



**U.S. Department of Housing and Urban Development**

Office of Policy Development and Research

HUD's FY 2018 and FY 2019 Distressed Cities TA Notice of Funding Availability (NOFA)

FR-6200-N-54

Application Due Date: 05/29/2019

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## U.S. Department of Housing and Urban Development

<b>Program Office:</b>	Office of Policy Development and Research
<b>Funding Opportunity Title:</b>	HUD's FY 2018 and FY 2019 Distressed Cities TA Notice of Funding Availability (NOFA)
<b>Announcement Type:</b>	Initial
<b>Funding Opportunity Number:</b>	FR-6200-N-54
<b>Primary CFDA Number:</b>	14.259
<b>Due Date for Applications:</b>	<b>05/29/2019</b>

### Overview

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

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

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

OMB Approval Number(s): 2506-0197

### Paperwork Reduction Act.

## I. Funding Opportunity Description.

### A. Program Description.

#### 1. Purpose.

Through this NOFA, HUD is announcing the availability of two awards: up to \$3 million in FY 2018 funding and up to \$3 million in FY 2019 funding, both of which will be awarded to one awardee (that may be comprised of a single entity or consortium) to provide technical assistance (TA) to distressed cities or regions, with no less than half of the total funds targeted to cities with populations under 40,000 that were impacted by a natural disaster. The technical assistance will target challenges to the achievement of statutory and regulatory objectives of Departmental funding in distressed communities (see Program Definitions under Section I.A.4 and Eligibility under Section III of this NOFA for clarification of terms).

The objectives of this NOFA are to:

- Provide communities facing long-term economic challenges with accessible and comprehensive technical assistance that will help them adopt effective, efficient, and sustainable financial management practices (including but not limited to the management of disaster recovery and resilience funds)
- Build capacity for financial management, economic revitalization, affordable housing, and disaster recovery and resilience in distressed communities by building partnerships between public agencies, community members, non-profits, and private organizations
- Improve communities' working knowledge of federal development programs, including indirect subsidy sources such as Opportunity Zones and the Low-Income Housing Tax Credit program
- Develop a set of best practices and recommendations regarding financial management and disaster recovery and resilience that can be shared with other communities facing similar challenges

The technical assistance provided by the successful applicant will be community-specific rather than program-specific and will be scaled to ensure a measurable impact on the community's growth and resilience, as well as the efficient use of public funds. To that end, we are seeking an awardee that will take a place-based, holistic approach to technical assistance.

The experience and expertise needed includes a variety of topics: public administration, financial management, land use development, business attraction and retention, workforce development, fair housing, community engagement, data collection and analysis, disaster recovery and resilience, etc. You are encouraged to propose the procurement of contract and consultant services as necessary to demonstrate experience across these topic areas.

**Important Note:** *While it is listed under the same CFDA number, this NOFA is not part of the comprehensive "Community Compass Technical Assistance and Capacity Building Program Notice of Funding Availability." Applicants should thoroughly review this NOFA to ensure that they have the necessary skills to provide the technical assistance described in this NOFA.*

#### **a. Competition Structure**

Since the NOFA will award all funding to a single applicant, your application must request the full \$6 million in funding from both years, and you must submit a single SF424 that includes \$6 million in box 18.a; see requirements in NOFA section IV.B.1.a

We reserve the right to issue a supplemental or independent NOFA if necessary.

#### **b. TA Focus Areas**

We expect TA efforts under this NOFA to focus on *financial management*, *targeted private sector investment*, and *disaster recovery and resilience in distressed areas*. Because we will take a holistic view of providing technical assistance to distressed cities, we are looking for applicants with demonstrable experience across all three topics. As new HUD priorities and customer needs emerge, TA assignments may address additional programmatic or policy areas.

## **2. Changes from Previous NOFA.**

This is a new NOFA.

### **3. Definitions.**

#### **a. Standard Definitions**

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

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

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

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

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

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

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

Contractor means an entity receiving a contract.

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

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

To be curable the deficiency must:

- Not be a threshold requirement, except for documentation of applicant eligibility;
  - not influence how an applicant is ranked or scored versus other applicants; and
  - be remedied within the time frame specified in the notice of deficiency.
- **Non-Curable Deficiency** – An applicant cannot correct a non-curable deficiency after the submission deadline.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **4. Program Definitions.**

**Capacity Building:** Assistance which increases the ability of HUD's customers and their partners to organize and independently implement and manage affordable housing, community development, and economic development programs. For this NOFA, capacity building focuses on financial management, targeted private sector investment toward distressed areas, and disaster recovery and resilience.

**Consultant:** An individual who can provide valuable and pertinent advice generally drawn from a high degree of broad administrative, professional, or technical knowledge or experience.

**Cooperative Agreement:** A legal instrument of financial assistance, as defined in 2 CFR § 200.24, that is used to enter into the same kind of relationship as a grant but is distinguished from a grant in that it provides for substantial involvement between the federal agency and the recipient in carrying out the activity contemplated by the award and in accordance with 2 CFR Part 200.

**Customers:** Recipients of HUD funding, including state and local grantees, PHAs, owners and managers of HUD-assisted housing, Continuums of Care (CoCs), non-profit grantees, HMIS Leads, HUD-approved housing counseling agencies and counselors, tribal organizations, Indian tribes, tribally-designated housing entities (TDHEs), FHA-approved multifamily lenders, and residents and participants in HUD-funded programs.

**Demand-Response System:** The means by which HUD, its customers, and/or its partners identify TA and capacity building needs. HUD prioritizes the identified needs based on Departmental, programmatic, and jurisdictional priorities. Successful applicants are then tasked with responding to identified needs. Successful applicants may not respond to direct requests for TA from HUD customers. HUD is solely responsible for authorizing the entities to be assisted, the location, and the nature of the assistance to be provided, including a specific scope of work, which must be part of a HUD-approved work plan for each engagement.



**Distressed:** This refers to cities with at least one of the following characteristics:

- An annual average unemployment rate of 9 percent or more over the past 3 years
- A noncollege poverty rate of 20 percent or more as of the most recent 5-year ACS survey
- A population decline of 5 percent or more between 2010 and the most recent 5-year ACS survey
- Any other characteristic of a city or region that the awardee and HUD agree reflects a need for the TA or capacity building provided for under this award

Note that a minimum of \$3 million in total expenditures under the NOFA must be targeted at distressed cities with a population of less than 40,000 that has been impacted by a natural disaster (see definition below).

**Financial Management:** The means by which a city prioritizes the use of local and non-local funding sources. This includes planning for funding needs and relevant funding sources, developing budgets for the use of those sources, and evaluating the performance of its management plan.

**Government Technical Monitor (GTM):** As defined by HUD, the individual designated to provide technical monitoring, advice, and assistance to aid the Government Technical Representative (GTR) in the technical direction and evaluation of a successful applicant's performance. The GTM provides programmatic expertise and input to proposed TA work plans, status reports, invoices, and products.

**Government Technical Representative (GTR):** As defined by HUD, the individual who is responsible for the technical direction and evaluation of a successful applicant's performance. The GTR is responsible for review and approval of work plans, status reports, invoices, and products. GTRs serve as representatives of the Cooperative Agreement Officer who has responsibility for the management and fiscal oversight of the cooperative agreement awards.

**Impacted by a natural disaster:** The city is in a county with a Presidentially Declared Major Disaster in 2015 or any year thereafter

**In-Kind Resources:** This refers to either donated/volunteer staff time and services from technical consultants, organizations or agencies that have agreed to work with the applicant on any of the activities described in this NOFA; or donated materials, equipment, supplies, buildings, or land.

**Indirect cost rate proposal:** This NOFA adopts the definition of *indirect cost rate proposal* as found at 2 CFR 200.57.

**Indirect costs:** This NOFA adopts the definition of *indirect (facilities and administrative (F&A)) costs* as found at 2 CFR 200.56.

**Key Personnel:** Key personnel refers to the individuals responsible for essential activities, such as: compliance with legal and regulatory requirements, including financial and performance reporting; management of staff, contractors, and consultants; oversight of product development and TA delivery; and administrative tasks such as billing, bookkeeping, and facilitating communication between internal and external stakeholders.

**Outcomes:** Results achieved or benefits derived from TA or capacity building, such as changes in a customer's management or operation of its programs and activities.

**Subject Matter Expert:** An individual who is specially qualified by education and experience to perform difficult and challenging tasks in a particular field beyond the usual range of achievement of competent persons in that field. (See 5 CFR 304.102(d).)

**Technical Assistance (TA):** Guidance which enables HUD's customers to overcome a lack of specific skills or knowledge and, by doing so, become more successful in meeting the needs of their communities. TA is the transfer of skills and knowledge to entities that may need, but do not possess, such skills and knowledge. TA includes all eligible activities listed in NOFA section I.A.1.d.

## 5. Web Resources.

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

## B. Authority.

This program is authorized under: Consolidated Appropriations Act, 2018 (Public Law 115-141), approved March 23, 2018, and the Consolidated Appropriations Act, 2019 (Public Law 116-6), approved February 15, 2019.

## **II. Award Information.**

### **A. Available Funds.**

Funding of up to **\$6,000,000** is available through this NOFA.

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

This NOFA will be used to make two awards, which may be modified if additional funds become available through subsequent appropriations. The funds available through this NOFA are from the following sources:

- \$3,000,000 made available under the Consolidated Appropriations Act, 2018 (Public Law 115-141), approved March 23, 2018
- \$3,000,000 made available under the Consolidated Appropriations Act, 2019 (Public Law 116-6), approved February 15, 2019

### **B. Number of Awards.**

HUD expects to make approximately 2 awards from the funds available under this NOFA.

### **C. Minimum/Maximum Award Information.**

Estimated Total Funding:	\$6,000,000
Minimum Award Amount:	\$3,000,000 Per Project Period
Maximum Award Amount:	\$6,000,000 Per Project Period

### **D. Period of Performance.**

Estimated Project Start Date:	09/30/2019
Estimated Project End Date:	09/29/2022
Length of Project Periods:	Other
Length of Project Periods Explanation of Other:	There will be multiple assignments of varying duration within the terms of the cooperative agreements.

### **E. Type of Funding Instrument.**

Funding Instrument Type:	Cooperative Agreement
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### III. Eligibility.

#### A. Eligible Applicants.

Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education  
Nonprofits without 501(c)(3) status with the IRS, other than institutions of higher education  
Private institutions of higher education

For profit organizations other than small businesses

Small businesses

For-profit organizations cannot realize any profit from activities supported by the funds provided through this NOFA.

#### Eligible Activities

The successful applicant will be tasked to deliver TA, which may include the use of any of the following eligible activities. These activities are subject to any restrictions or limitations imposed by the federal regulations, statutes, and policies referenced in this NOFA.

1. **Needs Assessments.** Needs assessments are intended to help determine the nature and scope of the TA and capacity building required by HUD customers. Needs assessments help to quantify the potential impact of development activities and recovery initiatives. They also examine local market conditions so that program resources may be better targeted and leveraged (this may include targeting resources to assist historically disadvantaged populations, such as those protected by the Federal Fair Housing Act). In some instances, a self-assessment by the customer may provide a satisfactory basis for determining the scope and scale of the assistance necessary. In other cases, a TA provider will conduct on-site or remote needs assessments to collect information about the capacity gaps of the identified customer. A needs assessment may use multiple information collection and analysis tools, including public data resources and primary data gathered on-site. Needs assessments should be done in a collaborative manner, with the active involvement of local officials and other stakeholders.
2. **Direct TA and Capacity Building Engagements.** Direct TA and capacity building require working onsite and/or remotely to improve knowledge and capacity around economic redevelopment, revitalization, and resiliency in distressed communities, including those recovering from natural disasters.
3. **Development and Maintenance of Tools and Products.** Tools and products developed will use adult learning principles to assist distressed cities in adopting effective, efficient, and sustainable financial management and disaster resilience practices. These products might take the form of web-based courses or trainings, videos, interactive tools, and webinars. Tool and product development may also include the creation of templates, desk guides, toolkits, and curricula that improve program management and operations, evaluation, and performance measurement. All electronically delivered products and tools developed must comply with Section 508 accessibility requirements. Additionally, to ensure meaningful access to persons with limited English proficiency (LEP), maintenance of tools and products could include translating existing materials into other

languages (E.O. 13166 and 72 FR 2732).

4. **Self-Directed and Group Learning.** Self-directed and group learning is intended to increase the capacity and close the competency gaps of participants by equipping them with the necessary program knowledge and skills needed to administer and manage HUD programs. Group learning will incorporate adult learning principles that may include delivery of HUD-approved training courses remotely or in person; online self-directed courses; problem-solving clinics; policy academies; live or pre-recorded webinars; and peer-to-peer assistance exchanges for customers with similar local market contexts, challenges, opportunities, and community needs. Group learning could include establishing and supporting group learning cohorts and curricula.
5. **Administrative.** Administrative activities are directly associated with overall award management and execution, including salaries and benefits of persons who support the execution of the award terms. Costs include preparing reports for submission to HUD, obtaining program audits, and general operating costs when billed direct. Administrative costs are not allowable as direct award execution charges when these costs are included in a selected applicant organization's negotiated indirect cost rate agreement or when the organization is using the de minimus rate. Refer to section VI.A.5. of this NOFA for administrative cost limits applicable to award execution costs.

Certain administrative costs are not considered to be award execution costs and are not subject to the administrative limits in this NOFA. For example, the salary and fringe benefits for the Program Manager assigned to oversee the outcome of a specific TA engagement are considered part of the TA engagement costs and are not included in award execution costs.

Use of funds under the NOFA for rental and maintenance of office space is allowed only under the following conditions:

- The lease must be for existing facilities not requiring rehabilitation or construction except for minimal alterations to make the facilities accessible for a person with disabilities
  - No repairs or renovations of the property may be undertaken with funds provided under this NOFA
  - Properties in the Coastal Barrier Resources System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased or rented with federal funds
6. **Coordination.** Coordination activities consist of services related to coordinating technical assistance with partnership organizations and planning technical assistance engagements, including data gathering, studies, and analysis, and the identification of actions that will implement such plans. Coordination enables successful applicants to:
    - Determine needs and capacity gaps to address with HUD customers, including addressing needs across multiple HUD programs
    - Set long-term goals and short-term objectives for technical assistance plans
    - Devise products and activities to meet these goals and objectives
    - Evaluate the progress of such programs and activities in accomplishing these

goals and objectives

### **B. Ineligible Applicants.**

Individuals are ineligible to apply to this NOFA.

### **C. Cost Sharing or Matching.**

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

However, it is encouraged and applicants documenting significant leverage may receive higher scores. See Section V.A.1.c of this NOFA.

HUD believes that leveraging outside investments helps engage existing expertise in the philanthropic, nonprofit, and private sectors. Matching funds or resources is not a requirement for this NOFA but leveraging the funds provided by HUD is strongly encouraged through points awarded in Rating Factor 3 (section V.A.1.c of this NOFA). This includes not only a plan to leverage funds but proven capacity to do so. The purpose of this is to support cross-sector partnerships in the communities receiving TA.

The leveraged funds may be provided as a cash or in-kind donation. Combined funding commitments from different sources provided by joint applicants count towards the total amount. Federal sources are not allowed to be used as a cost share or match unless otherwise permitted by the program's authorizing statute.

### **D. Threshold Eligibility Requirements.**

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

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

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

2. **Applicant Eligibility** – Applications from applicants that do not meet the criteria described in NOFA section III.A will not pass threshold review and will not be scored.
3. **Complete Application Package** – You must submit all the *required* documents as indicated in section IV.B. If you do not submit a complete package, your application will not pass threshold review and will not be scored.
4. **Funding Request** – You must request \$6 million in funding in box 18.a. of your SF424. If you do not request the full \$6 million, your application will not pass threshold review and will not be scored.

### **E. Statutory and Regulatory Requirements Affecting Eligibility.**

## **Eligibility Requirements for Applicants of HUD's Grants Programs.**

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

[Outstanding Delinquent Federal Debts](#)

[Debarments and/or Suspensions](#)

[Pre-selection Review of Performance](#)

[Sufficiency of Financial Management System](#)

[False Statements](#)

[Mandatory Disclosure Requirement](#)

[Prohibition Against Lobbying Activities](#)

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

### **F. Program-Specific Requirements Affecting Eligibility.**

- The maximum points total for an application is 100. The minimum total points for an application to be considered for funding is 75. However, if no eligible applicants score at least 75 points, we may award funds to an applicant scoring below 75 points.
- We will select one applicant to receive any funds appropriated for this NOFA using the selection process described in section V of this NOFA.
- TA engagements may take place across the United States and its insular areas as HUD deems necessary.
- We may task a successful applicant to coordinate with organizations conducting other HUD-funded activities.
- Successful applicants must comply with all applicable program statutes, regulations, policies, and award provisions.
- Successful applicants will be required to provide information on the results, impacts, and outcomes of their capacity building and TA activities.
- Successful applicants must obtain access to relevant HUD systems and other HUD tools to assist in the management of award requirements.
- We reimburse expenditures on a monthly basis. Advance payments are not permitted.
- Maintenance of stated capacity throughout the duration of the period of performance:
  - You must actively maintain staff/consultants/contractors that have the knowledge and experience described in your application.
  - If you decline or delay assignments or fail to deliver acceptable TA in your stated areas of experience/capacity, we reserve the right to terminate your cooperative agreement early and recapture funds awarded to you, consistent with 2 CFR part 200. We may also consider declined or delayed assignments or unacceptable TA engagements during future HUD TA NOFA competitions.
- If you receive an award, you must operate within the structure of the “demand-response system” (see NOFA section I.A.4 for a definition of demand-response system). Under the demand-response system, you must
  - Promptly respond to assignments or requests from the GTM or GTR.
  - Coordinate TA plans and activities with other HUD TA providers that have skills

and/or experience in providing assistance to HUD customers in the same jurisdiction or geographic area using TA funds. The coordination may include conference calls, virtual meetings, and/or in-person meetings.

- Attend and/or conduct joint training sessions, workshops, or conferences with other TA providers, as may be requested by the GTM or GTR.
- Conduct work only when tasked or assigned by authorized HUD representatives (i.e., GTM, GTR, POTAC, or Cooperative Agreement Officer or designee).
- Provide TA plans, requests for reimbursement, performance reports, deliverables, and trainings in formats prescribed by HUD.

Successful applicants may be required to obtain the necessary facilities (e.g., a HUD Field Office training room, a hotel conference room, etc.) to deliver TA to HUD customers under the TA award. Physical facilities where TA and capacity-building activities are carried out must be accessible to persons with disabilities and communications used to facilitate such activities must employ effective communications in accordance with applicable accessibility standards and other requirements.

#### **G. Criteria for Beneficiaries.**

A selected applicant who provides TA cannot also be a beneficiary of that TA. Direct beneficiaries of TA must be HUD customers, in addition to having the specific characteristics as described in this NOFA.

### **IV. Application and Submission Information.**

#### **A. Obtaining an Application Package.**

##### **Instructions for Applicants.**

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

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



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

Email: [distressedcities@hud.gov](mailto:distressedcities@hud.gov)

Office of Policy Development and Research

451 7th St SW

Washington, DC 20410

## **B. Content and Form of Application Submission.**

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

Submission of an application that is otherwise sufficient, under the wrong CFDA and Funding Opportunity Number is not a curable deficiency and will result in your application being declared ineligible for funding.

### **1. Content.**

Forms for your package include the forms outlined below:

<b>Forms / Assurances / Certifications</b>	<b>Submission Requirement</b>	<b>Notes / Description</b>
Standard Form 424 (SF-424 Application for Federal Assistance)	Submit via Grants.gov as part of the application package.	This form is required for all applicants. <i>The total federal funding requested in box 18.a of the SF424 must be \$6,000,000.</i> The amount requested in box 18.a of the SF424 will serve as the maximum level of funding we may award to you.
HUD Applicant Recipient Disclosure Report, Form HUD-2880 Applicant/Recipient Disclosure/Update	Required.	HUD instructions to grantees are provided by webcast, To view the webcast, <a href="#">click here</a> .

Report		
Certification Regarding Lobbying (Grants.gov Lobbying Form) and Disclosure of Lobbying Activities (SF-LLL), if applicable	Submit via Grants.gov as part of the application package.	Submission of the SF-LLL is required under 24 CFR part 87 for any applicants that have used or intend to use funds other than federally-appropriated funds for lobbying activities.  <i>Please note: Federally-recognized Indian Tribes applying for funding under this NOFA are not required to submit this form. State-recognized Tribes are required to submit this form.</i>

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

**a. Application summary.** The application summary will not be scored, but it is a submission requirement before award. This must be submitted as an Excel workbook (.xls or .xlsx format). A sample template is available on Grants.gov as part of the application package. The application summary does not count toward the 30-page limit for the narrative responses to the Rating Factors.

You must include the following information in your application summary:

- (1) Organization description. You must provide a brief description of your organization in no more than 350 words. This description may appear in the award announcement if you are funded through this NOFA. Each description must contain: Organizational history; purpose and mission; years of service; housing, health, education, economic development, disaster recovery, workforce development, and related supportive services provided; and agency web address.
- (2) Whether your organization is designated as either of the following:
  - (a) A disadvantaged business [e.g., 8(a) business]
  - (b) A small business as defined by the U.S. Small Business Administration
  - (c) A faith-based organization
- (3) Eligible activities. You must indicate the number of eligible activities you have completed in the five years prior to the publication date of the NOFA. The eligible activities categories are in NOFA section I.A.1.d, and your application summary should address all eligible activities except Administrative and Coordination.
- (4) Indirect Cost Rate. You must indicate your indirect cost rate as described in section IV.F. of this NOFA.

**b. List of your staff, consultants, and contractors and their experience and qualifications.** This includes any applicable certifications. This must be submitted as an Excel workbook (.xls or .xlsx format). A sample template is available on Grants.gov as part of the application package. The list must clearly identify whether an individual is staff, a consultant, or a contractor. This information will not be scored, but it is a submission requirement before award.

The list does not count toward the 30-page limit for the narrative response to the Rating Factors.

**c. Narrative response addressing Rating Factors 1-3.** As detailed under NOFA section III.D, “Threshold Eligibility Requirements,” any applicant that does not submit a narrative response addressing each of the three Rating Factors will not meet the threshold for review. See NOFA section V.A for more information on the Rating Factors. This must be submitted in either the PDF or the Word format (.pdf, .doc, or .docx). Your narrative response must be 30 pages or less. Any additional pages will not be considered in the review.

**d. Documentation of commitment of leveraged funds.** *This sub-section is only required of applicants who include a leveraging component in their application.* To supplement your response to Rating Factor 3(2), you must provide documentation of the nature and source of the leveraged funds, identify whether any leveraged funds are provided, and provide proof of a firm commitment of those funds.

Firm commitment means that the amount of leveraged resources and their dedication to the TA activities described in this NOFA must be explicit, in writing, and signed by a person authorized to make the commitment. The resources must be available at the time of award. The letters of commitment/MOUs/tribal resolutions must:

- Explicitly describe what services or material will be provided if they are to be provided as in-kind;
- Indicate the total dollar value of the commitment;
- Include a calculation to show how the value of the commitment was derived; and
- Be dated between the publication date of this NOFA and the application deadline for this NOFA.

Your documentation must include a description of how the cash or in-kind resources will be managed and by whom. The resources, cash or otherwise, must be directed solely towards the Distressed Cities technical assistance program. This includes any income derived from these resources, such as interest earned on cash being held in an interest-bearing account. This documentation does not count toward the 30-page limit for the narrative response to the Rating Factors.

**e. Code of Conduct attachment.** You must develop and maintain a written code of conduct in accordance with 2 CFR 200.318, unless you are a state. If you already have a code of conduct on file with HUD, you do not need to resubmit a new code unless the information on file has changed. To determine whether HUD has your code of conduct on file, [click here](#). If you are not listed on that website, you must include your code of conduct with your NOFA application as an attachment labeled "Code of Conduct." If you are listed on that website but your code of conduct has changed since you last submitted it to HUD, you must include your most up-to-date code of conduct as an attachment. If you are listed on that website and your code of conduct has not changed since you last submitted it to HUD, you do not need to include your code of conduct with your NOFA application. The code of conduct does not count toward the 30-page limit for the narrative response to the Rating Factors.

**A complete submission will consist of the application signed by an authorized official of your organization and contain all relevant sections of the application as described in this NOFA.**

## 2. Format and Form.

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

- **Page Limit for Rating Factor Narrative Responses.** The file that you submit as narrative responses to Rating Factors 1-3 must total no more than 30 pages in length. Any information contained in any additional pages will not be considered in the review.
- **Margins, Font Size, Text Color.** Your narrative responses to the Rating Factors must adhere to the following requirements:
  - 8.5 by 11-inch paper size
  - 12-point font, double-spaced
  - An easily readable font such as Times New Roman, Courier New, or Arial
  - Black text
  - At least 0.5-inch margins
- **Clarity, Organization.** Your narrative responses to the Rating Factors must be clear, concise, well organized, and free of grammatical errors.
- **Prohibition on Materials Not Specifically Requested.** You may not submit documents other than what is specifically requested by HUD in this NOFA. We will not consider résumés, photos, or any other documents that were not specifically requested.
- **Restrictions on Information Added to Narrative Responses.** You may not include any pictures, graphics, or text boxes in your narrative responses to Rating Factors 1-3. We will not score information provided in those formats. You may use tables and graphs in your narrative responses if they help to organize information.
- **Prohibition on Tables of Contents.** If you include a Table of Contents or other reference section in your narrative response, that text will count towards your 30-page limit.

You must submit only one application in response to this NOFA. If you submit multiple applications, we will only review the last timely application received.

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

### 1. SAM Registration Requirement.

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

### 2. DUNS Number Requirement.

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

### 3. Requirement to Register with Grants.gov.

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

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

#### **D. Application Submission Dates and Times.**

The application deadline is 11:59:59 p.m. Eastern time on **05/29/2019**. Applications must be received no later than the deadline.

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

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

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

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

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

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

- Log in to Grants.gov.
- Click the Check Application Status link, which appears under the Grant Applications heading in the Applicant Center page. This will take you to the Check Application Status page.
- Enter search criteria and a date range to narrow your search results.

- Click the Search button. To review your search results in Microsoft Excel, click the Export Data button.
- Review the Status column.
- To view more detailed submission information, click the Details link in the Actions column.
- To download the submitted application, click the Download link in the Actions column.

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

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

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

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

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

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

### **1. Amending or Resubmitting an Application.**

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

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

### **2. Grace Period for Grants.gov Submissions.**

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

Grants.gov system determines the application receipt time. Any application submitted during the grace period not received and validated by Grants.gov will not be considered for funding.

There is no grace period for paper applications.

### **3. Late Applications.**

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

### **4. Corrections to Deficient Applications.**

HUD will not consider information from applicants after the application deadline. HUD may contact the applicant to clarify information submitted prior to the deadline. HUD will uniformly notify applicants of each curable deficiency. A curable deficiency is an error or oversight that, if corrected, it would not alter, in a positive or negative fashion, the review and rating of the application. See curable deficiency in the definitions section (Section I.A.3.). Examples of curable (correctable) deficiencies include inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

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

Applicants must email corrections of curable deficiencies to [applicationsupport@hud.gov](mailto: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](mailto: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 NOFAs.** The version of these NOFAs as posted on Grants.gov are the official documents HUD uses to solicit applications.

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

#### **E. Intergovernmental Review.**

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

#### **F. Funding Restrictions.**

1. An organization may not provide TA or capacity building to itself, and it may not provide TA to another organization with which it contracts or sub-awards funds to carry out activities under the TA award.
2. No fee or profit may be paid to any recipient, contractor, or consultant of an award under the Distressed Cities program. This includes but is not limited to any interest paid on accounts used to manage program funds.
3. Compensation Restrictions:
  - An award recipient cannot charge more than Level IV of the Federal Executive Schedule annually for an individual's compensation even if the individual earns more than the capped amount. Effective January 7, 2018, the salary limitation for Executive Level IV is \$164,200. The compensation cap does not require a TA award recipient to limit the amount paid to individuals funded with a Distressed Cities TA award, but an individual's remaining compensation over the cap must be paid from an alternate source of organizational funds. The requirement applies to all of an award recipient's staff, consultants, and contractors. If the salary cap amount for Level IV of the Federal Executive Schedule, authorized by law, increases, if adequate funds are available in active awards, and if the salary cap increase is consistent with the TA award recipient's compensation policy, TA award recipients are permitted to use Distressed Cities TA funds to cover the increased salary amount. However, additional funds will not be provided to cover these costs.
  - HUD will determine whether compensation is reasonable and customary for the skill set provided and the area(s) being served.
4. Additional restrictions are described at 2 CFR part 200.

#### **Indirect Cost Rate.**

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



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

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

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

## **G. Other Submission Requirements.**

### **1. Application Certifications and Assurances.**

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), the applicant and the signing authorized representative affirm that they have reviewed the certifications and assurances associated with the application for federal assistance and (1) are aware the submission of the SF424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding

commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to federally-recognized Indian tribes, and those applicable to applicants other than federally-recognized Indian tribes. All program-specific certifications and assurances are included in the program Instructions Download on Grants.gov.

## **2. Lead Based Paint Requirements.**

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

## **V. Application Review Information.**

### **A. Review Criteria.**

#### **1. Rating Factors.**

##### **a. Rating Factor 1: Capacity of the Applicant**

**Maximum Points: 50**

This factor evaluates your overall capacity to provide the TA described in this NOFA. Your narrative response to this rating factor must include the following:

##### *(1) An understanding of the context (up to 10 points)*

- Demonstrate familiarity with the challenges posed by economic distress to the communities and potential strategies to address those challenges
- Demonstrate familiarity with the challenges distressed cities face in attracting targeted private sector investment toward distressed areas
- Demonstrate familiarity with the challenges facing target communities impacted by natural disasters and the potential strategies to address those challenges (including both resilience and recovery strategies)

##### *(2) Prior experience and performance (up to 20 points)*

- Describe at least three examples from within the last five years that demonstrate your ability to plan and implement a TA engagement in distressed communities and communities impacted by natural disasters. These descriptions should demonstrate:
  - The ability to overcome challenges (such as a disengaged community or limited local administrative capacity)

- Experience in cross-sector collaboration (such as private/public collaboration or inter-governmental collaboration)
- Experience working with smaller communities and with the broad range of HUD customers, including tribal organizations
- Experience with introducing and implementing financial management capacity and resilience/recovery strategies

*(3) Key personnel and organizational capacity (up to 20 points)*

- Identify the key personnel who would be planning and implementing the engagements, including summaries of their relevant experience and qualifications
- Describe how your organization's administrative processes and structure will support the engagements (including the management of external contractors if necessary)
- Identify external contractors and consultants in the narrative response if they are to play a key role

**b. Rating Factor 2: Soundness of Approach**

**Maximum Points: 35**

This factor evaluates your approach to planning and implementing a TA engagement for the target communities as described in this NOFA. You must clearly describe your process for the following:

- (1) Completing a collaborative needs assessment of a community selected for a TA engagement that actively involves community members, identifies issues specific to the community, and determines the community's capacity gaps (up to 5 points)
- (2) Identifying the products and activities best suited to promote the goals and objectives of the program in the context of a particular engagement, e.g. increased financial management capacity, improved disaster resilience, management of disaster recovery funds, etc. (up to 6 points)
- (3) Creating partnerships with federal, state, and local agencies, as well as with local non-profits and other stakeholders (up to 5 points)
- (4) Setting short- and long-term goals and objectives for TA engagements, including how qualitative and quantitative data will be used to track progress (these goals and objectives should incorporate existing local goals and objectives based on those in PHA Plans, Fair Housing Plans, Consolidated Plans, Section 3 Plans, and voluntary agreements or court orders to correct violations of program or other requirements) (up to 5 points)
- (5) Incorporating defined, measurable outcomes – that is, return on investment and other metrics in areas such as affordable housing construction, job creation, private sector investment, and reducing racial and ethnic disparities facilitated by cross-sector working groups, scheduled community engagement events, staff trainings, etc., and the metrics necessary to measure them (up to 5 points)
- (6) Ensuring post-engagement sustainability of outcomes (up to 5 points)
- (7) Identifying possible local data sources and incorporating those sources into the TA engagement, where available and appropriate (up to 4 points)

### c. Rating Factor 3: Leveraging Resources

Maximum Points: 15

#### (1) Amount and Applicability of Committed Resources (up to 10 Points)

- This summary should be no longer than two pages. It must include an explanation of how any in-kind resources will be applicable to a broad array of communities, as the experiences of the communities applying for the technical assistance will be similar but not identical. In-kind resources that are specific to particular localities or communities will not receive full points. You must provide a brief summary of any leveraged funds, including their dollar value and sources.

- *To receive full points for this sub-factor, you must show firm leveraged contributions of at least 10% of funds appropriated at the time of this announcement.* The resources you list in the response to this rating factor must have corresponding documentation as described in section IV.B.1.c of this NOFA. This documentation *will not* count towards the 30-page limit.

#### (2) Prior Success (up to 5 Points)

For this section, you must describe:

- Your prior success in securing financial and/or in-kind support for similar projects similar or related to any or all activities described in this NOFA in the past five years. We are particularly interested in your ability to secure additional monetary support from philanthropic foundations in the areas of financial management, disaster resilience, and capacity building. Please describe the proposed project, what it was for, and the amount of funds raised (or the type of in-kind support that was secured) for the project.

- Your proposed plan for reaching out to philanthropic organizations or private institutions and the fundraising activities you would undertake if your application is successful.

## 2. Other Factors.

### Preference Points.

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

### Opportunity Zones.

This program does not offer Opportunity Zone preference points.

### HBCU.

This program does not offer HBCU preference points.

## B. Review and Selection Process.

## **1. Past Performance**

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

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

HUD may reduce scores as specified under V. A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review results in an adverse finding related to integrity or performance, HUD reserves the right to take any of the remedies provided in Section III.D 1. Pre-selection Review of Performance, above.

## **2. Assessing Applicant Risk.**

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

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in this part;
- History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and
- The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

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

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

As required by 2 CFR 200.205, HUD will evaluate the risks to each HUD program posed by each applicant and will conduct due diligence to ensure an applicant's ability to manage federal funds. The results from this evaluation will inform funding decisions. If we determine that an award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award. In evaluating risks, HUD will consider factors found in 2 CFR 200.205, as well as publicly-available information, including information from your organization's website, media sources, Inspector General or Government Accountability Office reports or findings, or hotline or other complaints that have proved to have merit.

### **3. Integrity**

HUD evaluates the integrity of the applicant as reflected in government-wide websites, information in HUD's files, the Federal "Do Not Pay" website, public information, and information received during HUD's Name Check Review process. If this integrity assessment results in an adverse finding, we reserve the right to take remedies including:

- Denial of funding, or with a renewal or continuing award, suspension or termination of an award immediately for cause
- Requiring the removal of any key individual(s) from association with management or implementation of the award
- Making provisions or revisions regarding the method of payment or financial reporting requirements

### **4. Reviewers**

All members of each review team will consist of HUD staff.

## **VI. Award Administration Information.**

### **A. Award Notices.**

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

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

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

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

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

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

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

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

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

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

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

**Notifications.** An award notification sent to a successful applicant is not an authorization to begin performance. Upon notification that you have been selected for award, we will request additional information from you or may work with you to amend information that you already submitted as part of the application.

**Administrative and Financial (A&F) Process.** The A&F process is part of the negotiation process and is required for the successful applicant that receives funding under this NOFA. The successful applicant is required to complete the A&F process only once, even though the applicant is receiving funding from two Fiscal Years; however, HUD, at its discretion, may require confirmation of certain certifications and assurances. During the A&F process (which takes place after selection for funding but prior to award), you must submit administrative and financial information to comply with the cooperative agreement provisions. The requirements at 2 CFR part 200 govern all awards executed pursuant to this NOFA, including commercial/for-profit entities. Prior to award execution, you must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that your financial management system meets prescribed standards for fund control and accountability. Non-compliance with the applicable uniform administrative requirements and implementation of those requirements along with the cooperative agreement provisions may cause HUD to impose sanctions or restrictions or terminate your award.

**Budget form.** Due to the nature of the demand-response system, applicants responding to this

NOFA will not know at the time of application the specific activities they will be asked to carry out over the course of the performance period, the location of the engagements, or their duration. Therefore, you will not submit a Form HUD-424-CBW or any other budget form with your application. A cooperative agreement without a formal budget can be executed if we have other specific information (e.g., the award amount, labor rates, and the activities you have the capacity to carry out).

**Administrative budget.** We require that a selected applicant participates in negotiations to determine an administrative budget. The administrative budget must clearly identify the labor, associated indirect costs, travel, and material and supply costs associated with your management of the award. The administrative budget must track the different sources of funding and associate administrative costs to each source.

**Maximum administrative and coordination cost limits.**

- Unless HUD's authorized official or a federal directive specifically provides otherwise, up to fifteen (15) percent of the award made under this NOFA may be used for the purpose of paying administrative and coordination costs. This includes up to five (5) percent of the award for coordination costs and up to ten (10) percent for administrative costs. Specific cost limits by award amount are negotiated between HUD and the selected applicant, before cooperative agreement execution and during the project period. Costs may be denied or modified if it is determined that they are not allowable, allocable, and/or reasonable.
- The selected applicant must segregate administrative and coordination costs in separate cost centers.

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

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

**1. Compliance with Non-discrimination and Other Requirements**

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

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

**2. Equal Access Requirements.**



3. Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Businesses.
4. Equal Participation of Faith-Based Organizations in HUD Programs and Activities.
5. Real Property Acquisition and Relocation.
6. Participation in HUD-Sponsored Program Evaluation.
7. 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.
13. Violence Against Women Act.
14. Conducting Business in Accordance with Ethical Standards/Code of Conduct.
15. Environmental Requirements.

In accordance with 24 CFR **50.19(b)(1), (b)(2), (b)(3), (b)(4), (b)(8), (b)(9), and (b)(13)**, activities funded under this NOFA are categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

### **C. Reporting.**

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

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

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

**3. Race, Ethnicity and Other Data Reporting.** HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of HUD programs in order to carry out the Department's responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987. NOFAs may specify the data collection and reporting requirements. Many programs use the Race and Ethnic Data Reporting Form HUD-27061, U.S.

#### **D. Debriefing.**

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

#### **VII. Agency Contacts.**

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

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

Brian Stromberg  
(202) 402-4328  
[distressedcities@hud.gov](mailto:distressedcities@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.**

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFA in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

The FONSI is available for inspection at HUD's Funding Opportunities web page at: [http://www.hud.gov/program\\_offices/spm/gmomgmt/grantsinfo/fundingopps](http://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/fundingopps).