



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

Community Planning and Development

Rural Capacity Building for Community Development and Affordable Housing Grants (RCB)

FR-6100-N-08

Application Due Date: 12/07/2017

Rural Capacity Building for Community Development and Affordable Housing Grants (RCB)

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

<b>Program Office:</b>	Community Planning and Development
<b>Funding Opportunity Title:</b>	Rural Capacity Building for Community Development and Affordable Housing Grants (RCB)
<b>Announcement Type:</b>	Initial
<b>Funding Opportunity Number:</b>	FR-6100-N-08
<b>Primary CFDA Number:</b>	14.265
<b>Due Date for Applications:</b>	<b>12/07/2017</b>

### Overview

**For Further Information Contact:** Please direct questions regarding the specific program requirements of this Program Notice of Funding Availability (NOFA) to the agency contact identified in Section VII. Please direct general questions regarding the FY2017 NOFAs to the Office of Strategic Planning and Management, Grants Management and Oversight Division, at [AskGMO@hud.gov](mailto:AskGMO@hud.gov).

### Additional Overview Information

Incorporation of the General Section. HUD publishes a General Section each fiscal year that contains requirements for all applicants to HUD's various competitive grant programs, including this NOFA. Applications must meet all of the requirements of the General Section in addition to the requirements of this NOFA to be considered and potentially receive funding. The full title of the General Section is the General Section to HUD's Fiscal Year 2017 Notices of Funding Availability for Discretionary Programs. Copies are available at [Grants.gov](http://Grants.gov) and HUD's [Funds Available](#) page.

1. Participative Planning and Implementation. HUD encourages applicants to ensure, where applicable, public decision making and meaningful participation throughout the visioning, development, and implementation of funded projects. HUD encourages applicants to work with all residents of affected areas, especially communities traditionally marginalized from planning processes. In seeking public participation, applicants and grantees must ensure that all communications are provided in a manner that is effective for persons with hearing, visual, and other communications-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973 and, as applicable, the Americans with Disabilities Act. In addition, Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d and Executive Order 13166 require that grantees take responsible steps to ensure meaningful access to services, programs, and activities by persons with Limited English Proficiency (LEP persons).

2. OMB Approval Number(s): 2506-0195

## I. Funding Opportunity Description.

### A. Program Description.

#### 1. Purpose and Summary.

Through funding of national organizations with expertise in rural housing and community development, the Rural Capacity Building (RCB) program enhances the capacity and ability of rural housing development organizations, Community Development Corporations (CDCs), Community Housing Development Organizations (CHDOs), local governments, and Indian tribes to carry out community development and affordable housing activities that benefit low- and moderate-income families and persons in rural areas.

#### 2. Changes from Previous NOFA.

The Fiscal Year (FY) 2017 Rural Capacity Building (RCB) program NOFA contains significant changes to the layout of the Review Criteria section compared to the previous FY 2016 NOFA. This is characterized by the increase in clear language and presentation of specific expectations. There are no programmatic changes in the FY 2017 RCB NOFA, but there is a change to the definition of National Organization that ties applicant eligibility more directly to Congressional recommendations. In addition, HUD's expectations regarding what information is required to evaluate each of the five rating factors has been made clearer. Specific changes include:

*Threshold Review:* The threshold review in the FY 2017 RCB NOFA is unchanged, but the directions have been clarified and made more explicit, and require that the applicant provide a summary demonstrating that the organization meets the definition of a National Organization.

*Consortiums:* Co-applicants or members of a consortium are no longer permitted under this NOFA. For FY 2017 applicants must be a single National Organization that meets all the requirements of a National Organization in the RCB program.

*Factor 1, Capacity of Applicant and Relevant Organizational Experience* – The Capacity factor has been split into Organizational Capacity and Eligible Activity Experience in Rural Areas. Organizational Capacity is defined through management capacity, financial capacity and eligible activity capacity. The information requested for the financial capacity section is new for FY 2017, as is the distinction for new and currently funded applicants. A threshold score for Factor 1 was also added.

*Factor 2, Need/Extent of the Problem* – There is added emphasis on stating the specific capacity building needs of eligible beneficiary organizations, and clarification of the acceptable data source types.

*Factor 3, Soundness of Approach* – Applicants are now required to include a project implementation schedule for the grant period, provide a more clearly defined budget narrative, indicate scaling opportunities in their proposed project(s), identify how they chose geographic service areas and identify any specific disadvantaged communities where they intend to work with this RCB grant award. Applicants are also required to only propose eligible activities in the application.

*Factor 4. Leveraging Resources* – Applicants are asked to identify leverage and describe how they will apply leverage funds to the program activities described in Factor 3.

*Factor 5, Achieving Results and Program Evaluation* – Applicants are specifically asked to explain how they will evaluate their program delivery and their management of RCB funds. Directions for new and currently funded applicants have been added.

*Priority Points* – The additional points for policy priorities were eliminated from the FY 2017 General Section.

Other changes include:

- *Page Limit*: The page limit for the narrative was increased from 34 pages to 38 pages, in part to allow for the provision of the Threshold Summary at the beginning of the narrative.
- *Applicant Definition*: Specifically, the distinction between New and Currently Funded Applicants was added to assist in the assessment of Factor 1 and Factor 5.
- *National Organization Definition*: For the purpose of determining eligibility for the RCB program, the definition of National Organization has been made more precise and in line with recommendations from Congress. Specifically, to be considered a National Organization, applicants must clearly demonstrate experience conducting the first and/or second listed RCB eligible activities in rural areas and they must have recent (defined as within the last ten years) experience in at least seven HUD regions.
- *Minimum Award*: The minimum award was increased to \$1,000,000.
- *Leverage*: Relevant regulatory citations for leverage are now clearly provided, with some examples of leverage sources.
- *Clarification of Third Eligible Activity*: The FY 2017 RCB NOFA clarifies that there is one single activity already deemed eligible under the third eligible RCB activity, which is limited to certain administrative activities. It has also been emphasized that for “other” activities to be considered eligible under the Third Eligible Activity they must be proposed for review after an award is made and not in the application.
- *Grant Award Adjustments*: This RCB NOFA added a process for adjusting grant application plans if the grant amount awarded is less than what the application requested.

To improve your chances of success, please be sure to read this announcement fully and carefully and respond to all the elements in each factor.

### **3. Definitions.**

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

Analysis of Impediments to Fair Housing Choice (AI) is a review of impediments or barriers that affect the rights related to fair housing choice, and pertains to program participants in jurisdictions operating under a current Consolidated Plan and public housing agencies operating under a PHA Plan.

Assessment of Fair Housing (AFH) is the analysis undertaken pursuant to 24 CFR 5.154. AFH includes an analysis of fair housing data, an assessment of fair housing issues and contributing

factors, the prioritization of contributing factors, and the identification of fair housing goals. It is conducted and submitted to HUD using the Assessment Tool. Entities obligated to prepare and submit an AFH are: (1) Jurisdictions and Insular Areas that are required to submit Consolidated Plans for the following programs: (i) The Community Development Block Grant (CDBG) program (see 24 CFR part 570, subparts D and I); (ii) The Emergency Solutions Grants (ESG) program (see 24 CFR part 576); (iii) The HOME Investment Partnerships (HOME) program (see 24 CFR part 92); and (iv) The Housing Opportunities for Persons With AIDS (HOPWA) program (see 24 CFR part 574); and (2) Public housing agencies (PHAs) receiving assistance under sections 8 or 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f or 42 U.S.C.1437g).

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

Catalog of Federal Domestic Assistance (CFDA) is a directory of the various Federal programs, projects, services and activities that offer 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, which they complete 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 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 with respect to awards, subawards, and cooperative agreements subject to 2 CFR part 200 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 and 200.92.)

Contractor means an entity that receives a contract.

Deficiency – 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, etc.). 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;
  - 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 – Eligibility requirements are those requirements that must be met for an application to be eligible for funding. Deficiencies in meeting an eligibility requirement may be categorized as either curable or non-curable.

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

Grants.gov is the website that serves as the Federal government's central portal for searching for and applying for grants throughout the Federal government.

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

Pass-through Entity means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.

Personally identifiable information (PII), as defined in [Office of Management and Budget M-07-16](#), is any information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.

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.

Preferred Sustainability Status Communities (PSS) for the purposes of HUD's FY2017 funding competitions, are communities that have received PSS under HUD's FY2011 Sustainable Communities Regional Planning Grant Program and/or HUD's FY2011 Community Challenge Planning Grant Program. [Click here for list](#). Promise Zones are federally-designated, high-poverty urban, rural and tribal communities where the Federal government will partner with and invest in communities to accomplish these goals: create jobs, leverage private investment, increase economic activity, expand educational opportunities, and reduce violent crime.

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 that receives an award directly from HUD to carry out an activity under a HUD program.

Section 3 Business Concern means a business concern (1) that is 51 percent or more owned by Section 3 residents; or (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) that provides evidence of a commitment to subcontract over 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet 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 a HUD-assisted project for housing or community development is located.

Standard Form 424 (SF-424) is the Application for Federal Assistance Programs required by discretionary grant programs.

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a HUD program; but does not include an individual that is a 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), located at the website [sam.gov](http://sam.gov), is the official 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](http://sam.gov) is required for submission of applications via [grants.gov](http://grants.gov).

Threshold Requirement – Threshold requirements are a type of eligibility requirement. Threshold requirements must be met in order for an application to be reviewed. Threshold requirements are not curable. Threshold requirements are listed in Section III.C.1. Threshold Requirements of this Program NOFA.

Applicants must ensure their application package addresses all threshold requirements. Please check your application carefully!

#### b. Program Definitions

**Applicant:** The organization applying for funding under this funding announcement. Specifically, there may be two type of applicants:



1. *New Applicants*: Are those that have not been awarded RCB program funds in the past five years, from FY 2012-FY 2016.
2. *Currently Funded Applicants*: Are those that have been awarded one or more RCB program grants, in grant years FY 2012-FY 2016.

**Community Development Corporation (CDC):**

1. A CDC is a nonprofit organization that meets these qualifications:
  - a. Organized under Federal, State or local law to engage in community development activities (which may include housing and economic development activities) primarily within an identified geographic area of operation;
  - b. Governed by a board of directors composed of community residents, business and civic leaders;
  - c. Have as its primary purpose the improvement of the physical, economic or social environment of its geographic area of operation by addressing one or more critical problems of the area, with particular attention to the needs of persons of low income;
  - d. Be neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization;
  - e. Have a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 (26 CFR 1.501(c)(3)-1);
  - f. Have standards of financial accountability that conform to 2 CFR 200.302, "Financial Management" and 2 CFR 200.303, "Internal Controls";
  - g. Not be an agency or instrumentality of a State or local government;
  - h. For urban areas, "community" may be a neighborhood or neighborhoods, town, village, county or multi-county area (but not the entire State or territory).
2. An organization that does not qualify under paragraph (a) through (h) may also be determined to qualify as an eligible entity if:
  - a. It is a Small Business Administration (SBA) approved Section 501 State Development Company, or an SBA Certified Section 503 Company under the Small Business Investment Act of 1958, as amended (P.L. 85-699), or
  - b. The recipient demonstrates to the satisfaction of HUD, through the provision of information regarding the organization's charter and by-laws, that the organization is sufficiently similar in purpose, function, and scope to those entities qualifying under paragraphs (a) through (h) of this definition, or
  - c. It is a State or locally chartered organization; however, the State or local government may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board members may be public officials or employees of the State or local government entity chartering the organization. Board members appointed by the State or local government may not appoint the remaining two-thirds of the board members.

**Community Housing Development Organization (CHDO):** A CHDO is defined in the

HOME Investment Partnerships Program regulation (HOME Program) at 24 CFR 92.2. The HOME Program is authorized by the HOME Investment Partnerships Act at title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, 42 U.S.C. 12701 et seq.

**Family:** Family refers to the definition of “family” in 24 CFR 5.403. Family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

1. A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
2. A group of persons residing together, and such group includes, but is not limited to:
  - a. A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
  - b. An elderly family;
  - c. A near-elderly family;
  - d. A disabled family;
  - e. A displaced family; and
  - f. The remaining member of a tenant family.

**Household:** Household means all the persons occupying a housing unit. The occupants may be a family as defined in 24 CFR 5.403; two or more families living together, or any other group of related or unrelated persons who share living arrangements, regardless of actual or perceived sexual orientation, gender identity, or marital status.

**Low- and moderate-income household:** Low- and moderate-income household means a household having an income equal to or less than the Section 8 low-income limit established by HUD, which means a household whose income does not exceed 80 percent of the Area Median Income (AMI).

**Low- and moderate-income person:** Low- and moderate-income person means a member of a family having an income equal to or less than the Section 8 low-income limit established by HUD, which means an individual whose income does not exceed 80 percent of the AMI. Unrelated individuals will be considered as one-person families for this purpose.

**Low-income household:** Low-income household means a household having an income equal to or less than the Section 8 very low-income limit established by HUD, which means a household whose income does not exceed 50 percent of the AMI.

**Low-income person:** Low-income person means a member of a family that has an income equal to or less than the Section 8 very low-income limit established by HUD, which means an individual whose income does not exceed 50 percent of the AMI. Unrelated individuals shall be considered as one-person families for this purpose.

**National Organization:** A national organization must be a 501(c)(3) nonprofit. For the purpose of determining eligibility for the RCB program, a national organization must be a single organization that meets all of these criteria:

1. Has experience conducting activities from the first and/or the second RCB NOFA

eligible activities in rural areas.

2. Has experience working in rural areas with rural housing development organizations, Community Development Corporations (CDCs), Community Housing Development Organizations (CHDOs), local governments, and/or Indian tribes, and
3. Has experience working, within the last ten years, in one or more states in at least seven Federal regions described on HUD's website at <http://portal.hud.gov/hudportal/HUD?src=/localoffices/regions>.

**Rural Area:** A rural area is a statistical geographic entity delineated by the Census Bureau that does not meet the definition of an urbanized area in the Office of Management and Budget's 2010 Standards for Delineating Metropolitan and Micropolitan Statistical Areas, 75 FR 37252 (June 28, 2010) <https://www.federalregister.gov/documents/2010/06/28/2010-15605/2010-standards-for-delineating-metropolitan-and-micropolitan-statistical-areas>. Current delineations can be found at: <https://www.census.gov/programs-surveys/metro-micro.html>.

#### 4. Resources.

- [Grants.gov](http://Grants.gov)
- [HUD Funds available](#)
- [Code of Conduct list](#)
- [SAM](#)
- [Dun & Bradstreet](#)
- [Do Not Pay](#)
- [FAPIS](#)

#### B. Authority.

The Rural Capacity Building program and the funding made available through this NOFA are authorized by the Consolidated Appropriations Act, 2017 (Public Law 115-31, approved 05/05/2017).

## II. Award Information.

#### A. Available Funds.

**\$5,000,000** is available through this NOFA.

Additional funds may become available for award under this NOFA as a result 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 described in the General Section and to those contained in this NOFA.

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

HUD expects to make approximately 4 awards from the funds available under this NOFA.

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

Estimated Total Funding:	\$5,000,000
Minimum Award Amount:	\$1,000,000 Per Project Period
Maximum Award Amount:	\$2,500,000 Per Project Period

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

Estimated Project Start Date:	02/15/2018
Estimated Project End Date:	02/14/2022
Length of Project Periods:	48-month project period with four 12-month budget periods

Length of Project Periods Explanation of Other:

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

Funding Instrument Type: Grant  
HUD will enter into a grant agreement with selected applicants for the period of performance.

## **F. Supplementation.**

## **III. Eligibility Information.**

### **A. Eligible Applicants.**

Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education  
Only National Organizations that are 501(c)(3) nonprofits can apply for HUD funding. For the purpose of determining eligibility for the RCB program, a national organization must be a single organization that meets all of these criteria:

1. Has experience conducting activities from the first and/or the second RCB NOFA eligible activities in rural areas.
2. Has experience working in rural areas with rural housing development organizations, Community Development Corporations (CDCs), Community Housing Development Organizations (CHDOs), local governments, and/or Indian tribes, and
3. Has experience working, within the last ten years, in one or more states in at least seven Federal regions described on HUD's website at <http://portal.hud.gov/hudportal/HUD?src=/localoffices/regions>.

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

## **B. Cost Sharing or Matching.**

This Program does not require an applicant to leverage resources through cost sharing or matching.

There is no match requirement under the Rural Capacity Building program. However, applicants are encouraged to secure leverage from public and/or private sector resources (such as financing, supplies, or services). Applicants who submit evidence of leveraging dollars under Rating Factor 4 will receive points according to the requirements outlined in that Factor. At a minimum, only signed and dated letters of firm commitments will be considered for the leverage calculation, as outlined in Factor 4.

The Rural Capacity Building Program does not allow Federal sources to be used as leverage. All leverage funds, including in-kind contributions, must conform to the requirements of 2 CFR Part 200.29, 2 CFR 200.306 and 2 CFR Part 200.96. Leverage sources may come from a variety of sources, including:

- Public (non-Federal), private and nonprofit entities;
- State and local housing finance agencies;
- Local Governments;
- Foundations;
- Government Sponsored Enterprises such as the Federal Home Loan Bank, Fannie Mae, and Freddie Mac;
- Colleges and universities;
- Financial institutions or banks; and
- Other private funders.

Note that grantees will be required to show evidence that committed leverage resources were actually received and used for their intended purposes through semi-annual reports as the project proceeds. Sources of leverage funds may be substituted after grant award, as long as the dollar commitment is met.

## **C. Threshold 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. See also Section I.A.3. Definitions.

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

#### IV Application and Submission Information, part D. Application Submission Dates and Times.

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

a. Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that have not been resolved to HUD’s satisfaction before or on the application deadline date are ineligible for funding. Such matters include:

- (1) Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;
- (2) Status as a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
- (3) Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
- (4) Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or the Americans with Disabilities Act; or
- (5) Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

b. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:

- Current compliance with a voluntary compliance agreement signed by all the parties;
- Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
- Current compliance with a consent order or consent decree;

- Current compliance with a final judicial ruling or administrative ruling or decision; or
- Dismissal of charges.

As stated in Section III.A of this NOFA, to be eligible for funding for the RCB program, the applicant must qualify as an eligible national organization based on the definition provided in this NOFA. To accomplish this, the applicant must include adequate evidence in this application of:

1. **Non-Profit Status:** The applicant must be a non-profit entity with active 501(c)(3) status. HUD will verify the organization's non-profit status using the IRS's Exempt Organizations select check tool found at <https://apps.irs.gov/app/eos/>.
2. **National Organization Status:** The applicant must be a National Organization according to the definition provided in Section III.A of this NOFA. To meet the National Organization threshold requirement, the applicant must provide evidence of the national scope of its relevant work conducting eligible activities with eligible beneficiaries. Applicants should present evidence in a Threshold Summary *at the beginning of the narrative portion of the application* (please note: this summary must be presented in addition to the narrative addressing the five Factors, and will be included in the narrative page limit).

To accurately determine the applicant's eligibility, the Threshold Summary must clearly identify the:

1. HUD Region where the activity was conducted;
2. State(s) within the HUD Region where the activity was conducted;
3. Type of activity;
4. Mode of activity delivery;
5. Beneficiary of the activity; and
6. Year(s) the activity was conducted.

The table below is provided as a sample Threshold Summary that may be used:

<b>HUD Region represented</b>	<b>State(s) within the HUD Region</b>	<b>Type of Activity (e.g. loans, grants, trainings)</b>	<b>Mode of Activity Delivery (e.g. onsite, direct provision, online)</b>	<b>Type of Recipient or Beneficiary</b>	<b>Year(s) Conducted</b>
8	MT	Grant	Direct provision of funds following an RFP process	Indian tribe	2016
5	WI, MN	Grant	Direct provision of funds following an RFP	CDCs	2015

			process	RHDOs	2016 2014
7	MO	Training	Onsite	CDCs Local Government	2016

If a single activity or type of activity was conducted in multiple HUD regions, or if the beneficiaries crossed HUD regions, please list the activity separately such that only one HUD Region is represented per row. Keep in mind that the applicant need not represent all of its current work across the country in an exhaustive list, but a sufficient number of examples is needed to demonstrate that the applicant has experience conducting eligible activities in rural areas with eligible beneficiaries in at least seven HUD regions. In addition, it is expected that the work presented in this Threshold Summary will be consistent with the applicant's narrative in Factor 1 for experience. The Threshold Summary will not affect the applicant's overall score on the application, but will only be used to determine the organization's eligibility to apply for funding through the RCB program.

As a reminder, the Threshold Summary should be included at the beginning of the applicant's program narrative prior to the response to the Five Factors, and it will be included in the narrative page limit.

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

##### **1. Compliance with Non-discrimination and Related Requirements.**

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

##### **Compliance with Fair Housing and Civil Rights Laws.**

With some exceptions for federally recognized Indian tribes, recipients and their prospective subrecipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act; Title II and Title III of the ADA of 1990.

Recipients of HUD funds, and their prospective sub-recipients, who are conducting programs or activities in a state or local jurisdiction that has passed a law prohibiting discrimination in housing based upon sexual orientation or gender identity, or a law prohibiting discrimination in housing based on lawful source of income, must comply with the law(s) of the state or locality in which the program activities are conducted.



**Affirmatively Furthering Fair Housing.**

Section 808(e)(5) of the Fair Housing Act requires HUD to affirmatively further the purposes of the Fair Housing Act in its housing and urban development programs. HUD requires recipients of funds, including those awarded and announced under HUD's FY 2017 Program NOFAs not specifically exempted, to take meaningful actions that affirmatively further fair housing.

Unless otherwise specified elsewhere in this Program NOFA, an applicant must discuss how it will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with Section 808(e)(5) of the Fair Housing Act. If the applicant operates in a jurisdiction with an accepted Assessment of Fair Housing, the proposed activities should be consistent with the AFH's fair housing goals and with fair housing strategies specified in any applicable Consolidated Plan or Public Housing Agency Plan.

Federally recognized Indian tribes are not subject to the requirement to affirmatively further fair housing in their use of certain HUD funds. Other tribal entities may also be exempt. If a tribal entity's use of HUD funds is subject to the Fair Housing Act, then its proposed activities under a particular program NOFA should be consistent with the AFH's fair housing goals and with fair housing strategies specified in any applicable Consolidated Plan.

**Economic Opportunities for Low-and Very Low-income Persons (Section 3).**

Certain programs require recipients of assistance to comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u (Economic Opportunities for Low- and Very Low-Income Persons in Connection with Assisted Projects), and the HUD regulations at 24 CFR part 135. The regulations at 24 CFR part 135 implementing Section 3 ensure, to the greatest extent feasible, that training, employment, contracting and other economic opportunities be directed to low- and very low-income persons, especially recipients of government assistance for housing, and to businesses that provide economic opportunities to low-and very low-income persons where a proposed project is located.

To implement 24 CFR 135.9(a) of the Department's Section 3 rules, program NOFAs where Section 3 applies must include information regarding how Section 3 activities will be considered in rating the application, the evaluation criteria utilized, and the rating points assigned. (See 24 CFR 135.9(a).) Applicants subject to this requirement must describe their plans to train and employ Section 3 residents and contract with Section 3 businesses. By submission of an application for programs covered by Section 3, applicants certify compliance with Section 3 requirements.

Section 3 fund recipients must comply with 24 CFR part 135. HUD encourages recipients to search the national Section 3 Business Registry to find local businesses that prioritize hiring Section 3 residents.

**Improving Access to Services for Persons with Limited English Proficiency (LEP).**

Executive Order (E.O.) 13166 seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have LEP. Recipients of HUD funds shall take reasonable steps to ensure meaningful access to their programs and activities to LEP individuals. As an aid to recipients, HUD published Final Guidance to Federal Financial Assistance Recipients: Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (LEP Guidance) in the Federal Register on January 22, 2007 (72 FR 2732). LEP guidance and LEP information is available on [HUD's website](#).

**Accessible Technology.**

Section 508 of the Rehabilitation Act (Section 508) requires HUD to ensure, when developing, procuring, maintaining, or using electronic and information technology (EIT), that the EIT allows persons with disabilities to access and use information and data comparably to those without disabilities unless an undue burden would result to the Federal agency. HUD encourages its recipients to adopt the goals and objectives of Section 508 by ensuring comparable access whenever EIT is used. Recipients must also comply with Section 504 of the Rehabilitation Act and, where applicable, the ADA. These statutes also require effective communication with individuals with disabilities and prohibit EIT-imposed barriers to access information, programs, and activities by persons with disabilities. (See Information on [accessible technology](#).)

**Equal Access Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity.**

The Equal Access Rule requires that a determination of eligibility for housing that is assisted by HUD or subject to a mortgage insured by the Federal Housing Administration (FHA) shall be made in accordance with the eligibility requirements provided for such program by HUD, and such housing shall be made available without regard to actual or perceived sexual orientation, gender identity or marital status. In addition, the rule prohibits owners or administrators of HUD-assisted or FHA insured housing, approved lenders in an FHA mortgage insurance program, or any other recipient or subrecipient of HUD funds from inquiring about the sexual orientation or gender identity of an applicant for or occupant of HUD-Assisted or insured housing. Thus, HUD recipients and subrecipients must comply with 24 CFR 5.105(a)(2) when determining eligibility for housing assisted by HUD or insured by FHA and may not inquire about sexual orientation or gender identity to make such determinations. HUD's definitions of sexual orientation and gender identity are at 24 CFR 5.100. HUD's definition of family is at 24 CFR 5.403. (See other regulatory changes made through HUD's Equal Access Rule at 77 FR 5662 Feb. 3, 2012.)

**2. HUD- or Federal government-wide Requirements.**

a. Outstanding Delinquent Federal Debts – It is HUD policy, consistent with the purposes and intent of 31 U.S.C. 3720B and 28 U.S.C. 3201(e), that applicants with outstanding delinquent federal debt will not be eligible to receive an award of funds, unless:

- A negotiated repayment schedule is established and the repayment schedule is not delinquent, or
- Other arrangements satisfactory to HUD are made prior to the award of funds by HUD.

If satisfactory arrangements cannot be completed within 90 days of notification of selection, HUD will not make an award of funds to the applicant, and instead offer the award to the next eligible applicant. HUD may act earlier than the above stated 90 days to ensure, in HUD's determination, that the funds can be obligated in a timely manner. Applicants selected for funding, or awarded funds, must report any changes in status of current agreements covering federal debt. HUD may withhold funding, terminate an award, or seek other remedies from a grantee if a previously agreed-upon payment schedule has not been followed or a new agreement with the federal agency to which the debt is owed has not been signed.

b. Sufficiency of Financial Management System. HUD will not award or disburse funds to applicants that do not have a financial management system that meets Federal standards as described at 2 CFR 200.302. HUD may arrange for a survey of financial management systems for applicants selected for award who have not previously received Federal financial assistance, where HUD Program officials have reason to question whether a financial management system meets Federal standards, or for applicants considered high risk based on past performance or financial management findings.

c. Debarments and/or Suspensions – Under 2 CFR 2424, no award of Federal funds may be made to debarred or suspended applicants, or those proposed to be debarred or suspended from doing business with the Federal government.

d. False Statements – A false statement in an application is grounds for denial or termination of an award and possible punishment, as provided in 18 U.S.C. 1001.

e. Pre-selection Review of Performance. – If your organization has delinquent federal debt or is excluded from doing business with the Federal government, the organization may be ineligible for an award. In addition, before making a Federal award, HUD reviews information available through any OMB-designated repositories of government-wide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), and the “Do Not Pay” website. HUD may consider other public sources such as newspapers, Inspector General or Government Accountability Office reports or findings, or other complaints that have been proven to have merit. Applicants may review and comment on any information in FAPIIS through SAM. HUD reserves the right to:

- Deny funding, or with a renewal or continuing award, consider suspension or termination of an award immediately for cause,
- Require the removal of any key individual from association with management or implementation of the award, and
- Make provisions or revisions regarding the method of payment or financial reporting requirements.

f. **Mandatory Disclosure Requirement.** Recipients or applicants must disclose in writing to the awarding program office at HUD, all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award within ten days after learning of the violation. Recipients that have received a Federal award including the term and condition outlined in Appendix XII to Part 200—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.)

g. **Conducting Business in Accordance with Ethical Standards/Code of Conduct –**

Before entering into an agreement with HUD, applicants selected for award must ensure an up-to-date copy of the organization’s code of conduct, dated and signed by the Executive Director, Chair, or equivalent official, of the governing body of the organization has been submitted to HUD.

Codes of conduct must prohibit real and apparent conflicts of interest that may arise among officers, employees, or agents; prohibit the solicitation and acceptance of gifts or gratuities over minimal value by officers, employees, or agents for their personal benefit; and outline administrative and disciplinary actions available to remedy violations of such standards. (See 2 CFR 200.112 and 2 CFR 200.318.)

If the recipient has a parent, affiliate, or subsidiary organization, whether non-profit or for-profit, the recipient must also maintain written standards of conduct covering organizational conflicts of interest. “Organizational conflicts of interest” means that because of relationships with a parent, affiliate, or subsidiary organization, the recipient is unable, or appears to be unable, to be impartial in administering the award or serving as a pass-through-entity.

h. **Conflict of Interest of Consultants or Technical Experts Assisting HUD –** Consultants and technical experts who assist HUD in rating and ranking applications for funding under published FY 2017 Program NOFAs are subject to 18 U.S.C. 208, the federal criminal conflict-of-interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, consultants and technical experts who have assisted or plan to assist applicants with preparing applications for FY 2017 Program NOFAs may not serve on a selection panel and may not serve as a technical advisor to HUD. Anyone involved in rating and ranking FY 2017 Program NOFA applications, including departmental staff, experts and consultants must avoid conflicts of interest or the appearance of such conflicts. These individuals must also disclose to HUD’s Office of General Counsel Ethics Law Division the following information, if applicable:

- How the selection or non-selection of any applicant under a FY 2017 Program NOFA will affect the individual’s financial interests, as provided in 18 U.S.C. 208, or
- How the application process involves a party with whom the individual has a covered

relationship under 5 CFR 2635.502

The consultant or technical expert assisting HUD must disclose this information before participating in any matter regarding an FY 2017 program NOFA. Applicants with questions regarding these provisions or concerning a conflict of interest, please call the Office of General Counsel, Ethics Law Division, at (202) 708-3815 (this is not a toll-free number). The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Services service at 1-800-877-8339.

i. . Prohibition Against Lobbying Activities. Applicants are subject to the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR part 87, which prohibit recipients of federal awards from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a specific award. All applicants must submit with their application the signed Certification Regarding Lobbying included in the Application download from Grants.gov. In addition, applicants must disclose, using Standard Form LLL (SF-LLL), “Disclosure of Lobbying Activities,” any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific grants or contracts. Federally-recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally-recognized Indian tribes as a result of the exercise of the tribe’s sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement. Applicants must submit the SF-LLL if they have used or intend to use non-federal funds for lobbying activities.

k. Consistency with the Consolidated Plan and Analysis of Impediments (AI)/Assessment of Fair Housing – Certain competitive Programs require applications to contain a certification of consistency with a HUD-approved Consolidated Plan. This certification means that the proposed activities are consistent with the jurisdiction’s strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the Consolidated Plan. The Consolidated Plan also includes the jurisdiction’s certification to affirmatively further fair housing which means, among other requirements, that the jurisdiction has conducted an AI/Assessment of Fair Housing. If a program NOFA requires a certification of consistency with the Consolidated Plan and you fail to provide the certification, and you do not cure the omission as a curable deficiency, HUD will not fund the application.

Under HUD’s regulations at 24 CFR 91.2(d), an applicant’s PHA Plan must include a certification by the appropriate state or local official that the PHA Plan is consistent with the applicable Consolidated Plan for the jurisdiction in which the PHA is located and must describe the manner in which the applicable contents of the PHA Plan are consistent with the Consolidated Plan.

## **E. Program Specific Requirements.**

**Purpose:** Through the funding of national organizations to conduct eligible capacity building activities, the Rural Capacity Building program enhances the capacity and ability of rural housing development organizations, Community Development Corporations (CDCs), Community Housing Development Organizations (CHDOs), local governments, and Indian

tribes to carry out affordable housing and community development activities that benefit low- and moderate-income families and persons.

Activities in the RCB program are limited to the following eligible activities and priorities:

**a. Eligible Program Activities.** Funds may be used to provide the following services:

1. Training, education, support, and advice to enhance the technical and administrative capabilities of rural housing development organizations, CDCs, CHDOs, local governments, and Indian tribes, including building the capacity to participate in consolidated planning, as well as in fair housing planning and Continuum of Care homeless assistance efforts that help ensure community-wide participation in assessing area needs; consulting broadly within the community; cooperatively planning for the use of available resources in a comprehensive and holistic manner; and assisting in evaluating performance under these community efforts and in linking plans with neighboring communities to foster regional planning;
2. Loans, pass-through grants or other financial assistance to rural housing organizations, CDCs, CHDOs, local governments, and Indian tribes to carry out community development and affordable housing activities that benefit low-income or low- and moderate-income families and persons by building the capacity of those eligible beneficiaries to serve rural communities.
3. Such other activities as may be determined by the grantees in consultation with the Secretary or his or her designee.

Eligible program activities allowed under the third listed eligible activity only include HUD reviewed and approved reasonable administrative tasks directly related to the grantee's management of the RCB program. Some examples of reasonable administrative activities specific to the management of the RCB program include the preparation of RCB work plans, preparation of RCB program reports, and management of the implementation of the first and second eligible activities. For any other activities to qualify under the third listed eligible activity it must first be proposed, and then reviewed and approved by HUD through the work plan process after a grant award is made; thus, it should not be proposed through this application.

Any activities proposed in this application that do not fall under the first and second eligible activity, or the single accepted administrative task under the third eligible activity, will be considered ineligible activities for the review of this application and will not be reviewed in the assessment in Factor 3, Soundness of Approach. Any inclusion of ineligible activities will cause the reduction of points in Factor 3.

**b. Program Priorities.** Activities undertaken as part of, or as a result of, capacity building efforts described in this section should support the implementation of other HUD programs in rural areas, including, but not limited to, the Community Development Block Grant Program (CDBG), HOME Investment Partnerships, Housing Opportunities for Persons With AIDS (HOPWA), Emergency Solutions Grant Program (ESG), and the Continuum of Care program, in addition to issues related to sustainability and comprehensive neighborhood revitalization activities. Through the eligible activities of this NOFA, grantees are encouraged to build the capacity of entities in rural areas that lack designated rural housing development organizations, CDCs or CHDOs and to ensure that those entities gain new access or expand existing access to

federal funding. Grantees are encouraged to align with and support projects that create opportunities for transformative revitalization and investments focused on job growth, economic recovery, and neighborhood revitalization. Grantees are encouraged to consider how eligible beneficiaries may align investments with regional planning for sustainable economic development, if such efforts are underway in a jurisdiction.

In addition, activities should support HUD's Strategic Goals and priorities as described in Section I. of HUD's General Section.

#### **F. Criteria for Beneficiaries.**

This program has eligibility criteria for beneficiaries.

Eligible Beneficiaries are limited to:

- Rural housing development organizations,
- Community Development Corporations (CDCs),
- Community Housing Development Organizations (CHDOs),
- Local governments, and
- Indian tribes.

### **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](https://www.grants.gov). To ensure you are using the correct Application Package and Application Instructions, you must verify that the CFDA Number and CFDA Description on the first page of the Application Package, and the Opportunity Title and the Funding Opportunity Number match the Program and NOFA to which you are applying.

The Application Package contains the Adobe forms created by Grants.gov. The Instruction download contains official copies of the General Section and Program NOFA, and forms necessary for a complete application. The Instruction download may include Microsoft Word, Microsoft Excel and additional Adobe Portable Document Format 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 or if you do not demonstrate good cause. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFA. To request a waiver and receive a paper copy of the application materials, you should contact:

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

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

To ensure that the correct Application Package and Application Instructions are used, applicants must verify that the CFDA Number and CFDA Description on the first page of the Application Package downloaded from Grants.gov, as well as the Funding Opportunity Title, and the Funding Opportunity Number match the Program and NOFA to which they are applying. 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 under the wrong CFDA and Funding Opportunity Number is a curable deficiency.

### **1. Content.**

Forms for your package include the forms outlined below:

<b>Forms / Assurances / Certifications</b>	<b>Submission Requirement</b>	<b>Notes / Description</b>
Application for Federal Assistance (form SF424)	This form is required	
Faith-Based Ensuring Equal Opportunity Survey (SF424 Supplement)	This form is optional.	
Grant Application Detailed Budget (HUD-424-CB)	This form is required.	
Certification of Consistency with Sustainable Communities Planning and Implementation Form (HUD-2995)	Required for consideration for the Preferred Sustainability Status Communities Preference Point.	
Certification of Consistency with Promise Zone Goals	Required for consideration for the Promise Zones Preference Point.	



and Implementation (HUD 50153)		
Applicant Assurances and Certification (HUD-424-B)		
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 will provide instructions to grantees on how the form is to be submitted.
Disclosure of Lobbying Activities (SF-LLL) (if applicable)	Refer to the instructions on the form to determine if the organization meets the requirements for submission.	
Acknowledgment of Application Receipt (HUD2993), if applicable	This form is applicable only to applications submitted on paper, following receipt of a waiver of electronic submission.	This form is not required but is available for applicants who want confirmation that their hard-copy application was received by HUD. The form must be submitted with the application, in accordance with the application submission instructions included in the waiver of electronic submission.

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

Applicants must provide a Threshold Summary at the beginning of the narrative to ensure accuracy in determining applicant eligibility.

A complete narrative that addresses all elements in Factors 1 through 5 in Section V.A. of this NOFA must be submitted. Applicants are advised to address the specific requirements of each Rating Factor in the narrative section for the specific Rating Factor so information is not missed during the review process.

## 2. Format and Form.

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

1. **Page Limitation and Font Size.** Narratives addressing Factors 1 through 5 are limited to 38 typed pages of single-spaced text based on 8.5 by 11- inch paper, using a Times New Roman standard 12-point font. HUD will not review more than 38 pages for all five factors, bonus points and Threshold Summary combined, except that the page limit does not include the form HUD-2995 to support the Preferred Sustainable Communities Status bonus point and/or the HUD-50153 to support the Promise Zones bonus point. All applicants should enter the applicant name, DUNS number, and page numbers on the narrative pages of the application.
2. **Prohibition on Materials Not Required.** Materials other than what is requested in this NOFA are prohibited. Reviewers will not consider résumés, charts, letters, or any other documents attached to the application that are not specified in this NOFA.
3. **Checklist for Application Submission.** The following checklist is provided as a guide to help ensure that applicants submit all the required elements. All applicants should enter the applicant name, DUNS number, and page numbers on narrative pages of the application. The paper submission must be in the order provided below.
  - Application for Federal Assistance (form SF424) (Note: Applicants must enter the legal name of their organization in box 8.a. and DUNS number in box 8.c. of the SF424 as it appears in the System for Award Management (SAM));
  - Faith-Based EEO Survey (SF-424 Supplement, Survey for Ensuring Equal Opportunity for Applicants) (optional);
  - Narrative addressing Factors 1 through 5, Threshold Summary, and applicable bonus points;
  - Grant Application Detailed Budget (HUD-424-CB);
  - Certification of Consistency with Sustainable Communities Planning and Implementation Form (HUD 2995) (as applicable);
  - Certification of Consistency with Promise Zone Goals and Implementation (HUD 50153) (as applicable);
  - Applicant Assurances and Certification (HUD-424-B) (as applicable);
  - Applicant/Recipient Disclosure/Update Report (HUD2880);
  - Disclosure of Lobbying Activities (SFLLL) (if applicable); and
  - Acknowledgment of Application Receipt (HUD2993) (for paper submissions only).

All forms required for application submission can be found in the application and instruction downloads on Grants.gov at <http://www.grants.gov/web/grants/forms.html>.

**4. Frequently Asked Questions and Webcast.** HUD may produce a Webcast that will walk through the updates to the FY 2017 RCB Program NOFA. HUD will also provide a summary of Frequently Asked Questions. Please check the “Rural Capacity Building Program” webpage on the HUD Exchange at <https://www.hudexchange.info/programs/rural-capacity-building/> for these references and for any other related updates.

## **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 at all times when 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 and Bradstreet](#).

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

Anyone planning to submit grant 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 **12/07/2017**. 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 application to Grants.gov are contained in the Application Package you downloaded from Grants.gov. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

Applications under HUD's Continuum of Care (CoC) grant program are an exception to the submission requirements detailed in the previous paragraph. Applications for that grant program are submitted through HUD's e-snaps system.

“Received by Grants.gov” means the applicant received a confirmation of receipt and an application tracking number from Grants.gov. Grants.gov assigns an application tracking number and date- and time-stamps each application upon successful receipt by the Grants.gov system. A submission attempt that does not result 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 in order 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. To quickly check the status of your application:

- Go to [www.grants.gov](http://www.grants.gov).
- Under the APPLICANTS tab on the Home page header, select [Track My Application](#).
- In the text box provided, enter your Grants.gov application tracking number and click on the red Submit Application Tracking Numbers button. If the status is rejected with errors, you can get more information by logging in to Grants.gov with the username and password for the AOR account used to submit the 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.

**Note:** Now 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:

- Go to [www.grants.gov](http://www.grants.gov).
- On the top, right corner, click on the LOGIN link.
- Under the APPLICANT tab, enter the username and password for the AOR account used to submit the application and click on the LOGIN button.
- If your organization has Standard AOR Access Level, please click on the CHECK MY APPLICATION STATUS link on the left. If your organization has Expanded AOR Access Level, please click on the CHECK APPLICATION STATUS FOR ORGANIZATION link.
- Select SEARCH BY: ALL and click on the SEARCH button.
- Click on the submission you wish to download to highlight it.
- Click on the DOWNLOAD APPLICATION button.
- You will be prompted to OPEN or SAVE a ZIP file. Click on the button for the option of your choice.

Please make note of the associated tracking number as it will be referenced by the Grants.gov Help Desk. Make note of the ticket number in case you need help from grants.gov.

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.

In the event of either of these events, HUD will post a notice on its website that establishes 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 that is 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, or 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 an application that has been validated by 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 application that is received and validated by Grants.gov. The date and time stamp on the Grants.gov system determines the application receipt time. Any application submitted during the grace period that is 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 Program 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.**

Except as provided by the electronic submission grace period described in this NOFA, HUD may not consider any information that applicants may want to provide after the application deadline. HUD may not seek or consider clarification of application items or responses that improve the substantive quality of an application or which correct deficiencies which are in whole or part of a rating factor, including items that impact preference points. HUD may contact the applicant to clarify other items in its application. In order not to unreasonably exclude applications from being rated and ranked where there are curable deficiencies, HUD will uniformly notify applicants of each curable deficiency. A curable deficiency is an error or

oversight which, if corrected, would not alter, in a positive or negative fashion, the review and rating of the application. Examples of curable (correctable) deficiencies include inconsistencies in the funding request, failure to submit the proper certifications, and failure to submit an application that contains a signature by an official able to make a legally binding commitment on behalf of the applicant. These examples are non-exhaustive.

When HUD identifies a curable deficiency, HUD will notify the authorized representative in item 21 of the SF-424 describing the curable deficiency. The email notifications are the official notification of the need to cure 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 for cure of a curable 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 not exceed 14 calendar days or be less than 48 hours from the date of the email notification. The start of the cure period will be the date stamp on the email sent from HUD (or GrantSolutions). If the deficiency cure deadline date falls on a Saturday, Sunday, Federal holiday, or other day when HUD's Headquarters offices in Washington, DC, are closed, then the applicant's correction must be received on the next business day that 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 (e.g., Subject: Technical Cure - GRANT123456). 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 that contains 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.

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

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

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

No fee or profit may be paid to any recipient or subrecipient of an award under this RCB program NOFA.

## **Indirect Cost Rate.**

Indirect Cost Rate: No restrictions, applicants may use their negotiated rate or the de minimis rate (10% of Modified Total Direct Costs).

Non-governmental organizations: If you are using a negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and include a letter or other documentation from the cognizant agency showing the approved rate. If your organization has never had an indirect cost rate and wishes to use the de minimis rate, your application must clearly state you intend to use the de minimis 10% of Modified Total Direct Costs (MTDC).

Governmental organizations: If your organization has a negotiated indirect cost rate, your application must include the rate and a letter or other documentation from the cognizant agency showing the negotiated rate. If your organization has prepared and maintains documentation supporting an indirect rate proposal but has not negotiated approval of the rate, your application's budget narrative must include the rate and applicable distribution base.

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

### **1. Discrepancies between the NOFA on Grants.gov and Other Documents.**

The Program NOFA posted at the Grants.gov website is the official document HUD uses to solicit applications. Applicants are advised to review their application submission against the requirements in the posted Program NOFA. If there is a discrepancy between the Program NOFA posted on Grants.gov and other information provided in any other copy or version or supporting documentation, the posted Program NOFA located at [www.Grants.gov](http://www.Grants.gov) prevails. If discrepancies are found, please notify HUD immediately by calling the program contact listed in the Program NOFA. HUD will post any corrections or changes to a Program NOFA on the Grants.gov website. Applicants must enroll an email address at the application download page to receive an e-mail alert from Grants.gov in the event the opportunity is changed.

### **2. Application Certifications and Assurances.**

Applicants signing the SF424 cover page either through electronic submission or in paper copy submission (for those granted a waiver) affirm that the certifications and assurances associated with the application are material representations of the facts upon which HUD will rely when making an award to the applicant. If it is later determined that the signatory to the application submission knowingly made a false certification or assurance or did not have the authority to make a legally binding commitment for the applicant, the applicant may be subject to criminal prosecution, and 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.

### 3. Lead Based Paint References

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)).

## V. Application Review Information.

### A. Review Criteria.

#### 1. Rating Factors.

There will be two types of reviews on all applications for the RCB program:

1. **Threshold Review** to determine applicant's eligibility using the applicant's provided Threshold Summary at the beginning of the narrative and
2. **Rating Factor Review** of the eligible applicant's narrative application.

The maximum number of points to be awarded for a RCB Program application is 102, which includes 100 points for Rating Factors 1 through 5 and two bonus points. The minimum score for an application to be considered for funding is 75. Applicants are only eligible to receive bonus points if they received a rating score of 75 or more for Factors 1 through 5, not including bonus points. Two bonus points will be awarded for working with communities that have acquired Preferred Sustainable Status and/or Promise Zones criteria, as described in Section V.D.2 of the General Section. Furthermore, to be considered for funding, the application must receive a minimum of 17 points under Rating Factor 1, in addition to an overall application score of at least 75 points.

Points are assigned based on an applicant's narrative response to the Five Factors. The narrative must cover the activities that will be carried out with RCB funds during the four-year term of the grant agreement. Submissions must provide recent (within the last five years) and relevant (relative to the proposed activities to be carried out with the funds from this award) examples to support the proposal, where appropriate. Submissions must also be as specific as possible when describing the communities, populations, and organizations they propose to serve and the specific outcomes expected because of the activities.

#### Capacity of Applicant and Relevant Organizational Experience Maximum Points: 30

Applicants must present a description of their organizational capacity and their experience relevant to the eligible activities in the RCB program. To be considered for a grant award, the applicant must meet a minimum threshold score of 17 points in Factor 1.

**Organizational Capacity (20 points)** - For this element, applicants must demonstrate capacity to manage the grant award and execute the proposed program. Successful RCB program



applicants are expected to possess the management and organizational capacity to execute the RCB program upon receipt of a grant award. Furthermore, RCB awards are limited to funding eligible activities and beneficiaries and must not be used to build the capacity of the applicant or grantee.

Overall applicants are expected to have experience and readiness with the following items when awards are made:

1. Project management;
2. Financial management;
3. Contract management (as applicable);
4. Determining, tracking and evaluating project or program outcomes;
5. Rapid program design and launch; and
6. Accountability, Quality Control, Monitoring and Internal Audits.

Narratives will be assessed to determine the extent that the applicant demonstrates adequate:

1. *Management Capacity* - The applicant must demonstrate that it has an adequate structure and sufficient number of knowledgeable or experienced staff to successfully manage the RCB program grant. To receive full credit, applicants must describe their organizational structure as it will pertain to managing the RCB grant award and activities, and describe the experience and number of the staff in charge of managing the RCB grant award. To the extent any gaps, vacancies, or positions are contingent upon award, identify how and when the position or capacity gap will be filled. Applicants must provide an RCB- specific organizational chart and list brief summaries of the roles of key staff that will manage the Rural Capacity Building program and funds, and of any persons and organizations firmly committed to the management of program delivery, including key contractors or subrecipients, if applicable. Other than names and position titles, please do not use any Personally Identifiable Information (PII) and do not include résumés. Responses to this Factor should focus on the key staff that will manage the RCB program and who will be responsible for the delivery of eligible activities.
2. *Financial Capacity* – All applicants will be assessed on their capacity to manage and effectively expend government funding in a proper and timely manner. In addition, refer to the following criteria, as relevant, for new applicants or current recipients of RCB funds.
  - *New Applicants*, which are those that have received no RCB program grant awards in the past five years, FY 2012-FY 2016, must demonstrate the presence of an acceptable financial management system, explain how this financial management system has allowed the applicant to successfully implement similar grants and demonstrate timely execution of other grant funds of a similar funding size and/or type relevant to the proposed RCB project activities.
  - *Currently Funded Applicants*, which are those that currently manage one or more RCB program grants from FY 2012-FY 2016, must demonstrate the presence of an acceptable financial management system and explain how this

financial management system has allowed the applicant to successfully implement past and current grants.

To be considered for full credit, currently funded applicants must also document timely disbursement and expenditure of their applicable RCB program funds from the FY 2012 through FY 2016 grant awards. Timely expenditure data should be extracted from HUD's Line of Credit Control System (LOCCs) no later than 30 days after the publication of this NOFA. The applicant must include the following for each of the RCB program grants awarded for the Fiscal Years 2012-2016 awards:

- The applicant's RCB program grant award amount(s);
- The RCB program fund amount committed to eligible activities as evidenced by a HUD-approved work plan, for each award;
- The amount of RCB program funds disbursed, as indicated in LOCCs no later than 30 days after the date of the publication of this NOFA, for each applicable funding year;
- The balance of funds remaining undisbursed for each of the applicant's RCB grant awards; and
- The percent ratio of the RCB grant award funds disbursed to the grant funds awarded for each applicable funding year.

In rating this sub-element, HUD will evaluate the extent to which the applicant demonstrates successful past performance in the timely commitment and disbursement of RCB program grant funds, to include the completion of the FY 2012 grant award, if applicable, or the return of any unspent FY 2012 funds or the extension of a FY 2012 grant award, as applicable. It is expected that the applicant with previous awards will have spent a portion of all the open grant awards, using the benchmark expectation of 25 percent of an award expended after each year of each award. Applicants will be assessed proportionally based on the number of RCB awards received in the past five years, such that applicants will not be rated on the number of previous RCB awards received, but on the ability to drawdown funds in a timely manner on the actual RCB awards received.

Points will be assigned based on the following expectations:

<i>Grant Year</i>	<i>Percent of funds expected to be drawdown from LOCCs</i>
<i>FY 2012</i>	99-100%
<i>FY 2013</i>	Greater than 75%
<i>FY 2014</i>	Greater than 50%
<i>FY 2015</i>	Greater than 25%
<i>FY 2016</i>	Greater than 0%

3. *Eligible Activity Capacity* - The applicant must demonstrate that there are skilled and experienced key personnel that will be responsible for the delivery of the proposed eligible capacity building activities in rural areas. The applicant must also demonstrate that it has the capacity to deliver each of their proposed eligible activities, or that it has a plan to recruit/procure individuals to fill specific roles, with the expert knowledge of capacity building for rural housing and community development providers.

In all cases, if the applicant proposes to use subcontractors or subrecipients to deliver services, then the narrative must describe a process for recruiting or procuring qualified individuals or organizations in the delivery of eligible capacity building activities to eligible beneficiaries.

**Eligible Activity Experience in Rural Areas (10 points)** The applicant will describe the scope of work it performs nationally, addressing both geographical areas and populations served. Applicants must describe their expertise in rural housing and community development, as it relates to the eligible activities in Section III.E of this NOFA. The applicant will focus on describing successful recent (within the past five years) and relevant experience working with or advising any of the eligible beneficiaries in building their capacity to develop rural affordable housing, undertake rural community development activities, and participate in other HUD programs.

To assess this factor, HUD will consider the extent to which the narrative describes successful recent and relevant experience of the applicant's organization as demonstrated by:

1. Assistance, as it relates to the eligible activities in Section III.E of this NOFA, to eligible program beneficiaries in rural areas;
2. Work and expertise in capacity building for rural housing and rural community development;
3. The ability to concurrently manage projects, possibly with multiple entities, in more than one geographic location; and
4. Experience working with other HUD programs in the last five years from the date of the NOFA publication.

#### Need/Extent of the Problem

Maximum Points: 12

Applicants must describe their understanding of the capacity building needs of the eligible beneficiaries they propose to serve in the rural geographies where they propose to utilize RCB program funds, which may include areas identified as high-risk foreclosure areas, Colonias, Appalachia's distressed counties, the lower Mississippi Delta region, or locally designated community development target areas. The narrative must explain the nature and extent of the need in relation to the eligible activities and priorities identified in Section III.E of this NOFA, and must support the description of the needs with credible, reliable, and quantitative information.

In rating this factor, HUD will evaluate the extent to which the applicant has identified and documented:

1. ***Need for Capacity Building in Rural Areas (10 points)*** Specifically, this factor will be assessed on the applicant's identification and explanation of:
  - ***The Affordable Housing and Community Development Needs of the Rural Communities to Be Served.***
    1. *General Rural Community Needs:* Describe the general socioeconomic needs of the rural communities, families and individuals in the areas the applicant proposes to serve.
    2. *Needs of Specific Disadvantaged Rural Communities:* Demonstrate a clear understanding of the needs of specific disadvantaged rural communities, populations and/or organizations that previously have been underserved and that lack access to economic, educational and social or housing opportunity. Examples of these areas include Colonias, Appalachia's distressed counties, the lower Mississippi Delta region, or other locally designated community development target areas.
  - ***The Affordable Housing and Community Development Needs of Rural Beneficiaries.***
    1. *Beneficiary Needs:* Drawing on the stated general needs of rural communities and their residents, identify the specific capacity building needs of eligible beneficiaries providing affordable housing and community development services in the rural geographies where the applicant proposes to work.
    2. *Obtaining and/or administering HUD programs:* Identify the proposed beneficiaries needs in relation to increasing and/or improving their ability to obtain and/or manage HUD programs such as the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships Program (HOME), Housing Opportunities for Persons With AIDS Program (HOPWA), and HUD's homeless programs;
    3. *Capacity Building Needs of Up and Coming Eligible Beneficiaries:* Identify the capacity building needs of organizations seeking to become designated as rural housing development organizations, CDCs, or CHDOs in rural areas that lack designated organizations.
2. ***Data Quality (2 points)*** The applicant's discussion of needs must be supported by objective information and/or data, using sources such as the most recent Census, recent (within 5 years) American Housing Surveys, local or state Consolidated Plans, or other demonstrably relevant, recent and reliable data sources. To demonstrate the specific needs of rural housing development organizations, CDCs, CHDOs, local governments and Indian tribes in rural geographies, applicants may also use data collected through the organization's own valid, recent, reliable and replicable means of collection. If an applicant uses its own data source, it must provide a brief explanation of the research methods used in data collection and analysis.

Applicants will be evaluated on the overall quality of the proposed approach to build the capacity of eligible beneficiaries based on the capacity building needs identified in Factor 2. HUD will consider the connection between the specific identified capacity building needs, the priorities and eligible activities of this program, and the applicant's proposed activities, as well as the cost-effectiveness of those proposed activities.

Specifically, the applicant's narrative must include the following elements:

1. **Description of Activities (16 points)** Applicants must describe the eligible activities they propose to conduct to address the capacity building needs of eligible beneficiaries as identified in response to Rating Factor 2. The approach should incorporate the NOFA priorities identified in Section III.C.1 of this NOFA which includes supporting the implementation of other HUD programs in rural areas. This factor should also include information that indicates the extent to which the applicant has coordinated or plans to coordinate (e.g., through memorandum of agreement or letters of participation) with other known organizations, subcontractors or subrecipients that are directly participating in the proposed work activities.

HUD will evaluate the extent to which the application clearly describes:

- *Proposed Eligible Activities* - The applicant must explain its approach to capacity building by stating its proposed eligible activities (according to Section III.E of this NOFA) and how the proposed activities are feasible and practical to meeting the capacity building needs of eligible beneficiaries. Identify the method of execution of the proposed activities, as applicable; for example, if the applicant proposes to conduct a series of trainings, indicate if the training will be done live on-site, virtually and/or if they will be recorded for later distribution.

Keep in mind any activities proposed under the third eligible activity cited in Section III.E of this NOFA, can only be approved through the work plan process, and should not be proposed in this application process. Proposing ineligible activities in this application will result in the loss of one of the 16 points available for this element. Furthermore, if any ineligible activities are proposed to be conducted with the Rural Capacity Building funds in this application any narrative pertaining to the proposed ineligible activities will not be reviewed for assessing the five Factors, and such activities will be removed from the applicant's proposed budget, if awarded.

- *Proposed Eligible Beneficiaries* - The applicant must identify the intended beneficiaries for the eligible activities proposed, and/or how eligible beneficiaries will be identified and selected.
  - *Support for HUD Programs* – The applicant must explain how the proposed capacity building activities will support and magnify the effects of other HUD programs in the communities where RCB program beneficiaries are assisted. Specifically, applicants should discuss activities in connection to the needs identified in Factor 2 related to any of these HUD programs:
    - Community Development Block Grant (CDBG) Program;

- Indian Community Development Block Grant (ICDBG) Program;
  - HOME Investment Partnerships Program;
  - Housing Opportunities for Persons With AIDS (HOPWA) Program;
  - Indian Housing Block Grant Program;
  - Indian Housing Loan Guarantee Program;
  - Continuum of Care (CoC Program);
  - Emergency Solutions Grant (ESG) Program; and/or
  - Any other HUD program.
- *Effectiveness of Approach* – The applicant must provide a rationale for why the selected approach(es) will be effective. To demonstrate this, the applicant must address the likelihood that the proposed activities will be cost-effective and enable the beneficiaries to carry out specific housing and community development activities. To receive full credit, the applicant must address:
    - o How the capacity building activities will result in the ability of the organizations receiving capacity building assistance to commence work on specific housing, community, and/or economic development activities by the end of the grant’s term.
    - o Why the proposed activities represent the best, most cost-effective approach to meet the identified needs of eligible beneficiaries.

2. ***Plan to Conduct Activities (21 points)*** Applicants must describe a plan for how they will design, organize, implement and manage the proposed capacity building activities, including how they will operate under the RCB program. For example, if the applicant proposes to run an internal Request for Proposals process to select beneficiaries, then a summary of that plan and how it is connected to the proposed time frame should be provided.

HUD will evaluate the extent to which the application presents and supports a detailed and well-planned approach for conducting eligible program activities which address the capacity building needs of rural housing development organizations, CDCs, CHDOs, RHDOs, local governments and Indian tribes, as identified in Rating Factor 2 of this application. HUD will also evaluate the extent to which the application demonstrates a plan to ensure that RCB program beneficiaries will undertake activities consistent with the local Consolidated Plan and are aligned with local priorities.

HUD will assess the applicant’s description of the:

- o *Strategic Plan* - Explain the overall vision and design for the proposed Rural Capacity Building program. Identify how activities will be consistent with the local Consolidated Plan and align with local priorities.
- o *Implementation Process* – Describe how the applicant will implement and manage the proposed activities with the FY 2017 grant award.
- o *Budget* - Describe the rationale for proposed activities and the assumptions used in determining the budget estimates and explain how the activities will be cost-effective. To receive credit, applicants must include:

- o **The "Grant Application Detailed Budget"** (Attachment HUD-424-CB), broken out by line item.
- o **A written budget narrative.** The budget narrative must go beyond the detailed budget in the HUD-424-CB form to show the proposed activities and their individual costs. In addition, the budget narrative must explain the assumptions used to develop each line item as presented in the budget and be clearly connected to the proposed program design. To the extent possible, projected cost estimates from outside sources, including leverage, should be included in the budget and narrative.
- o **Scaling/Scoping of Proposed Activities.** Within the budget narrative, the applicant must identify possible opportunities for scaling or scoping the proposed activities. This can be accomplished by ranking the proposed activities in order of importance so that if an applicant is not funded at the level of funding requested HUD can consider the applicant's preferences and assess project feasibility to determine the grant award. Applicants may provide a narrative describing their phase or scoping priorities.
- o *Schedule* – Provide a schedule and description showing how the plan and the proposed activities are expected to be completed each year of the four-year grant period. The distribution of work presented in this schedule should align with the year-to-year budget provided in this application and be consistent with the proposed activities.

**3. Geographic Coverage (5 points)** Applicants must identify the geographic areas and HUD Regions where they expect to focus their proposed FY 2017 RCB program activities. If the exact locations are not yet known, the applicant must describe how they will review and select where the FY 2017 RCB grant award will be used.

For this element, the narrative must address the:

1. *Rural Area Selection Process:* Identify the rural areas that the applicant plans to serve with a FY 2017 RCB grant award and explain the selection process. If the rural areas are not yet known, then the applicant must describe the factors it will consider to select rural areas.
2. *Specific Disadvantaged Communities:* The applicant must identify if it will assist any specific disadvantaged communities, populations, and/or organizations that previously have been underserved and that lack access to economic, educational, social or housing opportunity, as identified in Factor 2. Examples of these areas include Neighborhood Revitalization Strategy Areas, Colonias, Appalachia's distressed counties, the lower Mississippi Delta region, or other locally designated community development target areas.

To receive credit for this sub-element of serving specific disadvantaged areas, the applicant must address:

1. The community(ies), population(s) and/or organization(s) that it will serve; and

2. The strategy for engaging the participation of identified communities, populations, and/or organizations through the Rural Capacity Building grant program.

**4. Compliance with Section 3 (1 point)** Applicants must describe how they will comply with Section 3 of the Housing and Urban Development Act and HUD’s implementing rules at 24 CFR Part 135 to provide employment and training opportunities for low- and very low-income persons, as well as contracting and other economic opportunities for businesses that provide economic opportunities to low-income and very low-income persons. Additional information regarding all Section 3 requirements can be found in Section V.C.1.(c) of the General Section.

HUD will evaluate the applicant’s description of how Section 3 requirements will be accomplished. To receive credit the applicant must identify:

1. Its strategies for targeting Section 3 residents and businesses for economic opportunities; and
2. The number of new jobs, contracts, and training opportunities that applicable project activities are expected to generate.

<b>Leveraging Resources</b>	<b>Maximum Points: 5</b>
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In this factor HUD will evaluate the applicant’s ability to secure leverage from public and/or private sector resources (such as financing, supplies, or services) other than RCB grant funds, or other Federal funds, to perform eligible activities and sustain the applicant’s proposed RCB program. Leverage serves as an indicator of community support for the RCB program activities.

Resources may include cash or in-kind contributions of services, equipment, or supplies allocated to the proposed program from governmental entities, public or private organizations, or other entities that are firmly committed. “Firmly committed” means that the amount of the resource and its dedication to the RCB program activities is explicit. To be considered in the calculation, the applicant must document each contribution source with a firm letter of commitment from the contributing entity, whether a public or private source, with the submission of this application. Such supporting documentation must be provided in the form of signed and dated letters of firm commitment from those entities and must include the following information and requirements:

1. Organization's Name;
2. Description of the commitment, including the proposed value of the commitment, in dollar amounts;
3. Responsibilities as they relate to the applicant’s proposed RCB program activities;
4. All dates on the letter must occur after the date of publication of this RCB NOFA;
5. Commitment must be on company letterhead of the organization providing the leverage; and
6. Signed and dated by an official of the organization legally able to make



commitments on behalf of the organization making the commitment. The signature date must occur after the date of publication of this RCB NOFA.

If the applicant does not provide letters meeting the six requirements (listed above), then those contributions will not be counted. Endorsements or general letters of support from organizations or vendors alone will not count as leverage and should not be included in the application.

In rating this factor, the following elements will be assessed:

- **Leverage Ratio (3 points)** HUD will evaluate the amount of leverage committed as a percentage of the requested grant amount. Applicants that demonstrate a leverage ratio calculated from firm commitments included with the application of 20 percent or greater of the requested grant amount will be awarded three points. Applicants demonstrating a lesser ratio will be awarded the points proportionate to their documented leverage. If there are no firm commitments, no points will be awarded for this factor. If an application is funded for less than the requested amount, the calculated percentage of leverage in the application will be multiplied by the awarded amount to establish the new amount of leverage that the grantee will have to provide.
- **Application of Leverage Funds (2 points)** The narrative must address how the applicant and beneficiaries will use the leverage funding to support their RCB program activities and to build the capacity of eligible program beneficiaries.

Note that grantees will be required to show evidence that committed leverage resources were actually received and used for their intended purposes through semi-annual reports as the project proceeds.

Achieving Results and Program Evaluation	Maximum Points: 10
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This factor addresses how the applicant proposes to achieve results and conduct program evaluation, and it reflects HUD's goal to embrace high standards of ethics, management, and accountability. The applicant must provide an effective performance plan to evaluate and quantifiably measure the performance of its proposed RCB program activities through the identification of specific outputs and outcomes that demonstrate improved capacity of the beneficiaries.

1. **Expected Performance Outputs and Outcomes (3 points)** This element of the performance plan must describe overarching project goals, and specific planned outputs with numerical projections selected from the quantifiable measures below. Applicants may also propose other quantifiable output or outcome measures that relate to the activities proposed in Factor 3. All proposed outcome and output measures must clearly demonstrate how beneficiaries' improved skills, technical capabilities, and ability to undertake community development and affordable housing activities will be identified and measured.

#### General Outputs

- Number of individuals served

- Number of organizations served
  - Number of CDCs/CHDOs, RHDOs, Tribes, and local governments served
- Number of states served
- Number of HUD Regions served

### **Policy Priorities**

- Number of new CDCs, CHDOs or RHDOs created
- Number of organizations newly accessing or expanding Federal funding
  - Dollar amount of new or expanded Federal funding received

### **Training and Education**

- Number of engagements/trainings offered
  - Number of web-based engagements/trainings offered
  - Number of in-person engagements/trainings
- Number of attendees at each engagement/training offered
- Number of individuals receiving financial assistance to attend training
  - Dollar amount of financial assistance provided to individuals to attend training
- Number of participants earning or renewing a licensure or certification
- Number of peer-to-peer learning events
  - Number of attendees at each peer-to-peer learning event

### **Other Capacity Building Efforts**

- Number of community development projects supported
  - Dollar amount invested into community development projects
- Number of community programs supported
  - Dollar amount invested into community programs
- Number of new community partnerships developed
- Number of data portals/web resources created
- Number of data portal and web visits
- Number of publications/newsletters created

### **Direct Financial Assistance**

- Number of grants awarded
  - Dollar amount of grants awarded
- Number of loans approved
  - Dollar amount of loans approved

- Number of other financial assistance events
  - Dollar amount invested in other financial events

## **Housing and Economic Development**

- Jobs
  - Number of jobs created
  - Number of jobs retained
- Housing
  - Number of housing units in the development process
  - Number of new housing units created
  - Number of housing units preserved, repaired, or rehabilitated
- Business
  - Number of businesses assisted
  - Number of businesses created

**2. Performance Evaluation Plans (7 points)** This element of the performance plan will be assessed on the extent to which the application clearly describes a detailed plan for evaluating the effectiveness of eligible activities proposed in Factor 3. The plan must address the:

- *Evaluation of Program Effectiveness and Delivery* – Describe the process for how the applicant will evaluate the effectiveness of the RCB program and activities in Factor 3. The narrative will be rated on the extent that the evaluation plan includes outcomes that are specific, measurable, and appropriate in relation to the activities proposed. The measures should quantifiably demonstrate the improved organizational development of rural housing development organizations, CDCs, CHDOs, local governments, and Indian tribes.
  - *Currently RCB Funded Applicants:* To receive full credit, applicants that have received an RCB grant award in the last five years (FY 2012-FY 2016) will also be assessed on their successful past performance in administering HUD’s RCB program. Using information from previous or current RCB grant awards, these applicants must explain how RCB program activities contributed to, or resulted in, the achievement of program goals and outcomes using the list of quantifiable measures outlined under element 1 of Factor 5 of this NOFA. Applicants should include, as applicable, increases and improvements in affordable housing and community development program accomplishments because of capacity building. HUD will evaluate the extent to which the applicant demonstrates successful performance within the last five years that was timely, cost-effective, and resulted in positive outcomes in the delivery of capacity building for rural affordable housing and community

development. HUD will consider the past performance of current RCB grantees that includes, but is not limited to, financial, monitoring, and other information in HUD's files.

- *Evaluation of the Applicant's Capacity Building Program Operation:* Describe how the applicant will assess and evaluate its internal operations and processes for managing the RCB program grant award and ensure effective program delivery across the grant term.

## **2. Preference Points.**

HUD encourages activities in communities with Preferred Sustainability Status (PSS) and/or Promise Zones (PZ). HUD will award two (2) points for qualified activities within a designated zone or area and supporting either or both initiative(s). In no case will HUD award more than two preference points for these activities.

a. To receive Preferred Sustainability Status Communities Preference Points, applicants must submit form HUD 2995, Certification of Consistency with Sustainable Communities Planning and Implementation, signed by the designated Preferred Sustainability Status Community point of contact. Designated PSS Communities Points of Contacts can be found on HUD's website ([click here](#)).

b. 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 HUDEXchange](#).

## **B. Review and Selection Process.**

### **1. Past Performance**

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

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

HUD may deduct points from the rating score or establish threshold levels as specified under

the Factors for Award in the Program NOFAs. Each Program NOFA will specify how past performance will be rated or otherwise used in the determination of award amounts. Whenever possible, HUD will obtain past performance information from staff with the greatest knowledge and understanding of each applicant's performance. If this evaluation results in an adverse finding related to integrity or performance, HUD reserves the right to take any of the remedies provided in Section III.C.2.b.(5), Pre-selection Review of Performance, above.

## **2. Assessing Applicant Risk**

HUD evaluates the integrity of the applicant as reflected in government-wide websites, information in HUD's files, the federal Do Not Pay portal, public information and information received during HUD's Name Check Review process and incorporates the risk assessment criteria laid out in 2 CFR 200.205. If this integrity evaluation results in an adverse finding, HUD reserves the right to take any of the remedies provided in Section III.D.2.e of this NOFA, Pre-selection Review of Performance. HUD also reserves the right to impose specific grant conditions in accordance with 2 CFR 200.207.

**1. Review Types.** Two types of reviews will be conducted. First, HUD will review each application to determine whether it meets threshold eligibility requirements. Second, HUD will review and assign scores to eligible applications using the Rating Factors for Award noted under Criteria, Section V.A.

**2. Threshold Eligibility Requirements.** All applicants must comply with the threshold requirements found in the General Section and the eligibility requirements listed in Section III of this NOFA in order to be reviewed, scored, and ranked. Applications that do not meet these requirements and applications that were received after the deadline (see Section III.C. of the General Section) will be ineligible for funding.

**3. Rating.** HUD will rate all eligible applications that meet the Threshold Requirements against the criteria in Rating Factors 1 through 5 and assign a rating score. The maximum total rating score for the five Rating Factors is 100 points. An applicant can receive bonus points if it scores a minimum of 75 points for the five Rating Factors. HUD will award two bonus points to applicants that meet the Preferred Sustainability Status and/or Promise Zones criteria. An applicant can receive a possible total of 102 points which includes Rating Factors 1 through 5 and Bonus Points.

**4. Minimum Rating Score.** Applicants must receive a total rating score of 75 points or more for Rating Factors 1 through 5 (without the addition of the bonus points) to be eligible for funding. In addition, applicants must earn at least 17 points for Factor 1, Capacity, to be eligible for funding. HUD will reject any application that does not meet the minimum rating score requirements.

**5. Ranked Order.** After adding any bonus points, HUD will place eligible applications that meet the minimum rating score requirements in ranked order. Applicants within the fundable range of 75 or more points, and that received 17 or more points in Factor 1, Capacity, will be considered for funding in ranked order up to the amount requested, or in a lesser amount, if sufficient funds are not available. Meeting the minimum score of 75 points does not guarantee a funding award will be made. HUD reserves the right to adjust funding to meet urgent policy priorities.

**6. Grant Award Adjustments.** Successful applicants selected to receive a grant award that is less than they applied for are required to participate in the negotiation process to create an updated program budget and plan reflecting the actual award offer, and to include the exclusion of any proposed ineligible activities, if applicable. In cases where HUD cannot successfully conclude negotiations on an updated program budget and plan, or if the selected applicant fails to provide HUD with requested information as part of the negotiation process, an award will not be made to that applicant. In such an instance, HUD may offer an award to and negotiate with another applicant.

### **C. Anticipated Announcement and Award Dates.**

Anticipated announcement date: 2/15/2018

Anticipated award date: 02/15/2018

## **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 all other applicants, whose applications were received by the deadline, that have not been chosen for award. Notifications will be sent by email to the person listed as the AOR in item 21 of the SF-424.

- HUD will send written notifications to both successful and unsuccessful applicants. A notification sent to a successful applicant is not an authorization to begin performance or to incur costs. Following negotiations for any applicable award adjustments, successful applicants will receive a signed grant agreement package and once that is complete each grantee will submit to HUD specific work plans and budgets for each initiative it proposes to implement. Work cannot commence unless it has been approved in a work plan. The work plan will show when and how the federal funds and leverage funds will be used. The work plan must be sufficiently detailed for monitoring purposes and must identify the performance goals and objectives to be achieved. HUD will approve the work plan or notify the grantee of matters that must be addressed prior to approval. Multiple work plans may be submitted for each grant; as such, work plans may be developed for less than the full dollar amount and term of the award, but no HUD-funded costs may be incurred for any activity until the work plan is approved by HUD. All activities are also subject to the environmental requirements in Section VI.B. of this notice.

Consistent with Section III.D.2.g of the General Section and 2CFR 200.112 and 200.318 after selection, but prior to award, applicants selected for funding must provide HUD with an up-to-date copy of their written Code of Conduct. An applicant who previously submitted an application and included a copy of its Code of Conduct will not be required to submit another copy if the applicant is listed in the Code of Conduct e-library for HUD Grant Programs at <https://www.hud.gov/e-library>

[://portal.hud.gov/hudportal/HUD?src=/program\\_offices/spm/gmomgmt/grantsinfo/conduct](https://portal.hud.gov/hudportal/HUD?src=/program_offices/spm/gmomgmt/grantsinfo/conduct), unless the information has been revised.

## **B. Administrative, National and Department Policy Requirements.**

For this NOFA, the following requirements apply:

### **Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business.**

HUD is committed to ensuring that small businesses, small disadvantaged businesses, and women-owned businesses, and Labor Surplus Area Firms participate fully in the direct contracting and contracting opportunities generated by HUD's financial assistance. State, local, and Indian tribal governments are required by 24 CFR 85.36(e) to take all necessary affirmative steps in contracting for the purchase of goods or services to assure that minority firms, women-owned business enterprises, and labor surplus area firms are used whenever possible or as specified in the Program NOFAs. Nonprofit recipients of assistance (grantees and subgrantees) are required by 2 CFR 200.321 to make positive efforts to utilize small businesses, minority-owned firms, and women's business enterprises, and Labor Surplus Area Firms whenever possible.

### **Equal Access to HUD-assisted or HUD-insured Housing.**

HUD is committed to ensuring that its housing programs are open to all eligible individuals and families regardless of sexual orientation, gender identity or marital status. HUD funding recipients and subrecipients must comply with 24 CFR 5.105(a)(2) in connection with determining eligibility for housing assisted with HUD funds or subject to an FHA-insured mortgage, and in connection with making such housing available. This includes making eligibility determinations and making housing available regardless of actual or perceived sexual orientation, gender identity, or marital status, and prohibiting inquiries about sexual orientation or gender identity for the purpose of making eligibility determinations or making housing available. Applicants are encouraged to become familiar with these requirements, HUD's definitions of sexual orientation and gender identity at 24 CFR 5.100, clarifications to HUD's definition of family at 24 CFR 5.403, and other regulatory changes made through HUD's Equal Access Rule, published in the Federal Register at 77 FR 5662 (Feb. 3, 2012).

### **Equal Protection for Faith-based and Community Organizations.**

Consistent with Executive Order (E.O.) 13279, "Equal Protection of the Laws for Faith-Based and Community Organizations," as amended by E.O. 13559, "Fundamental Principles and Policy-making Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations," faith-based organizations are eligible to participate in HUD's programs and activities on the same basis as any other organization.

HUD's regulations on the equal participation of faith-based organizations are at 24 CFR 5.109. On April 4, 2016, HUD amended 24 CFR 5.109 consistent with E.O. 13559. (See 81 FR

19355). These regulations apply to all HUD programs and activities, including all of HUD's Native American Programs, except as may be otherwise provided in the respective program regulations, or unless inconsistent with the respective program authorizing statute. These regulations provide, among other things, that a faith-based organization that participates in a HUD-funded program or activity retains its independence, and may continue to carry out its mission provided that it does not use direct Federal financial assistance to support or engage in any explicitly religious activities; an organization that engages in explicitly religious activities must separate those activities, in time or location, from activities supported by direct Federal financial assistance and participation must be voluntary; a faith-based organization that carries out programs or activities with direct Federal financial assistance from HUD must provide beneficiaries and prospective beneficiaries with a written notice of certain protections; beneficiaries and prospective beneficiaries may object to the religious character of an organization, upon which the organization must undertake reasonable efforts to identify and refer the beneficiary or prospective beneficiary to an alternative provider; and an organization that receives Federal financial assistance under a HUD program or activity may not discriminate against a beneficiary or prospective beneficiary on the basis of religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice. (See 24 CFR 5.109).

### **Real Property Acquisition and Relocation.**

Except as otherwise provided by federal statute, HUD-assisted programs or projects are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA) (42 U.S.C. 4601-4655), and the government-wide implementing regulations issued by the Federal Highway Administration at 49 CFR part 24. The Uniform Act applies to acquisitions of real property and displacements resulting from the acquisition, rehabilitation, or demolition of real property for Federal or federally-assisted programs or projects. With certain limited exceptions, real property acquisitions for programs or projects that receive federal financial assistance from HUD must comply with 49 CFR part 24, subpart B.

To be exempt from the URA's acquisition requirements, real property acquisitions conducted without the threat or use of eminent domain, commonly referred to as "voluntary acquisitions," must satisfy the applicable requirements of 49 CFR 24.101(b)(1) through (5). Records demonstrating compliance with these requirements must be maintained by the recipient. The URA's relocation requirements remain applicable to any tenant who is displaced by an acquisition that meets the requirements of 49 CFR 24.101(b) (1) through (5). The relocation requirements of the Uniform Act, and its implementing regulations at 49 CFR part 24, cover any person who moves permanently from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD assistance. While there are no URA statutory provisions for "temporary relocation", the URA regulations recognize that there are circumstances where a person will not be permanently displaced but may need to be moved from a project for a short period of time. Appendix A of the URA regulation (49 CFR 24.2(a)(9)(ii)(D)) explains that any tenant who has been temporarily relocated for a period beyond one year must be contacted by the displacing agency and offered URA permanent relocation assistance. Some HUD program regulations



provide additional protections for temporarily relocated tenants. Before planning their project, applicants must review the regulations for the programs for which they are applying. Generally, the URA does not apply to displacements resulting from the demolition or disposition of public housing covered by Section 18 of the United States Housing Act of 1937. Individual Program NOFAs may have additional relocation guidance and requirements.

Additional resources and guidance pertaining to real property acquisition and relocation for HUD-funded programs and projects are available on HUD's Real Estate Acquisition and Relocation website at [www.hud.gov/relocation](http://www.hud.gov/relocation). Applicable laws and regulations, policy and guidance, publications, training resources, and a listing of HUD contacts are also available for applicants who have questions or are in need of assistance.

### **Procurement of Recovered Materials.**

State agencies and agencies of a political subdivision of a state that are using assistance under a Program NOFA for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6002 of the Solid Waste Disposal Act. In accordance with Section 6002, these agencies and persons must procure items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired in the preceding fiscal year exceeded \$10,000; must procure solid waste management services in a manner that maximizes energy and resource recovery; and must have established an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines. Please to [this site for information on Section 6002](#) for requirements of Section 6002.

### **Participation in a HUD-Sponsored Program Evaluation.**

As a condition of the receipt of financial assistance under a Program NOFA, all successful applicants will be required to cooperate with all HUD staff, contractors, or designated grantees performing research or evaluation studies funded by HUD.

### **Environmental Requirements.**

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

Individual project sites to be funded by awards under this NOFA may not be known when the individual grant agreements are awarded and also may not be known when some of the individual sub-grants are made. Selection for funding does not constitute approval of individual project sites. After selection for funding, HUD will perform an environmental review of individual sites in accordance with 24 CFR Part 50, as applicable, when the sites are identified. Therefore, in accordance with 24 CFR 50.3(h), the application must contain assurances to HUD

that the applicant agrees to assist HUD in complying with 24 CFR Part 50, and will: 1) supply HUD with all available, relevant information necessary for HUD to perform for each property any environmental review required by 24 CFR Part 50; 2) carry out mitigating measures required by HUD or select alternate eligible property; and 3) not acquire, rehabilitate, convert, lease, repair, demolish or construct property, nor commit or expend HUD or local funds for these program activities regarding any eligible property, until HUD approval of the property is received.

### **OMB Administrative Requirements and Cost Principles.**

Unless excepted under 24 CFR chapters I through IX, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, set forth in 2 CFR part 200, shall apply to Federal Awards made by the Department of Housing and Urban Development to non-Federal entities. Applicants should be aware that if the total Federal share of your Federal award may include 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 Terms and Condition for Recipient Integrity and Performance.

### **Drug-Free Workplace.**

Recipients and subrecipients receiving funds from HUD are subject to [2 CFR part 2429](#), which implements the Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.), as amended, and required to provide a drug-free workplace. Compliance with this requirement means that the applicant will:

- Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the applicant's workplace and such activities are prohibited. The statement must specify the actions that will be taken against employees for violation of this prohibition. The statement must also notify employees that, as a condition of employment under the federal award, they are required to abide by the terms of the statement and that each employee must agree to notify the employer in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace, no later than 5 calendar days after such conviction.
- Establish an ongoing drug-free awareness program to inform employees about:
  - The dangers of drug abuse in the workplace;
  - The applicant's policy of maintaining a drug-free workplace;
  - Available drug counseling, rehabilitation, or employee assistance programs; and
  - The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- Notify HUD and other federal agencies providing funding in writing within 10 calendar days after receiving notice from an employee of a drug abuse conviction or otherwise receiving actual notice of a drug abuse conviction. The notification must be provided in writing to HUD's Office of Strategic Planning and Management, Grants Management Division, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington DC 20410-3000, along with the following information:

- The program title and award number for each HUD award covered;
- The HUD staff contact name, telephone and fax numbers;
- A grantee contact name, telephone and fax numbers; and
- The convicted employee's position and title.
- Require that each employee engaged in the performance of the federally funded award be given a copy of the drug-free workplace statement required in item (a) above and notify the employee that one of the following actions will be taken against the employee within 30 calendar days of receiving notice of any drug abuse conviction:
  - Institution of a personnel action against the employee, up to and including termination consistent with requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended; or
  - Imposition of a requirement that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- Identify to the agency making the award all known workplaces under the award. The workplace identification must include the actual address of buildings or other sites where work under the award will take place. The applicant must also inform the agency of any workplace changes during the performance of the award. The identification of the workplaces must occur either:
  - At the time of application or upon award; or
  - In documents the applicant keeps on file in its offices during performance of the award, in which case the applicant must make the information available for inspection upon request by the agency.

### **Safeguarding Resident/Client Files.**

In maintaining resident and client files, funding recipients shall comply with the Privacy Act of 1974 (Privacy Act), the agency rules and regulations issued under the Privacy Act, and observe state and local laws concerning the disclosure of records that pertain to individuals. Recipients must comply with the Privacy Act in the design, development, or operation of any system of records on individuals and take reasonable measures to ensure that resident and client files are safeguarded, including when reviewing, printing, or copying client files.

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

Prime Grant Awardee Reporting. Prime recipients of HUD's financial assistance are required to report certain subawards in the Federal Funding Accountability and Transparency Act Subaward System (FSRS) website located at [www.fsr.gov](http://www.fsr.gov) or its successor system for all prime awards listed on the FSRS website. Prime financial assistance awardees receiving funds directly from HUD are required to report subawards and executive compensation information both for the prime award and subaward recipients, including awards made as pass-through awards or awards to vendors. For reportable subawards, if executive compensation reporting is required

and subaward recipients' executive compensation is reported through the SAM system, the prime recipient is not required to report this information. The reporting of award and subaward information is in accordance with the requirements of the Transparency Act, as amended by section 6202 of Public Law 110-252, and by section 3 of Public Law 113-101.

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

### **Eminent Domain.**

Section 407 of Div.K, Title IV of the Consolidated Appropriations Act, 2016 (Public Law 114-113) prohibits the use of funds to support any Federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Public use shall not be construed to include economic development that primarily benefits private entities. Use of funds for mass transit, railroad, airport, seaport, or highway projects, and utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and waste water-related infrastructure), other structures designated for use by the general public or with other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118), will be a public use for Section 407 purposes. Applicants for FY 2017 assistance under the programs governed by this General Section may be subject to this restriction if it is incorporated in HUD's FY 2017 appropriation.

A notice will be published if this provision no longer applies following passage of HUD's FY 2017 appropriation

### **Physical Accessibility.**

Note that all meetings must be held and services provided in facilities that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, successful applicants must give priority to alternative methods of product or information delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with HUD's implementing regulations for section 503 of the Rehabilitation Act of 1973 (29 U.S.C.§794) at 24 CFR part 8. In addition, all notices of and communications during all training sessions and public meetings shall be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities or provide other means of accommodation for persons with disabilities consistent with section 504 of the Rehabilitation Act of 1973 and HUD's section 504 regulations. See CFR section 8.6.

### **C. Reporting.**

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

**1. Reporting Requirements and Frequency of Reporting.** This Program NOFA and award agreement will specify the reporting requirements, including content, method of data collection, and reporting frequency. Applicants should be aware that if the total Federal share of your Federal award may include more than \$ 500,000 over the period of performance, you may be subject to post award reporting requirements reflected in Appendix XII to Part 200--Award Term and Condition for Recipient Integrity and Performance Matters.

**2. Race, Ethnicity and Other Data Reporting.** HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, handicap (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. Program NOFAs may specify the data collection and reporting requirements. Many programs use the Race and Ethnic Data U.S. Department of Housing OMB Approval No. 2535-0113 Reporting Form HUD-27061.

**3. 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.

The RCB program requires performance reports be submitted semi-annually for the course of the grant award.

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

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

For a period of at least 120 days, beginning 30 days after the awards for a Program NOFA are publicly announced, HUD will provide to a requesting applicant a debriefing related to its application. 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 person, organization, or email address identified as the contact under the section entitled Agency Contact(s) in the Program NOFA. Information provided during a debriefing may include the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

#### **VII. Agency Contact(s).**

HUD staff will be available to provide clarification on the content of this NOFA. Please note that HUD staff cannot assist applicants in preparing their applications. Questions regarding specific program requirements for this NOFA should be directed to the point of contact listed below.

[CapacityBuilding@hud.gov](mailto:CapacityBuilding@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.

### **VIII. Other Information.**

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

### **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 Funds Available web page at [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/grants/fundsavail](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail).