



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

Public and Indian Housing

Community Development Block Grant Program for Indian Tribes and Alaska Native Villages

FR-6100-N-23

Application Due Date: 05/18/2017

Community Development Block Grant Program for Indian Tribes and Alaska Native Villages

FR-6100-N-23

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

**Program Office:** Public and Indian Housing  
**Funding Opportunity Title:** Community Development Block Grant Program for Indian Tribes and Alaska Native Villages  
**Announcement Type:** Modification  
**Funding Opportunity Number:** FR-6100-N-23  
**Primary CFDA Number:** 14.862  
**Due Date for Applications:** 05/18/2017

### Overview

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

### Additional Overview Information

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

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

2. OMB Approval Number(s): 2577-0191

## I. Funding Opportunity Description.

### A. Program Description.

#### 1. Purpose and Summary.

The purpose of the ICDBG program is the development of viable Indian and Alaska Native communities, including the creation of decent housing, suitable living environments, and economic opportunities primarily for persons with low- and moderate- incomes. See the ICDBG regulation of 24 CFR 1003, the full text of which is available at [the Electronic Code of Federal Regulations](#).

**a. Single Purpose Grants.** Projects funded by the ICDBG program must principally benefit low- and moderate-income persons (24 CFR 1003.208). These are competitive grants and are the subject of this NOFA.

**b. Imminent Threat Grants.** You may also apply for ICDBG funds to address issues that have an immediate negative impact on public health or safety of tribal residents.

You do not have to submit an application for an Imminent Threat grant by the deadline established in this NOFA. These funds are awarded on a first-come first-serve basis until the amount set aside for this purpose is expended. The Imminent Threat request must be submitted to the Area ONAP for your region. The request should include the following documentation:

1. Independent verification from a third party (e.g., Indian Health Service, Bureau of Indian Affairs) of the existence, immediacy, and urgency of the threat;
2. The threat must not be recurring in nature, i.e., it must represent a unique and unusual circumstance that has been clearly identified by the tribe or village;
3. The threat must affect or impact an entire service area and not solely an individual family or household;
4. Preliminary budget information (if the request is approved you will be asked to provide a detailed budget);
5. Evidence of capacity to implement and complete grant within 12 months of grant award (unless there is good cause for not being able to do so); and
6. It must be established that funds are not available from other tribal or federal sources to address the problem. The tribe or village must verify that federal or local agencies that would normally provide assistance for such improvements have no funds available by providing a written statement to that effect.
7. The tribe or village must also verify in the form of a tribal council resolution (or equivalent) that it has no available funds, including unobligated Indian Housing Block Grant funds, for this purpose.

Applicants for imminent threat funding should contact their Area Office of Native American Programs (ONAP) for further information.

[See the National Directory of Tribes and TDHEs by ONAP Regions](#).

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

Below, you will find the major changes to the FY 2017 NOFA. You are encouraged to read each section of the NOFA carefully and prepare your application accordingly. The NOFA:

- In the Program Definitions section, adds a definition of "Tribal Resolution".
- Modifies the project ceilings in the Southwest ONAP region.
- Increases the housing rehabilitation cost limits in the Alaska region from \$75,000 to \$100,000.
- Adds SF424 [Project /Performance Site Location\(s\) Form](#) as a required form to collect the primary place of performance.
- Increases overall points in Rating Factor 2- Need/Extent of the Problem from 16 points to 24 points.
- Adds a new subfactor on "Unfunded Applications" in Rating Factor 2.
- Decreases the points in Rating Factor 3- Soundness of Approach from 36 points to 34 points.
- Decreases the points in Rating Factor 4-Leveraging Resources from 8 points to 6 points.
- Clarifies in the requirement in Rating Factor 4 how Indian Housing Block funds must be described and committed to count as leverage.

- Decreases the points in Rating Factor 5- Comprehensiveness and Coordination from 8 points to 6 points.

### **3. Definitions.**

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

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

Assessment of Fair Housing (AFH) is the analysis undertaken pursuant to 24 CFR 5.154. AFH includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, the prioritization of contributing factors, and the identification of fair housing goals. It is conducted and submitted to HUD using the Assessment Tool. Entities obligated to prepare and submit an AFH are: (1) Jurisdictions and Insular Areas that are required to submit Consolidated Plans for the following programs: (i) The Community Development Block Grant (CDBG) program (see 24 CFR part 570, subparts D and I); (ii) The Emergency Solutions Grants (ESG) program (see 24 CFR part 576); (iii) The HOME Investment Partnerships (HOME) program (see 24 CFR part 92); and (iv) The Housing Opportunities for Persons With AIDS (HOPWA) program (see 24 CFR part 574); and (2) Public housing agencies (PHAs) receiving assistance under sections 8 or 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f or 42 U.S.C.1437g).

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

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

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

Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used with respect to awards, subawards, and cooperative agreements subject to 2 CFR part 200 does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward. (See 2 CFR 200.22 and 200.92.)

Contractor means an entity that receives a contract.

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

- Curable Deficiency – Applicants may correct a curable deficiency with timely action. To be curable the deficiency must:

- Not be a threshold requirement;
- Not influence how an applicant is ranked or scored versus other applicants; and
- Be remedied within the time frame specified in the notice of deficiency.
- Non-Curable Deficiency – An applicant cannot correct a non-curable deficiency after the submission deadline. Non-curable deficiencies are deficiencies that if corrected would change an applicant’s score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application’s score and final determination

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

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

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

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

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

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

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

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

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

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

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

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

Section 3 Residents means: 1) Public housing residents; or 2) Low and very-low income persons, as defined in 24 CFR 135.5, who live in the metropolitan area or non-metropolitan county where a HUD-assisted project for housing or community development is located.

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

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

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

System for Award Management (SAM), located at the website [sam.gov](http://sam.gov), is the official U.S. Government system that consolidated the capabilities of Central Contractor Registry (CCR), Excluded Parties List System (EPLS) and the Online Representations and Certifications Application (ORCA). Registration with [Sam.gov](http://sam.gov) is required for submission of applications via [grants.gov](http://grants.gov).

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

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

#### b. Program Definitions

The following definitions apply to the ICDBG program. See a more detailed list at 24 CFR 1003.4.

**Adopt** - To approve by vote of the governing body of the tribe or tribal organization.

**Community Based Development Organization (CBDO)** - Only CBDOs can develop new housing under the ICDBG program. Tribally Designated Housing Entities (TDHEs) are not automatically considered CBDOs. (See 24 CFR 1003.204(c)).

**Document** - When the NOFA asks you to document something it means that you should provide information and/or data in your application to satisfy that particular NOFA requirement.

**Entity Other Than Tribe** - This means that the organization is not part of the tribal government.

**Firm Commitment** - A letter of commitment from a partner by which an applicant or an applicant's partner agrees to perform an activity specified in the application and demonstrates the financial capacity and conditional agreement to deliver the resources necessary to carry out the activity, either in cash or through in-kind contributions if HUD awards ICDBG funds. If a tribe is committing resources to the project the amount of such commitment should be included in the tribal resolution. If a tribal organization is the

applicant it should submit evidence of such commitment in the equivalent of a tribal resolution.

**Low- and Moderate-Income (LMI)** - For purposes of the ICDBG program this means a family, household, or individual whose income does not exceed 80 percent of the median income for the area. This program does not allow applicants to choose to use the greater of the area median or national median income as the Indian Housing Block Grant (IHBG) program does. The ICDBG program must primarily benefit persons with low- and moderate incomes as defined in 24 CFR 1003.4.

**New Applicant** - An applicant that has either never received an ICDBG or an applicant whose prior grants have been closed for at least 12 months before applications are due.

**Standard Housing/Standard Conditions** - Housing that meets the quality standards adopted by the tribe or tribal organization depending on the type of housing proposed. The adopted standards must provide for: (a) a safe house, in physically sound condition with all systems performing their intended design functions; (b) a livable home environment that is energy efficient and incorporates energy conservation measures; and, (c) provides adequate space and privacy for all intended household members.

**Tribal Resolution** - The formal manner in which the tribal government expresses its legislative will in accordance with its organic documents. In the absence of such organic documents, a written expression adopted pursuant to tribal practices will be acceptable (24 CFR 1003.4).

#### 4. Resources.

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

#### B. Authority.

TBD

## II. Award Information.

#### A. Available Funds.

Congress has not yet appropriated funds for this program. Therefore, the amount of available funding is not known and is contingent on future Congressional action.

**1. Allocations to Area ONAPs.** The ICDBG regulation specifies how the funds for the Single Purpose ICDBGs will be divided among the six Area ONAPs. See 24 CFR 1003.101. Accordingly, the allocations for FY 2017 grants are as follows:

Area ONAP	Amount
Alaska	
Eastern Woodlands	

Northern Plains	
Northwest	
Southern Plains	
Southwest	

**2. Grant Ceilings.** Your application may include more than one project but the entire grant may not exceed the limits listed below.

Area ONAP	Population	Ceiling
Alaska	ALL	\$600,000
Eastern Woodlands	ALL	\$600,000
Northern Plains	ALL	\$1,000,000
Northwest	ALL	\$500,000
Southern Plains	ALL	\$800,000
Southwest		\$5,000,000
		\$2,500,000
	50,001+	\$2,000,000
	10,501-50,000	\$1,000,000
	7,501-10,500	\$825,000
	6,001-7,500	\$605,000
	1,501-6,000 0-1,500	

In the Southwest ONAP jurisdiction, HUD will determine the ceiling for applications based on the Native American population that resides on a reservation or Rancheria. You should contact SWONAP prior to submitting your application to confirm the population that HUD will use to determine the ceiling.

Only one ICDBG application may be submitted for each area within the jurisdiction of an entity eligible under 24 CFR 1003. An applicant may include more than one project but the application cannot exceed the grant ceilings listed above. Tribal organizations applying on behalf of several tribes may combine ceiling amounts for a project if the project will benefit the members of those tribes. Or several tribes may submit individual applications for one combined project if the project will benefit the members of all of the tribes that apply for it.

**3. Housing Rehabilitation Cost Limits.** HUD will not provide more than the following amounts for each housing unit rehabilitated with ICDBG funds. The rehabilitation costs may exceed these limits but your

budget must show that you will not spend more than these amounts of ICDBG funds on each unit.

Alaska	\$100,000
Eastern Woodlands	\$35,000
Northern Plains:	\$50,000
Northwest	\$50,000
Southern Plains	\$35,000
Southwest	\$65,000

**B. Number of Awards.**

HUD expects to make approximately 75 awards from the funds available under this NOFA.

This estimate assumes funding at the same level as FY16. The number of awards made from funds available under this NOFA will depend on the amount of funding in the FY17 appropriation, the number of eligible applicants, and other factors. For information on the methodology used to make award determinations under this NOFA, please see Section V.B Review and Selection Process below.

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

Only one large tribe in the SWONAP region is eligible for the maximum award amount. Please refer to the grant ceilings listed in the section above.

Congress has not yet appropriated funds for this Program.

**D. Period of Performance.**

HUD will obligate the FY17 funds in this NOFA no later than September 15, 2019. Except for imminent threat grants, you will have until September 15, 2024, to draw down all of your funds FY17 and complete your project. For Imminent Threat grants you have 12 months from the date funds are available to you. HUD can require you to spend funds before this date in accordance with the implementation schedule submitted with your application and the expenditure deadline specified in the grant agreement. If funded and you do not make progress toward meeting your implementation schedule, HUD reserves the right to recapture the funds.

Estimated Project Start Date: 09/14/2017  
 Estimated Project End Date: 09/13/2020  
 Length of Project Periods: Other  
 Length of Project Periods: The length of the project period is generally based on the  
 Explanation of Other: implementation schedule submitted by the applicant and approved by HUD.

**E. Type of Funding Instrument.**

### III. Eligibility Information.

#### A. Eligible Applicants.

Native American tribal governments (Federally recognized)

Native American tribal organizations (other than Federally recognized tribal governments)

An applicant must be eligible as an Indian tribe (or as a tribal organization), as required by 24 CFR 1003.5, by the application deadline date.

##### 1. Tribes:

Tribes eligible to receive ICDBG assistance must be listed in the following publication "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs." [See Eligible Indian Entities- BIA.](#)

##### 2. Tribal Organizations:

Tribal organizations are permitted to submit ICDBG applications on behalf of eligible tribes if one or more eligible tribe(s) authorizes the organization to do so by tribal resolution. The Bureau of Indian Affairs (BIA) or the Indian Health Service (IHS), must provide a letter that states that the tribal organization is eligible under Title I of the Indian Self Determination and Education Assistance Act.

You must provide a copy of this letter to your Area ONAP with your application unless your organization has already provided such a letter to the Area ONAP in previous years and the status of your tribal organization has not changed. HUD will not review an application submitted by a tribal organization on behalf of a specific tribe if the tribe itself submits an application for the same funding round.

Due to the unique structure of tribal entities eligible to submit ICDBG applications in Alaska, and as only one ICDBG application may be submitted for each area within the jurisdiction of an entity eligible under 24 CFR 1003.5, a tribal organization that submits an application for activities in the jurisdiction of one or more eligible tribes or villages must include a concurring resolution from each such tribe or village authorizing the submission of the application. The hierarchy for funding priority continues to be the IRA Council, the Traditional Village Council, the ANCSA Village Corporation, and the ANCSA Regional Corporation. Questions regarding eligibility determinations and related documentation requirements for entities in Alaska should be referred to the Alaska Area ONAP prior to the application deadline. Due to the unique structure of tribal entities in Alaska you should contact the Alaska ONAP prior to the application due date if you plan to apply for an Alaska tribe or village.

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

#### B. Cost Sharing or Matching.

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

If you leverage this grant with other funds you may receive points under Rating Factor 4 depending on the amount leveraged and support documentation provided.

### **C. Threshold Requirements.**

Applicants who fail to meet any of the following threshold eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated. See also Section I.A.3. Definitions.

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

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

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

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

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

- Current compliance with a voluntary compliance agreement signed by all the parties;
- Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
- Current compliance with a consent order or consent decree;
- Current compliance with a final judicial ruling or administrative ruling or decision; or
- Dismissal of charges.

### 3. ICDBG Program and Project Related Thresholds:

**Outstanding ICDBG Obligation** - Pursuant to 24 CFR 1003.301(a), if you have an outstanding ICDBG obligation to HUD that is in arrears, or have not agreed to a repayment schedule you will be disqualified from the competition.

**Untimely ICDBG Closeouts** - HUD will not review your application if you have any ICDBG that is open two or more years past the due date for closeout identified on the most recently submitted project implementation schedule approved by the Area ONAP.

**New Housing Construction** - In accordance with 24 CFR 1003.302(b), you may only use ICDBG funds to build new housing if a Community Based Development Organization (CBDO) will build the housing. If the organization has been determined by ONAP to be a CBDO, do not resubmit documentation of this in the application. In addition, new housing construction can only be built when you show in your application that:

- No other housing is available in the immediate reservation area that is suitable for the households to be assisted; and
- No other sources, including Indian Housing Block Grants (IHBG), can meet the needs of the household(s) to be served (applicants that receive minimum IHBG funding pursuant to the IHBG regulation at 24 CFR 1000.328 are exempt from this provision); and
- Rehabilitation of the unit occupied by the household(s) to be assisted is not economically feasible; or the household(s) to be assisted is currently living in overcrowded conditions (more than one household per house); or the household to be assisted has no current residence.

**Economic Development Projects**- In accordance with 24 CFR 1003.302(c), for this type of project you must provide a financial analysis prepared by a qualified party. Specifically:

- The qualified party preparing the analysis must have recent and relevant experience in the type of project being proposed;
- The financial analysis must demonstrate that the project is financially feasible and has a reasonable chance of success;
- The analysis should include information about the project's market share, sales levels, growth potential, revenue projections, project expenses and debt service, if applicable; and
- The analysis must also demonstrate the public benefit resulting from the ICDBG assistance.

*In addition, the analysis must establish that, to the extent practicable:*

- Reasonable financial support will be committed from non-federal sources prior to disbursement of federal funds;
- Any grant amount provided will not substantially reduce the amount of non-federal financial support for the activity;
- Not more than a reasonable rate of return on investment is provided to the owner; and
- That grant funds used for the project will be disbursed on a pro-rata basis with amounts from other sources.

## D. Statutory and Regulatory Requirements Affecting Eligibility.

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

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

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

Except for federally recognized Indian tribes and their instrumentalities, recipients and their prospective subrecipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act; Title II and Title III of the ADA of 1990; and Section 109 of the Housing and Community Development Act of 1974.

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

Federally recognized Indian tribe or Tribally Designated Housing Entity (TDHE) applicants must comply with the non-discrimination provisions enumerated in the applicable program regulations. Each Program NOFA will specify the applicable civil rights requirements for Indian tribes or TDHEs when listed as eligible applicants under the Program NOFA.

*If you receive an ICDBG award you must comply with Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309) with respect to the prohibition against discrimination based on age, sex, religion, or against otherwise qualified disabled individuals. Section 109 applies the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973 to ICDBG funded programs or activities. HUD's regulations for Section 109 are in 24 CFR Part 6. Recipients of ICDBG funds must also comply with regulations on accessibility standards for housing and non-housing facilities. See 24 CFR 1003.601. You will also be required to comply with the Indian Civil Rights Act (24.U.S.C. 1301) in your use of ICDBG.*

### **Affirmatively Furthering Fair Housing.**

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

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

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

*Applicants under this NOFA do not have a submission requirement related to HUD's obligation to affirmatively further fair housing under Section 808(e) of the Fair Housing Act as described in the General Section. Under Section 106(a)(1) of the Housing and Community Development Act of 1974, grants to Indian tribes are not subject to the requirement in Section 104(b)(2) that the grantee certify that it will affirmatively further fair housing.*

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

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

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

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

*Section 3 requirements under 24 CFR Part 135 apply to the ICDBG program but, as stated in 24 CFR 35.3(c), the procedures and requirements of Part 135 apply to the maximum extent consistent with, but not in derogation of, preferences for the benefit of Indians under §7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(b)). Grantees are required to submit an annual report on employment, training, contracting and other economic opportunities consistent with the Section 3 regulatory reporting requirements.*

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

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

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

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

b. Sufficiency of Financial Management System. HUD will not award or disburse funds to applicants that do not have a financial management system that meets Federal standards as described at 2 CFR 200.302. HUD

may arrange for a survey of financial management systems for applicants selected for award who have not previously received Federal financial assistance, where HUD Program officials have reason to question whether a financial management system meets Federal standards, or for applicants considered high risk based on past performance or financial management findings.

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

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

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

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

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

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

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

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

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

award or serving as a pass-through-entity.

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

- How the selection or non-selection of any applicant under a FY 2017 Program NOFA will affect the individual’s financial interests, as provided in 18 U.S.C. 208, or
- How the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502

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

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

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

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

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

The requirement for consistency with the Consolidated Plan in letter (k) above is not required for an ICDBG application.

If you are awarded a grant under this NOFA you will have to comply with all laws, regulations, and other requirements relating to federal funds, as well as the specific ICDBG requirements found at 24 CFR 1003. Other statutory or regulatory requirements specific to the ICDBG program are:

**1. Indian Preference** - HUD has determined that the ICDBG program is subject to Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C.450e(b)). The provisions and requirements for this section are found at 24 CFR 1003.510.

**2. Housing Rehabilitation Project Requirements** - (1) In accordance with 24 CFR 1003.302(a), if you are submitting an application for housing rehabilitation you must state in your application that the applicant has adopted rehabilitation policies as defined in Section I.A.3.p. of this NOFA. Do not submit the policies. (2) In addition, if you are proposing to use ICDBG funds to rehabilitate HUD-assisted houses, you must also provide a written statement that you will do so only when the homebuyer's payments are current or the homebuyer is current in a repayment agreement. For purposes of meeting this timely payment requirement, HUD-assisted houses are houses owned, operated or assisted by the tribe or its TDHE. The Area ONAP Administrator, on a case-by-case basis, may approve exceptions to this requirement if you provide adequate justification for the exception with your application.

**3. New Housing Construction Project Requirements** - In accordance with 24 CFR 1003.302(b), if you are submitting an application for a new housing construction project, you must state that you have a current, in effect, tribal resolution adopting and identifying construction standards that, at a minimum, meet the requirements in Section I.A.3.p. of this NOFA.

**4. Public Services** - You may not receive a Single Purpose grant solely to fund public service activities. However, your application may contain a public service component for up to 15 percent of the total grant. In addition, the public service(s) may be unrelated to the other project(s) in the application. If your application does not receive full funding, HUD will reduce the public service allocation so that it comprises no more than 15 percent of the total grant award. A complete description of public service projects can be found at 24 CFR Part 1003.201(e).

**5. Infrastructure Projects** - If your infrastructure project will support future housing or community development project(s), you must submit evidence that the housing or community development project(s) will be completed within three years of the grant award.

**6. Eligible Activities** - A complete description of activities that are eligible for ICDBG funding can be found at 24 CFR Part 1003, subpart C. Such activities include new housing construction (in certain circumstances, as described in Rating Factors 2 and 3), housing rehabilitation, housing infrastructure, land acquisition to support new housing, homeownership assistance, public facilities and improvements including infrastructure, economic development, and microenterprise programs.

**7. Ineligible Activities** - See the ICDBG regulation at 24 CFR 1003.207 for a list of ineligible activities.

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

This program has eligibility criteria for beneficiaries.

*The ICDBG program must primarily benefit persons with low- and moderate incomes as defined in 24 CFR 1003.4.*

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

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

### **Instructions for Applicants**

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

The Application Package contains the Adobe forms created by Grants.gov. The Instruction download contains official copies of the General Section and Program NOFA, and forms necessary for a complete application. The Instruction download may include Microsoft Word, Microsoft Excel and additional Adobe Portable Document Format documents.

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

Frederick Griefer

Phone: (202) 402-5186

Email: [Frederick.J.Griefer@hud.gov](mailto:Frederick.J.Griefer@hud.gov)

Grants Management Director

451 7th St. SW

Rm. 5156

Washington, DC 20410

For more information, please contact your Area Office at: [the National Directory of Tribes and TDHEs by ONAP Regions](#).

*Examples of good cause for a waiver may include: lack of reliable Internet, broadband, or other infrastructure conducive to electronic application submissions. Applicants granted a waiver of the electronic submission requirement will receive specific instructions about submitting paper applications with the approval of the waiver.*

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

To ensure that the correct Application Package and Application Instructions are used, applicants must verify that the CFDA Number and CFDA Description on the first page of the Application Package downloaded from Grants.gov, as well as the Funding Opportunity Title, and the Funding Opportunity Number match the Program and NOFA to which they are applying. You must verify that boxes 11, 12, and 13 on the SF-424 match the NOFA for which you are applying. If they do not match, you have downloaded the wrong Application Instruction and Application Package.

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

### **1. Content.**

Forms for your package include the forms outlined below:

Additionally, your complete application must include the following narratives and non-form attachments. See Section 2.a. below for all required forms.

## 2. Format and Form.

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

You must submit the forms and information listed. Do not submit third party documents, such as audits, resolutions, or policies, unless specifically asked to do so.

**a. Submissions for All Projects:** The following information must be submitted by applicants for all types of ICDBG projects.

- **Narrative to all five of the rating factors in Section V.A. of this NOFA**, including a one page summary of the proposed project(s). If you are requesting funds for more than one type of ICDBG-eligible project you must include a summary and narrative for each project. Indicate on the first page of each narrative and in the one-page summary, the type of project(s) you are proposing: *Economic Development, Homeownership Assistance, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing, Microenterprise Programs, New Housing Construction, or Public Facilities and Improvements*. This will help to ensure that HUD will apply the appropriate project-specific criteria and rating subfactors in reviewing your application. Label each section of your narrative in accordance with the applicable factors and subfactors in the NOFA.
- **Application for Federal Assistance (SF-424)** - which includes a Dun and Bradstreet Data Universal Numbering System (DUNS) number.
- **Applicant/Recipient Disclosure Update Report** - (form HUD-2880)
- **Implementation Schedule** (form HUD-4125) - If you are proposing more than one project, you must submit an implementation schedule for each project.
- **Budget Information** - If you are proposing more than one type of project, you must include a separate budget (form HUD-4123) for each project and a consolidated budget. The budget(s) should include cost information for specific activity costs, administration, planning, technical assistance and total HUD share. Planning and administrative costs cannot exceed 20 percent of each grant and may be funded only in conjunction with a physical development activity. See subfactor 3.2.
- **Project/Performance Site Location:** The Digital Accountability and Transparency Act of 2014 (DATA Act), Pub. L. No. 113-101, requires federal agencies to report the primary place of performance for all federal assistance awards. To support HUD's compliance with DATA Act reporting requirements, the [SF424 Project/Performance Site Location\(s\) Form](#) has been added into the application package on [grants.gov](#). The form allows applicants to enter multiple places of performance, however, HUD only requires entry of a single, primary place. The Primary Place of Performance is the location where the majority of work under an award will be conducted during the period of performance.
- **Citizen Participation** - You must submit a tribal resolution that states that you have considered the views of the community in preparing your application in accordance with 24 CFR 1003.604. Do not submit a resolution from a previous year or for a project other than the type of project you are seeking funds for in this application. Even if the applicant is a tribal organization, you must submit a resolution from the tribe certifying that citizen participation was undertaken in accordance with the regulations.
- **Low and moderate-income (LMI) benefit** - You must demonstrate in your application that at least 70 percent of the grant funds will be used for activities that benefit LMI persons in accordance with the requirements of 24 CFR 1003.208. If you are applying for any type of housing-related activity

(construction, rehabilitation, and infrastructure) or housing assistance, you must state in your application that all units will be occupied by LMI households upon completion or when assistance (e.g., down payment assistance) is provided.

**b. Submissions for Certain Projects/Applicants:** You should submit the following information, if applicable, to your project or organization.

- **Acknowledgement\_of\_Application\_Receipt** (form HUD-2993) - This is relevant only if you have been granted a waiver of the electronic submission requirements and you are submitting a paper application.
- **Resolution for Tribal Organization to Submit** - If you are a tribal organization defined in 24 CFR 1003.5(b) and are submitting an application on behalf of an Indian tribe, you must include a resolution from the Indian tribe that says that you are submitting the application on the tribe's behalf.
- **Statement on Housing Standards** - If you are applying for a housing rehabilitation or new construction project, you must state that the tribe or tribal organization has adopted housing or construction standards as specified in Section III.C.4.a. of this NOFA.
- **Resolution on Tribal Funds Committed** - If the tribe is committing funds for the project, your application must include a tribal resolution (or legal equivalent) that states the exact amount of funds, including but not limited to IHBG funds, that the tribe is committing. If a tribal organization is committing the funds, the equivalent of a resolution must be provided.
- **Demographic Data** - If you are applying for any type of project other than a housing project your application must include information about the number of LMI persons that will benefit from the project. You can either use the data provided on HUD's website at [FY2017 Data Update for Low- and Moderate-Income \(LMI\) Area Benefit Designation for HUD's ICDBG](#) or submit your own data. For more information on how to submit your own demographic data, see Rating Factor 2, in Section V.A.1 of this NOFA.
- **Land Acquisition to Support New Housing Projects** - If you are applying just for land for future housing projects you must include evidence that the land is suitable for housing. You must also establish that there is a reasonable ratio between the number of net usable acres to be acquired and the number of LMI persons to benefit from the project. See Rating Factor 3, Subfactor 1.1 in Section V.A.1. of this NOFA. Award of a grant does not constitute approval of specific sites where activities that are subject to environmental review may be carried out.
- **Health Care Facilities** - If you are applying for a facility that would provide health care services funded by the Indian Health Service (IHS), you must include a statement that the facility will meet all applicable IHS facility requirements. HUD recognizes that tribes are contracting services from the IHS may establish other facility standards. These tribes must assure these standards at least compare to nationally-accepted minimum standards.
- **Correctional Facilities/Juvenile Detention Centers** - If you are applying for a correctional facility or juvenile detention center that would provide correctional services to be funded by the U.S. Department of Justice (DOJ) and/or Bureau of Indian Affairs (BIA), you must include a statement that the facility meets all applicable BIA/DOJ standards regarding correctional operations, programs and designs.
- **Evidence of Partner Commitment** - If you are proposing to partner with other entities/organizations on your project, you must submit a letter on letterhead of the entity/organization and signed by the chief executive of the entity/organization that demonstrates that the entity/organization is willing and able to participate. This includes entities providing funds for the project as well as service providers and entities contributing to the operation of the project.
- **Code of Conduct** - If your Code of Conduct (code) is not listed on HUD's website at [Code of Conduct for HUD Grant Programs](#) or if the information on the website has changed, you must submit a copy of

your code of conduct with your application.

- **Disclosure of Lobbying Activities (SF-LLL)** - You must submit this form if you are a State-recognized Indian tribe or tribally designated housing entity established only under state law.

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

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

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

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

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

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

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

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

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

The application deadline is 11:59:59 p.m. Eastern time on **05/18/2017**. Applications must be received no later than the deadline.

Submit your application to [Grants.gov](#) unless a waiver has been issued allowing you to submit your application in paper form. Instructions for submitting your application to [Grants.gov](#) are contained in the Application Package you downloaded from [Grants.gov](#). Instructions for submitting your paper application will be contained in the waiver of electronic submission.

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

“Received by [Grants.gov](#)” means the applicant received a confirmation of receipt and an application tracking number from [Grants.gov](#). [Grants.gov](#) assigns an application tracking number and date- and time-stamps each application upon successful receipt by the [Grants.gov](#) system. A submission attempt that does not result in confirmation of receipt and an application tracking number is not considered received by [Grants.gov](#).

Applications received by Grants.gov must be validated by [Grants.gov](#) in order to be received by HUD. “Validated by Grants.gov” means the application has been accepted and was not rejected with errors. You can track the status of your application by logging into Grants.gov, selecting “Applicants” from the top

navigation, and selecting “Track my application” from the dropdown list. If the application status is “rejected with errors,” you must correct the error(s) and resubmit the application before the 24-hour grace period ends. Applications in “rejected with errors” status after the 24-hour grace period expires will not be received by HUD. Visit [Grants.gov](http://Grants.gov) for a complete description of processing steps after submitting an application. To quickly check the status of your application:

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

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

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

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

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

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

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

In the event of either of these events, HUD will post a notice on its website that establishes the new, extended deadline for the affected applicants. HUD will also include the fact of the extension in the program’s Notice of Funding Awards that is required to be published in the [Federal Register](#).

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

PLEASE NOTE: Busy servers, slow processing, or large file sizes, improper registration or password issues

are not valid circumstances to extend the deadline dates or the grace period.

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

Before the submission deadline, you may amend an application that has been validated by Grants.gov by resubmitting a revised application containing the new or changed material. The resubmitted application must be received and validated by grants.gov by the applicable deadline. If HUD receives an original and a revised application for a single proposal, HUD will evaluate only the last submission received by Grants.gov before the deadline.

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

If your application is received by Grants.gov before the deadline, but is rejected with errors, you have a grace period of 24 hours after the application deadline to submit a corrected application that is received and validated by Grants.gov. The date and time stamp on the Grants.gov system determines the application receipt time. Any application submitted during the grace period that is not received and validated by grants.gov will not be considered for funding. There is no grace period for paper applications.

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

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

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

Except as provided by the electronic submission grace period described in this NOFA, HUD may not consider any information that applicants may want to provide after the application deadline. HUD may not seek or consider clarification of application items or responses that improve the substantive quality of an application or which correct deficiencies which are in whole or part of a rating factor, including items that impact preference points. HUD may contact the applicant to clarify other items in its application. In order not to unreasonably exclude applications from being rated and ranked where there are curable deficiencies, HUD will uniformly notify applicants of each curable deficiency. A curable deficiency is an error or oversight which, if corrected, would not alter, in a positive or negative fashion, the review and rating of the application. Examples of curable (correctable) deficiencies include inconsistencies in the funding request, failure to submit the proper certifications, and failure to submit an application that contains a signature by an official able to make a legally binding commitment on behalf of the applicant. These examples are non-exhaustive.

When HUD identifies a curable deficiency, HUD will notify the authorized representative in item 21 of the SF-424 describing the curable deficiency. The email notifications are the official notification of the need to cure a curable deficiency. Each applicant must provide accurate email addresses for receipt of these notifications and must monitor their email accounts to determine whether a deficiency notification has been received. The applicant must carefully review the request for cure of a curable deficiency and must provide the response in accordance with the instructions contained in the deficiency notification.

Applicants must email corrections of curable deficiencies to [applicationsupport@hud.gov](mailto:applicationsupport@hud.gov) within the time limits specified in the notification. The time allowed to correct deficiencies will not exceed 14 calendar days or be less than 48 hours from the date of the email notification. The start of the cure period will be the date stamp on the email sent from HUD (or GrantSolutions). If the deficiency cure deadline date falls on a Saturday, Sunday, Federal holiday, or other day when HUD's Headquarters offices in Washington, DC, are closed, then the applicant's correction must be received on the next business day that HUD Headquarters offices in Washington, DC are open.

The subject line of the email sent to [applicationsupport@hud.gov](mailto:applicationsupport@hud.gov) must state: "Technical Cure" and include the Grants.gov application tracking number (e.g., Subject: Technical Cure - GRANT123456). If this

information is not included, HUD cannot match the response with the application under review and the application may be rejected due to the deficiency.

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

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

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

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

Not Applicable

### **Indirect Cost Rate.**

Statutory or Regulatory Restrictions Apply

Applicants may use their negotiated indirect cost rate, if one exists, or may choose to use the *de Minimis* rate (10 percent of Modified Direct Costs) if they have never received a negotiated indirect cost rate.

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

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

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

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

Applicants signing the SF424 cover page either through electronic submission or in paper copy submission (for those granted a waiver) affirm that the certifications and assurances associated with the application are material representations of the facts upon which HUD will rely when making an award to the applicant. If it is later determined that the signatory to the application submission knowingly made a false certification or assurance or did not have the authority to make a legally binding commitment for the applicant, the applicant may be subject to criminal prosecution, and HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to federally-recognized Indian tribes, and those applicable to applicants other than federally-recognized Indian tribes. All program-specific certifications and assurances are included in the program Instructions Download on Grants.gov.

#### **3. Lead Based Paint References**

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

## V. Application Review Information.

### A. Review Criteria.

#### 1. Rating Factors.

The factors for rating and ranking applications and the points for each factor are explained below. A maximum of 100 points may be awarded under Rating Factors 1 through 5. To be considered for funding, your application must receive a minimum of 15 points under Rating Factor 1 and an application score of at least 70 points.

Current ICDBG grantees and new applicants will be scored differently in Rating Factor 1. The first number in the "POINTS" column indicates the maximum number of points available to current ICDBG grantees. The second number indicates the maximum number of points available to new applicants. The definition of a new applicant can be found in Section I.A.3.b. of this NOFA.

<b>RATING</b>	<b>FACTOR TITLE</b>	<b>POINTS</b>	<b>PROJECT TYPE</b>
<b>1</b>	<b>CAPACITY OF THE APPLICANT</b>	<b>30</b>	<b>Minimum of 15 Points Required</b>
1.1	Managerial, Technical and Administrative Capability	15 or 30	
1.1.a.	Managerial and Technical Staff	8	All Project Types
1.1.b.	Project Implementation Plan	3 or 8	All Project Types
1.1.c.	Financial Management	2 or 7	All Project Types
1.1.d.	Procurement and Contract Management	2 or 7	All Project Types
1.2.	Past Performance	15 or 0	
1.2.a.	Implementation and Expenditures	4 or 0	All Project Types
1.2.b.	Reports	2 or 0	All Project Types
1.2.c.	Close-outs	3 or 0	All Project Types
1.2.d.	Audits	3 or 0	All Project Types
1.2.e.	Findings	3 or 0	All Project Types
<b>2</b>	<b>NEED/EXTENT OF THE PROBLEM</b>	<b>24</b>	
2.1	Need and Viability	6	All Project Types
2.2	Project Benefit	12	All Project Types

2.2.a.	Public Facilities and Improvement Projects	12	---
2.2.b.	Economic Development Projects	12	---
2.2.c.	New Housing Construction, Housing Rehabilitation, Land Acquisition to Support New Housing and Homeownership Assistance Projects	12	---
2.2.d.	Microenterprise Programs	12	---
2.3	Unfunded Applications	6	
<b>3</b>	<b>SOUNDNESS OF APPROACH</b>	<b>34</b>	
3.1	Description of and Rationale for Project	12	All Project Types
3.2	Budget and Cost Estimates	12	All Project Types
3.3	Commitment to Sustain Activities	10	All Project Types
3.3.a.	Public Facilities and Improvement Projects	10	---
3.3.b.	New Housing Construction, Housing Rehabilitation and Homeownership	10	---
3.3.c.	Economic Development Projects	10	---
3.3.d.	Microenterprise Programs	10	---
3.3.e.	Land Acquisition Projects	10	---
<b>4</b>	<b>LEVERAGING RESOURCES</b>	<b>6</b>	<b>All Project Types</b>
<b>5</b>	<b>COMPREHENSIVENESS AND COORDINATION</b>	<b>6</b>	<b>All Project Types</b>
5.1	Coordination	2	---
5.2	Outputs, Outcomes, and/or Goals	4	---

<b>Preference Points</b>	<b>Points</b>
Preferred Sustainability Status Communities	2
Promise Zones	2

**Rating Factor 1: Capacity of the Applicant (up to 30 points).**

**Subfactor 1.1. Managerial, Technical, and Administrative Capability.**

**Subfactor 1.1.a. Managerial and Technical Staff (up to 8 points).** You must describe the specific roles and responsibilities and the knowledge/experience of the project director and all individual key staff, in planning, managing, and implementing projects in accordance with the implementation schedule for which funding is being requested. HUD will consider experience pertaining to the specific activities being proposed or the specific roles and responsibilities described in the application to be relevant, experience within the last 5 years to be recent, and evidence of completing past projects on or ahead of schedule to be successful. You

must provide a brief description of the past project(s), when they were due to be completed and when they actually were completed.

**(8 points)** You clearly describe the roles/responsibilities and the knowledge/experience of the project director and all individual key staff in planning, managing, and implementing projects for which funding is being requested. Experience of all individual key staff is relevant, recent, and past projects were completed on or ahead of schedule.

**(4 points)** You adequately describe the roles/responsibilities and the knowledge/experience of the project director and all individual key staff, in planning, managing, and implementing projects for which funding is being requested. Experience of all key staff is relevant and is either recent or past projects were completed on or ahead of schedule.

**(2 points)** You describe the roles/responsibilities and the knowledge/experience of the project director and most of the individual key staff in planning, managing, and implementing projects for which funding is being requested. Experience of most individual key staff is relevant, and is either recent or successful

**(0 points)** You do not describe the roles/responsibilities and the knowledge/experience of the project director and all individual key staff, in planning, managing, and implementing projects for which funding is being requested or all individual key staff experience as described in the application is either not relevant, or is not recent, or successful. Or you describe the experience of your organization as a whole, rather than that of all individual key staff.

#### **Subfactor 1.1.b. Project Implementation Plan (up to 8 or 3 points).**

Points will be assigned as follows:

**(3 or 8 points)** Your implementation plan (form HUD - 4125) includes a detailed breakdown of all tasks needed to complete your project. You must show that the project will be underway within 180 days from the expected award date included in the NOFA.

**(2 or 5 points)** Your implementation plan includes a breakdown of major tasks needed to complete your project.

**(0 points)** You did not include an implementation plan in your application or the plan does not include a breakdown of major tasks needed to complete your project.

#### **Subfactor 1.1.c. Financial Management (up to 2 or 7 points).**

For the purposes of this subfactor, a current audit is one which was due to be submitted to the Federal Audit Clearinghouse (FAC) within the 12-month period prior to the application deadline date. Points will be assigned as follows:

**(2 or 7 points)** You clearly describe how the financial management systems of the entity identified as responsible for managing the finances of the project meets the regulatory requirements at 2 CFR Part 200 and 24 CFR Part 1003. The responsible entity's current audit was submitted within the regulatory timeframes and does not contain any findings related to its financial management systems. If the responsible entity is required to but does not have a current audit, you must include a letter from the entity's Independent Public Accountant (IPA) dated within the past 12 months stating that the entity's financial management systems comply with all applicable regulatory requirements. If the responsible entity is not required to have an audit in accordance with 2 CFR 200, you must provide an affirmative statement indicating that an audit is not required.

**(1 or 4 points)** You adequately describe how the financial management systems of the entity identified as responsible for managing the finances of the project meets the regulatory requirements cited above. The responsible entity's current audit was submitted within the regulatory timeframes and does not contain any findings related to its financial management systems or the responsible entity is not required to have an audit. If the responsible entity is required to have an audit, you did not include a letter from the entity's

Independent Public Accountant (IPA) dated within the past 12 months stating that the entity’s financial management systems comply with all applicable regulatory requirements.

**(0 points)** You did not describe how the responsible entity’s financial management systems meet the regulatory requirements or the responsible entity’s audit contains findings related to its financial management systems or you did not indicate that the responsible entity is not required to submit an audit.

**Subfactor 1.1.d. Procurement and Contract Management (up to 2 or 7 points).**

For the purposes of this subfactor, a current audit is one which was due to be submitted to the Federal Audit Clearinghouse (FAC) within the 12-month period prior to the application deadline date.

Points will be assigned as follows:

**(2 or 7 points)** You clearly describe how the procurement and contract management policies and procedures of the entity responsible for the project meet the regulatory requirements at 2 CFR Part 200 and 24 CFR Part 1003. The responsible entity’s current audit does not contain any findings related to its procurement and contract management policies and procedures. If the responsible entity is not required to have an audit in accordance with 2 CFR 200, you must provide an affirmative statement indicating that an audit is not required. The current audit was submitted within the regulatory timeframes.

**(1 or 4 points)** You adequately describe how the responsible entity’s procurement and contract management policies and procedures meet the regulatory requirements cited above. The responsible entity’s audit does not contain any findings related to its procurement and contract management policies and procedures or there is no required audit. The current audit if required was submitted within the regulatory timeframes.

**(0 points)** You did not describe how the responsible entity’s procurement and contract management policies and procedures meet the regulatory requirements or the responsible entity’s audit contains findings related to its procurement and contract management policies and procedures or a required audit was not submitted on time.

**Subfactor 1.2. Past Performance (up to 15 points for current applications only).** You are not required to respond to the past performance subfactors unless information is requested elsewhere in this rating factor. The term “rating period” in the subfactors below refers to the 12-month period immediately preceding the application due date. Your performance in implementing imminent threat grants will also be considered in this subfactor.

**Subfactor 1.2.a. Implementation and Disbursements (up to 4 points).** For this subfactor, performance will be evaluated for all ICDBG grants that were open during the rating period. ICDBG funds awarded within 12-months of the application deadline are not included when calculating the Line of Credit Control System (LOCCS) percentage under this subfactor. Points will be assigned as follows:

POINTS	MET TIME FRAMES OF IMPLEMENTATION PLANS	TOTAL AMOUNT IN LOCCS
4	Yes	No more than 35%
3	Yes	Between 36% and 50%
2	Yes	Between 51% and 80%
0	No	More than 80%

**Subfactor 1.2.b. Reports (up to 2 points).** For this subfactor, performance will be evaluated for all open ICDBG grants during the rating period. Points will be assigned as follows:

**(2 points)** You submitted the Annual Status and Evaluation Report(s) (ASER) and all Federal Financial Report(s) (FFRs)(SF-425) by the submission deadlines.

**(1 points)** You submitted either the ASER(s) or all the FFR(s) by the submission deadlines.

**(0 points)** You did not submit the required FFRs or ASERs by the submission deadlines.

**Subfactor 1.2.c. Close-outs (up to 3 points).** For this subfactor, performance will be evaluated for all ICDBGs that were due to be closed during the rating period. Points will be assigned as follows:

**(3 points)** You submitted the close-out documents within 90 days of the date that the Area ONAP determined that the criteria for closeout had been met.

**(0 points)** You did not submit close-out documents within 90 days of the date that the Area ONAP determined the criteria for closeout had been met.

**Subfactor 1.2.d. Audits (up to 3 points).** Points will be assigned as follows:

**(3 points)** You submitted annual audits for the last two audit periods in accordance with 2 CFR 200.500 (within 30 days after completion of the audit or 9 months after the fiscal year ends, whichever is earlier), or if you received an extension of the audit submission date, you submitted your audit by the extended due date. If you received an extension, you must submit a copy of the extension approval letter. Do not submit your audit with the application. If you are not required to submit an annual audit, state that you did not meet the audit threshold under 2 CFR 200.500 in your application to receive the maximum score for this subfactor.

**(0 points)** You did not submit annual audits for the last two audit periods or if you received an extension of the audit submission date, you did not submit the audit by the extended due date, and/or did not submit the extension approval letter with the application or did not state that an annual audit was not required.

**Subfactor 1.2.e. Findings. (up to 3 points)** Points will be assigned as follows:

**(3 points)** During the rating period, you resolved open ICDBG and IHBG (if applicable) monitoring and controlled audit findings by the established target date(s). You will receive the maximum points for this rating factor if there were either no findings or the findings were not due to be closed during the submission date.

**(0 points)** During the rating period, you did not resolve open ICDBG or IHBG (if applicable) findings by the established target date(s).

**Rating Factor 2: Need/Extent of the Problem (up to 24 points).**

**Subfactor 2.1. Need and Viability (up to 6 points).**

**(6 points)** You clearly describe the need for the project, demonstrate that it will meet an essential community development need, and that it is critical to the viability of the community. You indicate how and why the project will improve the viability of the community, not just that it will.

**(3 points)** You adequately describe the need for the project but it do not demonstrate that the project meets both an essential community need and is critical to the viability of the community.

**(0 points)** You did not include any information in your application about how the project meets an essential community development need and is critical to the viability of the community.

**Subfactor 2.2. Project Benefit (up to 12 points).** The criteria for this subfactor vary according to the type of project you are applying for.

To determine the percentage of LMI persons who will benefit from area-wide public facility and improvement projects as well as economic development projects, you may rely on census data HUD provides or that you generate as explained below.

#### **Using HUD Data**

If you wish to use HUD data you must indicate which tabulation of census data you will use from the tables at: <https://www.huduser.gov/portal/icdbg/home.html>

#### **Using Your Own Data**

You may submit data that are unpublished, not generally available, and not older than the latest data available from the U.S. Census Bureau. If you are submitting demographic data other than the Census, you must state in your application that:

- Generally available published data are substantially inaccurate or incomplete;
- Data you are submitting has been collected systematically and is statistically reliable;
- Data are, to the greatest extent feasible, independently verifiable; and
- Data differentiate between reservation and BIA service area populations, when applicable.

If you are submitting your own data you must also include each of the following in your application:

- A sample copy of the survey form used to collect the data;
- An explanation of the methods used to collect the data;
- The number of persons that will benefit from the project;
- A list of incomes by household including household size; and
- The number of LMI persons that will benefit from the project.

Your survey cannot be older than 2010. If you fail to include all components listed above to support your own demographic data, the application reviewer will use the information at <https://www.huduser.gov/portal/icdbg/home.html> to determine points to be assigned in this subfactor.

#### **Subfactor 2.2.a. Public Facilities and Improvement Projects. (12 points)**

Points will be assigned as follows:

**(12 points)** At least 85 percent of the beneficiaries are LMI.

**(9 points)** At least 75 percent but less than 85 percent of the beneficiaries are LMI.

**(5 points)** At least 55 percent but less than 75 percent of the beneficiaries are LMI.

**(0 points)** Less than 55 percent of the beneficiaries are LMI.

If you are proposing a community building that will serve a limited clientele as defined in 24 CFR 1003.208(c) you must demonstrate that all families/individuals to be served by the program will be LMI to receive the full points in this subfactor. If your building will serve Head Start or Temporary Assistance for Needy Families clients you will receive the full 12 points in this subfactor and do not have to submit demographic information since the income limits for such programs are known.

#### **Subfactor 2.2.b. Economic Development Projects (up to 12 points).**

Points will be assigned as follows:

**(12 points)** At least 85 percent of the beneficiaries are LMI.

**(9 points)** At least 75 percent but less than 85 percent of the beneficiaries are LMI.

**(5 points)** At least 55 percent but less than 75 percent of the beneficiaries are LMI.

**(0 points)** Less than 55 percent of the beneficiaries are LMI.

The beneficiaries from this type of project can be the persons served by the project (see above) and/or persons employed by the project based on the jobs created or retained because of the project. As with public facility and infrastructure projects, HUD will rely on demographic information submitted with your application to assign points for this subfactor.

To document persons employed by the project, you must describe the nature and number of jobs created or retained for LMI people. This information includes but is not limited to brief descriptions of proposed job responsibilities, job titles, salaries, and the number of full-time equivalent positions. If jobs will be retained because of the ICDBG project, you must include information that shows clearly and objectively that jobs will be lost without the project. Jobs retained only for the period of the grant will not count under this rating

factor; they must be permanent jobs.

**Subfactor 2.2.c. New Housing Construction, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing, Housing Infrastructure and Homeownership Assistance Projects (up to 12 points).**

Every year to accompany the ICDBG NOFA, HUD prepares a Factor 2 Needs Table (Needs Table) that is used to determine the need for housing in tribal areas. The ratio is based on the dollars allocated to a tribe/TDHE under the Indian Housing Block Grant (IHBG) program for need divided by the total number of American Indian and Alaskan Native (AIAN) households in the following categories:

- annual income below 80 percent of the median;
- overcrowded or without kitchen or plumbing;
- housing cost burden greater than 50 percent of annual income;
- and housing shortage (number of low income AIAN households less total number of NAHASDA and Formula Current Assisted Stock).

You can find a copy of the Needs Table in the zip file with the Application Instructions for the ICDBG program when you download your application from grants.gov. You do not need to attach the table with your application. HUD will refer to it when assigning points in this subfactor.

**(12 points)** The dollar amount for the Indian tribe is \$0 - \$750 or the tribe's total FY 2016 IHBG amount was \$100,000 or less and the Needs Table indicates that the Indian tribe has American Indian and Alaskan Natives (AIAN) households experiencing income or housing problems.

**(9 points)** The dollar amount for the Indian tribe is \$751 - \$1,250.

**(5 points)** The dollar amount for the Indian tribe is \$1,251 - \$3,999.

**(0 points)** The dollar amount for the Indian tribe is \$4,000 or higher, or the Needs Table indicates that the Indian tribe has no AIAN households experiencing income or housing problems.

**Subfactor 2.2.d. Microenterprise Programs (up to 12 points).** A microenterprise is a business with five or fewer employees, one or more of whom owns the business. The owner(s) of the microenterprise must be LMI and the majority of the jobs created or retained must be for LMI persons. For documenting persons employed by the project, you do not need to submit a demographic data statement and corresponding documentation. However, you need to submit information that describes the nature and number of the jobs created or retained. These types of projects will be scored as follows:

**(12 points)** All employees are LMI.

**(8 points)** At least 75 percent but less than 100 percent of the employees are LMI.

**(4 points)** At least 51 percent but less than 75 percent of the employees are LMI.

**(0 points)** Less than 51 percent of the employees are LMI.

**Subfactor 2.3 Unfunded Applications (up to 6 points.)** You are not required to respond to this subfactor, as HUD has this information.

This subfactor provides points to tribes/tribal organizations who applied for a grant since FY 2014, received a fundable score (over 70 points), but did not receive a grant because other applicants in the region received higher scores. Points are provided in this subfactor as follows:

Points	FY Application Submitted	Funded
6	2014, 2015 and 2016	No
4	2015 and 2016	No
2	2016	No

**Rating Factor 3: Soundness of Approach (up to 36 points).**

**Subfactor 3.1. Description of and Rationale for Proposed Project (up to 12 points).**

Points will be assigned as follows:

**(12 points)** You must:

- Describe the project in detail including: *size* (including but not limited to square feet, linear feet, and bedroom size as applicable); *type* (including but not limited to type of building, type of construction, and material used); and *location* (including but not limited to a map, address and aerial photo);
- Indicate how the project is feasible and cost effective;
- Explain your rationale for project design;
- If your application is for housing construction or rehabilitation or a public facility building, describe and enumerate cost savings resulting from either the building design or construction methods or energy efficiency measures that will be realized in future years;
- If your application is for land for future housing, establish that there is a reasonable ratio between the number of usable acres to be acquired and the number of LMI households to benefit from the project; and
- Describe how you will train and/or employ Section 3 residents or contract with Section 3 businesses or provide other economic opportunities in accordance with Section III.D.1. of this NOFA and also comply with Indian preference requirements in Section III.E.1. of this NOFA.

**(9 points)** You must:

- Describe the project in adequate detail including: size, type and location as itemized above;
- Indicate how the project is feasible and cost-effective;
- Explain your rationale for project design; and
- If your application is for housing construction or rehabilitation or a public facility building, you describe and enumerate cost savings resulting from either the building design or construction methods or energy efficiency measures that will be realized in future years; and
- If your application is for land for future housing, establish that there is a reasonable ratio between the number of usable acres to be acquired and the number of LMI households to benefit from the project.

**(6 points)** You must:

- Describe the project in some detail including size, type and location;
- Indicate how the project is feasible and cost-effective; and
- If your application is for land for future housing, establish that there is a reasonable ratio between the number of usable acres to be acquired and the number of LMI households to benefit from the project.

**(4 points)** You must:

- Describe the project in general including size, type and location;
- Indicate in general how the project is feasible and cost-effective; and

**(0 points):**

- You did not provide the information requested above to receive points for this subfactor.

**Subfactor 3.2. Budget (up to 12 points).** You must submit form HUD-4123 (Cost Summary) and may supplement the budget information in your narrative. If your application includes a public service component, your budget must also include a breakdown of those costs.

For planning and administrative costs, do not include direct project costs /activity delivery costs (e.g. certain architectural/engineering, environmental, technical assistance, and some staff/overhead costs related to directly carrying out eligible activities) but include any funds the applicant will contribute toward administering the grant including planning and administrative costs that are charged as indirect costs charged to the ICDBG program under a cost sharing plan prepared under 2 CFR 200 as applicable. In addition, if your project includes a public service component your budget must provide a breakdown of costs for those. If you are not requesting ICDBG funds to administer the project, you must specify who will pay for those.

Points will be assigned as follows:

**(12 points)** Your budget is reasonable and accurately reflects construction costs for the area. Costs are broken down by line item for each proposed activity, including planning and administration. You described the qualifications of the person who prepared the cost estimates used to prepare the budget. The person who prepared the cost estimates used to develop the budget has recent and relevant experience in preparing estimates for the type of project proposed.

**(9 points)** Your budget is reasonable and costs are broken down by line item for each proposed activity, including planning and administration. You described the qualifications and the recent and relevant experience of the person(s) who prepared the estimates for the type of project proposed.

**(7 points)** Your budget is reasonable and costs are broken down for each proposed activity. You described the qualifications of the person who prepared the cost estimates but did not indicate that the experience of the estimator is recent and relevant to the type of project proposed.

**(0 points)** You did not provide adequate information to receive points in this subfactor.

### **3.3. Commitment to Sustain Projects (up to 10 points).**

Show that you will be able to sustain your project once it is complete. How you do that depends on the type of project you are applying for.

#### **Subfactor 3.3.a. Public Facilities and Improvement Projects (up to 10 points).**

State that either the tribe or another entity has adopted an operations and maintenance (O&M) plan to maintain the project and that it commits, by resolution or commitment letter, the funds to do so. These five components must be addressed in an O&M plan:

- Daily or other periodic maintenance activities;
- Repairs such as replacing broken windows;
- Capital improvements or replacement reserves for repairs such as replacing the roof;
- Fire and liability insurance (may not apply to most types of infrastructure projects, such as water and sewer lines); and
- Security (may not apply to many types of infrastructure projects, such as roads).

Points will be assigned as follow:

**(10 points)** Your application must include the O&M statement and funding commitment described above. You must also describe how the O&M plan addresses all five of the above components and include a satisfactory cost breakdown for annual expenses. For public facilities or community buildings, also demonstrate that funds for recreation, social, or other services that will be provided in the building have been committed. Your application must also include letters of commitment from outside service providers that identify both operating expenses and space needs. If the applicant is providing the funds for the recreation, social or other services a written statement to that effect is provided.

**(7 points)** Your application includes the O&M statement and funding commitment described above. You also describe how the O&M plan addresses four of the above components. For public facilities or community buildings, also demonstrate that funds for recreation, social, or other services have been committed. Your application must include letters of commitment from outside service providers that identify

either operating expenses or space needs. If the applicant is providing the funds for the recreation, social or other services a written statement to that effect is provided.

**(4 points)** Your application includes the O&M statement and funding commitment described above. You describe how the O&M plan addresses three of the above components. You included letters of commitment from outside service providers but the commitments do not address operating expenses or space needs.

**(0 points)** You did not provide adequate information to receive points in this subfactor.

**Subfactor 3.3.b. New Housing Construction, Housing Rehabilitation, Housing Acquisition, and Homeownership Assistance Projects (up to 10 points).**

Points will be assigned as follows:

**(10 points)** You described the ongoing maintenance and insurance responsibilities of the applicant and/or participants in detail. You also stated who is paying for it.

**(7 points)** You describe the ongoing maintenance and insurance responsibilities of the applicant and/or the participants in general. You also stated who is paying for it.

**(4 points)** You describe the maintenance and insurance responsibilities of the applicant and/or the participants only vaguely.

**(0 points)** You did not provide adequate information to receive points in this subfactor.

**Subfactor 3.3.c. Economic Development Projects (up to 10 points).**

You must describe:

- Why the project is needed in your market/area;
- How the project will operate; and
- How and why the project will succeed.

Points will be assigned as follows:

**(10 points)** You address all three components listed above and provided evidence that the project's chance for financial success is excellent.

**(7 points)** You address two components and provided evidence that the project's chance for financial success is reasonable.

**(4 points)** You address only one of the components and provided evidence that the project's chance for financial success is reasonable.

**(0 points)** You did not provide adequate information to receive points in this subfactor.

**Subfactor 3.3.d. Microenterprise Programs (up to 10 points).**

Points will be assigned as follows:

Your application must describe the microenterprise program including the types of assistance offered to microenterprise applicants and the types of entities eligible to apply for the assistance. It must explain how you will analyze microenterprise applicants' business plans, market studies, and financial feasibility. For credit programs, you must describe how you will determine the loan terms (i.e. interest rate, maximum loan amount and duration, loan servicing provisions) that you will offer to individual microenterprise applicants.

**(10 points)** You thoroughly address all of the above information or documentation applicable to the proposed project and provided evidence that the chance for success is excellent.

**(7 points)** You thoroughly address the above information or documentation applicable to the proposed project and provided evidence that the chance for success is reasonable.

**(4 points)** You generally address the above information or documentation applicable to the proposed project

and provided evidence that the chance for success is marginal.

**(0 points)** You did not provide adequate information to receive points in this subfactor.

**Subfactor 3.3.e. Land Acquisition Projects to Support New Housing (up 10 points).**

Show that the proposed site has:

- Suitable soil conditions for housing and related infrastructure;
- Potable drinking water accessible for a reasonable cost;
- Access to utilities;
- Vehicular access;
- Drainage;
- Nearby social and community services;
- No known environmental problems; and
- The land is zoned for the type of housing proposed.

This assessment must be prepared by a qualified independent entity.

**(10 points)** Your application includes all of the above information and demonstrates that 100 percent of all units will be constructed within two years after site purchase.

**(7 points)** Your application includes all of the above information and demonstrates that 50 percent of the units will be constructed within two years after site purchase.

**(4 points)** Your application includes most of the above information and demonstrates that 25 percent of the units will be constructed within two years after site purchase.

**(0 points)** You did not provide adequate information to receive points in this subfactor.

**Rating Factor 4: Leveraging Resources (up to 6 points).**

HUD will award points based on the percentage of non-ICDBG resources provided relative to project costs as follows:

<b>Non-ICDBG Resources to Total Project Costs</b>	<b>Points</b>
25 percent or more	6
At least 18 percent but less than 25 percent	5
At least 11 percent but less than 18 percent	4
At least 4 percent but less than 11 percent	2
Less than 4 percent	0

Leveraged resources include, but are not limited to:

- Tribal trust funds;
- Loans from individuals or organizations;
- Private foundations, businesses, state or federal loans or guarantees;
- Other grants including IHBG funds;
- Donated goods and services needed for the project;
- Land needed for the project (which can include land purchased prior to the application deadline date);
- Direct administrative costs

Leveraged resources do not include:

- Indirect administrative costs as identified in 2 CFR 200;

- Contributions of funds to pay for anticipated operations and maintenance costs of the proposed project; and
- The value of the existing facility (if your application is to expand an existing facility).

To provide evidence of leveraged funds you must submit the following documents with your application.

<b>Type of Leveraged Resource</b>	<b>Evidence/Documentation Needed</b>
Tribal Resources	<p>Tribal resolution committing funds</p> <p>For IHBG funds, whether the tribe or a TDHE administers them, the most recently approved IHP must identify and commit the IHBG resources to the project or if a future IHBG will be used, the application must identify the program year of the future IHP and the amount to be provided from that IHP.</p>
Public Agency, Foundation or Other Private Party	<p>Letters of commitment which must include the donor organization's name, the specific funds proposed, the dollar amount of the financial or in-kind resource and method for valuation, and the purpose of that resource within the proposed project.</p> <p>Memorandum of understanding, and/or agreement to participate, including any conditions to which the contribution may be subject.</p> <p>An official of the organization legally authorized to make commitments on behalf of the organization must sign the commitment.</p>
Goods and Services	<p>Must demonstrate that the donated items are necessary to the actual development of the project and include comparable costs that support the donation.</p>
Land	<p>Land valuation must be established using one of the following methods and the documentation must be contained in the application:</p> <p>A site-specific appraisal no more than two years old;</p> <p>An appraisal of a nearby comparable site also no more than two years old;</p> <p>A reasonable extrapolation of land value based on current area realtor value guides;</p> <p>or</p> <p>A reasonable extrapolation of land value based on recent sales of similar properties in the same area.</p>

Applicants are reminded that environmental review requirements under 24 CFR Part 58 apply to the commitment or use of both ICDBG and non-ICDBG funds in a leveraged project. See Section VI.B. of this NOFA for information related to this requirement.

HUD recognizes that in some cases, you may not get a firm commitment of non-tribal funds by the application deadline. In such cases, you must include a statement from the contributing entity that describes why the firm commitment cannot be made at the current time. The statement must say that your tribe/organization and proposed project meets the eligibility criteria for receiving the leveraged funds. It must also include a date by which the funding decisions will be made. This date cannot be over six months from the anticipated date of grant approval by HUD. If you do not provide HUD with evidence of the firm commitment from the original leverage source or an alternative source within six months of the date of grant approval, HUD reserves the right to recapture the grant funds and may award such funds in accordance with 24 CFR 1003.102.

Leveraged funds will be calculated using the total project cost as identified in the application divided by documented leveraged funds.

**Rating Factor 5: Comprehensiveness and Coordination (up to 6 points).**

For this rating factor, show that you have designed your project and plan to implement it in coordination with community members, tribal departments, and other agencies/organizations. Your proposed project should be consistent with any tribal comprehensive plans if such exist. If funded, you will have to report on the outputs and outcomes you propose in your application.

**Subfactor 5.1. Coordination (up to 2 points)**

**(2 points)** Your application demonstrates that the activities proposed follow any strategic plans or policy goals of your community. It identifies and describes how you plan to coordinate and work on the project with organizations that will not be providing leveraged funds to the project. Your application also summarizes how you involved the community in developing the application pursuant to the regulatory requirements for citizen participation at 24 CFR 1003.604.

**(1 point)** Your application states that the activities are consistent with plans and goals of the community but did not say how. It identifies and describes how you will work on the project with other organizations but does not summarize how you involved the community in developing the application.

**(0 points)** Your application does not mention any community plans or goals, identify any partnering organizations or describe how you involved the community in developing the proposal.

**Subfactor 5.2. Outputs and Outcomes (up to 4 points).**

In this portion of your application you must include outcomes and outputs you hope to achieve with your project. Outputs are measured in the volume of work accomplished. They should be clear enough to allow HUD to monitor and assess the proposed project's progress if funded. An outcome is the impact you hope to achieve with your proposed project. They should be quantifiable measures or indicators that identify the change in the community, people's lives, economic status, etc.

Depending on the type of project(s) proposed outputs could include but are not limited to:

- Number of housing units rehabilitated;
- Number of jobs created;
- Number of housing units constructed;
- Number of community facilities built;
- Dollars invested;
- Square feet for any public facility;
- Number of education or job training opportunities provided;
- Number of homeownership units constructed or financed;
- Number of businesses supported (including number of minority/Native American);
- Number of families proposed to be assisted through a drug-elimination program, or through a program to reduce or eliminate health-related hazards;
- Number of persons assisted; or
- Linear feet of infrastructure.

Depending on the type of project(s) proposed, outcomes could include but are not limited to:

- Reduction in the number of families living in substandard housing;
- Reduction in overcrowding;

- Increased income resulting from employment generated by project; Increased quality of life due to services provided by the public facility; Increased economic self-sufficiency of program beneficiaries;
- Increase in homeownership rates;
- Reduction of drug-related crime or health-related hazards;
- Units connected to gas, phone or electric lines/roads/water/sewer; Accessibility for disabled persons; or
- Improved energy efficiency.

**(4 points)** Your application included measurable outputs and outcomes for the proposed activity.

**(2 points)** Your application included measurable outputs, but not outcomes, or vice versa. Or your application submitted both but neither was measurable.

**(0 points)** You did not provide any of the information requested above.

## **2. Preference Points.**

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

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

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

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

### **1. Past Performance**

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

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

HUD may deduct points from the rating score or establish threshold levels as specified under the Factors for Award in the Program NOFAs. Each Program NOFA will specify how past performance will be rated or otherwise used in the determination of award amounts. Whenever possible, HUD will obtain past

performance information from staff with the greatest knowledge and understanding of each applicant's performance. If this evaluation results in an adverse finding related to integrity or performance, HUD reserves the right to take any of the remedies provided in Section III.C.2.b.(5), Pre-selection Review of Performance, above.

## **2. Assessing Applicant Risk**

**3. Application Selection Process** - HUD will review each application and assign points in accordance with the selection factors described in this section.

## **4. Application Screening and Acceptance -**

The Area ONAP will screen and accept applications if they meet all the criteria listed below.

- Your application is received or submitted in accordance with the requirements of this NOFA.
- You are eligible to submit an application.
- The proposed project is eligible.
- Your application contains all of the applicable components listed in Section IV. B. of this NOFA. Your application shows that at least 70 percent of the grant funds are to be used for activities that benefit LMI persons. For screening purposes HUD will use the census data posted at [FY2017 Data Update for Low- and Moderate-Income \(LMI\) Area](#) Benefit Designation for HUD's ICDBG if the data submitted with the application does not meet this screening requirement.

**5. Threshold Compliance** - The Area ONAP will review each application that passes the screening process to ensure that each applicant and each proposed project meets the submission thresholds in the General Section and this NOFA.

**6. ICDBG Past Performance** - Your past performance will be evaluated under Rating Factor 1. You are encouraged to address all performance-related criteria prior to the application deadline date. You must score a minimum of 15 points under Rating Factor 1 to meet the minimum point requirements outlined below.

**7. Rating** - The Area ONAP will review and rate each project that meets the acceptance criteria and threshold requirements. Once all applications are rated, the Area ONAP will conduct a review to ensure consistency in the application rating.

**8. Minimum Points** - To be considered for funding, your application must receive a minimum of 15 points under Rating Factor 1 and an overall score of 70 points.

**9. Ranking** - All projects will be ranked against each other according to the point totals they receive, regardless of the type of project or component under which the points were awarded. Projects will be selected for funding based on the final ranking to the extent that funds are available. The Area ONAP will determine individual grant amounts in a manner consistent with the considerations in 24 CFR 1003.100(b)(2). Specifically, the Area ONAP may approve a grant amount less than the amount requested. In doing so, the Area ONAP may consider the size of the applicant, the level of demand, the scale of the activity proposed relative to need and operational capacity, the number of persons to be served, the amount of funds required to achieve project objectives, and the reasonableness of the project costs. If the Area ONAP determines there are not enough funds available to fund a project as proposed by the applicant, it may decline to fund that project and may fund the next highest-ranking project or projects for which adequate funds are available. In such cases, the Area ONAP will select, in rank order, additional projects for funding. The Area ONAP may also select additional projects for funding, in rank order if additional funds become available.

**10. Tiebreakers** - When rating results in a tie among projects and there is not enough money to fund all tied projects, the Area ONAP will approve projects that can be fully funded over those that cannot be fully funded. When that does not resolve the tie, the Area ONAP will use the following factors in the order listed to resolve the tie:

- The applicant that has not received an ICDBG over the longest period of time;
- The applicant with the fewest active ICDBGs; and
- The project that would benefit the highest percentage of LMI persons.

## **11. Technical Deficiencies and Pre-award Requirements:**

**a. Technical Deficiencies** - If there are technical deficiencies in successful applications, you must satisfactorily address these deficiencies before HUD can make a grant award. See the **General Section** at VI.B.7. for information.

**b. Pre-award Requirements** - If you are to receive a grant, you may have to provide supporting documentation concerning the management, maintenance, operation, or financing of proposed projects before a grant agreement can be executed. HUD may ask for additional information on the scope, magnitude, timing or method of implementing the project; or information to verify the commitment of other resources required to complete, operate, or maintain the proposed project. HUD will notify applicants by facsimile or via the U.S. Postal Service, return receipt requested. Applicants will be provided fourteen (14) calendar days from the date of receipt of the HUD notification to respond to these requirements. No extensions will be provided. If the deadline date falls on a Saturday, Sunday, or federal holiday, the response must be received by HUD on the next day that is not a Saturday, Sunday, or federal holiday. If you do not respond within the prescribed time period or makes an insufficient response, the Area ONAP will determine that the requirement has not been met and will withdraw the grant offer. You may not substitute new projects for those originally proposed in the application and any new information will not affect the project's rating and ranking.

The time period for calculating the response deadline for technical deficiencies and pre-award requirements begins on the day after receipt of the pre-award letter from the Area ONAP.

**12. Agency Errors** - Judgments made within the provisions of this NOFA and the program regulations (24 CFR Part 1003) are not subject to claims of error. There is no appeal process. You may however, bring arithmetic errors in your application score to the attention of your Area ONAPs within 30 days of being informed of your score.

**13. Performance and Compliance Actions of Funding Recipients** - HUD will measure and address the performance of and order compliance actions by funding recipients in accordance with the applicable standards and sanctions of their respective programs.

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

HUD expects to announce awards by September 2017.

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

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

Following the evaluation process HUD will notify successful applicants of their selection for funding. HUD will also notify all other applicants, whose applications were received by the deadline, that have not been chosen for award. Notifications will be sent by email to the person listed as the AOR in item 21 of the SF-424.

If selected, your Area ONAP will send you an award letter and a grant agreement to sign and return. If you do not already have one, you will have to establish an account in LOCCS so you can draw down grant funds as needed to complete your project/activities. You will also be encouraged to participate in award implementation training offered by your Area ONAP. All grants are conditioned on the completion of all environmental obligations and approval of release of funds by the Area ONAP in accordance with the requirements of 24 CFR Part 58. All grants are conditioned on the completion of all environmental obligations and approval of release of funds by the Area ONAP in accordance with the requirements of 24 CFR Part 58. HUD may impose other grant conditions if additional actions or approvals are required, before

the use of funds.

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

For this NOFA, the following requirements apply:

### **Environmental Requirements.**

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

Activities under this NOFA are subject to the environmental review provisions set out at 24 CFR 1003.605. The expenditure or commitment of ICDBG or nonfederal funds on project activities (other than those listed in 24 CFR 58.22(f), 58.34 or 58.35(b)) prior to HUD approval may result in the denial of assistance for the project or activities under consideration. Where a tribal organization has applied for a grant on behalf of an Indian tribe, the tribe is considered the grantee responsible for environmental review requirements.

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

Unless excepted under 24 CFR chapters I through IX, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, set forth in 2 CFR part 200, shall apply to Federal Awards made by the Department of Housing and Urban Development to non-Federal entities. Applicants should be aware that if the total Federal share of your Federal award may include more than \$500,000 over the period of performance, you may be subject to post award reporting requirements reflected in Appendix XII to Part 200 Award Terms and Condition for Recipient Integrity and Performance.

## **C. Reporting.**

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

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

**2. FOIA Reporting.** HUD makes frequently requested materials, including information on the highest-scoring funding grant applications available on its [Freedom of Information Act \(FOIA\) website](#). To avoid disclosure of PII, proprietary information, business confidential information, or other content that should not be disclosed to the public, HUD will only post applications redacted pursuant to FOIA. Those recipients who receive the highest score in each competition must provide a redacted version of their applications within 30 days of notification from HUD that they submitted the highest-scoring application. If multiple applicants receive the same score, all of them will be asked to submit redacted applications. When submitting a redacted version, recipients may black out information that would cause the recipient substantial competitive harm, as the standard is provided in [5 U.S.C. 552\(b\)\(4\)](#), should the information be disclosed to the public. HUD will take the recipient's proposed redactions under advisement when determining what information should be released to the public.

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

NOFAs may specify the data collection and reporting requirements. Many programs use the Race and Ethnic Data U.S. Department of Housing OMB Approval No. 2535-0113 Reporting Form HUD-27061.

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

## **2. ICDBG Post-Award Reporting Requirements.**

**a. Quarterly Financial Reports.** If you receive an ICDBG you will have to submit a SF425, Federal\_Financial\_Report to your Area ONAP at the end of each quarter.

**b. Annual Status and Evaluation Report.** If funded, you will have to submit this report annually. The report is due 45 days after the end of the federal fiscal year and at the time of grant close-out. The report must include:

- The progress made on completing your project;
- A list of work remaining;
- A breakdown of funds spent, and
- When the project is done, an evaluation of its effectiveness in meeting your community development needs.

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

### **D. Debriefing.**

For a period of at least 120 days, beginning 30 days after the awards for a Program NOFA are publicly announced, HUD will provide to a requesting applicant a debriefing related to its application. A request for debriefing must be made in writing or by email by the authorized official whose signature appears on the SF424 or by his or her successor in office, and be submitted to the person, organization, or email address identified as the contact under the section entitled Agency Contact(s) in the Program NOFA. Information provided during a debriefing may include the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

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

HUD staff will be available to provide clarification on the content of this NOFA. Please note that HUD staff cannot assist applicants in preparing their applications.

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

Frederick J. Grierer

(202) 402-5186

[Frederick.J.Grierer@hud.gov](mailto:Frederick.J.Grierer@hud.gov)

Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339.

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

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

**National Environmental Policy Act.**

**This NOFA provides funding under 24 CFR 1003, and applicants are required to follow the environmental requirements that are outlined at 24 CFR 1003.605. This NOFA does not alter any of those environmental requirements.** Accordingly, under 24 CFR 50.19(c)(5), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Activities under this NOFA are subject to the environmental review provisions set out at 24 CFR 1003.605.

**Appendix.**

If you have questions, please contact your Area ONAP office.

[Information is provided on the HUD website.](#)

Area ONAP	Phone Numbers
Alaska	(907) 677-9800
Eastern Woodlands	(800) 735-3239
Northern Plains	(303) 672-5116
Northwest	(206) 220-5270
Southern Plains	(405) 609-8520
Southwest	(602) 379-7200 Phoenix (505) 346-6923 Albuquerque