the HUD-52737 addressing the following areas:

1. The progress made on completing the project in accordance with the project implementation plan and schedule;
2. A list of work remaining towards project completion;
3. If applicable, any minor modifications to the grantee's workplan and budget in order to meet the project goals. Note that all modifications must be in accordance with this NOFO and subject to HUD approval;
4. If applicable, a discussion of how the grantee is addressing any identified gaps in capacity for managing the IHBG Competitive grant in accordance with the detailed assessment provided in the application;
5. If applicable, a discussion of the barriers faced towards project implementation and explanation how the grantee will overcome those barriers to complete the project by the period of performance end date;
6. An update of how the project is addressing the need factors identified in the IHBG Competitive grant application;
7. Progress of efforts to implement the project in coordination with community members, tribal departments, and other agencies/organizations;
8. Discussion of outputs and measurable outcomes achieved to date;
9. A report of obligations and expenditures in comparison with remaining funding LOCCS balances, or its successor system;
10. If applicable, a status of leveraging resources committed to the project; and
11. When the project is done, an evaluation of its effectiveness in meeting the grantee's affordable housing project needs.

Filing of IHBG Competitive Grant Post-Award reports is mandatory for all grantees, and failure to do so within the required timeframe may result in HUD taking enforcement action against the grantee in accordance with Title IV of NAHASDA and IHBG implementing regulations.

HUD will assess all post-award reports submitted to evaluate the grantee's performance in meeting its project goals. Grantees will also be held to the milestones in the program schedule, as approved by HUD. HUD expects that all grantees to have made significant progress on their IHBG Competitive workplan and on implementing their grants by September 30, 2023. Failing to make significant progress by September 30, 2023, as evidenced by failing to meet planned activities described in an IHBG Competitive workplan, may constitute substantial noncompliance under 24 CFR 1000.534. HUD will review the circumstances of each grantee on a case by case basis to determine if the noncompliance is substantial.

D. Debriefing.

For a period of at least 120 days, beginning 30 days after the public announcement of awards under this NOFO, 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 organization representative whose signature appears on the SF-424 or by his or her successor in office and be submitted to the POC 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 Contact(s).

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

Questions regarding specific program requirements for this NOFO should be directed to the POC listed below.

Name:

Phone:

Email:

IHBGCompetitiveProgram@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 NOFO provides funding under, and does not alter the environmental requirements of, 24 CFR Part 1000. Accordingly, under 24 CFR 50.19(c)(5), this NOFO is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Activities under this NOFO are subject to the environmental review provisions set out at 24 CFR 1000.18 – 1000.24.

2. Web Resources.

- [Affirmatively Furthering Fair Housing](#)
- [Code of Conduct list](#)
- [Assistance Listing \(formerly CFDA\)](#)
- [Dun & Bradstreet](#)

- [Equal Participation of Faith-Based Organizations](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [FFATA Subaward Reporting System](#)
- [Grants.gov](#)
- [HBCUs](#)
- [Healthy Homes Strategic Plan](#)
- [Healthy Housing Reference Manual](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [Limited English Proficiency](#)
- [NOFO Webcasts](#)
- [Opportunity Zone](#)
- [Procurement of Recovered Materials](#)
- [Promise Zones](#)
- [Section 3 Business Registry](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)
- [Uniform Relocation Assistance and Real Property Acquisition Act of 1970 \(URA\)](#)
- [USA Spending](#)

3. Program Relevant Web Resources

APPENDIX