

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Docket No. [FR-5700-N-04]

Notice of Funding Availability for HUD's Fiscal Year (FY) 2013 Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Program

AGENCY: Office of Healthy Homes and Lead Hazard Control, HUD.

ACTION: Notice of Funding Availability (NOFA) for HUD's Fiscal Year (FY) 2013 Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Program.

SUMMARY: Today's posting provides information and instructions for the FY2013 Lead-Based Paint Hazard Control (LBPHC) Grant Program and Lead Hazard Reduction Demonstration (LHRD) Grant Program based on funding approved by the Department of Housing and Urban Development Appropriations Act, 2013 (**Public Law XXX-XX**). This Notice is comprised of the Notice of HUD's Fiscal Year (FY) 2013 Notice of Funding Availability (NOFA), Policy Requirements and General Section (**General Section**) to HUD's FY2013 NOFAs for Discretionary Programs, posted on www.Grants.gov on August 8, 2012, and this program section to the NOFA. *Because FY 2013 funding has not been appropriated for this program, the availability of any such funding for this program is contingent upon future Congressional action.*

The LBPHC and LHRD Programs are authorized by Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992, Public Law 102-550). HUD's FY2013 Notice of Funding Availability Policy Requirements and General Section posted to www.Grants.gov on August 9, 2012, establishes threshold and other critical application submission requirements for this NOFA. Applications shall be submitted to www.Grants.gov in accordance with the procedures outlined in the **General Section** and this NOFA.

APPLICATION RECEIPT DEADLINE DATE: The application deadline is 11:59:59 p.m. eastern time on **February 4, 2013**. Applications must be received by www.Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date. Only one application will be accepted from any given organization under this NOFA (i.e., apply to either the LBPHC grant program or the LHRD grant program, but not both). If more than one application is received from an organization, the application that was received last by www.Grants.gov that meets the timely receipt requirements will be considered for funding. **NOTE:** *HUD may modify the due date for this Notice to the extent a final appropriations bill for FY2013 is enacted. HUD will issue a technical correction to this NOFA if appropriations are enacted that require HUD to modify the funding criteria or application requirements, or if HUD determines that adjustments to estimated award amounts or timelines are necessary, any such technical correction will provide detailed instructions for applicants to permit them to resubmit the application to address the revised NOFA requirements.*

FOR FURTHER INFORMATION CONTACT: Questions regarding specific program requirements should be directed to the agency contact identified in this program NOFA. Questions regarding the FY2013 **General Section** should be directed to the Office of Strategic Planning and Management, Grants Management Division at 202-708-0667 (this is not a toll-free number). Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Relay Service at 800-877-8339.

OVERVIEW INFORMATION

A. Federal Agency Name: Department of Housing and Urban Development, Office of Healthy Homes and Lead Hazard Control.

B. Funding Opportunity Title: Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Program.

C. Announcement Type: Initial announcement.

D. Funding Opportunity Number: FR-5700-N-04; OMB Approval Number 2539-0015.

E. Catalog of Federal Domestic Assistance (CFDA) Numbers: 14.900 Lead-Based Paint Hazard Control, and 14.905 Lead Hazard Reduction Demonstration Grant Program.

F. Dates: The application deadline is 11:59:59 p.m. eastern time on **February 4, 2013**. Applications must be received by www.Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date. Applicants are encouraged to submit their application early to www.Grants.gov to ensure that they can meet the timely receipt requirements.

G. Additional Overview Content Information

1. Purpose of the Program. The overarching purpose of the Lead-Based Paint Hazard Control Grant Program and the Lead Hazard Reduction Demonstration Grant Program is to assist states, , cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing, with the exception that the Lead Hazard Reduction Demonstration Grant Program is targeted to urban jurisdictions with the greatest lead-based paint hazard control needs.

2. Available Funds. Based on enactment of the FY2013 HUD appropriations, approximately \$XXX million is available for programs included in this NOFA. Of this amount, approximately \$XX million is available for the Lead-Based Paint Hazard Control Program and \$XX million for the Lead Hazard Reduction Demonstration Grant Program.

3. Match. A minimum non-federal matching contribution of 10 percent of the Federal funds requested, excluding the Healthy Homes Supplemental request if applicable, is required for the

Lead-Based Paint Hazard Control Grant Program, and a minimum non-federal matching contribution of 25 percent of the Federal funds requested is required for the Lead Hazard Reduction Demonstration Grant Program. See Match Requirements and Costs Chart in Section III.C, Cost Sharing or Matching.

4. Healthy Homes Supplemental Request to Promote and Develop Healthy Housing Programs (LBPHC Applicants Only). Applicants to the LBPHC Grant Program only may request a Healthy Homes Supplemental request of up to \$200,000 in additional funds above and beyond the LBPHC requested amount to assist in the identification and remediation of multiple housing-related health hazards with lead hazard control intervention work using the Healthy Homes Rating System (see http://portal.hud.gov/hudportal/HUD?mode=dispage&id=HHR_S_NEW).

The Healthy Homes Supplemental Request is an additional amount distinct from the requested LBPHC amount and must be treated as such. For example, if you are requesting \$2,300,000 for the LBPHC Grant Program and \$200,000 for the promotion of healthy housing, your total requested funding amount to be identified on the SF424 would be \$2,500,000.

5. Period of Performance. The maximum period of performance for any grant program under this NOFA is 36 months.

6. Funding Amount. The maximum funding amount per award for LBPHC is \$2,300,000, excluding the Healthy Homes Supplemental Request amount; the maximum funding per award for LHRD is \$3,000,000.

7. Ineligible Applications for Review. Applications requesting federal funding over the maximum amount per award for the program to which you are applying will not be eligible for review. Applicants must clearly document the requested federal funding amount *on line 18a of the SF424, Application for Federal Assistance*, and the form HUD_424_CBW: HUD Detailed Budget Worksheet including Total Budget.

8. Information on Application. The application for this NOFA is available at www.Grants.gov.

FULL TEXT OF ANNOUNCEMENT

I. FUNDING OPPORTUNITY DESCRIPTION

A. Program Description.

Authority. The Lead-Based Paint Hazard Control Grant Program (LBPHC) and the Lead Hazard Reduction Demonstration Grant Program (LHRD) are authorized by Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992, Public Law 102-550). Applicants under the LBPHC program only may also apply for Healthy Homes Supplemental funding, intended to promote and develop healthy housing programs.

Purpose. The overarching purpose of the Lead-Based Paint Hazard Control Grant Program and the Lead Hazard Reduction Demonstration Grant Program is to assist states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing; the Lead Hazard Reduction Demonstration Grant Program is targeted to urban jurisdictions with the greatest lead-based paint hazard control needs. These two programs are administered under HUD's Office of Healthy Homes and Lead Hazard Control (OHHLHC) which is aligned with HUD's 2012-2015 Environmental Justice Strategy. The Environmental Justice Strategy addresses environmental and human health issues that disproportionately affect high-risk communities, such as minorities, low-income populations, children, and persons with disabilities. For more information about HUD's Environmental Justice Strategy, refer to the website at: <http://portal.hud.gov/hudportal/documents/huddoc?id=envjustice.pdf>.

Applicants receiving an award will accomplish the following objectives:

- a. Maximize both the number of children less than six years of age protected from lead poisoning and the number of housing units where lead hazards are controlled;
- b. Target lead hazard control efforts in housing in which children are at greatest risk of lead poisoning, especially children in low-income and minority families, in order to reduce elevated blood lead levels in children less than six years of age;
- c. Promote cost-effective lead hazard control methods and approaches that can be replicated, maintained, and sustained;
- d. Build local capacity to safely and effectively address lead hazards during lead hazard control and renovation, remodeling, and maintenance activities by integrating lead-safe work practices;
- e. Promote integration of this grant program with other local programs that address housing related health and safety hazards;
- f. Affirmatively further fair housing. Note that beyond being an "objective" of this NOFA, affirmatively furthering fair housing is a civil rights related program requirement. Please refer to FY2013 Sections III.C.4.b.(3)(4) and (6) of the **General Section** and Sections V.A.3.a(1) and V.A.3.e(3) of this NOFA for additional guidance on this requirement;
- g. Develop a comprehensive community-based approach to address lead hazards in housing by mobilizing public and private sector resources including grassroots community-based non-profit and faith-based organizations;
- h. Promote collaboration, data sharing, and targeting between health and housing departments;

i. Establish a system or process that will facilitate lead-safe units to be affirmatively marketed, and priority given, to families with young children;

j. To the greatest extent feasible, ensure job training, employment, contracting, and other economic opportunities generated by this grant will be directed to low- and very-low income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons in the area in which the project is located. For more information, see 24 CFR Part 135 and section III.C.4.d of the FY 2013 **General Section**; and

k. Further environmental justice, the fair treatment and meaningful involvement of all people regardless of race, color, national origin, disability, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Furthermore, recipients under this NOFA are subject to Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and its implementing regulations at 24 CFR Part 8, and they are subject to Titles II and III of the Americans with Disabilities Act, as applicable. Each of these prohibits discrimination on the basis of disability.

(See <http://www.hud.gov/offices/cpd/environment/review/justice.cfm> and related pages, including a discussion of Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations)

B. Changes in the FY2013 NOFA.

1. Clarification of Match Requirements. Additional points will not be awarded for match above the required statutory amount. Applicants will be required to document and provide match to meet the statutory match requirement for the grant program to which they are applying. See Match Requirements and Costs Chart in Section III.C, Cost Sharing or Matching.

2. Human Subjects Research. Regarding grantee-developed research, funds should not be used if research could affect human subjects. If HUD conducts research involving the grant, whether or not the research could affect human subjects, the grantee is required to cooperate with HUD, which may require that the grantee expends funds.

3. Consolidated Plans. Applicants will only need to provide one Form HUD2991, except for to Native American Tribes whose grant-funded activities are not located in jurisdictions with a Consolidated Plan, who need not provide the form. Related submittal requirements are provided in this NOFA.

4. HUD’s Policy Priorities. The language was revised to better fit the activities under this grant program.

5. Rating Factor Points. The points awarded for each Rating Factor have been revised. Bonus points were removed for the EC/RC/EZ zone consideration, which does not apply to this NOFA.

II. AWARD INFORMATION:

A. Funding Available. Based on enactment of the FY2013 HUD appropriations, approximately \$ million is available for programs included in this NOFA. Of this amount, approximately \$ million is available for the Lead-Based Paint Hazard Control Program and \$ million for the Lead Hazard Reduction Demonstration Grant Program.

1. Grant Award Amounts. The chart below describes the maximum amount of each grant award and period of performance for the programs in this NOFA. Additional points will not be awarded for match. Applicants will be required to document and provide match to meet the statutory match requirement for the grant program to which they are applying. See Section III.C for clarification on what constitutes eligible matching resources. For applications making a Healthy Homes Supplemental Request in excess of \$200,000, if approved, the awarded amount will be reduced to \$200,000.

Maximum Grant Award Amounts and Period of Performance				
Program	Grant Award Amount	Healthy Homes Supplemental Request	Maximum Award Amount	Period of Performance
Lead Based Paint Hazard Control (CFDA 14.900)	\$2,300,000	\$200,000	\$2,500,000	36 months
Lead Hazard Reduction Demonstration (CFDA 14.905)	\$3,000,000	n/a	\$3,000,000	36 months

2. Award Date. The award date for grants will be approximately 180 days from publication of the Notice of Funding Availability in the Federal Register.

3. Period of Performance. The period of performance shall be 36 months for all applicants funded under this NOFA. Extensions to the period of performance will be considered by HUD in accordance with 24 CFR 85.30(d)(2), published policy guidance and the OHHLHC Grantee Program Guide. Such extensions, when granted, are one-time only, and for no more than a period of one year from the original period of performance end date.

B. Collaboration with Other Partners. All applicants are encouraged to enter into formal arrangements with partners, such as community-based non-profit organizations, and faith-based or other community-based organizations. These formal arrangements could be in the form of a contract, a Memorandum of Understanding (MOU), a Memorandum of Agreement (MOA), or a letter of commitment. Such relationships must be established prior to the actual execution of an award or be contingent upon award, becoming effective within 60 days after award.

III. ELIGIBLE APPLICANTS. See the FY2013 **General Section** for additional eligibility

requirements applicable to HUD Programs.

A. Who May Apply:

1. States, cities, counties/parishes, Native American Tribes or other units of local government are eligible to apply for funding under this NOFA. Multiple units of a local government (or multiple local governments) may apply as a consortium; however, a principal (lead) applicant must be identified that will be responsible for ensuring compliance with all requirements specified in this NOFA. Where an application involves multiple entities, each entity must meet the civil rights threshold requirement of *Resolution of Outstanding Civil Rights Matters*. State government and Native American tribal applicants must have an Environmental Protection Agency (EPA) authorized lead-based paint training and certification program (see <http://www.epa.gov/lead/pubs/traincert.htm>).
2. If you are a housing agency, community development corporation or redevelopment authority, or any other entity that is not the executive office or a department of a Native American Tribe, state, city, county/parish, or other unit of local government, you must identify the government of which you are a part, and submit for review the specific statutory and other documents to demonstrate that you are a part of that government, rather than a separate entity. A document publicly posted on the Internet (i.e., without a password or encryption) may be submitted by providing the title and the web address (URL) in place of a scanned version of the document. If the documentation is not available, the above listed agencies are not eligible to apply for funding under this NOFA.

B. Who May Not Apply:

1. **FY2012 Awardees.** Applicants that received an award under the FY2012 NOFA cycle for any of the programs in this NOFA (i.e., the LBPHC or LHRD programs) are not eligible to apply to any program in this NOFA.
2. **Grantees with Performance Deficiencies.** Existing Grantees with the following Performance Deficiencies are not eligible to apply to any program in this NOFA:
 - a. Applicants that have been designated as high risk for any of their existing OHHLHC grants or subgrants at the submission deadline are ineligible for a grant.
 - b. Applicants that have a Red performance designation from the OHHLHC for any existing OHHLHC grant(s) for the two previous consecutive quarters ending on or before the submission deadline are ineligible to apply under this grant program.

C. Cost Sharing or Matching:

1. **Minimum Match Requirement.** Both programs in this NOFA include a statutory match requirement. The chart below describes the match percentage requirement, minimum percentage of federal funds for lead hazard control activities, and maximum administrative cost (as a percentage of federal funds). For LBPHC applicants, the minimum match requirement of 10

percent applies to the federal requested amount, excluding the Healthy Homes Supplemental Request amount. Applications will not be reviewed or funded if they do not meet the minimum statutory match requirement for the program in which the request was made.

2. Matching Funds Evaluation. Applicants must provide clear documentation of the source and use of all eligible match funds. Failure to document match contributions in accordance with the requirements set forth in this NOFA (i.e., documented eligible sources of match funding and eligible uses of match funding) will adversely affect the rating of your application, and may result in your application being deemed ineligible if minimum match requirements are not met.

Match Requirements and Costs			
Program	Minimum Match (of federal request)	Lead Hazard Control Costs	Administrative Costs
Lead Based Paint Hazard Control (CFDA 14.900)	10 percent (excluding the HH Supplemental request)	Minimum 65 percent	Maximum 10 percent
Lead Hazard Reduction Demonstration (CFDA 14.905)	25 percent	Minimum 80 percent	Maximum 10 percent

The Matching Contribution Table provided below is for your reference. In a similar table, indicate the source, proposed eligible uses and amounts of match committed on the SF424 and form HUD-424-CBW. Add additional rows to the table as needed.

Matching Contribution Table.

Eligible Match Source (e.g., CDBG, in-kind, etc.)	Eligible Match Use (e.g., relocation, direct lead hazard control interventions, outreach, etc.)	Match Amount Committed

3. Evidence of match commitment. The applicant must provide documentation of all match indicated on the SF424 and the form HUD-424-CBW by letters of firm commitment, such as Memoranda of Understanding or other signed agreements from those entities identified as partners in the application. Matching contributions must be shown to be used specifically for allowable program costs and come from allowable non-federal sources—both the source of the funds and use of the funds must comply with the requirements of this NOFA. The Department will track and monitor all match commitments according to Office of Management and Budget (OMB) and program requirements.

As noted in the FY2013 **General Section**, applicants should refer to applicable Office of Management and Budget (OMB) circulars, particularly those with respect to the funds used or proposed to be used to satisfy this requirement. Applicants should also note in 24 CFR 85.24, except as provided by Federal statute, a cost sharing or matching requirement may not be met by

costs borne by another federal grant; the source of the match must be state or local (i.e., non-federal). In addition, the proposed use of matching funds must be for those costs allowable under the federal award.

Proposed matching commitments that are not eligible, such as either from funding sources that are federal (e.g. HOME or Weatherization Assistance Program funds) or are not committed for allowable uses (e.g., rehabilitation, code compliance, etc.), will not be counted towards satisfying the match requirements of the programs in this NOFA. **NOTE:** Community Development Block Grant (CDBG) funds are considered local funds and may be used as match to satisfy the matching resource requirements of this NOFA provided they are specifically designated for the activities and costs allowed in this NOFA. In addition, CDBG funds used must be in the CDBG recipient's annual action plan indicating that the CDBG funds were being used for the purpose stated in the applicant's application. HOME funds, and all other funds that prohibit their use to satisfy federal matching requirements, may not be used to satisfy match requirements of this NOFA. All letters of commitment MUST clearly identify the source and proposed uses of matching funds being committed.

4. **Permissible Match Contributions.** Examples of eligible sources that are permissible as match contributions may include:

a. Documentation of Contributions from Property Owners. For the share of the cost of eligible lead hazard control work contributed by a homeowner or landlord, detailed documentation of the cost incurred by the homeowner or landlord will be necessary after award and during the period of performance of the grant. Owner contributions are limited to that which can be supported and verified by a third party, such as materials paid for and provided by the owner or labor that the owner paid and can substantiate via receipts/records. Labor contributed by the owner must be verified by a third party and valued at market rates. **NOTE:** The applicant will be responsible for providing the total amount of the match dollars for proposed contributions from property owners if these contributions are not received during the period of performance of the grant. Match dollars must be provided during the period of performance. Such funds may not come from other OHHLHC funds and must conform to the limitations on use of federal funds for this purpose.

b. Donations. The value of items, such as paint and other materials or equipment that are used for lead-based paint hazard control, must be established at market rates.

c. Discounts. For services or products provided at a discounted rate, the discounted part of the fee or price is the eligible match. For example: if a supply company provides a product to the contractor at a lower rate, the difference in the cost of the product the supplier would typically charge and the discounted rate is an eligible match.

d. Third Party In-Kind Contributions. See 24 CFR 85.24 for additional information on third party in-kind contributions.

D. Other Requirements.

1. Threshold Requirements. Applicants must meet the threshold Requirements in the FY2013 **General Section**, Section III.C.2, as well as the threshold requirements listed in this subsection.

a. Only eligible applications as defined in Section III, Eligible Applicants, above, will be reviewed for compliance with threshold requirements.

b. Applications requesting federal funding over the maximum amount per award for the program to which you are applying (excluding the HH Supplemental Request for LBPHC applicants) will not be eligible for review. Applicants must clearly document the requested federal funding on line 18a of the SF424, Application for Federal Assistance, and the form HUD_424_CBW: HUD Detailed Budget Worksheet including Total Budget.

c. An application must meet or exceed the match percentage requirement for the program they are applying under, as described in Section III.C, Cost Sharing or Matching, above, to be reviewed.

d. Applicants must submit each of the required application documents as indicated in Section IV.B, below, for their applications to meet threshold requirements and be reviewed.

e. Applications must receive a total score of at least 75 points to be considered for funding.

f. Targeted Funding for LHRD Applicants. Applicants seeking funding under the Lead Hazard Reduction Demonstration (LHRD) Grant Program, which is targeted to urban jurisdictions, in addition to the requirements in Section III.A., above, must have at least 3,500 pre-1940 occupied rental housing units (either alone or through a consortium), as listed at the Census website. <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>.

2. Program Requirements.

a. Trained and Certified Professionals. Funded activities must be conducted by persons qualified for the activities according to 24 CFR part 35, subparts B–R (possessing certification as risk assessors, inspectors, abatement supervisors, abatement workers, or sampling technicians; or certified renovator (for workers and supervisors performing non-abatement work), as applicable. Any abatement activities conducted under either of these grant programs require certified abatement supervisor and certified abatement worker credentialing. Each certified person must work for an appropriately certified firm, e.g., a certified risk assessment, certified inspection, certified abatement or certified renovation firm.

b. Compliance with HUD Regulations and Guidelines. Lead hazard evaluation and control work must be conducted in compliance with HUD's Lead Safe Housing Rule, the current HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (current HUD guidelines); http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/lbp/hudguidelines),

and applicable federal, state and local regulations and guidance, including, but not limited to the EPA's Renovation, Repair, and Painting (RRP) Rule (found within 40 CFR 745; see <http://www.epa.gov/lead/pubs/renovation.htm>). You must not engage in the following prohibited practices when conducting Lead Hazard Control work:

- (1) Open flame burning or torching;
- (2) Machine sanding or grinding without a high-efficiency particulate air (HEPA) exhaust control;
- (3) Uncontained hydro blasting or high-pressure washing;
- (4) Abrasive blasting or sandblasting without HEPA exhaust control;
- (5) Heat guns operating above 1,100 degrees Fahrenheit or that char paint;
- (6) Chemical paint strippers containing methylene chloride or other volatile hazardous chemicals in a poorly ventilated space; and
- (7) Dry scraping or dry sanding, except scraping in conjunction with heat guns or around electrical outlets or when treating no more than two square feet in any one interior room or space, or totaling no more than 20 square feet on exterior surfaces.

c. Testing. All testing and sampling shall comply with the Lead Safe Housing Rule and conform to the current HUD guidelines, the EPA lead hazard standards at 40 CFR part 745, and federal, state, or tribal regulations developed as part of the appropriate contractor certification program, whichever is most stringent.

(1) **Lead-Based Paint and Lead-Based Paint Hazard Identification.** A complete lead-based paint inspection, lead hazard risk assessment, and report are required for all properties enrolled under this program. Presumption of the presence of lead-based paint or lead-based paint hazards is not allowed. Paint inspections and risk assessments must follow the procedures as defined in the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing and as defined by the policies of the OHHLHC Lead Based Paint Hazard Control Program.

(2) **Clearance Testing.** If rehabilitation is performed in conjunction with lead hazard control, clearance may be conducted either after the lead hazard control work is completed, and again after any subsequent rehabilitation work is completed, or after all of the lead hazard control and rehabilitation work is completed. In either case, clearance must be successfully completed before re-occupancy.

d. Blood Lead Testing. Each child under six years of age should be tested for lead poisoning within the six months preceding the lead hazard control work. Any child with an elevated blood lead level must be referred for appropriate medical follow-up. The standards for such testing are described in the U.S. Centers for Disease Control and Prevention (CDC) publications *Preventing Lead Poisoning in Young Children (1991)*, and *Screening Young Children for Lead Poisoning: Guidance for State and Local Public Health Officials (1997)*. See also, the [CDC Response to Advisory Committee on Childhood Lead Poisoning Prevention Recommendations in "Low Level Lead Exposure Harms Children: A Renewed Call of Primary Prevention" \(2012\)](#).

e. Cooperation with Related Research and Evaluation. You must cooperate fully with any research or evaluation sponsored by HUD or another government agency associated with this grant program, including preservation of project data and records and compiling requested information in formats provided by the researchers, evaluators or HUD. This also may include

the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in the original proposal. Participant data shall be subject to the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA and the Privacy Rule can be found at <http://www.hhs.gov/ocr/privacy/>. For the programs in this NOFA, HUD does not expect research to be conducted that could affect human subjects.

f. Data Collection. You shall collect, maintain, and provide to HUD the data necessary to document and evaluate grant program outputs and outcomes.

g. Economic Opportunities for Low- and Very Low-Income Persons (Section 3). Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) is applicable to grants funded under this program NOFA (see 24 CFR 135.3(a)(2)(i)). The purpose of Section 3 is to ensure that new training, employment or contracting opportunities created during the grant will be directed to low- and very low-income persons residing in the target area and to eligible businesses that substantially employ and/or train such persons, to the greatest extent feasible. If the grantee plans to hire any new employees or award contracts to carry out the grant, it must comply with the Section 3 requirements found at 24 CFR 135.32. Additionally, any contractor, subcontractor or sub-grantee receiving contracts under the grant totaling more than \$100,000 must comply with the Section 3 requirements for any new training, hiring or sub-contracting opportunities provided under those contracts. Also, all grantees that receive awards exceeding \$200,000 are required to comply with Section 3. Please refer to 24 CFR part 135, subparts B and E, and to Section III.C.4.d of the FY2013 **General Section**, for additional information.

h. Replacing Existing Resources. Funds received under the grant programs covered under this NOFA shall not be used to replace existing community resources dedicated to any ongoing project.

i. Code of Conduct. Prior to entering into a grant agreement with HUD, successful applicants will be required to submit a copy of their organization's Code of Conduct and describe the methods they will use to ensure that all officers, employees, and agents of their organization are aware of their Code of Conduct. An organization that submitted an application during Fiscal Years 2011 or 2012 will not be required to submit another copy provided that their Code of Conduct is current, and is listed on HUD's Code of Conduct website: <http://www.hud.gov/offices/adm/grants/codeofconduct/cconduct.cfm>.

j. Coordination among Critical Agencies. HUD encourages participation in statewide or jurisdiction-wide strategic plans to eliminate childhood lead poisoning as a major public health problem, or to assist in the development of a plan if your state or locality does not have such a plan. Additionally, HUD encourages you to enter into collaborative arrangements with childhood lead poisoning prevention programs, health agencies, housing agencies, community development agencies, weatherization assistance agencies, community-based language assistance organizations, fair housing organizations and code enforcement agencies (or equivalent) for your target area(s). Also, we encourage grantees to work with State Medicaid agencies to collaborate in conducting inspections of properties where a child has an elevated blood lead level.

k. Institutional Review Board (IRB). For the programs in this NOFA, funds should not be used for research that could affect human subjects.

l. Waste Disposal. Applicants must handle waste disposal according to the requirements of the appropriate local, state, and federal regulatory agencies. Applicants must handle disposal of wastes from hazard control activities that contain lead-based paint, but are not classified as hazardous in accordance with state or local law or the current HUD guidelines. The Guidelines are available from the HUD website:

<http://www.hud.gov/offices/lead/lbp/hudguidelines/index.cfm>.

m. Worker Protection Procedures. Applicants must observe the procedures for worker protection established in the current HUD guidelines, as well as the requirements of the Occupational Health and Safety Administration (OSHA) (in particular, 29 CFR 1926.62, Lead Exposure in Construction), or the state or local occupational safety and health regulations, whichever are most protective. If other applicable requirements contain more stringent requirements than the current HUD guidelines, the more rigorous standards must be followed.

n. Temporary Relocation. HUD expects that most temporary displacement (relocation) for lead hazard control work would be for 10 days or less. Assisting temporary relocation of families forced to vacate housing while lead hazard reduction measures are being conducted is an eligible activity of the programs described in this NOFA. Tenant-occupants forced to vacate housing while lead hazard reduction measures are being conducted pursuant to a program described in this NOFA must be treated fairly and equitably. Such tenant-occupants are entitled to receive temporary relocation assistance pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. §§ 4601-4655, as described in regulations at 49 CFR 24.2(a)(9)(ii)(D) and the corresponding Appendix A to Part 24. If temporary relocation of a tenant-occupant lasts beyond one year, such tenant must be offered permanent relocation assistance as a displaced person. Owner-occupants temporarily relocating while lead hazard reduction measures are conducted pursuant to a program described in this NOFA are not entitled to URA relocation assistance. You can access these regulations from the Government Printing Office website at <http://www.gpoaccess.gov/cfr/index.html>. When tenant occupants with physical disabilities are temporarily relocated, they must be offered housing that can be approached, entered, and used by persons with physical disabilities. For additional information on relocation requirements, see section III.C.4.i of the FY2013 **General Section** and HUD Handbook 1378 (—Real Estate Acquisition and Relocation Policy and Guidance).

o. Notification Requirements. All lead-based paint testing results, summaries of lead-based paint hazard control treatments, and clearances must be provided to the owner of the unit, together with a notice describing the owner's legal duty to disclose the results to tenants and buyers (see 24 CFR 35.88 of the Lead Disclosure Rule). Grantees shall ensure that this information is provided in a manner that is effective for persons with disabilities (24 CFR 8.6) and that persons with limited English proficiency (LEP) will have meaningful access to it (see Executive Order 13166 and Section III.C.4.c of the FY2013 **General Section**).

Grant files must contain verifiable evidence of providing lead hazard evaluation and control

reports to owners and tenants, such as a signed and dated receipt. Applicants should also describe how they will provide owners with lead hazard evaluation and control information generated by activities under this grant, so that the owner can comply with the Lead Disclosure Rule (24 CFR part 35, subpart A, or the equivalent 40 CFR part 745, subpart F), the Lead Safe Housing Rule (24 CFR part 35, subparts B–R), and the EPA’s Renovation, Repair, and Painting (RRP) Rule (see 40 CFR 745 and <http://www.epa.gov/lead/pubs/renovation.htm>.)

p. Consolidated Plans.(This requirement does not apply to Native American Tribes whose grant-funded activities are not located in jurisdictions with a Consolidated Plan.) The applicant only needs to provide one Form_HUD2991. By signing the certification, the applicant certifies that the work will be conducted in accordance with their, and other jurisdictions’ Consolidated Plans for areas where the project will be carried out. Applicants must submit, as an attachment, the current lead-based paint element from their approved Consolidated Plan. In lieu of submitting a scanned copy of the lead-based paint element from the current Consolidated Plan, you may substitute a web site address where the Consolidated Plan is located, and identify the location of the lead-based paint element within the Plan (e.g., section/subsection number, page number). The website must contain the lead-based paint element of the current Consolidated Plan. Be sure to verify the web address is active. If you do not include a scanned copy of the lead-based paint element, or if you refer to a web site that is not active or does not contain the element when your application is reviewed, you will receive no credit for this Consolidated Plan requirement. If the jurisdiction does not have a currently approved Consolidated Plan, but is otherwise eligible for LBPHC and LHRD grant programs, you must include the jurisdiction’s abbreviated Consolidated Plan, which includes a lead-based paint hazard control strategy developed in accordance with 24 CFR 91.235.

q. Grantee Required Trainings. Applicants awarded under this NOFA will be required to attend a one time, New Grantee Orientation and an annual Program Manager School. If your grant agreement is not signed prior to the New Grantee Orientation, costs incurred to attend the New Grantee Orientation are allowable in accordance with OMB’s regulation on cost principles for State, local, and Indian tribal governments (2 CFR 225, especially Appendix B to part 225, Selected Items of Cost, sections 31, Pre-award costs, and 43, Travel costs) and selected applicants will be reimbursed for costs related to the new Grantee Orientation after the award agreement is signed. HUD reserves the right to disallow costs that are not reasonable, allowable and allocable in accordance with OMB Cost Principles.

r. Written Policies and Procedures. Awardees will be required to develop written policy and procedures during the start up period of the new award. The policies and procedures should describe how your program will handle items such as, but not limited, to; procurements (contracting), unit eligibility, unit selection and prioritization, all phases of lead hazard evaluation and control, including risk assessments, inspections, development of specifications for contractor bids, pre-hazard control blood lead testing, financing, temporary relocation and clearance examinations. Grantees, sub-contractors, sub-grantees, sub-recipients, and their contractors must adhere to these policies and procedures.

s. Continued Availability of Lead-Safe Housing to Low-Income Families. Units in which lead hazards have been controlled under this program shall be occupied by or continue to be

available to low-income residents as required by Title X (see section VIII.B in this NOFA). The applicant is to describe previous efforts, if applicable, to maintain a registry (listing) of low-income units in which lead hazards have been controlled (often called “lead-safe units”) as a result of previous activities, and plans in conjunction with this grant for continuing an existing registry or establishing a new registry, and procedures for ensuring that these units are affirmatively marketed at turnover targeting low-income families with children less than six years of age.

t. Environmental Requirements.

(1) Recipients of funding under this NOFA must comply with 24 CFR part 58, Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities, and must carry out environmental review responsibilities as a responsible entity under part 58. Recipients must also meet environmental justice requirements noted earlier in the NOFA.

(2) Recipients of funding under this NOFA may conduct lead inspections and risk assessments prior to receiving Environmental Review Clearance under the exemption allowed in 24 CFR 58.34(a)(5), which states that inspections and testing of properties for hazards or defects are exempt activities.

u. Standards for Laboratory Analysis. All laboratory analysis in support of required testing and evaluation under this NOFA must be conducted by a laboratory recognized for the analysis by the EPA National Lead Laboratory Accreditation Program (NLLAP; <http://www.epa.gov/lead/pubs/nllap.htm>.)

v. Control/Elimination Strategies. All lead-based paint hazards identified in housing units and in common areas of multifamily housing enrolled in this grant program must be controlled or eliminated by either of the following strategies or a combination of the two:

(1) **Interim Controls.** In accordance with the current HUD guidelines, interim controls of lead-based paint hazards including lead-contaminated dust and soil in housing must include specialized cleaning techniques to address lead dust.

(2) **Abatement.** Lead-based paint hazard abatement; however, see the restrictions on conducting paint abatement in Section III.D.3.b(2)(b), Lead-Based Paint Abatement, below.

w. Compliance with Section 504 of the Rehabilitation Act. Facilities that may be used where participants may come for assistance (i.e. intake and enrollment proceedings), pursuant to funding from this NOFA, must be held in facilities that are accessible to persons with disabilities in accordance with Section 504 of the Rehabilitation Act and its implementing regulations at 24 CFR Part 8, and with Titles II and III of the Americans with Disabilities Act, as applicable. Also, all trainings and educational courses conducted pursuant to funding from this NOFA must be held in facilities that are accessible to persons with disabilities. Where physical accessibility is not achievable, recipients and sub recipients must give priority to alternative methods of product delivery that offer such activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. § 794) and its implementing regulations at 24 CFR Part 8, and with Titles II and III of the Americans with Disabilities Act, as applicable. Grantees shall also ensure that information and communications related to all activities conducted pursuant to this NOFA must be provided in a

manner that is effective for persons with hearing, visual, and other communication-related disabilities. See 24 CFR 8.6. Further, HUD encourages its funding recipients to adopt the goals and objectives of Section 508 of the Rehabilitation Act by ensuring, whenever electronic information technology (EIT) is used, procured, or developed, that persons with disabilities have access to and use the information and data made available through EIT on a comparable basis as is made available to and used by persons without disabilities. See section III.C.4.f of the **General Section** for more information

x. Other. The requirements above are in addition to all other applicable requirements, including the fair housing and non-discrimination requirements specified in section III.C.4 of the FY 2013 **General Section**.

3. Additional Program Requirements.

a. Allowable Costs and Activities. This section applies to both grant programs unless otherwise specified. For each kind of organization, a set of Federal principles determines allowable costs. Allowable costs shall be in accordance with the cost principles applicable to the organization incurring the costs. Specifically, OMB Circular A-87 (2 CFR 225) - Cost Principles for State, Local, and Indian Tribal Governments, can be accessed at the White House website, <http://www.whitehouse.gov/omb/circulars/index.html>.

b. Lead Hazard Control Direct Costs. Lead hazard control direct costs are defined as costs specifically related to the performance of lead hazard control activities, as defined below. When preparing the budget, you must document how at least 65 percent of the requested grant amount for the Lead-Based Paint Hazard Control Grant program, or at least 80 percent of the requested grant amount for the Lead Hazard Reduction Demonstration Grant Program is dedicated specifically for lead hazard control activities. Lead hazard control activities are defined as:

(1) Performing lead dust, soil and paint-chip testing, lead-based paint inspections, risk assessments, clearance examination, and engineering and architectural activities that are required for, and in direct support of, interim control and lead hazard control work, of eligible housing units constructed prior to 1978 to determine the presence of lead-based paint and/or lead hazards from paint, dust, or soil through the use of acceptable testing procedures.

(2) The control or elimination of all lead-based paint hazards identified in housing units and in common areas of multi-family housing by either of the following strategies (or a combination), including:

(a) Interim Controls. According to the current HUD guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (“current HUD guidelines”), interim controls of lead-based paint hazards (including paint-lead hazards, dust-lead hazards and soil-lead hazards) in housing must include specialized cleaning techniques to address associated lead dust. See Chapter 11 of the current HUD guidelines for more information (<http://www.hud.gov/offices/lead/lbp/hudguidelines/Ch11.pdf>).

(b) Lead-Based Paint Abatement. Abatement of all lead-based paint is generally authorized only in states or localities that require complete abatement by law. HUD does not consider abatement of all lead-based paint to be cost effective in most circumstances; therefore, a grantee must make a special request in writing prior to conducting complete abatement of lead-based paint. Abatement of lead-contaminated soil should be limited to areas with bare soil in the immediate vicinity of the structure (i.e., the drip line or foundation of the unit being treated, and children’s play areas).

(3) Undertaking minimal housing intervention activities that are specifically required to carry out effective hazard control, and without which the hazard control could not be completed, maintained, and sustained. Refer to HUD Policy Guidance 2008-02 on the OHHLHC website (http://www.hud.gov/offices/lead/library/lead/PGI-2008-02_Doing_Minimal_Rehab.pdf) for further information on minimal rehabilitation activities.

(4) Carrying out temporary relocation for temporarily displaced families and individuals while the remediation is conducted and until the time the affected unit receives clearance for re-occupancy. When persons with physical disabilities are temporarily relocated, they must be offered housing that can be approached, entered, and used by persons with physical disabilities. For additional information on temporary relocation requirements, see Section III.D.2.n of this NOFA. HUD expects that most temporary relocation for lead hazard control work would be for 10 days or less.

(5) Lead Hazard Control-Specific Soft Project Costs. Activities that directly support the undertaking of lead hazard control activities, and without such support activities, the lead hazard control activities could not be conducted. These soft project costs may include: staff costs for intake, review and approval of applications and preparation of documents to be signed by applicants for lead remediation work; staff costs for arranging for temporary relocation; staff costs associated with reimbursement, and providing assistance to residents in relation to lead hazard control; and travel for staff that perform lead hazard control.

c. Other Allowable Direct Costs. Costs for the activities below are allowable Direct Costs, but should not be counted as Lead Hazard Control Direct Costs:

(1) Purchasing or Leasing Equipment Having a Per-Unit Cost under \$5,000. Award recipients that purchase X-ray fluorescence (XRF) analyzers or other equipment in excess of \$5,000 apiece must complete the General Services Administration's annual Tangible Personal Property Report, if and after that report receives OMB approval under the Paperwork Reduction Act of 1995 (see 75 Federal Register 14441-14442; March 25, 2010). This report has four components: the Annual Report, the Final (Award Closeout) Report, and the Disposition Report/Request, and, if needed, the Supplemental Sheet (see http://www.whitehouse.gov/omb/grants_standard_report_forms). Generally, the average estimated time to complete each of these components is 0.5 hours; it is likely to be less for this grant program.

(2) Performing blood lead testing or air sampling to protect the health of the hazard control workers, supervisors, and contractors.

(3) Conducting targeted outreach, affirmative marketing, education or outreach programs on lead hazard control and lead poisoning prevention that will result in increased lead hazard control activities or that are designed to increase the ability of the program to deliver lead hazard control services, including educating owners of rental properties, tenants, and others on the Residential Lead-Based Paint Hazard Reduction Act, Lead Safe Housing Rule (24 CFR part 35, subparts BR), and applicable provisions of the Fair Housing Act, especially as it pertains to familial status (e.g., families with children) and disability discrimination, providing meaningful access to these program benefits and information to Limited English Proficient (LEP) individuals through language assistance strategies and services, in accordance with Title VI of the Civil Rights Act of 1964 and the *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* published on January 22, 2007 in the *Federal Register* (72 FR 2732)

(for more information, see section III.C.4.c of the FY2013 **General Section**), and providing training on lead-safe maintenance and renovation practices and management. Upon request, this also would include making all materials available in alternative formats to persons with disabilities (e.g., Braille, audio, and large type) pursuant to 24 CFR Part 8.6(b) and Titles II and III of the Americans with Disabilities Act, as applicable. Also, a registry of lead-safe units should be developed and provided to families as part of the outreach program.

(4) Supporting data collection, analysis, and evaluation of grant program activities. This includes compiling and delivering such data as may be required by HUD.

(5) Providing resources to build capacity for lead-safe housing and lead hazard control, including free delivery of HUD-approved lead-safe work practices training courses for housing rehabilitation contractors, rehabilitation workers, renovators, remodelers, homeowners, renters, painters, maintenance staff, and others conducting renovation, rehabilitation, maintenance, hazard control, or other work in private housing; free delivery of lead sampling technician training, lead-based paint worker or contractor certification training; subsidies for licensing or certification fees to low-income persons seeking credentials as lead-based paint workers or contractors, lead sampling technicians or certified renovators; and completion of other HUD-approved courses that further the effectiveness of lead hazard control interventions or promote the integration of this grant program with housing rehabilitation, property maintenance, weatherization, healthy homes initiatives, and housing-related health hazard interventions, such as the Essentials for Healthy Homes Practitioners Course.

(6) Conducting planning, coordination, and training activities to comply with HUD's Lead Safe Housing Rule (24 CFR part 35, subparts B-R). These activities should support the expansion of a workforce properly trained in lead-safe work practices that is available to conduct interim controls on HUD-assisted housing covered by these regulations.

d. Lead Hazard Control Indirect Costs.

(1) Administrative Costs. Applicants can utilize up to 10 percent of HUD funds for payments of reasonable grant administrative costs related to planning and executing the project, preparation/submission of HUD reports, etc. Administrative costs must be reflected under the appropriate line items (e.g., salaries, fringe, supplies, etc., of the Form HUD 424CBW) and a detailed cost element breakdown in the budget narrative must be provided. Detailed explanations of these costs are provided in the OMB Cost Principles circulars (A-21 Cost Principles for Educational Institutions codified in 2 CFR Part 220 and found at http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr220_main_02.tpl; A-87 Cost Principles for State, Local, and Indian Tribal Governments, codified in 2 CFR Part 225 and found at http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr225_main_02.tpl; and A-122 Cost Principles for Non-profit Organizations, codified in 2 CFR Part 230 and found at http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr230_main_02.tpl).

e. Funding Restrictions.

(1) Administrative Costs. Administrative costs may not exceed 10 percent of the grant award.

(2) Ineligible Costs and Activities. You may not use grant funds for any of the

following activities:

- (a) Purchase of real property.
- (b) Purchase or lease of equipment having a per-unit cost in excess of \$5,000, except for the purchase or lease of up to two X-ray fluorescence analyzers to be used exclusively by the grant program.
- (c) Chelation or other medical treatment costs related to children with elevated blood lead levels (EBLs). Non-federal funds used to cover these costs may not be counted as part of the matching contribution.
- (d) Lead hazard evaluation or control activities in publicly-owned housing, or project-based Section 8 housing (this housing stock is not eligible under Section 1011(a) of the Lead-Based Paint Hazard Reduction Act).
- (e) Lead hazard evaluation or control activities in rental housing covered by a pending or final HUD, EPA, and/or Department of Justice settlement agreement, consent decree, court order or other similar action regarding violation of the Lead Disclosure Rule (24 CFR part 35, Subpart A, or the equivalent 40 CFR part 745, subpart F), or by HUD regarding the Lead Safe Housing Rule (24 CFR part 35, subparts B–R).
- (f) Activities that do not comply with the Coastal Barrier Resources Act (16 U.S.C. § 3501)
- (g) Lead-hazard control or rehabilitation of a building or manufactured home that is located in an area identified by the Federal Emergency Management Agency (FEMA) under the Flood Disaster Protection Act of 1973 (42 U.S.C. §§ 4001– 4128) as having special flood hazards unless:
 - i. The community in which the area is situated is participating in the National Flood Insurance Program in accordance with the applicable regulations (44 CFR parts 59–79), or less than a year has passed since FEMA notification regarding these hazards; and
 - ii. Where the community is participating in the National Flood Insurance Program, flood insurance on the property is obtained in accordance with section 102(a) of the Flood Disaster Protection Act (42 U.S.C. § 4012a(a)). You are responsible for assuring that flood insurance is obtained and maintained for the appropriate amount and term.
- (h) Demolition of housing units or detached buildings as a means of lead hazard control and/or the replacement of such structures.

IV. APPLICATION AND SUBMISSION INFORMATION

A. Address to Request Application Package:

See the FY2013 **General Section** for specific procedures concerning the electronic application submission requirements. The application and instructions are available at http://www.grants.gov/applicants/apply_for_grants.jsp. Applicants that have difficulty accessing the information may call the help desk help line at 800-518-GRANTS or e-mail support@grants.gov. Hearing- or speech-impaired individuals may access this telephone number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

B. Content and Form of Application Submission:

Applicants eligible to apply under this NOFA must follow the submission requirements described below:

1. Complete Application Format.

a. Standard Form 424 (SF424) Application for Federal Assistance. Applicants must include the nine digit zip code—zip code plus four digits—associated with the applicant address in box 8d of the SF424. Applicant contributions reported on the SF424 in lines 18b-f should correspond to what is reported on the Form HUD_424_CBW: HUD Detailed Budget Worksheet. Failure to adequately and accurately document matching contributions will adversely affect the threshold evaluation of your application. (See Instructions to SF424)

b. Form HUD_424_CBW: HUD Detailed Budget Worksheet including Total Budget (Federal Share and Match Commitment) and Budget Justification Narrative. Failure to satisfy minimum eligible matching fund requirements for the program for which you are applying will disqualify the applicant (See Section III.C, Cost Sharing or Matching, for additional information on match resources).

c. Abstract. A 2 page abstract shall contain the information detailed below:

(1) Applicants should specify what program in the NOFA you are applying for grant funds under (LBPHC or LHRD);

(2) Indicate if the applicant is a new applicant or a current/prior grantee under any program in this NOFA; if a current or prior grantee, list the fiscal year and program of each award and grant award number; and,

(3) For LBPHC applicants, indicate in the narrative whether the application includes a request for the promotion and development of healthy housing intervention funding (as per Section I.A.1), the amount of funding being requested and a discussion of the proposed uses of the Healthy Homes Supplemental request.

d. Narrative Response. The narrative to the Rating Factors is limited to a maximum of 40 pages (excluding appendices, budget forms/narrative, and worksheets) of size 8-1/2 x 11 using a 12-point (minimum) Times New Roman font, double-spaced, with margins not less than 1 inch on all sides. While the 40-page rating factor response does not include attachments, tables, appendices, and other required forms, the applicant should not rely on excessive appendices to address the rating factors – this information should be clearly described in the rating factor narrative. Applicants should be aware that any narrative information submitted in response to the Rating Factors that exceeds the 40-page limit will not be reviewed.

e. Budget Narrative. This section should include a brief budget narrative providing details on administrative costs (maximum of 10 percent of the federal requested amount—excluding Healthy Homes Supplemental request amount for LBPHC applicants making the request), staffing costs and details on which costs are included in the 65 percent (LBPHC) or 80 percent (LHRD) direct lead hazard control minimum cost requirement. Include a description of how the healthy housing initiative funding will be allocated including the number of housing units affected.

f. Form HUD2991 Certification of Consistency with the Consolidated Plan.

Form HUD2991 Certification of Consistency with the Consolidated Plan (and references to need for lead-based paint treatment in the Analysis of Impediments to Fair Housing Choice (AI)). Tribal government applicants are exempt from this requirement.

g. Consolidated Plan Lead-Based Paint Element. Copy of Consolidated Plan's Lead-Based

Paint Element (or link to website identifying where the Lead-Based Paint Element can be found). Tribal government applicants are exempt from this requirement.

h. Appendices. Materials provided in the appendices should directly refer to the specific rating factor narrative. Material provided in the appendices must support narrative information but will not be used in lieu of information provided in response to the Rating Factors. Applicants are strongly urged to not submit information that is not required and/or requested in the NOFA or relevant to a specific narrative response. All attachments must identify the related Rating Factor in the footer by providing the Rating Factor and the page number (e.g., Factor 1 Attachment, page 1).

i. Other Application Materials (as applicable):

(1) Form HUD_2995_Certification of Consistency with Sustainable Communities Planning and Implementation. If applicable. Please refer to the FY2013 **General Section** for information regarding your eligibility to receive Bonus Points in accordance with the Preferred Sustainable Communities Status Bonus Points.

(2) Form HUD2880_Applicant-Recipient_Disclosure-Update_Report

(3) SFLLL_Disclosure_of_Lobbying_Activities. If not applicable, indicate “not applicable” on the form.

C. Receipt Dates and Times.

1. Deadline Date. The application deadline is 11:59:59 p.m. eastern time on **February 4, 2013**. Applications must be received by Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date. HUD may modify the due date for this Notice to the extent a final appropriations bill for FY2013 is enacted. HUD will issue a technical correction to the NOFA if appropriations are enacted that require HUD to modify the funding criteria or application requirements, or if HUD determines that adjustments to estimated award amounts or timelines are necessary. Any such technical correction will provide detailed instructions for applicants to permit them to resubmit the application to address the revised NOFA requirements.

2. Only One Application. Only one application will be accepted from any given organization under this NOFA (i.e., apply to either the LBPHC grant program or the LHRD grant program, but not both). If more than one application is received from an organization, the application that was received last in accordance with the timely receipt requirements will be the one reviewed by HUD.

3. Applicants are encouraged to submit their application early to Grants.gov.

4. Please see the FY2013 **General Section** for instructions for timely receipt, including actions to take if the application is rejected. Applicants should carefully read the section titled INSTRUCTIONS ON HOW TO DOWNLOAD APPLICATION PACKAGE AND APPLICATION INSTRUCTIONS in the FY2013 **General Section** that contains information on using Adobe Reader, HUD’s timely receipt policies, and other application information.

D. Intergovernmental Review. Not required.

E. Other Submission Requirements.

1. Applications must be submitted via the [Grants.gov](http://www.grants.gov) website at http://www.grants.gov/applicants/apply_for_grants.jsp and be received no later than the established submission deadline date and time. See the FY2013 **General Section** for further information. Applicants interested in applying for funding under this NOFA must submit their applications electronically, unless they have requested and been granted a waiver from the electronic submission requirement. Applicants must submit their electronic submission waiver requests in writing using email. Electronic submission waiver requests must be submitted no later than 15 days prior to the application deadline date and must be submitted to Michelle.M.Miller@HUD.gov. If the applicant is granted an electronic submission waiver, the notification will provide instructions on where and to whom to submit the application, and how many copies are required. Paper copy applications must be received by 3:59:59 PM eastern time on the submission deadline date. All times for receipt of applications are Eastern Time. In the event that the OHHLHC office or HUD's Weaver Building is closed due to unforeseen circumstances on the application due date, HUD will issue a technical correction and extend the deadline due to the problem. HUD will not accept a paper application without an electronic submission waiver being granted. See the FY2013 **General Section** for detailed submission and timely receipt instructions.

2. **Address for Submitting Applications.** See the FY2013 **General Section** for specific procedures concerning the electronic application submission requirements. The application and instructions are available at http://www.grants.gov/applicants/apply_for_grants.jsp. Applicants who have difficulty accessing the information may call the help desk help line at 800-518-GRANTS or e-mail support@grants.gov. Hearing- or speech-impaired individuals may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

V. APPLICATION REVIEW INFORMATION

A. Criteria. The following section applies to all applicants unless otherwise specified.

1. Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 points maximum for all applicants)

If you have not had a LBPHC or LHRD grant (even though you may have been a subgrantee), or your most recent LBPHC or LHRD grant had a period of performance ending before October 1, 2005, respond to subparagraphs a and b of this Section V.A.1. If you had or have an LBPHC or LHRD grant with a period of performance ending before October 1, 2005, respond to subparagraph c of this Section V.A.1.

a. Capacity of the Applicant (only for applicants that have not had a LBPHC or LHRD grant, or whose most recent LBPHC or LHRD grant had a period of performance ending before October 1, 2005; 10 points).

The applicant must demonstrate that its organization has sufficient qualified personnel or will actively retain qualified experts or professionals and is prepared to perform lead-based paint hazard evaluation, lead-based paint hazard control intervention work, and other proposed activities within 60 days of the grant award to successfully implement and complete the project.

(1) Key Personnel. Key personnel must include, at a minimum, a Project Director (PD) and a Program Manager (PM). Unless financial management of the grant falls under the responsibility of the PD or PM, the applicant should also identify the person responsible for the financial management of the grant. The applicant must provide resumes, no longer than 3 pages, of the key personnel and job descriptions for planned key personnel, including the person responsible for the financial management of the grant. You must describe the roles and responsibilities of each key personnel for the project. Please do not include the Social Security Numbers (SSN) of any person. The day-to-day Program Manager must be experienced in housing rehabilitation, lead hazard control, or other work related to the project. The Program Manager should have demonstrated project management experience and must dedicate at least 75 percent of his/her time for the proposed project. If you have not yet hired a Program Manager, please include the job announcement for this position as an Appendix to your application. Applications that propose key personnel that do not meet the minimum qualifications described above will not receive full points under this subfactor.

In addition, to receive full points under this subfactor, you must address the following in your application:

(a) List and describe sub-grantees, sub-contractor organizations, sub-recipients and consultants that will provide services and carry out critical activities for the proposed grant program,

(b) Detail each sub-entity's experience in initiating and implementing related environmental, health, or housing projects,

(c) List the key personnel from each sub-entity organization and their respective roles and responsibilities, and

(d) Provide the percentage of time commitment to the proposed program for all key personnel identified.

(2) Program Administration. Describe how the program will be administered. Include details on how oversight and financial management will be conducted. Provide details on contract administration and how funding will flow from the grantee to those who will perform work under the proposed program. Also describe how routine monitoring of all sub-grantees and vendors (contractors) will ensure conformity to the terms, conditions and specifications of contracts or other formal agreements and requirements, and the requirements found in this NOFA. Applicants that do not describe significant experience providing oversight and management of federal and state grant programs, including financial management, in addressing childhood lead poisoning will not receive full points. Past performance in the administration of federal grants will also be considered.

(3) Engagement with External Agencies. Describe your involvement in coordination among critical agencies, including participation in the statewide or jurisdiction-wide strategic plan to eliminate childhood lead poisoning as a major health problem. Applicants that do not describe strong engagement with external agencies in addressing childhood lead poisoning will not receive full points. Past performance in the coordination among external agencies will also be considered.

(4) Engagement with Other Organizations. Describe the proposed involvement of grassroots community-based non-profit organizations, including faith-based organizations, in the program activities. These activities may include outreach, community education, marketing, and lead-based paint inspections/risk assessments and lead hazard control work. Applicants that do not describe strong engagement with external non-profit organizations in addressing childhood

lead poisoning will not receive full points. Past performance in the coordination among non-profit organizations will also be considered.

b. Relevant Organization Experience (only for applicants that have not had a LBPHC or LHRD grant, or whose most recent LBPHC or LHRD grant had a period of performance ending before October 1, 2005; 10 points).

1) Describe the organization's prior experience in initiating and implementing lead hazard control or related environmental, health or housing programs. Include information that lists the relevant and most recent experience (last three years) in initiating and implementing lead hazard control or related environmental, health or housing projects. Applicants that do not describe strong prior experience in initiating and implementing lead hazard control or related environmental, health or housing programs will not receive full points.

2) Provide examples of relevant programs that the organization currently manages or has previously managed within the past three years (e.g., Community Development Block Grant (CDBG) Housing Rehabilitation, Childhood Lead Poisoning Prevention Program, Healthy Homes Demonstration, Weatherization, etc). Applicants that do not describe prior successful experience in initiating and implementing lead hazard control or related environmental, health or housing programs will not receive full points.

c. Capacity and Relevant Organization Experience (only for current LBPHC or LHRD grantees, or applicants with a prior LBPHC or LHRD grant having a period of performance ending on or after October 1, 2005; 20 points).

(1) The applicant must provide a description of the organization's progress and performance implementing the most recent grant award including the total number of housing units enrolled, assessed, and completed and cleared as a result of program efforts. The OHHLHC will review performance under the most recent OHHLHC grant award(s), as a current or previous grantee, to evaluate capacity and relevant organization experience. The applicant must also describe outcomes, capacity building efforts and impediments experienced during previous program(s). Applicants with a documented history of implementation, compliance or performance deficiencies will not receive full points (**10 points**).

(2) Describe and provide data demonstrating positive contributions to the community, supplemented with specific examples if necessary, and indicate what activities were undertaken to develop, enhance or expand the local infrastructure through collaboration. Applicants that do not describe meaningful and documented positive impacts and infrastructure development will not receive full points (**2 points**).

(3) The applicant must provide resumes, no longer than 3 pages, for the key personnel and job descriptions for planned key personnel, including the person responsible for the financial management of the grant. You must describe the roles and responsibilities of each key personnel for the project. The Program Manager must have demonstrated experience in project management, housing rehabilitation, and lead hazard control and must dedicate at least 75 percent of his/her time for this proposed project. **NOTE:** If you have a current grant from OHHLHC, you must describe how both grants will be managed, given that each grant requires at least 75 percent of the Program Manager's time per grant. An additional Program Manager should be retained. The applicant will be required to periodically submit timesheets documenting the Program Manager's time commitment. If you have not yet hired a Program Manager, please include the job announcement for this position as an Appendix to your

application. **(5 points).**

(4) Current Lead-Based Paint Hazard Control grantees must also describe their plans to concurrently implement lead hazard control activities under this NOFA with other ongoing, as applicable, Lead-Based Paint Hazard Control grant program funds, especially in describing the time frame in which concurrent grant programs will be conducted, in allocating staff and other program costs or resources for all Lead-Based Paint Hazard Control grant program funds, and describing the safeguards in place to avoid co-mingling of funds while performing the new grant concurrently with existing Lead-Based Paint Hazard Control grant work. Similarly, applicants performing lead hazard control work under other programs, whether funded by HUD, other federal agencies, or other sources, must describe the safeguards in place to avoid commingling of funds **(3 points).**

2. Rating Factor 2: Need/Extent of the Problem (15 points for all applicants).

Applicants will be scored in this rating factor based on documented need as evidenced by the submission of the most current, thorough, credible, and appropriate data and information. There must be a direct and substantial relationship between the proposed lead hazard control activities, the Consolidated Plan's lead-based paint element, and documented community needs. The data submitted in response to this rating factor will be verified using data available from the Census, HUD USER, and other data available to HUD and CDC and the applicant should indicate what source of data is being used. Applicants should ensure that the current residents of the target area, whose demographic characteristics constitute the data for this rating factor, are the individuals and families that should receive priority for the benefits of the funded programs and this should be addressed in the remainder of the application.

Points will be awarded in this rating factor based on the applicant's response to the information requested below. Please provide data responses in simple table format. **(NOTE:** Data should be provided that is within the jurisdiction/target area – do not provide data that overlaps into another jurisdiction unless you specify that jurisdiction/target level data is not available).

a. Population data. (5 points maximum).

- (1) Total population of the Target Area,
- (2) Total population under the age of six (6),
- (3) Number and percentage of population under the age of six (6) with an elevated blood lead level, and,
- (4) Area Median Income, percentage of population at or below 80 percent of the area median income level, and percentage of population at or below 50 percent of the area median income level.

b. Housing data. (5 points maximum).

- (1) Number of housing units built before 1978,
- (2) Number of housing units built before 1940 (for LHRD applicants), and,
- (3) Number and percentage of housing units that are rental and owner occupied.

c. Other Factors Contributing to Need. (5 points maximum).

- (1) Unemployment rate of the target area or the metropolitan area that encompasses the target area,
- (2) Number and percentage of children/families receiving Medicaid benefits in the target

area,

(3) Number and percentage of families receiving assistance through the Women, Infants, and Children (WIC) program, Head Start, or the Supplemental Nutrition Assistance Program, and,

(4) Data in the Consolidated Plan and Lead Based Paint Element.

3. Rating Factor 3: Soundness of Approach. (55 points maximum for all applicants)

The activities supported by the grant programs of the OHHLHC represent some of the most important elements of the national effort to achieve the goal of eliminating childhood lead poisoning as a major public health problem, and to respond to other important housing-related health hazards. The degree of success achieved by grantees will significantly shape the success of the national effort. This factor addresses the quality and cost-effectiveness of your proposed work plan. In general, there are four key stages in the life of a grant: application, start-up, implementation, and close-out. You must describe in detail your work plan to address start-up and implementation phases of the grant that includes specific, measurable and time-phased objectives for each major program activity. Your response to this factor must include the elements described below in the program description.

Applicants will be rated on: (a) the documented ability to implement the work plan; and (b) the quality of their work plan, including identifying specific, measurable, and time-phased objectives for each major program activity that reflect benchmark performance standards for unit evaluation, unit enrollment, unit production, LOCCS draw down, community outreach and education, skills training, and other activities. Proposed benchmarks should be included in a table as part of the narrative. This information is also required for Factor 5.

a. Lead Hazard Control Work Plan Strategy (25 points maximum for all applicants).

Applicants will be evaluated on describing the overall strategy for conducting lead hazard reduction work, including specific work plan goals and a time-phased strategy to complete work within the 36-month period of performance. Applicants should describe the methods, including schedule and milestones that will be used to identify and control lead-based paint hazards and how the desired project benchmarks will be achieved. The work plan should include information about the estimated numbers of families to be contacted, units enrolled, units to receive paint inspections/risk assessments, units to receive lead hazard control work, and individuals/groups to be reached through education and/or outreach activities and the number of individuals trained. Applicants should discuss how education, training, outreach, and intake activities will be conducted in a manner that ensures effective communication to persons with disabilities and meaningful access to those opportunities for LEP individuals.

Applicants must provide estimates for the number of units to receive lead hazard control work that are obtainable based on your capacity and expected accomplishments. Unit completion estimates should consider potential impediments and unforeseen delays, remembering that, if awarded a grant, grantees are held to production commitments. Applicants should describe the

start-up and implementation phases of the proposed program. Applicants should describe program start-up activities during the first 60 days of the grant (hiring/training staff, establishing qualified contractor pool, written policies and procedures, environmental review procedures, and plans for implementing outreach/education and unit enrollment activities). Applicants should provide information about internal and external capacity-building steps necessary to ensure a smooth and timely start-up phase.

Outreach, Recruitment, Intake, Enrollment, Unit/Income Eligibility. Applicants must describe the methods and strategies, including the individuals and/or sub-grantees, sub-recipients or contractors responsible for affirmative marketing and outreach to those least likely to benefit from the program without such outreach, to other intended target area(s) and/or residents, including recruitment and enrollment activities, to supply the program with sufficient numbers of eligible units within an established timeframe (see Sections III.C.5.c and III.C.5.b of the **General Section** for more information on how to conduct these marketing and outreach activities in accordance with Limited English Proficient guidelines and affirmatively furthering fair housing obligations specific to marketing and outreach activities, respectively). Describe measures the program will take to sustain recruitment and identify the staff responsible for both monitoring recruitment activities and implementing the measures identified to sustain recruitment.

(1) Coordination. Applicants must discuss the coordination with State and local housing agencies, health or childcare providers, State Medicaid agencies, or other partner organizations. Applicants should describe how referrals from the Section 8, Housing Choice Voucher program and other agencies that provide assistance to low-income households with children (including CDBG, HOME Investment Partnerships Program-funded housing programs, weatherization, health departments or other sources) will be received and processed.

(2) Selection/Prioritization/Enrollment of Units. Applicants must describe how eligible housing units will be identified, selected, prioritized and enrolled, especially those known to house children with an elevated blood lead level. Applicants should include the estimated number of eligible privately-owned housing units to be enrolled, including owner-occupied, rental, vacant, single and/or multi-family units.

(3) Planned Approach. Applicants must describe the planned approach to control lead-based paint hazards in vacant and/or occupied units where children are present but have not been identified with an elevated blood lead level and how these units will be prioritized.

(4) Compliance with HIPAA. Applicants must explain how data will be obtained, and secured once obtained, from state and/or local health departments, Childhood Lead Poisoning Prevention Programs (CLPPP) and other health care agencies (if applicable) for purposes of recruiting and enrolling housing units, especially on housing units in which children have been identified as having an elevated blood lead level.

b. Technical Approach/Lead Hazard Control Interventions (15 points maximum).

Applicants will be evaluated on the proposed technical approach for evaluating and controlling lead-based paint hazards (and associated costs), including the approach for testing units for lead-based paint hazards, conducting blood-lead testing of children in enrolled units, performing lead hazard control interventions and associated hazard reduction strategies, occupant protection, and temporary displacement (relocation). Applicants should describe the number of single and

multi-family units that will be treated and proposed lead hazard control intervention for each, if this will vary. Applicants should describe the strategy to ensure that the units are maintained lead safe after clearance is achieved. **NOTE:** In selecting lead hazard control interventions, applicants should consider several factors: the relative costs and durability of the treatments, the characteristics of the unit, and the condition and projected durability of the component(s) treated. Applicants should choose appropriate control methods using best judgment in each case. However, complete abatement of all lead-based painted surfaces in units is not generally a cost effective strategy and is discouraged in these programs. In cases where only a few surfaces have identified lead-based paint hazards and complete paint abatement is therefore cost-effective, grantees must provide a detailed rationale for selecting complete paint abatement as a strategy. Applicants are encouraged to review the National Evaluation of lead hazard control methods provided at <http://www.hud.gov/offices/lead/library/misc/NatEval.pdf>.

(1) Sequencing Key Program Activities.

(a) Schedule. Applicants should provide a realistic schedule for completing key program activities and outputs by calendar quarter, so that all activities and outputs can be completed before or within the grant period of performance. Key production activities include unit enrollment, lead-based paint inspection and risk assessments, hazard control and clearance of units. In addition, applicants should describe the estimated timeframe for treating a typical unit from referral and intake to hazard control and clearance. Applicants should explain how the program will accommodate emergency referrals (e.g., units occupied by a child under six years of age with an EBL).

(b) Production Process. Applicants should describe the production process from intake to unit completion/clearance and follow-up testing (if applicable), including identifying the agency/person responsible for each phase, the timeline to complete each phase and how monitoring will be performed to both prevent and resolve production impediments.

(c) Intake, Enrollment, Unit/Income Eligibility. Applicants should describe the process to determine unit and income eligibility, prioritization scheduling of paint inspection/risk assessments, and enrolling units in the program. Applicants should discuss the lead hazard control financing strategy (i.e., the type of assistance - grants, deferred/forgivable loans, etc), including verification of income eligibility requirements, terms, conditions, dollar limits, amounts available for lead hazard control work in the various categories of housing (e.g., single-family, multi-family, vacant, owner or tenant-occupied), who is responsible for establishing, administering and overseeing this aspect of the program, and the role of other resources such as private sector financing and matching, if any, from rental property owners. Applicants should describe how the recapture of grant or loan funds to owners of assisted units will occur if recipients fail to comply with any terms and conditions of the financing arrangement (e.g., failure to comply with fair housing and civil rights requirements, affordability, affirmative marketing and providing priority to renting units to families with children under six years of age, sale of property requirements, etc.)

(2) Blood Lead Testing Prior to Lead Hazard Control Work. Applicants should describe the methods, measures and cost for performing blood lead testing of children less than six years of age and efforts to perform blood lead testing of children within the target area(s) and other screening efforts. Applicants should describe how all children less than six years of age who occupy units to be assisted with lead hazard control work will receive blood lead testing within six months before commencement of lead hazard control work on the unit, except when a

parent or guardian chooses to decline such testing of the child.

Applicants should identify the individual responsible to ensure that children identified with an elevated blood-lead level are referred to appropriate medical care and how patient confidentiality will be maintained and the security of medical information will be protected in accordance with HIPAA.

(3) Paint Inspection/Risk Assessment. Applicants should describe testing methods, schedules, and estimated costs for lead-based paint inspections, risk assessments and clearance examinations. If applicants propose to use a more restrictive standard than the HUD/EPA thresholds, applicants should provide the standard(s) that will be used. All testing shall be performed in accordance with applicable regulations. Applicants should also describe how they will provide owners with lead hazard evaluation and control information generated by activities under this grant, so that the owner can comply with the Lead Disclosure Rule (24 CFR part 35, subpart A, or the equivalent 40 CFR part 745, subpart F) and the Lead Safe Housing Rule (24 CFR part 35, subparts B–R).

(4) Lead Hazard Control Work Specification Development Process. Applicants should describe the process for developing the work specifications, and the lead hazard control contractor bid and selection process for properties enrolled for lead hazard control work, and indicate the individual or entity responsible for this ensuring the integrity of this process.

(5) Lead Hazard Control Interventions. Applicants should describe the interim control and hazard abatement methods to be used (include average cost estimates for units to receive lead hazard control work). Applicants should describe how contractors, property owners and maintenance personnel performing interim controls and lead hazard abatement work will be properly trained and/or certified, and how work will be monitored and supervised to ensure that contractors perform work of acceptable quality in compliance with work specifications and applicable federal/state/local regulations, including, but not limited to HUD's Lead Safe Housing Rule and the EPA's Renovation, Repair, and Painting (RRP) Rule (found within 40 CFR 745; see <http://www.epa.gov/lead/pubs/renovation.htm>).

Applicants should describe the coordination of relevant lead hazard control activities with rehabilitation, weatherization, healthy homes initiatives, and other housing improvement activities. Applicants should describe the sequencing of the work done in conjunction with lead hazard control.

(6) Temporary Relocation. HUD expects that most temporary relocation for lead hazard control work would be for 10 days or less. Assisting temporary relocation of families forced to vacate while lead hazard reduction measures are being conducted is an eligible activity for which funding under the programs described in this NOFA may be used. (See section III.C.2.n, Temporary Relocation). Applicants should describe plans for the relocation of occupants of units selected for remediation if temporary relocation is necessary. If temporary relocation is necessary, applicants should describe the process (e.g., the uses of lead-safe houses and other lead-safe housing arrangements, storage of household goods, incentives, etc.), and the source of funding for relocation. Applicants should describe plans for ensuring the right of return and/or first referral of occupants who have had to be temporarily relocated for the lead hazard control work to be performed, and should also describe plans for ensuring the accessibility of relocation or replacement housing for persons with disabilities in accordance with Section 504, and its implementing regulations at 24 CFR Part 8, and with Titles II and III of the Americans with Disabilities Act, as applicable, and HUD requirements. If temporary relocation is not necessary, applicants should describe measures to protect the occupants during

remediation.

(7) Occupant Protection Measures. If temporary relocation is not necessary, applicants should describe measures to protect the occupants during remediation.

(8) Clearance Examinations. Applicants should describe the timeline for completing clearance examinations and related processes (i.e., laboratory analysis, receipt of test results and re-occupancy of unit or area). Applicants should describe the responsibility and payment of additional costs if a unit does not meet the clearance standards for re-occupancy.

(9) Post-Lead Hazard Control Maintenance of Units. Applicants should describe how the unit will be monitored and evaluated to ensure that units comply with the terms and conditions of the financing of the work and that the unit remains lead safe.

(10) Lead-Safe Housing Registry-Availability of Lead-Safe Housing to Low-Income Families. Applicants should describe how units in which lead-based paint hazards have been controlled under the program shall be occupied by, or continue to be available to low-income residents as required by Title X (see section VIII.B in this NOFA), and any plans to increase the length of use restrictions above and beyond the three years mandated by law. Applicants should describe efforts to either develop or maintain a registry (listing) of low-income units in which lead-based paint hazards have been controlled (“lead-safe units”) as well as procedures for ensuring that these units are affirmatively marketed at turnover targeting low-income families with children less than six years of age.

(11) Healthy Homes Supplemental Funding (LBPHC Applicants Only). Because of the growing prevalence of housing-related diseases and injuries (e.g., asthma, falls, fires, etc.), HUD is encouraging applicants to examine the benefits of incorporating healthy homes activities in remediation activities (see <http://www.hud.gov/offices/lead/healthyhomes/index.cfm> for more information).

Applicants to the LBPHC Program only may request up to \$200,000 in additional Healthy Homes Supplemental funding to assist in identification and remediation of multiple housing-related health hazards with lead hazard control intervention work using the Healthy Homes Rating System (see http://portal.hud.gov/hudportal/HUD?mode=disppage&id=HHRS_NEW). The purpose of this funding is to reduce significant health and safety hazards in the home through hazard evaluation and control work done in conjunction with lead hazard control activities.

The applicant must specify the total amount requested for this effort, including the amount in the total budget request and forms (Form_HUD424CBW) and narrative justification. Applicants must: identify the number of units that will have multiple-housing-related hazards addressed; provide a description of the technical approach, sequencing, and associated costs for addressing housing-related health hazards in addition to lead hazard control measures provided in units; and provide a realistic timeline for completion of interventions by quarter.

c. Program Administration and Financial Management (2 points maximum). Applicants should describe how the program will be administered, including addressing oversight and financial management. Applicants should describe staff and procedures to ensure proper project oversight/monitoring, contract administration (routine monitoring of all sub-grantees and contractors to ensure conformity to the terms, conditions and specifications of contracts or other formal agreements), and how funding will flow from the grantee to those who will perform work under the proposed program.

d. Economic Opportunity (1 point maximum). Applicants should describe how newly created employment, training, and contracting opportunities will be provided to Section 3 residents and Section 3 businesses within the target area, in compliance with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) and HUD's implementing rules at 24 CFR Part 135. Applicants should describe how Section 3 requirements will be accomplished by identifying the number of new jobs, contracts, and training opportunities that your project will generate; strategies for targeting Section 3 residents and businesses for such economic opportunities, the schedule for delivering said training to low and very low-income persons living within your jurisdiction, and how trained individuals will be linked to new employment opportunities with covered contractors, and how efforts will be made to ensure that 10 percent of the total dollar amount of construction contracts will be awarded to businesses owned by and/or employing low and very-low-income persons living within your jurisdiction. **NOTE:** While contractors, subcontractors or sub-grantees receiving contracts under the grant totaling \$100,000 or less need not meet the Section 3 requirements as a regulatory mandate (see section III.C.2.g of this NOFA), all grantees that receive awards exceeding \$200,000 are required to comply with Section 3. Additional information regarding all Section 3 requirements can be found in Section III.C.4.d of the **General Section**.

e. Lead Hazard Control Outreach (3 points maximum – each subpart below is 1 point maximum).

(1) Collaborative Agreements/Arrangements. Applicants should describe involvement in collaborative agreements or arrangements, or plans to develop these, with state or local health, housing, and code enforcement agencies, and community and/or faith based organizations for the target area(s) for performing outreach activities including affirmative marketing. If this information is detailed in letters of commitments, MOAs, or MOUs that are included in the application, it can be briefly summarized in this section.

(2) Outreach Activities and Outcomes. Applicants should discuss proposed outreach activities and expected outcomes, as it relates to unit enrollment or reducing childhood lead poisoning in the target area. Applicants should describe how the intended education program(s) will be culturally sensitive, targeted, and linguistically appropriate and identify the means available to supply the educational materials in other languages (identify all that apply) common to the community. (For more information on obligations with respect to outreach activities involving Limited English Proficient (LEP) persons, see section III.C.4.(b) and (c) of the **General Section**) Outreach should also be provided in alternative formats for people with disabilities (See 24 CFR 8.6). Applicants should include the estimated number of individuals to receive the intended education and the estimated number of events to be delivered.

(3) Affirmatively Furthering Fair Housing. Applicants should describe strategies and methodologies to affirmatively further fair housing (see section III.C.4.b of the FY2013 **General Section**) and to increase access to lead-safe housing for all segments of the population: homeowners, owners of rental properties, and tenants. These strategies may include, but are not limited to: expanded fair housing choice by affording greater opportunities for families in obtaining affordable, lead-safe and sustainable housing in a revitalized area, creation of lead-safe housing for individuals least likely to know of, or apply for, housing opportunities in the revitalized area, and that lead-safe housing will be available to families with young children for the greatest possible length of time. Applicants should identify how to ensure that the program

will continue to affirmatively market and match treated units with low-income families with children less than six years of age in the future. Applicants will not receive full points for this subfactor if the applicant does not include a narrative response to the affirmatively further fair housing requirements described above and in the **General Section** at Section III.C.5.b.

f. Data Collection and other Program Support Activities (1 point maximum). Applicants should identify and discuss the methods that will be used to document activities, progress, and program effectiveness. Applicants should explain how modifications will be made to improve progress if delays or problems occur.

g. Budget Proposal (4 point maximum).

(1) Budget Estimate of Costs. Applicants should thoroughly estimate all applicable costs (direct, indirect, and administrative), and present them in a clear and coherent format in accordance with the requirements listed in the FY2013 **General Section**. HUD is not required to approve or fund all proposed activities. Applicants should thoroughly document and justify all budget categories and costs and all major tasks, the applicant organization, sub-recipients, major sub-contractors, joint venture participants, or others contributing resources to the project. A separate budget must be provided for each partner who is proposed to receive more than 10 percent of the federal budget request. Applicants must provide clear details on administrative costs (maximum 10 percent of grant), staffing costs and details on which costs are included and not included in the direct lead hazard control minimum cost requirement. Applicants will be evaluated on the extent to which resources are appropriate for the scope of the proposed project. **NOTE:** The direct lead hazard control minimum cost requirement for the Lead-Based Paint Hazard Control Grant Program is 65 percent; for the Lead Hazard Reduction Demonstration Grant Program, 80 percent.

(2) Budget Narrative. Applicants should submit the budget narrative justification associated with these budgeted costs as part of the Total Budget (Federal Share and Matching). Separate narrative justification must be submitted for partners that are submitting separate budgets or who will receive 10 percent or more of the federal award amount. Applicants should clearly identify the funding or cash equivalent amounts being provided as match resources. These funds should reflect the numbers and contributions provided in response to Section III.C, Cost Sharing or Matching .

h. Implementing HUD's Strategic Framework and Demonstrating Results (4 points maximum). In FY2013, HUD's Policy Priorities reflect the emphasis on sustainability, using housing as a platform for improving other outcomes which improve the health, safety and economic well-being of community residents, promote energy-efficient, environmentally friendly construction and rehabilitation in our communities, and increase capacity and knowledge sharing to improve outcomes and track improvements made in the areas of housing, health, safety, self-sufficiency, transportation and the living environment. For further information on HUD's FY2013-2015 Strategic Plan and FY2013 Policy Priorities see sections I.A and B of the FY2013 **General Section**. To receive points for these policy priorities applicants must address the policy priorities described in paragraphs (1) and (2) below.

(1) Utilize Housing as a Platform for Improving Quality of Life (up to 2 points). *Promote housing management practices that protect the health of residents (HUD's Strategic Plan Subgoal 3B).*

To receive points under this policy priority, applicants must identify in their application specific projects and activities that will comprehensively assess housing units for rehabilitation, health and energy deficiencies and coordinate interventions across multiple disciplines. Examples of approaches for such work are included in paragraphs (a) and (b) below.

Specific measures of success or performance for this policy priority include the number of housing units rehabilitated in a comprehensive approach where lead hazard control or other healthy homes interventions such as allergen reduction, mold and moisture remediation are coordinated with housing rehabilitation and energy efficiency.

(a) Delivery of housing services across the housing, health and energy disciplines in a coordinated manner including the use of common assessment tools, cross training of staff in multiple competencies, standardization of intake forms and processes. For more information on mitigating housing-related health hazards, applicants should review HUD's Healthy Homes Strategic Plan, http://www.hud.gov/offices/lead/library/hhi/hh_strategic_plan.pdf, and the HUD-CDC Healthy Housing Reference Manual <http://www.cdc.gov/nceh/publications/books/housing/housing.htm>.

(b) Partnering with State or local programs, non-profit organizations, or community-based or faith-based organizations to deliver multiple services across the housing, health and energy disciplines. Of particular importance is the coordination of complementary services where one housing intervention enhances one or more other interventions.

(3) **Sustainability** (up to 2 points). *Promote coordinated planning, integrating federal resources, and targeting technical assistance at the local, state, and regional levels for sustainable housing and communities (HUD Strategic Plan Subgoal 4B).*

To receive points under this policy priority, applicants must identify in their application specific systems and activities that will ensure residents have access to a broad range of housing-related services through a single point of access. This single point of access for citizens may be located in different agencies (for example a lead hazard control program working collaboratively with a weatherization program can each maintain their intake function as long as citizens have access to all program services in either location). Applicants should describe the extent to which citizens in need of housing services will be provided access to services in a range of disciplines that may include lead hazard control, allergen reduction, integrated pest management, residential energy efficiency, in home health education, home safety (for example CO hazards and alarms), and general housing rehabilitation. Examples of approaches for such work are included in paragraphs (a) and (b) below.

Specific measures of success or performance for this policy priority include the number of residents with multiple housing deficiencies served through coordinated home, health and energy disciplines.

(a) Establishing and implementing a common intake application that can be utilized over multiple programs.

(b) Establishing and implementing a routine process for assessing multiple housing-related hazards simultaneously, prioritizing these hazards based on the occupants, and establishing a schedule to remediate the priority hazards.

4. Rating Factor 4: Achieving Results and Program Evaluation (10 points maximum).

Completion of the e-logic model is not required for this NOFA. This rating factor reflects HUD's goal to embrace high standards of ethics, management, and accountability. This factor emphasizes HUD's commitment to ensuring that applicants achieve the goals outlined in their work plan and other benchmark standards and assess their performance to ensure performance goals are met during the period of performance. The applicant is required to clearly identify the benefits or outcomes of their proposed program.

a. Applicants should describe program activities, outputs and yearly outcomes for the entire period of performance. (8 points)

(1) Applicants should state clearly the project goals and activities (e.g., outreach, training, enrollment, housing evaluations, housing unit production, etc.) to achieve these goals. Performance indicators should be objectively quantifiable and measure actual achievements against anticipated achievements. The activities and associated minimum completion percentages per quarter in the table below represent benchmarks for which the applicant will be held accountable to report on each quarter. Applicants should complete Workplan table, below, in your narrative based on the project goals established. This data will be incorporated into the Benchmark Performance Standards Worksheet, below, that has been established for this program during award negotiations for inclusion into the grant agreement.

Benchmark Performance Standards Worksheet													
ACTIVITY	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13
Units Enrolled		5%	15%	30%	45%	55%	65%	85%	95%	100%			
Assessments Completed		5%	10%	20%	30%	45%	55%	65%	85%	95%	100%		
Units Completed			2%	5%	15%	30%	45%	55%	65%	85%	95%	100%	
LOCCS Drawdowns		1%	3%	5%	10%	15%	20%	30%	45%	60%	80%	95%	100%
Community Outreach / Education- Training													

(2) Applicants should identify the procedures that will be followed to monitor and make adjustments to improve performance if benchmarks are not met within established timeframes. In evaluating this factor, HUD will consider how you have described outcome performance measures and benefits of your program including:

(a) In terms of impacting your unit production goals, the degree to which lead hazard control work will be done in conjunction with other housing-improvement activities (*i.e.*, rehabilitation, weatherization, correction of code violations, green and healthy home initiatives, and other similar work), or your plan for the integration and coordination of lead hazard control

activities into those activities in the future.

(b) Plans to develop public/private lending partnerships to finance lead hazard control or related work and how this will assist in your unit production goals.

b. Applicants should describe what you are going to measure, how you are going to measure it, how you will record/document it, and the steps you have in place to make adjustments to your work plan if performance targets are not met within established timeframes. (2 points)

(1) The applicant is to describe how the program will be held accountable for meeting program goals, objectives, and the actions undertaken in implementing the grant program.

(2) Applicants should provide a description of the mechanism to assess progress and track performance in meeting the goals and objectives outlined in the work plan. Applicants should provide assurances that work plans and performance measures developed for the program will assist intended beneficiaries, and that work will be conducted in a timely and cost-effective manner. This evaluation should explore how well the technical strategy meets the conditions and needs found in the grantee's jurisdiction.

In evaluating this factor, HUD will consider how you have described your measures and benefits of your program including:

(a) The feasibility of the measures to assure accountability.

(b) The appropriateness of the work plan to accomplish stated goals.

5. Bonus Points (2 points maximum)

a. **Preferred Sustainable Communities Status Bonus Points.** In FY2013, HUD will award 2 bonus points to applicants that are working with the Preferred Sustainability Status recipients. Please refer to the FY2013 **General Section** for information on how to obtain these bonus points.

B. Reviews and Selection Process. Please refer to the FY2013 **General Section**.

- a. Applications that meet all of the threshold requirements will be eligible for review and rating.
- b. Minimum Score. Applications scoring 75 points or more will be eligible to receive an award.
- c. Applications will be scored and ranked, based on the total number of points allocated for each of the rating factors described in Section V.A of this NOFA.
- d. Remaining Funds. Refer to the FY2013 General Section for HUD's procedures if funds remain after all selections have been made within a category.
- e. Maximum Number of Points. The maximum number of points to be awarded is 102. This maximum includes two bonus points as described in the FY2013 General Section and above.
- f. The factors for rating and the maximum points for each factor are stated below:

Rating Factor	Maximum Score
1. Capacity of the Applicant and Relevant Organizational Experience	20
2. Need/Extent of the Problem	15
3. Soundness of Approach	55
4. Achieving Results and Program Evaluation	10
Preferred Sustainable Communities Status Bonus Points	2

Total	102
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VI. AWARD ADMINISTRATION INFORMATION

A. Notice of Award.

1. Applicants Selected for Award. Successful applicants will receive a letter from the Office of Healthy Homes and Lead Hazard Control providing details regarding the effective start date of the grant agreement and any conditions, additional data and information to be submitted to execute the grant. Applicants will then participate in negotiations to determine the specific terms of the grant agreement, budget, work plan, Benchmarks, or other requirements. Should HUD not be able to successfully conclude negotiations with a selected applicant within a period determined by HUD, an award will not be made. If you accept the terms and conditions of the grant agreement, you must return a signed grant agreement by the date specified. Instructions on how to have the grant agreement account entered into HUD's Line of Credit Control System (LOCCS) payment system will be provided. Other forms and program requirements will be provided. In accordance with OMB Circular A-133 (Audits of States, Local Governments and Nonprofit Organizations), if you expend \$500,000 in federal funds in a single year, you must follow the requirements of the Single Audit Act and must submit your completed audit-reporting package along with the Data Collection Form (SF-SAC) to the Single Audit Clearinghouse. The address can be obtained from their website. The SF-SAC can be downloaded at: <http://harvester.census.gov/sac/>.

2. Debriefing. Refer to the FY2013 **General Section** for additional details.

3. Negotiation. Refer to the FY2013 **General Section** for additional details.

4. Adjustments to Funding. Refer to the FY2013 **General Section** for additional details.

B. Administrative and National Policy Requirements. Refer to the FY2013 **General Section**, Section III.C, Other Requirements and Procedures Applicable to All Programs, for additional details regarding the Administrative and National Policy Requirements applicable to HUD Programs.

1. National Historic Preservation Act. The National Historic Preservation Act of 1966 (16 U.S.C. § 470) and the regulations at 36 CFR Part 800 apply to the lead-hazard control or rehabilitation activities that are undertaken pursuant to this NOFA.

2. Davis-Bacon Wage Rates. The Davis-Bacon wage rates are not applicable to these programs. However, if you use grant funds in conjunction with other federal programs, Davis-Bacon requirements may apply to the extent required under the other federal programs.

3. Procurement of Recovered Materials. See the FY2013 **General Section** for information concerning this requirement.

C. Reporting Requirements. Reports shall comply with the FY2013 **General Section** and specific program reporting requirements as described below.

- 1.** Successful applicants will be required to submit applicable quarterly, annual, and final program and financial reports according to the requirements of the OHHLHC, including new Transparency Act Reporting requirements (see 2013 **General Section**). Specific guidance and additional details will be provided to successful applicants in the grant agreement. OHHLHC will include these reporting requirements in its terms and conditions as part of the grant agreement in its 2013 awards.
- 2.** All grant recipients must comply with reporting requirements of subpart E (Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. §1701u (Economic Opportunities for Low- and Very Low-Income Persons in Connection with Assisted Projects)) and the HUD regulations at 24 CFR Part 135 (See section III.C.4.d of this NOFA). All grant recipients providing program benefits to individuals and families must also report race and ethnicity data as specified in sections VI.C.3 of the FY 2013 **General Section**).
- 3.** Grant recipients who purchase X-ray fluorescence (XRF) analyzers or other equipment in excess of \$5,000 apiece must complete the General Services Administration's annual Tangible Personal Property Report, if and after that report receives OMB approval under the Paperwork Reduction Act of 1995 (see 75 Federal Register 14441-14442; March 25, 2010). This report has four components: the Annual Report, the Final (Award Closeout) Report, the Disposition Report/Request, and, if needed, the Supplemental Sheet (see http://www.whitehouse.gov/omb/grants_standard_report_forms). Generally, the average estimated time to complete each of these components is 0.5 hours; it is likely to be less for this grant program.
- 4.** The applicant must collect demographic data by using the HUD approved Race/Ethnic Form (HUD-27061), in accordance with the requirements of the **General Section**, Section VI, Award Administration Information.
- 5. Transparency Act Reporting.** Recipient Reporting to Meet the Requirements of the Federal Funding Accountability and Transparency Act of 2006. See Section III.C.4.v of the FY2013 **General Section**.
- 6. Compliance with Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), hereafter referred to as "Section 872."** Section 872 requires the establishment of a governmentwide data system - the Federal Awardee Performance and Integrity Information System (FAPIIS) - to contain information related to the integrity and performance of entities awarded federal financial assistance and making use of the information by federal officials in making awards. OMB is in the process of issuing regulations regarding federal agency implementation of Section 872 requirements for grants. A technical correction to this NOFA may be issued when such regulations are promulgated.
- 7. Registration at SAM.gov Requirement.** Applicants must register or update a current registration in the Central Contractor Registration now part of the System for Award Management (SAM), found at <https://www.sam.gov/portal/public/SAM>. Applicants must have an active registration to receive funding from HUD.

VII. AGENCY CONTACTS.

For programmatic questions, you may contact: Michelle Miller, Director, Programs Division, Office of Healthy Homes and Lead Hazard Control: Department of Housing and Urban Development; 451 Seventh Street, SW, Room 8236, Washington, DC 20410-3000; telephone 202-402-5769 (this is not a toll-free number); facsimile 202-755-1000; or email Michelle.M.Miller@hud.gov.

For administrative questions, you may contact Nadine L. Heath, Director, Grants Services Division, at the address above or by telephone at 202-402-7680 (this is not a toll-free number); facsimile 202-755-1000; or email Nadine.L.Heath@hud.gov.

If you are a hearing- or speech-impaired person, you may reach the above telephone numbers via TTY by calling the toll-free Federal Relay Service at 800-877-8339.

VIII. OTHER INFORMATION.

A. General. For additional general, technical, and grant program information pertaining to the Office of Healthy Homes and Lead Hazard Control, visit: <http://www.hud.gov/offices/lead/>.

B. Authority. “Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992), Section 1011, as amended:

—Section 1011. Grants for Lead-Based Paint Hazard Reduction in Target Housing.

(a) **General Authority.** The Secretary is authorized to provide grants to eligible applicants to evaluate and reduce lead-based paint hazards in housing that is not federally assisted housing, federally owned housing, or public housing, in accordance with the provisions of this section. Grants shall only be made under this section to provide assistance for housing that meets the following criteria:

(1) For grants made to assist rental housing, at least 50 percent of the units must be occupied by or made available to families with incomes at or below 50 percent of the area median income level and the remaining units shall be occupied or made available to families with incomes at or below 80 percent of the area median income level, and in all cases the landlord shall give priority in renting units assisted under this section, for not less than 3 years following the completion of lead abatement activities, to families with a child under the age of six years, except that buildings with five or more units may have 20 percent of the units occupied by families with incomes above 80 percent of area median income level;

(2) For grants made to assist housing owned by owner-occupants, all units assisted with grants under this section shall be the principal residence of families with income at or below 80 percent of the area median income level, and not less than 90 percent of the units assisted with grants under this section shall be occupied by a child under the age of six years or shall be units where a child under the age of six years spends a significant amount of time visiting.”

C. Paperwork Reduction Act. The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. §§ 3501–3520) and assigned OMB control

number 2539-0015. 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 currently valid OMB control number. Public reporting burden for the collection of information is estimated to average 80 hours to prepare the application, 16 hours to finalize the grant agreement, and 32 hours per annum for grant administration (progress reporting) per respondent. This includes the time for collecting, reviewing, and reporting the data for the application, quarterly reports, and final report. The information will be used for awardee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

D. Environmental. A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFA in accordance with HUD regulations at 24 CFR Part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. § 4332(2)(C)). The FONSI will be posted at HUD's funds available page at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail under the FY2013 Programs section with the Lead-Based Paint Hazard Control Grant Program and Lead Hazard Reduction Demonstration Grant Programs issued under this NOFA.

Date: 30 NOV 12



Jon L. Gant, Director
Office of Healthy Homes and Lead Hazard Control

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