



U.S. Department of Housing and Urban Development

Public and Indian Housing

Lead-Based Paint Capital Fund Program (LBPCF)

FR-6400-N-42

11/02/2020

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Program Office:

Public and Indian Housing

Funding Opportunity Title:

Lead-Based Paint Capital Fund Program (LBPCF)

Funding Opportunity Number:

FR-6400-N-42

Primary CFDA Number:

14.888

Due Date for Applications:

11/02/2020

Overview

The U.S. Department of Housing and Urban Development (HUD) issues this Notice of Funding Availability (NOFA) to invite applications from eligible applicants for the program and purpose described within this NOFA. 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 NOFA: Please direct questions regarding the specific requirements of this Notice of Funding Availability (NOFA) to the office contact identified in Section VII.

OMB Approval Number(s):

2577-0157

I. FUNDING OPPORTUNITY DESCRIPTION.

A. Program Description.

1. Purpose

The purpose of the Lead-Based Paint Capital Fund Program is to help Public Housing Authorities (PHAs) identify and eliminate lead-based paint hazards in public housing, as authorized under the Further Consolidated Appropriations Act, 2020 (P.L. 116-94). Exposure to lead-based paint hazards can lead to a variety of health problems in young children, including reduced IQ, learning disabilities, developmental delays, reduced height, and impaired hearing. At higher levels, lead can damage a child's kidneys and central nervous system and can be deadly. This program provides competitive grants to PHAs to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls in target housing (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b), or Title X). This

competitive program is subject to the Capital Fund Program implementing regulations at 24 CFR part 905.

2. Changes from Previous NOFA.

Changes in this NOFA include:

- Revisions to the scoring rubric under Rating Factor 1.
- Updates to the eligible uses of funds for properties of PHAs planned for RAD, Section 18 conversions, or demolition.
- Removal of language excluding properties under receivership or the oversight of a federal monitor, and use of funds at properties subject to enforcement under the Lead Disclosure Rule and/or the Lead Safe Housing Rule.
- New requirements for awarded applicants post-award, including the use of EPIC for planning and annual reporting under Budget Line Item (BLI) 1480 General Activities.
- New language regarding the use of funds not awarded or recaptured. Awards available under this NOFA may include funds recaptured from prior awards. If additional funds are available from recaptured grants, they may be awarded to eligible applicants that either were not funded, or were funded below their requested level (if below the maximum award amount). Additional awards will be based on the competitive ranking completed for this NOFA.

3. Definitions.

a. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH). The obligation to affirmatively further the purposes and policies of the Fair Housing Act.

Assistance Listings (formerly 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. An Assistance Listing (CFDA) Number is the unique number assigned to each program, project, service or activity listed in the Catalog of Federal Domestic Assistance (CFDA).

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).

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 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. 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 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.

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 NOFA.

Non-Federal Entity is 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. If eligible applicants under the NOFA include for profit entities, this definition of non-federal entity includes for profit entities.

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

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 is 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 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 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 is a number used to identify a specific commercial, nonprofit, or government entity. SAM states that currently Dun & Bradstreet (D&B) is the designated entity to establish and maintain the DUNS Number as the unique entity identifier required for registration in SAM and further used throughout federal procurement, financial assistance, and financial management systems. Beginning December 2020, the DUNS number will no longer be the official identifier for entities doing business with the government.

4. Program Definitions

Abatement means any set of measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the EPA. Abatement includes the removal of lead-based paint and lead-contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead painted surfaces or fixtures, and the removal or covering of lead contaminated soil, as well as all preparation, cleanup, disposal, and post-abatement clearance examination activities associated with such measures. For this program, grantees are expected to follow the [HUD Guidelines](#), Chapters 12 and 13.

Clearance examination means an activity conducted following lead-based paint hazard control to determine that the hazard control activities are complete and that no soil-lead hazards or settled dust-lead hazards, as defined in the Lead Safe Housing Rule (24 CFR part 35, subparts B – R; specifically, here, 24 CFR 35.110 and 35.1320), exist in the dwelling unit or worksite. The clearance process includes a visual assessment and collection and analysis of environmental samples. Dust-lead standards for clearance are found at Sec. 35.1320. Specific requirements for a clearance examination, including the number of units to be sampled, can be found in EPA regulations at 40 CFR Part 745 and in Chapter 15 of the Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (“HUD Guidelines”) at [HUD Guidelines](#).

Interim controls means a set of measures designed to reduce temporarily human exposure or likely exposure to lead-based paint hazards. Interim controls include, but are not limited to, repairs, painting, temporary containment, specialized cleaning, clearance, ongoing lead-based paint maintenance activities, and the establishment and operation of management and resident education programs. For this program, grantees are expected to follow the [HUD Guidelines](#), Chapter 11 for performing interim controls.

Lead-based paint evaluation means performing lead dust, soil and paint-chip testing, lead-based paint inspections, risk assessments, clearance examination, and engineering and architectural activities that are required for, and in direct support of, interim control and lead hazard control work, of eligible housing units constructed prior to 1978 to determine the presence of lead-based paint and/or lead hazards from paint, dust, or soil using acceptable testing procedures. Risk assessments and inspections must be in compliance with EPA regulations at 40 CFR Part 745 and the HUD Guidelines, Chapters 5 and 7, as described in the [HUD Guidelines](#).

Lead-based paint inspection means a surface-by-surface investigation to determine the presence of lead-based paint and the provision of a report explaining the results of the investigation. Note that lead-based paint inspections are performed by EPA- or State-certified Lead-Based Paint Inspectors or Risk Assessors, and include calibration of the X-ray fluorescence (XRF) equipment at required intervals, a statistically valid sampling of units and building components within units based on the size of the property and construction history, XRF testing of all painted surfaces, and XRF results downloaded directly from the equipment. Unit-by-unit dust testing, or random paint chip sampling is not sufficient information for a certified lead abatement professional to use to develop a work plan. Specific requirements for a Lead Inspection, including the number of units to be sampled, can be found in EPA regulations at 40 CFR Part 745 and in Chapter 7 of the HUD Guidelines at [HUD Guidelines](#).

Lead-based paint hazard control means the control or elimination of all lead-based paint hazards identified in housing units and in common areas of multi-family housing through either interim controls or lead-based paint abatement, or a combination of both. Lead hazard control must be in compliance with Chapters 11, 12 and 13 of the HUD’s Guidelines at [HUD Guidelines](#).

Relocation means carrying out temporary relocation for families and individuals while the remediation is conducted and until the time the affected unit receives clearance for re-occupancy. HUD expects that most temporary relocation for lead hazard control work would be for 30 days or less. Occupancy protection should be in compliance with Chapter 8 of the HUD Guidelines at [HUD Guidelines](#). Temporary relocation of residents must be carried out in compliance with all applicable requirements under the Uniform Relocation Assistance and Real Property Acquisition

Policies Act of 1970 (URA), as implemented by 49 CFR part 4 and described in [HUD Handbook 1378 – Tenant Assistance, Relocation and Real Property Acquisition](#) (Chapter 2) and the Capital Fund Guidebook at [Capital Fund Guidebook](#). Additional information and resources on the URA, including Handbook 1378, are available at www.hud.gov/relocation.

Risk assessment means an on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards; and the provision of a report by the individual or firm conducting the risk assessment explaining the results of the investigation and options for reducing lead-based paint hazards. Specific requirements for a Risk Assessment, including the number of units to be sampled, can be found in EPA regulations at 40 CFR Part 745 and in Chapter 5 of the HUD Guidelines at [HUD Guidelines](#).

Target housing means any housing constructed prior to 1978, except housing designated for the elderly or persons with disabilities, or any 0-bedroom dwelling (unless a child of less than 6 years of age resides or is expected to reside in such housing), as defined in the Residential Lead-Based Paint Hazard Reduction Act of 1992.

Worker Protection means protecting the health and safety of the hazard control workers, supervisors, and contractors. All work shall be done in compliance with relevant OSHA standards for worker protection, including 29 CFR 1926.59 and 1926.62, and/or applicable state or local standards for worker protection, as required by the Lead Safe Housing Rule at 24 CFR 35.145 and 35.150(b), respectively.

B. Authority.

Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (1937 Act), the Further Consolidated Appropriations Act, 2020 (Public Law 116-94, enacted December 20, 2019) and 24 CFR Part 905.

II. Award Information.

A. Available Funds

Funding of approximately **\$ 31,000,000** is available through this NOFA.

Additional funds may become available for award under this NOFA, 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 NOFA.

If a grantee is unable to expend their awarded funds, the funds will be recaptured and may be awarded to the next competitive application not funded in the initial competition, or to other awardees that were not funded at their requested amount (not to exceed the maximum award). HUD may also award funds recaptured from prior awards under this competition, subject to funds availability requirements.

B. Number of Awards.

HUD expects to make approximately 10 awards from the funds available under this NOFA.

C. Minimum/Maximum Award Information

Maximum award of \$5 million based on FY20 appropriations language, which allows for up to 20% of FY 2020 appropriated funds (\$25,000,000) may be awarded to an individual grantee. This NOFA includes approximately \$6 million in recaptured and carryover funds from FY19.

Estimated Total Funding:

\$ 31,000,000

Minimum Award Amount:

\$ 10,000

Per Project Period

Maximum Award Amount:

\$ 5,000,000

Per Project Period

D. Period of Performance

Section 9(j) of the U.S. Housing Act of 1937 (the Act) applies. Unless HUD grants an obligation extension, PHAs must obligate 90 percent of the grant award within 24 months of the date the funds are made available to the PHA. An obligation is a binding agreement (executed by all parties) for work or financing that will result in outlays of Capital Funds by the PHA, immediately or in the future. The entire grant award must be expended fully within 24 months following the obligation end date.

Estimated Project Start Date:

12/15/2020

Estimated Project End Date:

12/15/2024

Length of Project Periods:

48-month project period with four 12-month budget periods

Length of Periods Explanation of Other:

E. Type of Funding Instrument.

Funding Instrument Type:

G (Grant)

HUD will only accept one Lead-Based Paint Capital Fund application per PHA, per Federal fiscal year of funding. Applicants may request funding for one or more public housing projects (IMS/PIC Development(s)/AMP(s)).

F. Supplementation.

For this NOFA, sub-section "F. Supplementation" is Applicable

III. Eligibility Information.

A. Eligible Applicants.

Others (see text field entitled "Additional Information on Eligibility" for clarification)

Information on Eligible Applicants

Public Housing Authorities with the legal authority to develop, own, modernize, and operate a public housing project in accordance with the 1937 Act are eligible. PHAs that are designated as troubled are eligible for funding if in the agency is in compliance with any current Memorandum of Agreement or Recovery Agreements. Tribes and tribally designated housing entities (TDHEs), nonprofit organizations and resident associations are **not** eligible to apply.

B. Ineligible Applicants.

Tribes and tribally designated housing entities (TDHEs), nonprofit organizations, and resident associations are **not** eligible to apply.

C. Cost Sharing or Matching.

This Program does not require cost sharing or matching.

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

2. 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 Section IV. D. Application Submission Dates and Times.

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](#).

- 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.

Form HUD-50075.1. Applicants that do not submit a completed form Parts I and II will not be evaluated.

G. Criteria for Beneficiaries.

N/A

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 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 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 received by HUD 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:

Name:

Capital Improvements

Email:

PIHOCI@hud.gov

HUD Organization:

PIH

Street:

451 7th Street S.W.

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

B. Content and Form of Application Submission.

You must verify that boxes 11, 12, and 13 on the SF-424 match the NOFA for which you are applying. If they do not match, you have downloaded the wrong Application Instruction and Application Package.

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

1. Content.

Forms/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 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.
Form HUD-50075.1 Parts I and II Annual Statement/Performance and Evaluation Report, Capital Fund Program	<p>This form may be prepared in HUD's Energy and Performance Information Center (EPIC) by authorized users, printed or saved to PDF, and included in the application. See https://portalapps.hud.gov/app_epic/.</p> <p>Alternatively, forms can also be downloaded from HUD Clips, completed, and</p>	An example of form 50075.1 is available in PDF format at https://www.hud.gov/sites/dfiles/OCHCO/documents/50075.1.pdf

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	<p>saved to PDF to submit with the application.</p> <p>All submitted forms must include the IMS/PIC Development(s)/AMP (s) name and number.</p>	
Opportunity Zones Certification Form	This form is required to receive Opportunity Zone preference points. Please view further instructions in section V of this NOFA.	This is an optional form located in Grants.gov application package.
Promise Zones-HUD 50153	This form is required to receive Promise Zone preference points. Please view further instructions in section V of this NOFA.	This form is part of the downloaded application instructions.
HBCU Letter of Commitment	This is a requirement to receive HBCU preference points. Please view further instructions in section V of this NOFA.	See section V of this NOFA for further instructions.

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

If forms SFLLL and the HUD Applicant Recipient Disclosure Report (HUD) 2880 were submitted in the same year for formula-based Capital Fund awards, they do not need to be resubmitted. For Form 2880, applicants are bound by the Program Fraud Civil Remedies Act (PFCRA). Administrative action for a false statement under the PFCRA requires that the document containing the false statement include “an express certification of the truthfulness and accuracy the contents of the statement.” 31 U.S.C. § 3802. The referenced form is missing such an express certification; therefore, it fails to satisfy the expressed requirements for false statement liability under the PFCRA.

The SF424 must include the PHA code. Any additional information provided to supplement the required forms listed above will not be evaluated. This application should only include a separate narrative to address Other Factors: Section 3, Opportunity Zones, Historically Black Colleges or Universities (HBCUs), and/or Promise Zones, if applicable. Applicants should not include inspection reports or action plans for previous capital fund grant awards. Supplemental materials will not be reviewed.

2. Format and Form.

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

- Applicants should prepare their completed Form 50075.1 Parts I and II to include the Inventory Management System (IMS)/ PIH Information Center (PIC) Development(s)/AMP(s) names and numbers, print or save to PDF and send with the application package. Applications that do not include this form will be considered ineligible and not reviewed. Applicants may not supplement Form 50075.1 with additional narrative and shall limit responses to the character limits and spacing imposed by the form.
- Narrative submitted to describe Other Factors: Section 3, Opportunity Zones, Historically Black Colleges or Universities (HBCUs), and/or Promise Zones (if applicable) shall not exceed 2 (two) pages, double-spaced 12 point font.
- Awarded Moving to Work (MTW) agencies will be required to identify proposed activities in EPIC under Budget Line Item (BLI) 1480 General Activities and may not use the simplified Five Year Action Plan described in PIH Notice 2016-21(HA).
- All awarded agencies will be expected to update their Five Year Action Plan and Annual Plan in EPIC after award. Plans must be reviewed by the Office of Capital Improvements (OCI) and approved by the assigned Public Housing Field Office before work can commence.

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/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 <https://www.sam.gov/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](https://www.grants.gov) and be approved by the EBiz POC in SAM to submit applications for the organization. Registration for SAM and [grants.gov](https://www.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

11/02/2020

Applications must be received no later than the deadline.

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

"Received by Grants.gov" means the applicant received a confirmation of receipt and an application tracking number from Grants.gov. Grants.gov then assigns an application tracking number and date-and 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 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. Before the deadline, HUD may contact the applicant to clarify information submitted.

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

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

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

The subject line of the email sent to applicationsupport@hud.gov must state: Technical Cure and include the Grants.gov application tracking number or the GrantSolutions application number (e.g., Subject: Technical Cure - GRANT123456 or Technical Cure - 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.

Eligible Uses of Funds. Eligible activities and costs for this NOFA will be covered under Budget Line Item (BLI) 1480 General Activities, with the following additional restrictions:

- Funds can only be used for the activities of lead-based paint risk assessments, inspections, abatement, interim controls, clearance examinations and relocation. Other work in the property, including work to prepare for lead hazard control (e.g., repairs to the substrate, fixing leaks or other renovations) shall be funded by other sources.
- Funds may not be expended at IMS/PIC Development(s)/AMP(s) that do not meet the definition of target housing as defined under the Residential Lead-Based Paint Hazard Reduction Act of 1992 and this NOFA. Buildings that meet the definition of target housing but are missing construction dates in the IMS/PIC system must be updated in the PIC system after award to reflect the actual construction date. Grantees that need assistance with these updates should work with their field office representative.
- Housing units that have had lead-based paint abated (as demonstrated by documentation of a prior lead evaluation and abatement), and where the abatement is still performing are not eligible for enrollment under this grant program. If the PHA is unsure whether units meet these criteria they may consult with a certified risk assessor or determine this once the units are evaluated under this program.
- Funds under this NOFA may only be used in public housing, as defined by Section 3 of the 1937 Act and PHA participating in the Capital Fund program under Section 9 of the 1937 Act. And 24 CFR part 905 funds may not be used at projects under Commitments to enter into Housing Assistance Payments Contracts (CHAPs) under the Rental Assistance Demonstration (RAD) as authorized under Public Law 112-55 and implementing notices. Properties that will be converting to another federal housing assistance program, such as through a Section 18 disposition or Streamlined Voluntary Conversion, must complete all lead hazard control activities prior to conversion.
- Funds may not be used for lead-based paint abatement in housing that is planned for demolition in the Five Year Action Plan. For these properties, funds may be used to perform interim controls in units occupied with families with children under age 6. Funds may be used for temporary relocation of families during the course of interim controls.
- Activities must be carried out in compliance with the Capital Fund regulations at 24 CFR part 905.

Indirect Cost Rate.

Statutory or Regulatory Restrictions Apply

Awardees must accept the Federal Negotiated Rate.

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 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.

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.

2. Lead Based Paint Requirements.

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

When providing education or counseling on buying or renting housing that may include pre-1978 housing, 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).

Awardees are expected to plan for compliance with 24 C.F.R. 35.1120 of the Lead Safe Housing Rule, which requires (at a minimum) interim controls of dwelling units in which any child who is less than 6 years of age resides and common areas servicing those dwelling units be completed within 90 days of the evaluation. The date the lead-based paint evaluation (e.g. risk assessment and/or lead-based paint inspection) is provided to the awardee shall be considered the starting date to meet this requirement.

V. Application Review Information.

A. Review Criteria.

1. Rating Factors.

The maximum number of points to be awarded for Rating Factors is 100. Applicants will first be reviewed for eligibility for award, and then competitively scored based on the following rating factors. Up to 2 additional points may be added for work in Opportunity Zones (OZ), Promise Zones (PZ), and/or partnerships with Historically Black Colleges and Universities (HBCU). Applicants that partner with an HBCU must provide a description of their expected role. Maximum score with bonus points is 102.

Rating Factor	Name	Sub-factor	Points
1	Need		
		Housing Construction Date	40
		Occupancy	20
2	Soundness of Approach and Cost Estimate		
		Work Description	20
		Cost Estimate	10
3	Past Performance		8
Other	Section 3		2
Policy Priorities	OZ, PZ, HBCU		2
Total			102

Rating Factor 1: Need

Maximum Points: 60

Property Construction Date and Occupancy by Children under Six

HUD will evaluate an applicant’s need based on the age and occupancy of the IMS/PIC Development(s)/AMP(s) proposed for funding. HUD will draw this information from the IMS/PIC system based on the information submitted in the 50058 Module and based on the IMS/PIC Development(s)/AMP specified(s) in form HUD-50075.1 including the development number and name. Occupancy information will be pulled from IMS/PIC as of the application deadline to determine the degree to which the property includes occupancy by families with at least one child under age 6. **Applicants shall ensure that the property construction date records are accurate in IMS/PIC in advance of submitting the application.** Applicants with incorrect, incomplete, or missing construction dates must work with the assigned HUD Public Housing Field Office to update the IMS/PIC prior to the application deadline. The Office of Capital Improvements (OCI) will post construction and occupancy information [on its website](#) in advance of the application due date. Calculations from the previous NOFA cycle are also available for review.

Applicants may propose one or more IMS/PIC Developments/AMPs per application for funding. Scattered sites are eligible for funding. For applications that include multiple IMS/PIC Developments/AMPs, HUD will do a weighted average of the year that construction began on

each Development/AMP, weighted by the number of units, and use that averaged construction year for scoring. Properties that are missing construction dates in PIC shall be scored assuming a construction date equal to the date of this NOFA publication, and will only be eligible for work if the PHA later updates PIC with a supported construction start date prior to January 1, 1978. Projects with the oldest construction dates and the highest number of units occupied by families with at least one child under age six will receive the most points.

Housing built before 1940 is most likely to contain lead-based paint^{[1],[2]}, so points will be awarded as follows:

Property Construction Date	Points
Construction began on or before December 31,1939	40
Construction began on or after January 1, 1940 and on or before December 31, 1959	35
Construction began on or after January 1, 1960 and or before December 31, 1977	25

Portion of Units Occupied by at Least One Child Under Age Six (20 points)

If the percent of units occupied by children under 6 is 50% or above, then the application will receive the maximum points (20). If the percent ranges from 1% to 49%, then the application will receive commensurate points based on the percentage doubled and multiplied by 20, rounded up to the nearest whole number. For example, an application with 10% units occupied by children under 6 will receive 4 points.

[1] Jacobs DE, Clickner RP, Zhou JY, Viet SM, Marker DA, Rogers JW, et al. The prevalence of lead-based paint hazards in U.S. housing. *Environ Health Perspect.* 2002;110:599–606. www.ncbi.nlm.nih.gov/pmc/articles/PMC1241046/

[2] Dewalt FG, Cox DC, O’Haver R, Salatino B, Holmes D, Ashley PJ, et al. Prevalence of Lead Hazards and Soil Arsenic in U.S. Housing. *Journal of Environmental Health.* 2015;78:22-29. www.neha.org/node/6429

Rating Factor 2: Soundness of Approach and Cost Estimate

Maximum Points: 30

Work Description. (20 points) This rating factor will evaluate the soundness of the proposed plan as identified on the form HUD 50075.1 Parts I & II. Proposed activities shall adhere to guidelines and requirements outlined in sections I.A., IV.F., and G.1., including the program description, program purpose, funding restrictions, and lead-based paint requirements identified in the application. Form HUD 50075.1 must include the IMS/PIC development(s)/ AMP(s) name and number as it is identified in the IMS/PIC system. Eligible program activities include lead-based paint risk assessments, inspections, abatement, interim controls, and clearance examinations.

Forms HUD-50075.1 may be completed within the [EPIC online system](#) and printed or saved to PDF to submit with the application, or prepared from the version posted to [HUD Clips](#). Applicants that need assistance with preparing and submitting information in EPIC should

work with their assigned field office representative.

The applicant shall propose activities by IMS/PIC development(s)/ AMP(s) proposed for this grant and describe anticipated lead-based paint evaluation and lead hazard control work by IMS/PIC development(s)/AMP.

The applicant shall propose how it will review past lead-based paint evaluations and abatement previously conducted to determine the types of additional lead-based paint evaluations that should be conducted at the proposed projects. PHAs may work with a professional representative (e.g., architect, engineer, Lead Risk Assessor or Lead-based Paint Project Designer) to conduct this review.

The applicant shall propose how it will identify, within 9 months of award and based on review of previously-conducted evaluations and abatement, the housing units (and the common areas servicing those units) to have lead-based paint abated or its hazards abated or interim-controlled, including enough backup units in case unforeseen obstacles prevent work on the primarily identified units.

Cost Estimate. (10 points) Within the form, the applicant shall estimate the associated costs of the lead-based paint evaluation and lead hazard control work by IMS/PIC development(s)/AMP.

Applicants should use as many lines as necessary on the 50075.1 form when describing the lead-based paint evaluation, work, and estimated costs per IMS/PIC development/AMP. Reasonable cost estimates will be informed by an analysis of lead-based paint evaluation and work performed already (if applicable), the [HUD Guidelines](#) and the [Economic Analysis of the Proposed Rule on Lead-Based Paint](#). Applicants that are not familiar with these resources will benefit from the services of a professional representative familiar with the [HUD Guidelines](#) and lead-hazard control projects.

Because the results of the lead-based paint evaluation and the level of lead-based paint hazard control work required may not be determined until after award, PHAs may use a standard estimate of approximately \$10,000 per unit for hazard control in multi-unit properties and \$15,000 per unit for single family properties. However, costs may be less than these amounts for properties that have already had lead-based paint evaluation and hazard control other than lead-based paint abatement performed, or for properties that were built after 1960.

If the proposed work costs exceed the amount awarded for this program, the PHA can propose a plan to perform interim controls and partial abatement until more Capital Funds are available, or supplement this grant with existing Capital Funds already awarded. If this situation applies to your proposal, please describe your plan for interim controls and partial abatement when describing your work plan, to the extent known.

Applicants that use form HUD-50075.1 Parts I and II to provide a sound and clear, detailed breakdown of proposed lead-based paint evaluation and hazard control by PIC development/AMP will receive maximum points for this sub-factor. A sound work description

and cost estimate will be one that has sufficient detail, contemplates the necessary lead-based paint evaluation, and proposes a hazard control strategy based on what lead-based paint evaluation has revealed or is expected to reveal.

Fewer points will be awarded for lack of clarity, lack of detail, not responding fully to the criteria, or proposing ineligible use of funds (eligible uses are listed in section I.A.1). Scoring will depend on whether the applicant provided a sufficient description of proposed work, whether the work is assigned by the AMP/development name and number, and cost reasonableness.

Note the following: Applicants are limited to 1,000 characters per row in the “General Description of Major Work Categories” column when filling out form HUD-50075.1 in EPIC. Applicants may not provide supplemental information to the form in their application and shall comply with these character limitations.

Rating Factor 3: Past Performance

Maximum Points: 8

Past Performance. (8 points) For this NOFA, past performance will be assessed using criteria in section V.B.1 for the PHA’s Capital Fund Grant Program. Meeting program requirements:

- No Office of the Inspector General (OIG) audit findings in 2019 and no Independent Public Accountant (IPA) audit findings in FASSPHA for 2019 – 8 points
- Either OIG audit findings in 2019 or IPA audit findings in FASSPHA for 2019, but not both – 5 points
- Both OIG audit findings in 2019 and IPA audit findings in FASSPHA for 2019 – 0 points

2. Other Factors.

Section 3.

In accordance with HUD's Section 3 regulations at 24 CFR 135.9, your application will receive up to 2 points based your response to the following inquiries:

- types and amounts of employment, training, and contracting opportunities to be generated as a result of proposed grant activities;
- specific actions to be taken to give Section 3 residents and Section 3 business concerns (as defined at 24 CFR 135.5) priority consideration for employment, training, contracting, and other economic opportunities in accordance with HUD's regulations at 24 CFR 135.34 and 135.36;
- written criteria to be used for determining eligibility of Section 3 residents and business entities;
- written procedures to be used for notifying Section 3 residents and business entities about the availability of training, employment, and contracting opportunities;
- methodology to be used for monitoring developers, contractors and subcontractors that are awarded covered contracts to ensure compliance with Section 3 requirements;
- strategies for meeting the Section 3 minimum numerical goals for employment and contracting opportunities at 24 CFR 135.30; and
- contact information and qualifications for staff persons who will be responsible for the day-to-day implementation of Section 3.

Preference Points.

HUD encourages activities in support of the Secretary's FY20 Initiatives. HUD may award up to two (2) points for any of the 3 preferences (OZ, PZ or HBCU).

Opportunity Zones.

Opportunity Zone (OZ) Certification and Supporting Documentation: Applicants proposing projects in an Opportunity Zone community must identify the state, county and census tract(s) of the opportunity zone(s) in which the activity will be carried out and provide certification to HUD in order to receive preference points. The certification must affirm that the investment is in a qualified Opportunity Zone, and be submitted as a supporting attachment on the applicant's letterhead with the application package. Applicants must also provide supporting documentation showing that the investment is in an Opportunity Zone. To view the list of designated Opportunity Zones, please see the following link on the U.S. Department of the Treasury website: <https://www.cdfifund.gov/Pages/Opportunity-Zones.aspx>. HUD encourages activities in Opportunity Zones. This form will be included as part of the grant application package on [grants.gov](https://www.cdfifund.gov/grants.gov) for all HUD grants that offer Opportunity Zone preference points. For Fiscal Year 2020, applicants will be required to complete and submit this form along with the SF-424 in order to be eligible for Opportunity Zone preference. 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.

HBCU.

An applicant partnering with a Historically Black College or University (HBCU) will receive up to two (2) Preference Points when the application includes a Letter of Commitment certifying that an HBCU Partnership is in place and signed by an authorizing official of the HBCU and documentation of the college or university's status as an HBCU. [Click here to view the list of accredited HBCU's](#)

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;

Meeting program requirements;

The applicant's organizational capacity, including staffing structures and capabilities;

Timely submission and quality of reports submitted to HUD;
Meeting performance targets as established in the grant agreement;
Timely completion of activities and receipt and expenditure of promised matching or leveraged funds;
The number of persons served or targeted for assistance;
Other

HUD may reduce scores as specified under V. A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review results in an adverse finding related to integrity or performance, HUD reserves the right to take any of the remedies provided in Section III. E 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, 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 deduct up to 20 points from the total score for PHAs that have significant issues in Past Performance as described above.

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.

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 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 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.

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 select the linked text to read the detailed description of each applicable requirement).

1. Compliance with Non-discrimination and Related 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 Business.

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

5. Uniform Relocation Act – Real Property Acquisition and Relocation Requirements.

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. Accessibility for Persons with Disabilities.
12. Violence Against Women Act.
13. Conducting Business in Accordance with Ethical Standards/Code of Conduct.
14. Environmental Requirements.

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

In compliance with the Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94) and the federal requirements applicable to all Capital Fund activities at 24 CFR 905.308 including environmental review requirements at 24 CFR 905.308(b)(2), all activities under this NOFA are subject to an environmental review by a responsible entity under HUD's environmental regulations at 24 CFR part 58 and must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321 et seq.) and the related laws and authorities listed at 24 CFR 58.5. HUD may make a finding in accordance with 24 CFR 58.11 and may perform the environmental review itself under the provisions of 24 CFR part 50. In those cases where HUD performs the environmental review under 24 CFR part 50, it will do so before approving a proposed project, and will comply with the requirements of NEPA and the related requirements at 24 CFR 50.4.

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.

- All awarded agencies will be expected to update their Five Year Action Plan and Annual Plan in EPIC after award. Plans must be reviewed by the Office of Capital Improvements (OCI) and approved by the assigned Public Housing Field Office before work can commence.
- After award, the applicant shall propose a quarterly benchmark schedule for completing lead hazard control work on these units and common areas timely and evenly through the period of performance. An example template for this plan is posted on the [OCI website](#).
- Applicants that are awarded may be required to periodically certify to HUD that funded work is not occurring in an IMS/PIC development subject to a CHAP. For compliance with this provision, HUD will assume all units in the property with a CHAP are included, even if the CHAP has phases where certain units are not covered.

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.

3. Program-Specific Reporting Requirements

PHAs awarded under this program must use EPIC to complete annual reports within 60 days of each annual anniversary of award. All other reporting (e.g. in financial systems) already required in the Capital Fund formula grant program or the Moving to Work program shall continue to apply.

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 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.

Debriefings should be requested via email to PIHOCI@hud.gov.

VII. Agency Contact(s).

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 POC listed below. Name:

Office of Capital Improvements

Phone:

202-708-1640

Email:

PIHOCI@hud.gov

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

VIII. Other Information.

1. National Environmental Policy Act.

This NOFA provides funding under, and does not alter the environmental requirements of, 24 CFR part 905.. Accordingly, under 24 CFR 50.19(c)(5), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Activities under this NOFA are subject to the environmental review provisions set out at 24 CFR 905.308(b)(2).

2. 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 NOFA will identify its applicable OMB control number unless its collection of information is excluded from these requirements under 5 CFR part 1320.

3. Web Resources.

- [**Affirmatively Furthering Fair Housing**](#)
- [**Code of Conduct list**](#)
- [**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**](#)
- [**NOFA 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 Act – Real Property Acquisition and Relocation Requirements**](#)
- [**USA Spending**](#)

APPENDIX