



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

Fair Housing and Equal Opportunity

Fair Housing Initiatives Program - Education and Outreach Initiative (COVID-19)

FR-6400-N-70

07/08/2020

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**Program Office:**

Fair Housing and Equal Opportunity

**Funding Opportunity Title:**

Fair Housing Initiatives Program - Education and Outreach Initiative (COVID-19)

**Funding Opportunity Number:**

FR-6400-N-70

**Primary CFDA Number:**

14.416

**Due Date for Applications:**

07/08/2020

**Overview**

The U.S. Department of Housing and Urban Development (HUD) issues this Notice of Funding Availability (NOFA) to invite applications from eligible applicants for the program and purpose described within this NOFA. Prospective applicants should carefully read all instructions in all sections to avoid sending an incomplete or ineligible application. HUD funding is highly competitive. Failure to respond accurately to any submission requirement could result in an incomplete or noncompetitive proposal.

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

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

**OMB Approval Number(s):**

2529-0033

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

As part of the Coronavirus Aid, Relief, and Economic Security (CARES Act) (Public Law 116-136, approved March, 27, 2020), HUD is making available \$1 million dollars through the Fair Housing Initiatives Program (FHIP) Education and Outreach Initiative (EOI) Component in supplemental grant funding for creating and disseminating fair housing education and outreach materials as a result of the COVID-19 pandemic.

Congress authorized the FHIP in 1987 under Section 561 of the Community Development Act of 1987 as amended (42 U.S.C. 3616). Program regulations can be found at 24 CFR Part 125, which are incorporated by reference in this Notice. As part of the CARES Act, Congress appropriated \$1 million for FHIP EOI to educate the public about fair housing issues related to the coronavirus. The purpose of this Notice is to seek applications from eligible entities that will

create and disseminate fair housing education and outreach materials in COVID-19 affected areas. During this national emergency, HUD wants to remind housing providers and the public of important federal fair housing laws that protect persons from discrimination, including harassment and intimidation in housing and related services on the basis of race, color, religion, national origin, sex, familial status and disability. Persons with disabilities, including those who are older and have underlying medical conditions, are vulnerable and at high risk for a severe, life-threatening response to COVID-19. HUD recognizes that these persons may face unique fair housing and civil rights issues in their fair housing related services. Housing providers are required to make reasonable accommodations that may be necessary to deliver housing and services to persons with disabilities affecting major life activities. In addition, HUD wants to prevent discrimination and harassment against people who, because of racial profiling, are perceived to be associated with this disease. Historically, the number of fair housing complaints increases in the aftermath of a disaster or emergency. The provision of widespread, highly visible outreach and education activities regarding the Fair Housing Act requirements is essential during this critical time to control the number of Fair Housing Act violations.

FHIP funds fair housing organizations and other non-profits to enforce the Fair Housing Act and other federal, state, and local laws collectively to prohibit discrimination in nearly all housing transactions and residential settings across the nation, including rental housing, nursing homes, permanent shelters, and other places where people live and receive services together. The FHIP EOI NOFA makes available \$1 million to support FHIP grantees in developing and disseminating fair housing education and outreach materials designed to inform members of the public concerning their rights and obligations under the Fair Housing Act in COVID-19 affected areas. This EOI NOFA includes funding for two components:

- **\$500,000** for a National Media Campaign; and
- **\$500,000** for general education and outreach activities aimed to inform people of their rights and responsibilities under the Fair Housing Act;

This NOFA will receive applications for the EOI awards related to the coronavirus only.

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

None. This is a new NOFA.

## **3. Definitions.**

### **a. Standard Definitions**

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

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

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

424.

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

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

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

**Contractor** means an entity receiving a contract.

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

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

To be curable the deficiency must:

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

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

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

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

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

**Non-Federal Entity** is a state, local government, Indian tribe, institution of higher education (IHE), or non-profit organization carrying out a Federal award as a recipient or sub recipient. If eligible applicants under the NOFA include for profit entities, this definition of non-federal entity includes for profit entities.

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

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

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

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

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

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

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

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

**Affiliate** is a business entity effectively controlling or controlled by another or associated with others under common ownership or control.

**Broad-based** means not limited to a single fair housing issue (such as insurance, mortgage lending, or advertising), but rather covering more than one issue related to discrimination in the provision of housing covered under the Fair Housing Act.

**Complaint** is a filed fair housing complaint accepted by HUD or a Fair Housing Assistance Program (FHAP) agency as jurisdictional, or a complaint filed in a state or federal court alleging violations of the Fair Housing Act.

**Fair Housing Act** is Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601-3620).

**Fair Housing Assistance Program (FHAP) Agencies** are agencies, as described in 24 CFR 115, means State and local fair housing enforcement government agencies that receive FHAP funds to administer laws deemed substantially equivalent to the Fair Housing Act.

**Fair Housing Enforcement Organization (FHO)** is an organization engaged in fair housing activities as defined in 24 CFR 125.103.

**Operating Budget** is an organization's total planned budget expenditures from all sources, including the value of in-kind and monetary contributions, in the period for which funding is requested.

**Partnership** is a collaboration with one or more identified agencies, task forces, FHAP organizations, or other groups to successfully realize the service or activity planned. A partnership may be formal and contractual with specific roles and deliverables defined, or less formal cooperation through volunteer efforts accomplished without a contract.

**Qualified Fair Housing Enforcement Organization (QFHO)** is an organization engaged in fair housing activities as defined in 24 CFR 125.103.

**Referral** means referring an intake to HUD or to a FHAP agency.

**Regional/Local/Community-Based Activities** are defined at 24 CFR 125.301(a) and (d).

**Rural Areas** include any of the following:

- a. A non-urban place having fewer than 2,500 inhabitants (within or outside of the metropolitan areas).
- b. A county or parish with an urban population of 20,000 inhabitants or less.
- c. Territory, including its persons and housing units, in rural portions of "extended cities." The Census Bureau identifies the rural portions of extended cities.
- d. Open country that is not part of or associated with an urban area. The USDA describes "open country" as a site separated by open space from any adjacent densely populated urban area. Open space includes undeveloped land, agricultural land, or sparsely settled areas, but does not include physical barriers (such as rivers and canals), public parks, commercial and industrial developments, small areas reserved for recreational purposes, or open space set aside for future development.



- e. Any place in whole or in part, not located in a Metropolitan Statistical Area.

**Statement of Work (SOW)** is a document that describes all the tasks necessary to do the work, includes all the steps needed for good management control and specificity regarding work to be done and deliverables, and provides a basis for mutual understanding of the requirements and tasks.

**Technical Evaluation Panel (TEP)** is a panel whose mission is to accomplish sound, impartial, and comprehensive evaluation of proposals consistent with the NOFA . TEP members are selected from a diverse pool of evaluators, including HUD staff and outside (contract) individuals. Individuals are selected for TEP participation based on skill, background or expertise in areas which include but are not limited to fair housing experience, grant writing and evaluation expertise, strong analytical and writing skill, or education and outreach, civil rights or other related experience.

**Underserved Areas** are areas where there are no FHIP or FHAP agencies and where either no public or private FHOs exist or the jurisdiction is not sufficiently served by one or more public or private enforcement fair housing organizations and there is a need for service.

**Underserved Populations** means groups of individuals who are:

- a. Of an immigrant population (especially racial and ethnic minorities who are non-English-speaking or have limited English proficiency);
- b. Living in a rural area;
- c. Homeless;
- d. Persons with disabilities (physical or mental); or
- e. Persons in areas where there is inadequate protection and ability to provide fair housing service from a State or local government or private fair housing organization.

## 5. Web Resources

**The resources indicated provide details for the application process**

- [Americans with Disability Act](#)
- [Do Not Pay Dun & Bradstreet](#)
- [Request a DUNS Number](#)
- [Equal Participation of Faith-Based Organizations](#)
- [Federal Awardee Performance and Integrity Information System \(FAPIIS\)](#)
- [Federal Subaward Reporting System \(FSRS\)](#)
- [Grants.gov](#)
- [Grants.gov support](#)
- [Healthy Homes Strategic Plan](#)
- [Healthy Housing Reference Manual](#)
- [HUD Funds available](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)

- [NOFA webcasts](#)
- [Procurement of recovered materials](#)
- [Promise Zones](#)
- [Section 3 Business Registry](#)
- [State Point of Contact \(POC\) List](#)
- [System for Award Management \(SAM\)](#)
- [Real Property Acquisition and Relocation](#)
- [USASpending](#)

## **B. Authority.**

1. Section 561 of the Housing and Community Development Act of 1987, as amended (42 U.S.C. 3616), established FHIP. The implementing regulations are found at 24 CFR Part 125.
2. Funding is provided by the Coronavirus Aid, Relief, and Economic Security (CARES Act) (Public Law 116-136, approved March 27, 2020).

## **II. Award Information.**

### **A. Available Funds**

Funding of approximately **\$ 1,000,000** is available through this NOFA. Additional funds may become available for award under this NOFA, because of HUD's efforts to recapture funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the funding restrictions contained in this NOFA.

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

HUD expects to make approximately 26 awards from the funds available under this NOFA.

The number of awards made from funds available under this NOFA depends on the number of eligible applicants, and other factors: we reserve the right to re-allocate funds between the two EOI components in this NOFA, as appropriate. For information on the methodology used to make award determinations under this NOFA, please see Section V.B. Review and Selection Process below.

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

The maximum award possible under this solicitation varies. The specific maximum award amounts per component are listed in the Chart under Section III. Eligibility Information.

Estimated Total Funding:

\$ 1,000,000

Minimum Award Amount:

\$ 20,000

Per Project Period

Maximum Award Amount:

\$ 500,000

Per Project Period

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

The period of performance under this initiative is 12 months. Obligations should be made within 6 months of notice of award and all grants expended in the specified agreed upon timeframe(s) established in negotiations. However, expenditures should be no more than 18-24 months from award.

Estimated Project Start Date:  
08/01/2020

Estimated Project End Date:  
08/01/2021

Length of Project Periods:  
12-month project period and budget period

Length of Periods Explanation of Other:

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

Funding Instrument Type:  
CA (Cooperative Agreement)  
G (Grant)

HUD expects to award a cooperative agreement or grant agreement to each applicant selected for award. HUD will set forth the relationship between HUD and an awardee using a grant or cooperative agreement, where the principal purpose is the transfer of funds, property, services, or anything of value to the awardee to accomplish an eligible public purpose.

The agreement will identify the eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violations of the agreement, reporting requirements including sub-recipient reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, and integrity requirements under Section 872 of the Duncan Hunter Defense Authorization Act of 2009. HUD will determine the type of instrument under which the award will be made and monitor progress to ensure that the awardee has achieved the objectives set out in the agreement. Failure to meet such objectives may be the basis for HUD determining the awardee to be in default of the grant or cooperative agreement and for exercising available sanctions, including suspension, termination, and/or recapture of funds. Also, HUD may refer violations or suspected violations to enforcement offices within HUD, the Department of Justice, or other enforcement authorities.

If funds are provided subject to a cooperative agreement, HUD will also exercise the right to have substantial involvement in all proposed deliverables, as well as the Work Plan or SOW. For grants and cooperative agreements, HUD will conduct monitoring reviews, request quarterly reports, and approve all proposed deliverables as documented in the applicant's Work Plan or SOW. Most FHIP funds are awarded under grant agreements. However, national funds are awarded under cooperative agreements and remain in Headquarters since the grants have a nationwide impact, and therefore require more complex and frequent oversight as well as Departmental approval of deliverables, which is a higher level approval process than funds awarded under grant agreements.

## **F. Supplementation.**

For this NOFA, sub-section "F. Supplementation" is Not Applicable

## **III. Eligibility Information.**

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

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

#### **Information on Eligible Applicants**

All applicants are required to complete an EOI Eligibility Certification and submit as a part of the application. HUD will not evaluate applications from ineligible applicants.

The following listing details the EOI Components, the approximate available funding, and the eligible applicants and activities:

#### **National Media Campaign Component**

- Amount Available - \$500,000 (HUD reserves the right to re-allocate funds as appropriate)
- Applicant Eligibility - QFHOs, other FHOs, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968
- Project Period – 12-18 months
- Award Caps – Up to \$500,000
- Eligible Activities - Eligible activities shall include (1) Creation of a nationwide media campaign that will inform individuals (particularly the elderly, those with disabilities, and other affected protected classes), and housing providers (landlords, property managers, etc.) of their rights and responsibilities during the COVID-19 pandemic, and (2) Dissemination of this information to non-profits and fair housing organizations in the affected areas.

This funding may consist of: (1) Creation of a nationwide media campaign that will notify individuals (particularly the elderly, those with disabilities and affected protected classes) of their fair housing rights and responsibilities under the COVID-19 pandemic including victims of discrimination, and (2) Disseminating this information to non-profits and fair housing organizations in the affected areas.

#### **General Component**

- Amount Available - \$500,000
- Applicant Eligibility - QFHOs, other FHOs, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968, agencies of State or local governments and agencies certified by the Secretary under section 810(f) of the Fair Housing Act or other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.
- Project Period – 12-18 months
- Award Caps – Up to \$20,000

- Eligible Activities - Eligible activities are those that inform people of their rights or responsibilities under the Fair Housing Act in COVID-19 affected areas, including the general public, and housing providers (landlords, property managers, etc.). Activities may include, but are not limited to: developing and disseminating fair housing material (i.e. brochures, webinars, and virtual advertising); conducting educational symposia; and providing fair housing information outreach through printed and electronic media into languages applicable to communities in the proposed project area (i.e. Public Service Announcements for radio, television, and newspaper advertisements). Proposed activities including dissemination and educational symposia's must include methods for completing virtual activities or those in which social distancing guidelines are considered. Activities must also include a process for referring fair housing complaints to HUD or Fair Housing Assistance Program (FHAP) substantially equivalent agencies.

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

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

This Program does not require cost sharing or matching.

There is no statutory requirement for applicants to leverage resources; however, in other FHIP grant notices, applicants may receive points for leveraging resources. FHIP is not awarding points for leveraging resources due to the unprecedented and exigent circumstances that has resulted in the need for this particular grant notice.

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

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

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

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

3. **Minimum Score.** Applicants must receive a minimum TEP score of 75 points to be considered for funding.
4. **Eligible Activities.** When the majority of the proposed activities are ineligible (more than 50%) HUD will not fund the application.
5. **Suits Against the United States.** An application is ineligible for funding if, as a current recipient of FHIP funds (within the last 3 years), the organization used any funds provided by HUD for the payment of expenses in connection with litigation against the United States (24 CFR 125.104(f)).
6. **Other Litigation.** An application is ineligible for funding if the organization proposes in its current application, or used funds provided by HUD (within the last 3 years) under this Program to fund or support the settlement of a claim, satisfy a judgment, or fulfill a court order in any defensive litigation (42 U.S.C. 3616 note Sec. 561 (i)).

Only applicants deemed eligible will be ranked and rated. Applicants that do not meet one or more of the threshold requirements will not be eligible for funding.

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

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

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

- Outstanding Delinquent Federal Debts
- Debarments and/or Suspensions
- Pre-selection Review of Performance
- Sufficiency of Financial Management System
- False Statements
- Mandatory Disclosure Requirement
- Prohibition Against Lobbying Activities
- Equal Participation of Faith-Based Organizations in HUD Programs and Activities

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

1. Fair Housing Act/Protected Classes. All FHIP-funded projects must address housing discrimination based on race, color, religion, sex, disability, familial status, and/or national origin and further the non-discrimination provisions of the Fair Housing Act.
2. Amount exceeding the Maximum Amount. Applicants are ineligible for funding if they request funding over the maximum amount allowed under the initiative or component for which they have applied.
3. Inconsistencies in the Requested Amount or Miscalculations. Inconsistencies in the requested amount and/or miscalculations that result in amounts over the maximum award amount will be considered excessive and the application will be considered ineligible.
4. For EOI- General Component Only. Applicants must describe a referral process that will result in referral of fair housing complaints to HUD or Fair Housing Assistance Program (FHAP) substantially equivalent agencies. If funded, the grantee will have to develop and implement the complaint referral process referenced in the application.
5. If the application has income restrictions for services, the application must identify the restriction, and describe how individuals who fall outside of the restrictions will be equally served and how that service is provided. If not provided, the applicant will be deemed ineligible. HUD reserves the right to request proof if the organization is selected for funding.
6. HUD will not fund both a parent organization and its affiliate/subsidiary organization under this NOFA for the same component. In addition, HUD will not allow affiliate and parent organization staff sharing protocols whereby the parent organization shares key staff with an affiliate(s). All funded organizations must be fully independent functional organizations, e.g., able to conduct business on an on-going basis without support from parent or its staff to complete proposed program activities and set apart from parent organization.
7. Independence of Awards. The application submitted must be independent and capable of being implemented without reliance of other applications, or other grantees(s), including

staff sharing protocols of key staff. Applicants may not use the performance (e.g., performance review rating or successfully completed activities) of another organization to meet the requirements of Rating Factor 1, Staffing and Organization Experience.

8. If an applicant is applying as a 501(c)(3), the applicant must be a 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service (IRS) prior to the application deadline date to be eligible for funding. Applications must include an IRS report showing 501(c)(3) status. If an applicant's 501(c)(3) status has expired prior to application deadline date, the application must show that the organization has applied for renewal of tax-exempt status and that the application is pending. If 501(c)(3) status has expired and there is no information regarding the application for renewal in the organization's application at the deadline date, the applicant will be deemed ineligible. In addition, if an organization with a pending 501(c)(3) application is selected for a funding award, the applicant must provide proof that the 501(c)(3) renewal is approved prior to release of funding. If the applicant's pending application for renewal is subsequently denied, the applicant's organization will be deemed ineligible and the award selection will be rescinded. Further, the applicant must maintain 501(c)(3) status throughout the grant period.
9. Past Performance. An organization is deemed ineligible for funding under this NOFA if the organization received a "poor" rating on its last or most recent performance assessment on a prior FHIP grant for any initiative/component. The organization will remain ineligible for a period of 2 years after the NOFA closure date unless the organization provides evidence that the rating was overturned through an appeal or that another resolution was accepted by the General Technical Representative/General Technical Monitor (GTR/GTM) to improve future performance.

In addition, if a "poor" performance rating on another FHIP grant is received after being selected and receipt of funding under this NOFA, all remaining FHIP grant funds received under this NOFA will be rescinded and the organization will be deemed ineligible. The organization will remain ineligible for a period of 2 years after receipt of the "poor" performance rating unless the organization provides evidence that the rating was overturned through an appeal or that another resolution was accepted by the GTR/GTM to improve future performance.

FHAP agencies under a suspension or performance improvement plan, as designated under 24 CFR Part 115.210(a) and (b) at the time of application submission are ineligible for funding unless the performance issues are resolved to HUD's satisfaction before the application deadline.

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

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

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

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

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

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

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

Name:

Myron Newry

Email:

Myron.P.Newry@hud.gov

HUD Organization:

FHEO

Street:

451 7th Street, SW Room 5222

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

All waiver requests will be submitted to FHEO's Assistant Secretary for a final determination.

If you are granted a waiver, the notification will provide instructions on where to submit the application and how many copies are required. If you receive a waiver of the electronic application submission requirement, your paper copy application must be received by HUD in room 5222 no later than 4:30 pm Eastern Time (ET) on the application deadline date. HUD applications are scanned. Applicants must allow adequate time for the application to be scanned through the scanning facility at HUD Headquarters. Applications not received in 5222 by the



4:30 pm ET deadline date shall be deemed ineligible. There is no grace period for paper application submissions.

HUD will not accept a paper application without a waiver being granted and such paper applications will be returned to sender.

HUD recommends that you send your application at least 48 hours prior to the due date and during regular business hours to allow enough time to correct errors or overcome other problems. HUD also recommends that you send application via a carrier that provides a receipt of delivery. If you are submitting a paper application, you must submit HUD 2993 Form in order to receive a confirmation that HUD received your submission. HUD's confirmation receipt may not come before the submission deadline.

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

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

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

**1. Content.**

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

<b>Forms/Assurances/Certifications</b>	<b>Submission Requirement</b>	<b>Notes/Description</b>
		accordance with its instructions. Applicants must furnish an executed copy of the Certification Regarding Lobbying prior to award.
HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report	HUD will provide instructions to grantees on how the form is to be submitted.	HUD instructions to grantees are provided by webcast, To view the webcast, click here.
Application for Federal Assistance and Assurances - Non-Construction Programs - Form SF-424 and 424B	Applicants must include the nine digit zip code (ZIP code plus four digits) associated to the applicant's address in box 8d of the SF-424. Also, in Box 15, along with the Initiative, an applicant should include the Component to which you are applying.	Both forms are required. 424B Covers compliance with Federal legal requirements such as age and sex discrimination, environmental standards and the Uniform Relocation Act.
Race and Ethnic Data Reporting Form - HUD 27061	Required form - post award.	
Form HUD 424CBW ("HUD Detailed Budget Form and Worksheet)	Required form.	
Acknowledgment of Application Receipt (HUD 2993), if applicable	This form is applicable only to applications submitted on paper, following receipt of a waiver of	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

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	electronic submission.	the application submission instructions included in the waiver of electronic submission.
Certification Regarding Lobbying	<p>All applicants (except as noted below) must submit with their application the signed Certification Regarding Lobbying included in the download from Grants. gov.</p> <p>Federally-recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally-recognized Indian tribes are excluded from coverage of the Byrd Amendment.</p>	<p>The Byrd Amendment and 24 CFR part 87 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.</p>

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

- Provide separate narrative responses to the Factor 1-4 criteria for each factor as described in Section V, "Application Review Information"
- Project Abstract (one-page summary including Initiative and component applied, amount of funding requested, general description of project activities, areas of concentration, and issues pending resolution, if any)
- SOW Narrative and SOW chart (see Appendix A for sample chart)
- Budget Narrative and 424CBW
- Complete the EOI Eligibility Certification and submit it as a part of your application

**2. Format and Form.**

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

a. The maximum length of the narrative responses to the Factor 1-4 criteria is five (5) pages per factor. Applicants may submit fewer pages if desired. The narrative pages must be double-spaced. This includes all text, titles and headings. Applicants must use 12-point font and respond fully to each rating factor to obtain maximum points.

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

#### **1. SAM Registration Requirement.**

Applicants must be registered with <https://www.sam.gov/SAM> before submitting their application. In addition, Applicants must maintain an active SAM registration with current information while they have an active Federal award or an application or plan under consideration by HUD.

#### **2. DUNS Number Requirement.**

Applicants must provide a valid DUNS number, registered and active at <https://www.sam.gov/SAM>, in the application. DUNS numbers may be obtained for free from Dun & Bradstreet.

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

Anyone planning to submit applications on behalf of an organization must register at [grants.gov](https://www.grants.gov) and be approved by the EBiz POC in SAM to submit applications for the organization. Registration for SAM and [grants.gov](https://www.grants.gov) is a multi-step process and can take four (4) weeks or longer to complete if data issues arise. Applicants without a valid registration cannot apply through [grants.gov](https://www.grants.gov). Complete registration instructions and guidance are provided on [grants.gov](https://www.grants.gov).

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

#### **Application Due Date Explanation**

The application deadline is 11:59:59 pm Eastern Standard time on 07/08/2020

Applications must be received no later than the deadline.

Submit your application to [Grants.gov](https://www.grants.gov) unless a waiver has been issued allowing you to submit your application in paper form. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

"Received by [Grants.gov](https://www.grants.gov)" means the applicant received a confirmation of receipt and an application tracking number from [Grants.gov](https://www.grants.gov). [Grants.gov](https://www.grants.gov) then assigns an application tracking number and date-and timestamps each application upon successful receipt by the [Grants.gov](https://www.grants.gov) system. A submission attempt not resulting in confirmation of receipt and an application tracking number is not considered received by [Grants.gov](https://www.grants.gov).

Applications received by [Grants.gov](https://www.grants.gov) must be validated by [Grants.gov](https://www.grants.gov) to be received by HUD.

"Validated by [Grants.gov](https://www.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](https://www.grants.gov), selecting "Applicants" from the top navigation, and selecting "Track my application" from the dropdown

list. If the application status is "rejected with errors," you must correct the error(s) and resubmit the application before the 24-hour grace period ends. Applications in "rejected with errors" status after the 24-hour grace period expires will not be received by HUD. Visit Grants.gov for a complete description of processing steps after applying.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **3. Late Applications.**

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

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

HUD will not consider information from applicants after the application deadline. Before the deadline, HUD may contact the applicant to clarify information submitted.

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

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

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

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

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

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

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

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

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

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

- 1. Number of Awards.** An organization may not receive more than one award . This restriction includes two organizations with separate Employer Identification Number's (EIN's) that apply separately for funding under a single component but identify more than one of the same direct personnel and/or key staff for both organizations (i.e. key staff sharing). FHIP will fund only one organization. This restriction ensures FHIP's commitment to continued program integrity by eliminating double payments under a single component to an organization or to individuals. This restriction includes but is not limited to any organization affiliate, associate, subsidiary, or other organizations that engage in direct personnel and/or key staff sharing protocols.
- 2. Single Audit Requirement.** All applicants who have expended \$750,000 or more in Federal financial assistance within a single year (this can be a program or (FY) ) must be audited in accordance with the requirements as established in 2 CFR Part 200.501. If an applicant receives \$750,000 or more in Federal financial assistance, the application must set aside funds to complete the audit.
- 3. Administrative Costs.** Salaries, fringe benefits and other administrative costs charged against the project or program element for the sole purpose of administering the grant/cooperative agreements shall not exceed 10% of the annual grant award (Federal and cost share). One hundred percent of the salaries and fringe benefits related to these functions are considered administrative costs. Examples of administrative costs include, but are not limited to: preparation and submission of grant applications, fiscal tracking of grants funds, maintaining project files and performance measures, collection and submission of deliverables, accounting staff wages and benefits, building rent, consulting expenses, management wages and benefits (such as Executive Director and support staff),

depreciation of office equipment, insurance, legal staff wages and benefits, office supplies. Building rent is eligible only under the following conditions: the rent must be for existing facilities not requiring rehabilitation or construction except for minimal alterations to make the facilities accessible for a person with disabilities; no repairs or renovations of the property may be undertaken with funds under this NOFA; and properties in the Coastal Barrier Resources System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased or rented with federal funds.

Non-administrative Costs. Salaries and fringe benefits related to the implementation of the project or program element of the grant/cooperative agreement are not considered administrative costs. For example, the salaries and fringe benefits for technical staff to conduct work to accomplish specific Fair Housing goals as outlined in the program or project elements are not administrative costs.

### **Indirect Cost Rate.**

Normal indirect cost rules under 2 CFR part 200, subpart E apply. If you intend to charge indirect costs to your award, your application must clearly state the rate and distribution base you intend to use. If you have a Federally negotiated indirect cost rate, your application must also include a letter or other documentation from the cognizant agency showing the approved rate. Successful applicants whose rate changes after the application deadline must submit new rate and documentation.

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

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

Applicants other than state, county and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If you have never received a negotiated indirect cost rate and elect to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC). As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for



all Federal awards until you choose to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

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

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

Standard Form 424 (SF-424) Application for Federal Assistance Programs is the government-wide form required to apply for Application for Federal Assistance Programs, discretionary Federal grants and other forms of financial assistance programs. Applicants for this Federal assistance program must submit all required forms in the SF-424 Family of forms, including SF-424B (Assurances of Non construction Programs) or SF424D (Assurances for Construction Programs). Applications receiving funds for both non construction programs and construction programs must submit both the SF-424B and SF-424D.

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

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

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

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

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

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

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

a. The criteria for rating and ranking applications, and the maximum points for each Rating Factor are provided below. Applicants must address all four rating factors. The maximum number of Rating Factor points awarded under this NOFA is 100. Each factor has a maximum 5-page narrative limit unless otherwise specified by this NOFA.

<b>Rating Factors Summary</b>	<b>Points</b>
<b>Factor 1: Capacity of Applicant and Relevant Organization Experience</b>	
Description and expertise of staff	20
Organization Experience*	16
<b>Factor 2: Need/Distress/Extent of the Problem*</b>	
Problem Statement	8
Proposed Solution	7
Continued Need	4
<b>Factor 3: Soundness of Approach</b>	
Proposed Statement of Work and Information Requirements*	16
Budget and Cost Estimates	14
<b>Factor 4: Achieving Results and Program Evaluation</b>	
Measurement	10
Evaluation Plan	5
<b>TOTAL</b>	<b>100</b>
<b>Preference Points – Promise Zone Designation, Opportunity Zone Designation, and/or Historically Black College or University (HBCU)</b>	+2

\*Rating factors include questions or point distributions unique to EOI components.

### **Rating Factor 1**

**Maximum Points: 36**

#### **Capacity of Applicant and Relevant Organizational Experience (up to 36 points).**

This factor addresses the extent to which the organization has the staff experience and organizational capacity necessary to successfully complete the proposed project by the end of the grant performance period. HUD will consider the extent to which the applicant clearly addresses:

##### **1) Description and expertise of staff (up to 20)**

To receive full points under this factor, the applicant must describe a staffing plan demonstrating staff expertise including a proposal to add contractors which:

1. Demonstrate that the applicant organization has more than one current staff with fair housing related experience at the time that the application is submitted; and describe the organization's proposal to add contractors to complete the proposed project. (up to 7 points)
2. Describe each key staff person's experience as it relates to the proposed project position. This should include fair housing, education and outreach, or other experience which will contribute to the proposed project. Please identify position and experience. (up to 7 points)
3. Describe specific applicant organization staff experience and expertise in disseminating information to the community, college or university, public or large audiences, and other effective methods for outreach to large audiences that will contribute to the proposed project (up

to 6 points)

In addition, if applicable, the applicant must identify FY2017, FY2018, FY2019 and FY2020 grant awards and identify each staff person assigned to the projects, including staff name, position, and percentage of time devoted to those project(s). Staff time and effort under each Initiative/Component must represent time and effort over the entire grant period. Applicants who are applying for, or currently have multiple open FHIP grants, must describe how the applicant will manage, operate, and maintain activities, performance requirements, and timetables for these multiple grants. The applicant's list or chart does not count towards the ten (5) page limit for Factor 1. Current FHIP grantees must provide this information.

**2) Organizational Experience (up to 16 points).** The applicant must describe the organization's ability to complete the proposed project within the grant period and show the effectiveness of the project:

- a) Show that the applicant organization has conducted past project(s) similar in scope and complexity (whether FHIP funded or not) to the project proposed or engaged in activities that, although not necessarily similar, are readily transferable to the proposed project and the results. (up to 4 points)
- b) Describe their organization's knowledge of and proximity to the COVID-19 affected targeted (service) area. (up to 2 points)

**EOI National Media Campaign Component Only.**

1. Describe the organizational resources necessary to successfully implement the proposed activities in a timely manner, and the applicant's ability to develop and implement large information campaign projects as appropriate on a national level and a regional/local level. (up to 2 points)
2. Describe staff experience in production of written materials relating to fair housing education and experience in public relations, including experience in production of materials in languages other than English and in alternative formats for use by persons with disabilities. (up to 3 points)
3. Show the ability to develop, disseminate, implement make modifications as necessary, and manage an interactive online fair housing media campaign on a national and region/local scale with emphasis on areas impacted by COVID-19. (up to 3 points)
4. Demonstrate how the applicant organization represents groups of persons protected under the Fair Housing Act. (up to 2 points)

**EOI General Components Only.**

1. Describe the organization's experience in setting goals and measuring results in past projects providing education and outreach activities. (up to 5 points)
2. Describe experience in conducting educational symposia and/or training, including developing, printing and distributing material utilizing various methods. This may include printed and electronic media and should consider the most effective outreach options in COVID-19 impacted areas, given limitations due to social distancing or other coronavirus safety guidance. (up to 5 points)

## **Rating Factor 2**

**Maximum Points: 19**

### **Need/Distress/Extent of the Problem (up to 19 points)**

This factor addresses the extent to which there is a need for funding the fair housing activities as a result of COVID-19, including addressing the needs of underserved areas/populations, the elderly, persons with disabilities and other protected classes. **Applicants must address the specific criteria for the component in which the applicant is applying.**

#### **A. EOI National Media Component Only.**

**(1) Problem Statement (up to 8 points).** Applicants must provide a statement on how the COVID-19 pandemic has affected the fair housing needs of areas/populations as it relates to the requirements of the Fair Housing Act.

Identify the geographic areas with fair housing needs impacted by COVID 19. Describe a plan to ensure that all residents of these areas have fair and equitable access to fair housing information. Fair housing issues identified may include discrimination on a prohibited basis that may be more prevalent because of social distancing or other issues stemming from COVID-19.

**(2) Proposed Solution (up to 7 points).** Applicants must describe the proposed solution and how it will meet the identified need:

- a) Describe how the applicant's proposed activities will meet fair housing needs in COVID-19 impacted areas on a national level.
- b) Describe how the activities will increase knowledge of the Fair Housing Act and fair housing issues arising due to the coronavirus and why this proposal offers the most effective approach for meeting this national need.

**(3) Continued Need (up to 4 points).** The applicant must address the need for language assistance services in languages other than English. Identify the languages to be included. All material disseminated to the public must be in English and at least one other language.

#### **B. EOI General Component**

**(1) Problem Statement (up to 8 points).** The applicant should state how the proposed education and outreach activities will meet fair housing needs in relation to COVID-19.

Describe the specific fair housing need in the targeted area(s) and the evidence (if applicable) to support that need. Targeted areas should include areas of high segregation, high concentration of limited English proficiency, rural or underserved populations, the elderly and persons with disabilities of the community or communities, or other protected classes that will be addressed under this application.

**(2) Proposed Solution (up to 7 points).**

Applicants must describe how the proposed solution will meet the identified need:

- a) Describe how the applicant's proposed activities will meet fair housing needs in COVID-19 impacted areas.
- b) Describe how the project and the distribution of materials will increase the knowledge of the

Fair Housing Act in COVID-19 impacted areas targeted in the proposal.

c) Describing the target population's language needs and what action the applicant will take to meet those needs. Identify the languages to be included. All material being disseminated to the public must be in English and at least one other language need.

### **(3) Continued Need (up to 4 points)**

Describe the urgency of the fair housing need including any imminent adverse consequences to persons in the protected classes covered under the Fair Housing Act if not selected for funding.

#### **Rating Factor 3**

**Maximum Points: 30**

**Soundness of Approach (up to 30 points).** This factor addresses the soundness, quality, and effectiveness of the proposed work plan and the commitment of the applicant to sustain the proposed project activities. Two requirements make up the total possible points for Rating Factor 3: the Statement of Work (SOW), and the Budget and Cost Estimates. There is no page limit for Rating Factor 3.

#### **a. Proposed SOW and Information Requirements (up to 16 points).**

- 1) The SOW narrative should describe the project goals/objectives, activities, deliverables and the anticipated outcomes. (up to 6 points)
- 2) SOW Chart (Appendix A). The SOW chart must describe in detail:
  - a) all proposed project activities and major tasks (up to 3 points),
  - b) a list of team members/staff and partners as identified in Factor 1 who will be responsible and accountable for completing the task (up to 3 points),
  - c) the steps to successfully implement the proposed project (up to 2 points), and
  - d) the proposed outcomes where applicable (up to 2 points).

**(1) For the National Media Campaign Component Only.** The applicant must propose activities that effectively demonstrate a coordinated, comprehensive and centralized educational and advertising campaign with an emphasis on social media targeting majority and minority markets. The social media component should be broad-based, utilizing the various social networking applications available. The applicant should describe its ability to provide materials in a format easily reproduced and in a form suitable for digital and online distribution for any new materials being developed under this project).

#### **Budget and Cost Estimates (up to 14 points).**

**For all applicants.** HUD will assess the soundness of the planned approach by evaluating the quality, thoroughness, necessity, cost effectiveness, and reasonableness of costs to carry out the project activities, and the appropriateness of budget allocations and rationale for the proposed budget and narrative. The applicant's budget submission must include the applicant's Narrative Budget Work Plan and 424 CBW Budget Worksheet; a narrative budget work plan for all sub-contractors or sub-recipients; and a budget worksheet for sub-contractors or sub-recipients whose budget amounts exceed \$5,000. Under the 424 CBW score, there will be an automatic 5 point reduction (in addition to any other point reduction(s)) if the applicant submits a 424 CB, but not the detailed 424 CBW. Applicants will receive up to 7 points for the budget narrative,

and up to 7 points for the 424 CBW.

The applicant's budget narrative and 424 CBW worksheet must relate to the tasks in the SOW, including specific key team members/staff and partners, identified in Factor 1 who will be responsible for completing major tasks. In addition, the budget narrative should describe the organization's Financial Management Capacity, including the organization's financial management system and the Board's role in financial management or oversight.

The applicant's proposed budget must set aside up to the following annual amount to be utilized to participate in HUD sponsored mandatory or approved training:

- \$5,000 – National Media Campaign component
- \$500.00 – General component

If the applicant is awarded, or has an open FY2020 EOI grant under the regular FY2020 EOI NOFA, then additional training expenses would likely not be expected. The training set aside amount should not exceed the amounts listed for each component but may propose a lower amount with an explanation included in the budget narrative. Grants that have a performance period of 12-18 months are considered 12 month grants for purposes of this requirement.

**Rating Factor 4**

**Maximum Points: 15**

**Achieving Results and Program Evaluation (15 Points)**

This factor reflects HUD's goal to embrace high standards of management, accountability, and effectiveness. Applicants will be reviewed on the organization's plan to assess and achieve the project proposed objectives and goals. The applicant must describe:

**1. Measurement** (up to 5 points) – What strategy or strategies will the organization utilize to measure its outputs and outcomes in COVID-19 impacted areas? Points are given to organizations that propose performance indicators that evaluate outcomes and/or outputs, and that can result in reliable, valid data. This description should include but is not limited to describing:

- (a) quantifiable outputs and outcomes that measure progress on the goals identified in the Factor 3, SOW;
- (b) data collection methods to measure outputs and outcomes and the frequency of data collection;
- (c) technological tools in place to capture, maintain, evaluate, and share relevant data; and
- (d) an explanation of how the applicant's data will be validated.

Applicant outcomes should reflect the anticipated effect the organization's proposed activities will have on its beneficiaries. In other words, outcomes measure progress made towards achieving the program goals, while outputs are the measurable organization activities. An example output is the number of people expected to participate in education and outreach efforts or the number of people reached through such efforts.

**2. Evaluation Plan** (up to 10 points) - What plan will be put in place to monitor and evaluate

the proposed project and ensure the applicant makes progress on the stated objectives and goals? This description should include:

- thresholds in the output and outcome data that will be used to determine progress on objectives/goals and what, if any, improvements are necessary;
- timelines for continuous evaluation and adjustments as needed; and
- a description of how evaluation results will be used to increase efficiency and effectiveness of the program, including achievement of goals

Based on activities outlined in Appendix A, applicants should explain the impact of the grantee's activities on education and outreach efforts. Applicants should express how outputs achieve the outcomes desired or the intended impact of outputs on the outcomes desired.

## **2. Other Factors.**

### **Preference Points.**

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

### **Opportunity Zones.**

**Opportunity Zone (OZ) Certification and Supporting Documentation:** Applicants proposing projects in an Opportunity Zone community must identify the state, county and census tract(s) of the opportunity zone(s) in which the activity will be carried out and provide certification to HUD in order to receive preference points. The certification must affirm that the investment is in a qualified Opportunity Zone, and be submitted as a supporting attachment on the applicant's letterhead with the application package. Applicants must also provide supporting documentation showing that the investment is in an Opportunity Zone. To view the list of designated Opportunity Zones, please see the following link on the U.S. Department of the Treasury website: <https://www.cdfifund.gov/Pages/Opportunity-Zones.aspx>. HUD encourages activities in Opportunity Zones. This form will be included as part of the grant application package on [grants.gov](https://www.grants.gov) for all HUD grants that offer Opportunity Zone preference points. For Fiscal Year 2020, applicants will be required to complete and submit this form along with the SF-424 in order to be eligible for Opportunity Zone preference. Applicants who do not complete this form and submit it along with the rest of their application package will not be eligible to receive the points. Additionally, applicants who do complete and submit this form, but indicate they intend to use less than 50% of the award within Opportunity Zone tracts, will also be ineligible to receive preference points, unless: a.) the applicant can show why they are unable to expend at least 50% of the grant award within Opportunity Zone designated tracts, or b.) the applicant is able to make a compelling case for why the amount that will be expended will have a significant impact within Opportunity Zone designated tracts.

### **HBCU.**

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

### **Promise Zones**

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

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

### **1. Past Performance**

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

Timely use of funds received from HUD;

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

Timely submission and quality of reports submitted to HUD;

Meeting program requirements;

Meeting performance targets as established in the grant agreement;

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

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

The number of persons served or targeted for assistance;

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

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

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

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

This section incorporates past performance with the assessment of an applicant's risk. For current FHIP grantees, past performance will be based on the applicant’s most recent FHIP GTR Final Performance Assessment Report received from the applicant HUD GTR. GTR Final Performance Assessment Reports contain these items: (1) performance of all requirements under the grant, (2) acceptance of work performed, and (3) quality of performance. Up to 3 points will



be deducted from an applicant's overall rating score based on that assessment, as follows:

1 point if the applicant received less than an "Excellent"

1 point if the applicant received less than a "Good"

1 point if the applicant is deemed "High Risk"

An organization is deemed ineligible for funding under this NOFA if it received a "poor" rating on its last performance assessment on a prior FHIP grant for any initiative/component.

In addition, 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. If this integrity evaluation results in an adverse finding, HUD reserves the right to take any of the remedies provided in Section III.C.4.a.5, Do Not Pay website Review.

3. Rating and Ranking. Applicants may be funded under these EOI Components:

(a) National Media Campaign Component (EOI-NMCC) - \$500,000

(b) General Component (EOI-GC) - **\$500,000**

4. **Maximum Points.** The maximum number of points to be awarded under this NOFA for the Rating Factors is 100. s.

5. **Ineligible Applications.** Ineligible applications will not be rated or ranked.

6. **Minimum Score to be Funded.** Only applications with a rating score of 75 points or more will be considered of sufficient quality for funding.

7. **Tie Breaking.** When two or more applications have the same total overall score, the application with the higher score under Rating Factor 2 will be ranked higher. If applications still have the same score, the tie will be broken by the Rating Factor 1 score. If a tie remains, then the tie will be broken by the Rating Factor 3 score. And if a tie still remains, the application that has the greater need under Rating Factor 2 will be selected.

8. **Adjustments to Funding.** HUD may approve an application for an amount lower than the amount requested, fund only portions of the application, withhold funds after approval, reallocate funds among activities and/or require that special conditions be added to the grant agreement, under 24 CFR 84.14 or where:

a. HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;

b. An ineligible activity is proposed in an otherwise eligible project;

c. Insufficient funding amounts remain to award the full amount requested in the application, and HUD determines that partial funding is a viable option; or

d. The past record of key personnel warrants special conditions.

e. An applicant is awarded more than one grant under the FY2020 NOFAs (regular NOFA and COVID-19), HUD reserves the right to examine the requested training needs and transfer funds back to the applicant's proposed activities during negotiations if additional training funds are not needed.

9. **Reallocation of Funds.** After all applications within funding range have been selected or obligations are completed in one component of the EOI Initiative under this NOFA, if funds are still available, they may be reallocated to the other EOI component of this NOFA.

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

HUD expects to announce the award of funds by July 2020 and anticipates a start date of August 2020.

**VI. Award Administration Information.**

**A. Award Notices.**

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

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

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

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

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

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

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

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

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

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

## **1. Applicant Notification and Award Procedures.**

a. **Notification.** Information about the review and award process will not be available during the HUD evaluation period, which begins on the application deadline date for this NOFA and lasts for approximately 90 days thereafter. However, you will be advised, in writing or by telephone, if HUD determines that your application is ineligible, or has technical deficiencies which may be corrected. HUD will only communicate with persons specifically identified in the SF-424 in the application. HUD will not provide information about the application to any third party such as contractors.

b. **Negotiations.** If you are selected, HUD will require you to participate in negotiations to determine the specific terms of your cooperative or grant agreement. The selection is conditional and does not become final until the negotiations are successfully concluded and the grant or cooperative agreement is signed and executed based upon the negotiations. HUD will negotiate only with the person identified in the application as the Director of the organization or if specifically identified in the application as the Project Director. HUD will not negotiate with any third party (i.e., a contractor, etc.). The GO and GTR will determine on a case-by-case basis if technical assistance or special conditions are required.

c. **Applicant Scores.** After awards are announced, applicants will receive a copy of their final score. HUD will not release the names of applicants or their scores to any third party.

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

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

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

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

- Compliance with Fair Housing and Civil Rights Laws, Which Encompass the Fair Housing Act and Related Authorities (cf. 24 CFR 5.105(a)).

- Affirmatively Furthering Fair Housing.

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

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

- Accessible Technology.

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

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

4. Participation in HUD-Sponsored Program Evaluation.

5. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

6. Drug-Free Workplace.

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

8. Accessibility for Persons with Disabilities.

9. Environmental Requirements.

In accordance with 24 CFR 50.19(b)(2), (3), (4), (9), (12), and (13), activities funded under this NOFA are exempt or categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

## **C. Reporting.**

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

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

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

### **3. Program-Specific Reporting Requirements**

**4. Quarterly Reporting/Final Report.** All grant recipients under this NOFA are required to submit quarterly reports and a final report which must include meaningful data derived from client feedback on how they benefited from the organization's project activities. Reports must report on outcomes and evidence of continued project success. The reports may also include but are not limited to: (1) positive customer experience; (2) efficient and effective administrative costs; (3) high ethical standards; (4) overall positive community/target area changes; (5) innovative strategies that contribute to cost effectiveness and other program improvements and success stories.

**5. Additional CARES Act Reporting.** Section 15011 of the CARES Act requires that recipients of \$150,000 or more of CARES Act funding submit, not later than 10 days after the end of each calendar quarter, a report containing information regarding the amount of funds received; the amount of funds obligated or expended for each project or activity; a detailed list of all such projects or activities, including a description of the project or activity; and detailed information on any subcontracts or sub-grants awarded by the recipient. As outlined in the Office of Management and Budget (OMB) memorandum, M-20-21, existing reporting requirements are anticipated to meet the requirements of Section 15011, but the content and format for this reporting is still under development and will need to be reviewed against current program practices. The Department will work in coordination with OMB to ensure that this requirement can be fulfilled by recipients of CARES Act funding in a manner that utilizes to the greatest extent possible existing reporting streams, providing the necessary transparency and accountability with minimal additional burden. If additional reporting is necessary, further guidance will be released by the Department in the near future.

## **D. Debriefing.**

For a period of at least 120 days, beginning 30 days after the public announcement of awards under this NOFA, HUD will provide a debriefing related to their application to requesting applicants. A request for debriefing must be made in writing or by email by the authorized official whose signature appears on the SF-424 or by his or her successor in office and be submitted to the POC in Section VII Agency Contact(s), below. Information provided during a debriefing may include the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

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

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

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

Myron Newry

Phone:

202-402-7095

Email:

Myron.P.Newry@hud.gov

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

## **VIII. Other Information.**

### **1. National Environmental Policy Act.**

This NOFA provides funding under the Fair Housing Initiatives Program (FHIP) at 24 CFR part 125, which does not contain environmental review provisions because it concerns activities that are listed in 24 CFR 50.19(b)(2), (3), (4), (9), (12), (13). Accordingly, under 24 CFR 50.19(c)(5), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

#### **Additional Program Requirements include:**

**a. Product Information.** Press releases and any other product to be disseminated to the public must be submitted to the GTR 4 days before release for HUD approval and acceptance. The GTR will work with FHEO's Office of the Assistant Secretary for information clearance and approval.

**b. Payment Contingent on Completion.** Payment of FHIP funds is made on a fixed price basis. Payments are contingent on the satisfactory and timely completion of your project activities and products as reflected in your grant or cooperative agreement. Requests for funds must be accompanied by financial and progress reports.

**c. Copyright Materials.** You may copyright any work that is eligible for copyright protection subject to HUD's right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as required in 2 CFR 215.36.

**d. Complaints Against Awardees.** Each FHIP award is overseen by a HUD Grant Officer (GO) (See [hud.gov](http://hud.gov) for the list of FHEO Regional Directors). Complaints from the public against FHIP grantees should be addressed to Myron Newry, FHIP Director, who will forward those

complaints to the GO. If, after notice and consideration of relevant information, the GO concludes that there has been inappropriate conduct, such as a violation of FHIP requirements, terms or conditions of the grant, or any other applicable statute, regulation or other requirement, HUD will take appropriate action under 24 CFR § 84.62. Such action may include: written reprimand; consideration of past performance in awarding future FHIP applications; repayment to HUD of funds received under the grant; or temporary or permanent denial of participation in FHIP under 24 CFR part 24.

**e. Double Payments.** If you are awarded funds under this NOFA, you (and any employee, contractor or consultant) may not charge or claim credit for the activities performed under this project under any other Federally assisted project.

**g. Performance Sanctions.** A grantee or contractor violating the requirements set forth in its grant or cooperative agreement will be liable for such sanctions as may be authorized by law, including repayment of improperly used funds, termination of further participation in FHIP, and denial of further participation in programs of HUD or any federal agency.

**h. Corrections to Deficient Applications.** In order not to unreasonably exclude applications from being rated and ranked, HUD may contact applicants to ensure proper completion of the application and will do so uniformly for all applicants. HUD may not seek clarification of items or responses that improve the substantive quality of an applicant's response to any rating factors or which correct deficiencies which are in whole or part of a rating factor. Applicants will have 5 business days from date of notification to submit the required documents to HUD. Applicants will be notified by email and telephone about corrections to ensure notification. The applicants must submit the corrections by using the form HUD-90611 found in their downloaded application to submit the technical cures to HUD.

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

### **3. Web Resources.**

- [\*\*Affirmatively Furthering Fair Housing\*\*](#)
- [\*\*Code of Conduct list\*\*](#)
- [\*\*CFDA\*\*](#)
- [\*\*Dun & Bradstreet\*\*](#)
- [\*\*Equal Participation of Faith-Based Organizations\*\*](#)
- [\*\*Federal Awardee Performance and Integrity Information System\*\*](#)
- [\*\*FFATA Subaward Reporting System\*\*](#)
- [\*\*Grants.gov\*\*](#)
- [\*\*HBCUs\*\*](#)
- [\*\*Healthy Homes Strategic Plan\*\*](#)
- [\*\*Healthy Housing Reference Manual\*\*](#)
- [\*\*HUD's Strategic Plan\*\*](#)
- [\*\*HUD Grants\*\*](#)
- [\*\*Limited English Proficiency\*\*](#)

- [NOFA Webcasts](#)
- [Opportunity Zone](#)
- [Procurement of Recovered Materials](#)
- [Promise Zones](#)
- [Section 3 Business Registry](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)
- [Uniform Relocation Act – Real Property Acquisition and Relocation Requirements](#)
- [USA Spending](#)

**APPENDIX**

**APPENDIX A**

**STATEMENT OF WORK- SAMPLE FORMAT** - All applicants should use the format outlined in this Appendix as an example to describe the organization's specific SOW tasks. The Administrative Tasks listed in Appendix A are standard tasks, however an applicant should edit the section to fit its specific tasks (e.g. add additional tasks, when tasks are submitted or other necessary actions). Under the Program Tasks section, each applicant should complete a detailed SOW based on the specific activities proposed in the organization's application, including activities and tasks, and proposed outcomes where applicable.

**FY2020 NOFA SOW for:**

The recipient, \_\_\_\_\_, agrees to undertake the following activities in accordance with its FY 2020 CARES application for funding under the Initiative-- \_\_\_\_\_ Project (if applicable) for a \_\_\_\_-month project commencing \_\_\_\_\_ 2020/21 in the geographic area of \_\_\_\_\_.

<b>ADMINISTRATIVE TASKS</b>			
<b>Activities</b>	<b>Tasks</b>	<b>Submitted By</b>	<b>Key Person(s)</b>
1. Assign staff to project	Submit assignment memo or other documentation assigning staff by name and number of hours to be spent on the project.	30 days	
2. Execute subcontract agreements (if any)	Submit draft contract for GTR approval. Submit copy of signed agreement.	30 days	
3. Submit evidence of compliance with 24 CFR 125.107 (if program	Submit copy of organization written conflict of interest policy, demonstrating 24 CFR 125.107 compliance including conflict of interest and other requirements	TBD during negotiations	

activities include testing)			
4. Complete HUD-2880 Disclosure Statements	Submit Disclosure Statement. If no changes occur, submit statement of no change	Quarterly when changes occur	
5. Complete SF-LLL Disclosure of Lobbying Activities	Submit updated form. If no changes occur, submit statement of no change	Quarterly when changes occur	
6. Quarterly Report of Performance	Submit (2) copies of quarterly report of performance. Include outcomes and progress towards achieving outcomes	Quarterly	
7. Complete SF-425 Financial Status Report and Written Quarterly Status Reports on All Activities	Submit (2) copies of SF-425 and Copy of Written Report	Quarterly	
8. Voucher of Payment	Submit payment request to LOCCS	Per payment schedule	
9. Complete listing of current or pending Grants/Contracts/Other Financial Agreements	Submit listing for Recipient and any contractors	45 days and at the end of grant	
10. Prepare summary	Submit summary of first year accomplishments	50 days	
11. Prepare and submit draft of Final Report	Submit (2) copies of draft final report. Report summary should include <b>objectives, accomplishments and results (outcomes)</b> . Complaint and testing activities should summarize data on complaints received and test conducted by basis and issue and outcomes should include number of credible, legitimate complaints filed with HUD, State and local Fair Housing Agency, Department of Justice or Private Litigator; and Types of Relief/Results.	One month before end of grant term.	



12. Complete final report and all program products produced under the grant (with CD/flash drive, where feasible) to HUD.	Submit (2) copies of the Final Report and all final products not previously submitted to GTR and GTM. Submit activities and database entry sheet(s) or detailed description of items to HUD.	Within 90 days after end of grant term.	

<b>PROGRAM TASKS (sample only)</b>			
<b>Activities/tasks are based on an organization's individual proposed activities and tasks. The program tasks, if applicable (e.g. meeting, training, information dissemination, etc.) should be adjusted to consider the current COVID-19 environment, including social distancing guidelines, or other methods to conduct activities virtually/remotely.</b>			
<b>Activities/Tasks</b>	<b>Outcome(s)</b>	<b>Submitted By</b>	<b>Key Person</b>
1. Contact HUD and/or other information sources to obtain any appropriate materials prior to development of new material. Task: List of materials requested and copy of final products.		90 days	
2. Review/refine intake and referral process to refer potential victims to HUD, DOJ, a state of local agency, or a private attorney. Task: Copy of referral process.		45 days	
3. Train staff on fair housing. Task: number of hours spent in training.			
4. Conduct at least ___ training for landlords, lenders, insurers or real estate agents.			
5. Conduct at least ___ trainings for potential victims of discrimination.			
6. Make at least ___ referrals of non-fair housing issues.			
7. Evaluate at least ___ potential complaints for enforcement.			
8. Distribute fair housing Public Service Announcement to ___ media outlets			

9. Conduct __ meetings with housing industry and/or government officials			
10. Conduct __ fair housing workshops for members of the protected classes and housing industry personnel.			

**APPENDIX B  
Education & Outreach Application CERTIFICATION**

Applicant Name: \_\_\_\_\_  
Applicant name as it appears on SF 424

In accordance with 24 CFR §125.103 (definitions) and 125.301 (Education and Outreach Initiative), which states:

(a) The Education and Outreach Initiative provides funding for the purpose of developing, implementing carrying out, or coordinating education and outreach programs designed to inform members of the public concerning their rights and obligations under the provisions of fair housing laws.

Please certify that your organization is an eligible organization under the Education and Outreach Initiative as either a Fair Housing Enforcement or Qualified Fair Housing Enforcement Organization, or other qualifying organization/entity:

**1. Fair Housing Enforcement & Qualified Fair Housing Enforcement Organizations**

I \_\_\_\_\_, certify that  
\_\_\_\_\_ is a private, tax exempt, nonprofit,  
Applicant name as it appears on SF 424 Applicant Organization  
name as it appears on SF 424

charitable organization and has a “letter of determination” from the IRS confirming 501(c)(3). And, I \_\_\_\_\_, certify that

Applicant name as it appears on SF 424  
\_\_\_\_\_ is one of the following: a Qualified Fair Housing Organization (QFHO) or a Fair Housing Organization (FHO).  
Applicant Organization name as it appears on SF 424

As defined by 24 CFR Part 125.103, my organization is:

\_\_ Qualified Fair Housing Organization (QFHO) - (entity has at least 2 years of enforcement-related experience); and organization is currently engaged in each of the activities at the time this application is submitted: Complaint intake; Complaint

investigation; Testing for fair housing violations; and Enforcement of meritorious claims; or \_\_\_ Fair Housing Organization (FHO) (entity has at least 1 year of enforcement-related experience); and is currently engaged in each of the activities and upon receipt of funds will continue to be engaged in each enforcement-related activity: Complaint intake; Complaint investigation; Testing for fair housing violations; and Enforcement of meritorious claims.

OR

**2. Other**

\_\_\_ Nonprofit organization representing groups of persons protected under Title VIII of the Civil Rights Act of 1968;

\_\_\_ Agency of State or local governments and agencies certified by the Secretary under section 810(f) of the Fair Housing Act; or

\_\_\_ Other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.

I certify that \_\_\_\_\_ did not use contractors/subcontractors, or sub grantees to meet the eligibility requirements. Applicant name as it appears on SF 424

I \_\_\_\_\_ certify (1) that I have checked the statements above and (2) that the statements herein are true,

Authorized Organization Representative (print/signature)

complete and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with the resulting terms and conditions if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may be subject to criminal or civil or administrative penalties. (US Code Title 28 Section 1001)

NOTE: The Technical Evaluation Panel will verify this certification through the organization's response to Factor 1.