



**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-6800-N-23

07/15/2024

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**Funding Opportunity Title:**

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

**Funding Opportunity Number:**

FR-6800-N-23

**Assistance Listing Number:**

14.862

**Due Date for Applications:**

07/15/2024

## OVERVIEW

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

In accordance with [Title 24 part 4, subpart B](#) of the Code of Federal Regulations (CFR), during the selection process (which includes HUD's NOFO development and publication, and concludes with the announcement of the selection of recipients of assistance), HUD is prohibited from disclosing covered selection information. Examples of impermissible disclosures include: 1) information regarding any applicant's relative standing; 2) the amount of assistance requested by any applicant; and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants who have applied for assistance.

For further information regarding this NOFO, direct questions regarding the specific requirements of this NOFO to the agency contact identified in section VII.

**Paperwork Reduction Act Statement.** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. §§ 3501- 3520) (PRA), the Office of Management and Budget (OMB) approved the information collection requirements in this NOFO. 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. This NOFO identifies the applicable OMB control number, unless the collection of information is excluded from these requirements under [5 CFR Part 1320](#).

**OMB Control Number(s):**

2577-0191

## I. FUNDING OPPORTUNITY DESCRIPTION

### A. Program Description

#### 1. Purpose

The purpose and goal of the Indian Community Development Block Grant (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 of low and moderate income. See the ICDBG regulation at 24 CFR 1003.2. The Assistance

Listings Number (14.862) can be used via [SAM.gov](https://www.sam.gov) to view additional information about the ICDBG program.

**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 NOFO.

**b. Imminent Threat Grants.** Projects funded with Imminent Threat grant funds are to address issues that have an immediate negative impact on public health or safety of tribal residents.

You do not have to apply for an Imminent Threat grant by the deadline established in this NOFO. Imminent Threat grant funds are awarded on a noncompetitive, first-come, first-served basis until the \$5,000,000 amount set aside for this purpose is exhausted. The Imminent Threat request must be submitted to the Area Office of Native American Programs (ONAP) for your region in accordance with [ONAP Program Guidance 2018-04, “Imminent Threat Grants”](#) and the requirements in [24 CFR part 1003 subpart E](#).

## **2. HUD and Program-Specific Goals and Objectives**

HUD’s Strategic Plan sets the direction and focus of our programs and staff to create strong, sustainable, inclusive communities and quality, affordable homes for all. This NOFO supports [HUD’s Strategic Plan for Fiscal Years \(FY\) 2022-2026](#) to accomplish HUD’s mission and vision. Each of the five goals in the [Strategic Plan](#) include what HUD hopes to accomplish, the strategies to accomplish those objectives, and the indicators of success.

HUD will pursue two overarching priorities focused on increasing equity and improving customer experience across all HUD programs. Five strategic goals and several objectives undergird the Plan; however the following goals are applicable to this NOFO.

You are expected to align your application to the applicable strategic goals and objectives below. Use the information in this section to describe in your application the specific goals, objectives, and measures that your project is expected to help accomplish. If your project is selected for funding, you are also expected to establish a plan to track progress related to those goals, objectives, and measures. HUD will monitor compliance with the goals, objectives, and measures in your project.

### **Applicable Goals and Objectives from HUD’s Strategic Plan**

#### **1C: Invest in the Success of Communities**

Promote equitable community development that generates wealth-building for underserved communities, particularly for communities of color.

If funded, grantees will have to submit information regarding the estimated number of (1) permanent and (2) temporary jobs that are created each year in whole or in part with ICDBG funds in the annual ASER report. The ASER is due 45 days after the end of the federal fiscal year and at the time of grant close-out to your Area ONAP. Please follow the requirements in Section VI.C.4.b. of this NOFO.

## **3. Changes from Previous NOFO**

#### **Section I.4. Program Descriptions**

- In response to Tribal Consultation feedback calling for improved clarity:
  - Added definition of Direct Costs for reference regarding direct cost/project cost items within grant requested amounts.
  - Added definition of Planning and Administration.
  - Removed definition of Youth.
  - Removed definition of Current Applicant/ Current ICDBG Grantee.

#### **Section I.B. Authority**

- Updated this section and related sections to indicate that Congress has not yet appropriated fiscal year 2024 funds for this program and will be contingent on future congressional action.

#### **Section II. A. Available Funds**

- In response to Tribal Consultation feedback calling for improved clarity, made minor edits throughout to improve readability.

#### **Section II. B. Number of Awards**

- Lowered the expected number of awards to 70 based on previous year's award totals.

#### **Section II. D. Period of Performance**

In response to Tribal Consultation feedback calling for improved clarity:

- Added dates to indicate the time period these funds are available.
- Updated period of performance dates to reflect 8/5/2024 to 8/5/2029.
- Added clarification that extensions to period of performance end dates are possible in accordance with ICDBG program policy.

#### **Section III. Eligibility Information**

- Clarified requirements for submission of a narrative response to Advancing Racial Equity.
- Clarified requirements for submission of a narrative response to Experience Promoting Racial Equity.

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

- Added instructions for completing the Application for Federal Assistance (SF-424) form.
- Removed language stating that HUD would not consider information in the one-page proposal summary when rating applications.
- Moved and clarified instructions about completing the HUD-4125 and HUD-4123.
- Renamed "Budget Narrative" to "Budget Detail."
- Specified that "current" when referring to required tribal resolutions means "within 12 months prior to the application deadline date."
- In response to feedback received in tribal consultation, removed the page limit and formatting requirements for the workplan narrative.

- Clarified that the threshold requirements for housing rehabilitation projects involving homeownership apply to both privately-owned housing and housing owned and operated by a TDHE.
- In response to feedback received in tribal consultation, changed the threshold requirement for infrastructure projects to allow five years, rather than three, for the future housing or community development project to be completed.
- Indicated that corrections of curable deficiencies must be emailed to the Area ONAP as well as [applicationsupport@hud.gov](mailto:applicationsupport@hud.gov).

## **Section V.A. Review Criteria Rating Factors:**

- **Rating Factor Chart**
  - Factor 1 Capacity of the Applicant
    - Renamed 1.3 from “Audit Findings” to “Findings.”
    - Removed Procurement and Contract Management subfactor (previously 1.4) and reallocated points to other subfactors.
    - Replaced “Disbursements” subfactor with subfactors assessing progress of Pandemic Relief and Imminent Threat Grants (1.4), and Competitive Grants (1.5).
    - Increased points in 1.7 Close-outs from 2 to 3 points.
- **Rating Factor 2 Need/Extent of the Problem**
  - Reduced total possible points from 29 to 23.
  - Removed “Project Connection to Tribal Youth” subfactor.
  - Reduced possible points from 7 to 5 in 2.4 New/Unfunded Applicants.
- **Rating Factor 3 Soundness of Approach**
  - Increased total possible points from 29 to 38.
  - Subfactor 3.3 Project Implementation Schedule: Increased possible points from 4 to 8.
  - Subfactor 3.4 Commitment to Sustain Projects: Increased possible points from 5 to 10.
- **Rating Factor 4 Leveraging Resource**
  - Reduced leverage percentages and maximum points from 6 to 3. Added clarifying language to indicate how HUD will address a reduction in leverage after grant award.
- **Rating Factors and Subfactors were revised in response to tribal consultation feedback to increase clarity and in some cases, add additional flexibility for applicants, as follows.**
  - **Subfactor 1.1 Managerial and Technical Staff:** clarifications to descriptive language in the introduction. Specified that applicants can list contractors or

organizations as key staff, as well as individuals. Noted that known capacity gaps not addressed in the narrative will result in adjustments to scores, as permitted by this NOFO. Adjusted the criteria to indicate that key staff experience must be relevant in order to receive points.

- **Subfactor 1.2 Audit Submission:** made clarifying edits to the descriptive language in the lead-in paragraph and rating tier points. Added a requirement that no past audits may be overdue as of the application deadline. Removed the provision allowing for delays due to COVID-19. Added a provision allowing for extensions provided by the FAC.
- **Subfactor 1.3 Findings:** made clarifying edits to the descriptive language in the lead-in paragraph and rating tier points. Added HUD-ONAP monitoring findings and repeat findings to the rating criteria. Removed requirement for an unmodified opinion. Added requirement that both of the two most recent audits must be submitted.
- **Subfactor 1.4 Progress of Pandemic Relief and Imminent Threat Grants:** this is a new subfactor.
- **Subfactor 1.5 Progress of Competitive Grants:** this is a new subfactor.
- **Subfactor 1.6 Timely Reporting:** made clarifying edits to the descriptive language in the lead-in paragraph. Increased points from 2 to 3. Removed the option to receive 1 point.
- **Subfactor 1.7 Close-outs:** clarified that this subfactor examines ICDBG single purpose and IT grants.
- **Subfactor 2.2.a. Public Facilities and Infrastructure Projects:** corrected the regulatory citation for limited clientele projects.
- **Subfactor 2.2.c. housing projects:** added additional point categories. Adjusted the dollar ranges to better reflect changes to Needs Table data due to recent increased IHBG allocations.
- **Subfactor 2.3 - New and Unfunded Applicants:** reduced points from 7 to 5 and added a 3-point category.
- **Subfactor 3.2 – Budget:** edits in the lead-in paragraph and point criteria made for clarity.
- **Subfactor 3.3 – Project Implementation Schedule:** added descriptive language in lead-in paragraph and rating tier points. Added a requirement that applicants complete milestone(s) for full points.
- **Subfactor 3.4.a. Public Facilities and Infrastructure Projects:** added clarification about letters of commitment to lead-in paragraph.
- **Factor 4 - Leveraging Resources:** reduced leverage percentages and maximum points from 6 to 3. Added clarifying language to indicate how HUD will address a reduction in leverage after grant award.

## Section V.B.

- Added additional factors for resolving a tie.

## Section V.B.3.g. Technical Deficiencies and Pre-Award Requirements



- Information added regarding HUD’s options to verify HUD records prior to making awards.

## **Section VI. Award Administration Information- C.4. ICDBG Post-Award Reporting Requirements:**

- Revised submission dates for annual SF-425 reporting from 30 to 90 days, to reflect changes in ONAP reporting requirements. Added additional detail describing how to complete the Annual Status and Evaluation Report.

### **4. Definitions**

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

**Affirmatively Furthering Fair Housing (AFFH)** means taking meaningful actions, in addition to combating discrimination to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunities, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all program participant’s activities and programs relating to housing and urban development.

**Assistance Listing number** refers to the unique number assigned to each Federal assistance program publicly available in the Assistance Listing, which is managed and administered by the General Services Administration. The Assistance Listing number was formerly known as the Catalog of Federal Domestic Assistance (CFDA) number.

**Authorized Organization Representative (AOR)** is a person authorized to legally bind your organization and submit applications via Grants.gov. The AOR is authorized by the E-Business Point of Contact (E-Biz POC) in the System for Award Management (see E-Biz POC definition). An AOR may include an Expanded AOR and/or a Standard AOR.

*Expanded Authorized Organization Representative* is a user in Grants.gov who is authorized by the E-Biz POC to perform the functions of a Standard AOR, initiate and submit applications on behalf of your organization, and is allowed to modify organization-level settings and certifications in Grants.gov.

*Standard Authorized Organization Representative* is a user in Grants.gov who is authorized by the E-Biz POC to initiate and submit applications in Grants.gov. A Grants.gov user with

the Standard AOR role can only submit applications when they are a Participant for that workspace.

**Consolidated Plan** is the document submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submission for funding under any of the Community Planning and Development formula grant programs (e.g., CDBG, ESG, HOME, and HOPWA). This Plan is prepared in accordance with the process described in [24 CFR part 91](#). This plan is completed by engaging in a participatory process to assess affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions with funding from formula grant programs. (See [24 CFR part 91](#) for HUD's requirements regarding the Consolidated Plan and related Action Plan).

**Contract** means, for the purpose of Federal financial assistance, a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a Federal award. For additional information on contractor and subrecipient determinations, see [2 CFR 200.331](#).

**Contractor** means an entity that receives a contract as defined above and in [2 CFR 200.1](#).

**Cooperative agreement** has the same meaning defined at [2 CFR 200.1](#).

**Deficiency**, with respect to the making of an application for funding, is information missing or omitted within a submitted application. Examples of deficiencies include missing documents, missing or incomplete information on a form, or some other type of unsatisfied information requirement. Depending on specific criteria, a deficiency may be either Curable or Non-Curable.

*A **Curable Deficiency*** is missing or incomplete application information that may be corrected by the applicant with timely action. To be curable, the deficiency must:

- Not be a threshold requirement, except for documentation of applicant eligibility;
- Not influence how an applicant is ranked or scored versus other applicants; and
- Be remedied within the time frame specified in the notice of deficiency.

*A **Non-Curable Deficiency*** is missing or incomplete application information that cannot be corrected by an applicant after the submission deadline. A non-curable deficiency is a deficiency that is a threshold requirement, or a deficiency that, if corrected, would change an applicant's score or rank versus other applicants. If an application includes a non-curable deficiency, the application may receive an ineligible determination, or the non-curable deficiency may otherwise adversely affect the application's score and final funding determination.

**E-Business Point of Contact (E-Biz POC)** is an individual associated with the applicant organization who is responsible for the administration and management of award activities for the applicant organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The E-Biz POC authorizes representatives of their organization to apply on behalf of the organization (see Authorized Organization Representative definition). There can only be one E-Biz POC per unique entity identifier (see definition of Unique Entity Identifier below).

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

**Environmental Justice** means investing in environmental improvements, remedying past environmental inequities, and otherwise developing, implementing, and enforcing environmental laws and policies in a manner that advances equity and provides meaningful involvement for people and communities that have been environmentally underserved or overburdened, such as Black and Brown communities, indigenous groups, and individuals with disabilities. This definition does not alter the requirements under HUD’s regulations at [24 CFR 58.5\(j\)](#) and [24 CFR 50.4\(l\)](#) implementing [Executive Order 12898](#). E.O. 12898 requires a consideration of how Federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and/or low-income populations. For additional information on environmental review compliance, refer to:

[https://www.hud.gov/program\\_offices/comm\\_planning/environment\\_energy/regulations](https://www.hud.gov/program_offices/comm_planning/environment_energy/regulations).

**Equity** has the meaning given to that term in Section 2(a) of Executive Order [13985](#) and means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

**Federal award**, has the meaning, depending on the context, in either paragraphs (1) or (2) of this definition:

(1)

(a) The Federal financial assistance that a recipient receives directly from a Federal awarding agency or indirectly from a pass-through entity, as described in [2 CFR 200.101](#); or

(b) The cost-reimbursement contract under the Federal Acquisition Regulations that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity, as described in [2 CFR 200.101](#).

(2) The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in [2 CFR 200.1](#), and this NOFO, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.

(3) Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).

(4) See also definitions of Federal financial assistance, grant agreement, and cooperative agreement in [2 CFR 200.1](#).

**Federal Financial Assistance** has the same meaning defined at [2 CFR 200.1](#).

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

**Non-Federal Entity (NFE)** 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.

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

**Promise Zones (PZs)** are high poverty areas in select urban, rural and tribal communities designated from 2014-2016 where the Federal government partners with local leaders to increase economic activity, improve educational opportunities, leverage private investment, reduce violent crime, enhance public health and address other priorities identified by the community. See Promise Zones.

**Racial Equity** is the elimination of racial disparities and is achieved when race can no longer predict opportunities, distribution of resources, or outcomes – particularly for Black and Brown persons.

**Recipient** means an entity, usually but not limited to non-Federal entities, that receives a Federal award directly from HUD. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

**Small business** is defined as a privately-owned corporation, partnership, or sole proprietorship that has fewer employees and less annual revenue than regular-sized business. The definition of “small”—in terms of being able to apply for government support and qualify for preferential tax policy—varies by country and industry. The U.S. Small Business Administration defines a small business according to a set of standards based on specific industries. See [13 CFR part 121](#).

**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 an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

**System for Award Management (SAM)** is the Federal Repository into which an entity must provide information required for the conduct of business as a recipient. Registration with SAM is required for submission of applications via Grants.gov. You can access the website at <https://www.sam.gov/SAM/>. There is no cost to use SAM.

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

**Underserved Communities** has the meaning given to that term in Section 2(b) of Executive Order [13985](#) and refers to populations sharing a particular characteristic, as well as geographic

communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the definition of “equity” above.

**Unique Entity Identifier (UEI)** means the identifier assigned by SAM to uniquely identify entities. As of April 4, 2022, the Federal government has transitioned from the use of the DUNS Number to the use of UEI, as the primary means of entity identification for Federal awards government-wide.

b. Program Definitions.

The following definitions apply to the ICDBG program. Other applicable program definitions can be found at 24 CFR 1003.4.

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

**Direct Costs** - Any costs related directly to grant activities connected to specific project objectives (purpose of the specific project), as described in [2 CFR 200.413](#).

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

**Eligible Community Based Development Organization (CBDO)** - As defined in 24 CFR 1003.204(c).

**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 must be included in the tribal resolution. If a tribal organization is the applicant, it must submit evidence of such commitment in the equivalent of a tribal resolution.

**Ineligible Activities** - The general rule is that any activity that is not authorized under the provisions of 24 CFR 1003.201 through 1003.206 is ineligible to be assisted with ICDBG funds. A list of activities that have been explicitly identified as ineligible can be found at 24 CFR 1003.207. Link to [24 CFR 1003.207](#) - Ineligible activities.

**Key Staff** – Key Staff are determined by the applicant. Key Staff means experienced, professional and/or technical personnel who will have major responsibilities under the contract and/or provide unusual or unique expertise essential for successful completion of the work performed.

**Low- and Moderate-Income (LMI) beneficiary** - As defined in 24 CFR 1003.4, LMI beneficiary means a family, household, or individual whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families. However, HUD may establish income ceilings higher or lower than 80 percent of the median for the area based on HUD's findings that such variations are necessary because of unusually high or low household or family incomes. In reporting income

levels to HUD, the applicant must include and identify the distributions of tribal or village income to families, households, or individuals.

**Planning and Administration** expenses are ICDBG-eligible administrative expenses, as defined 24 CFR 1003.205 and 24 CFR 1003.206 for the proposed ICDBG Project. They include but are not limited to costs of overall project management including administration of the grant, coordination of grant monitoring and evaluation, and preparation of grant reports. Please see Section IV.F for more information about planning and administration expenses.

**Rating Period** - Unless otherwise specified, the term "Rating Period" is the one-year period immediately preceding the application deadline date.

**Standard Housing/Standard Conditions** - Housing that meets the quality standards (HQS) adopted by the tribe or tribal organization depending on the type of housing proposed. The HQS adopted by the applicant must be at least as stringent as the Section 8 HQS contained in 24 CFR 982.401 (Section 8 Tenant-Based Assistance: Housing Choice Voucher program) unless the Area ONAP approves less stringent standards based on a determination that local conditions make the use of Section 8 HQS infeasible. 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) adequate space and privacy for all intended household members.

**Tribal Resolution** - The formal way 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).

## B. Authority

The authority for this program is Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and program regulations in 24 CFR part 1003. Funding is provided by the Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024).

## II. AWARD INFORMATION

### A. Available Funds

Funding of approximately **\$75,000,000** is available through this NOFO.

Additional funds may become available for award under this NOFO consistent with VI.A.2.e., Adjustments to Funding. Use of these funds is subject to statutory constraints. All awards are subject to the funding restrictions contained in this NOFO.

In the 2024 Appropriations Act, ONAP was appropriated a total of \$75,000,000 for ICDBG Single Purpose grants. Additional funds for Single Purpose grants may become available for award under this NOFO, because of HUD's efforts to use carryover funds.

In accordance with the 2024 Appropriations Act, HUD is setting aside funding of up to \$5,000,000 to be used for emergencies that constitute imminent threats to health and safety. HUD may award

these noncompetitive funds in accordance with [24 CFR part 1003 subpart E-Imminent Threat Grants](#) and [ONAP Program Guidance 2018-04, “Imminent Threat Grants.”](#)

Applications that pass the initial application screening and threshold requirements will be rated and ranked. Funds will be awarded in descending rank order based on the score received on the application submitted under this NOFO. HUD reserves the right to issue a supplemental or independent NOFO if necessary (e.g., to ensure that all appropriated funds are awarded or if additional requirements apply to future funds, consistent with VI.A.2.d.).

**1. Allocations to Area ONAPs.** The ICDBG regulations specify how the funds for the Single Purpose ICDBGs will be allocated among the six Area ONAPs. See 24 CFR 1003.101.

Accordingly, the allocations for FY 2024 grants are as follows:

| <b>Area ONAP Office</b> | <b>Total Area ONAP Allocations</b> |
|-------------------------|------------------------------------|
| Alaska                  | \$9,309,973                        |
| Eastern Woodlands       | \$5,305,767                        |
| Northern Plains         | \$10,714,906                       |
| Northwest               | \$3,582,373                        |
| Southern Plains         | \$17,335,580                       |
| Southwest               | \$23,751,401                       |

**2. Grant Ceilings.**

Applications may include more than one project, but the entire grant may not exceed the limits listed below for your region.

| <b>Area ONAP</b>  | <b>Population</b> | <b>Ceiling</b> |
|-------------------|-------------------|----------------|
| Alaska            | ALL               | \$2,000,000    |
| Eastern Woodlands | ALL               | \$2,000,000    |
| Northern Plains   | ALL               | \$2,000,000    |
| Northwest         | ALL               | \$2,000,000    |
| Southern Plains   | ALL               | \$2,000,000    |
| Southwest         |                   |                |
|                   | 50,001+           | \$5,000,000    |
|                   | 10,501-50,000     | \$4,000,000    |
|                   | 7,501-10,500      | \$3,000,000    |
|                   | 7,500 and below   | \$2,000,000    |

In the Southwest ONAP (SWONAP) 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.

**NOTE:** Only one ICDBG application may be submitted for each area within the jurisdiction of an entity eligible under 24 CFR part 1003. An applicant may include more than one project, but it cannot exceed the grant ceilings listed in the above table for Section II.2. Tribal organizations applying on behalf of multiple tribes may combine ceiling amounts for a project if the project will benefit the members of all such respective tribes. Several tribes may submit individual applications for one combined activity if the project will benefit the members of all such respective tribes.

**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            | \$444,780       |
| Eastern Woodlands | up to \$265,230 |
| Northern Plains   | up to \$255,150 |
| Northwest         | up to \$309,960 |
| Southern Plains   | up to \$223,650 |
| Southwest         | up to \$311,220 |

## **B. Number of Awards**

HUD expects to make approximately 70 awards from the funds available under this NOFO.

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

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

Estimated Total Funding:

\$75,000,000

Minimum Award Amount:

\$500,000

Per Project Period

Maximum Award Amount:

\$5,000,000

Per Project Period



## D. Period of Performance

The period of performance and planned drawdowns for any grant awarded under this NOFO must be identified in the Implementation Schedules and approved by HUD. Costs must be incurred during the period of performance identified on the grant award or addendum. HUD can require you to spend funds in accordance with the Implementation Schedule submitted with your application. If funded and you do not make progress toward meeting your Implementation Schedule, HUD reserves the right to recapture funds.

**The period of performance for projects considered under this NOFO cannot exceed 5 years.** Applicants may request a shorter period of performance based on the project(s) that is being proposed for ICDBG funding. An extension to the period of performance may be requested in accordance with ICDBG program policy. Requests for extension should be submitted prior to the period of performance end date.

**\*For infrastructure projects to support future housing (Section IV.B.1.1.), the period of performance proposed in the application cannot exceed 5 years.**

This NOFO refers to a project period (period of performance), which is the same period as the budget period for purposes of the FY 2024 ICDBG awards.

Estimated Project Start Date:

11/13/2024

Estimated Project End Date:

11/13/2029

Length of Project Periods:

Other

Length of Periods Explanation of Other:

**Project periods awarded under this NOFO will be limited to 5 years.** After award, requests for extensions may be made and will be considered on a case-by-case basis as described above.

## E. Type of Funding Instrument

Funding Instrument Type:

G (Grant)

## III. ELIGIBILITY INFORMATION

### A. Eligible Applicants

07 (Native American tribal governments (Federally recognized))

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

#### **Additional Information on Eligibility**

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

**Tribes:** Eligible applicants are any Indian tribe, band, group, or nation, including Alaska Indians, Aleuts, and Eskimos, and any Alaska Native village of the United States which is considered an eligible recipient under Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450) or which had been an eligible recipient under the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. 1221). Eligible recipients under the Indian Self-Determination and Education Assistance Act will be determined by the Bureau of Indian Affairs and eligible recipients under the State and Local Fiscal Assistance Act of 1972 are those that have been determined eligible by the Department of Treasury, Office of Revenue Sharing. For more information, see “Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs” (88 Fed. Reg. 2112, January 12, 2023, <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00504.pdf>).

**Tribal Organizations:** Tribal organizations which are eligible under Title I of the Indian Self-Determination and Education Assistance Act may apply on behalf of any Indian tribe, band, group, nation, or Alaska Native village eligible under that act for funds under this NOFO when one or more of these entities have authorized the tribal organization to do so through concurring resolutions. Such resolutions must accompany the application for funding. Eligible tribal organizations under Title I of the Indian Self-Determination and Education Assistance Act will be determined by the Bureau of Indian Affairs or the Indian Health Service, as appropriate.

To document eligibility determinations, 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. A copy of this letter must be included in your application submission, unless your organization has already provided such a letter in previous years approved by HUD 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 applies 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 Alaska Native Claims Settlement Act (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.

## **B. Ineligible Applicants**

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

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

This Program does not require cost sharing or matching, but provides points based on leverage, as described below.

Applicants are encouraged to leverage other Federal (including IHBG formula funds) and non-Federal sources. HUD will award maximum points under Rating Factor 4 for applications that propose a certain percentage of leverage and provide the required firm commitments and/or supporting documentation to support each source of leverage. (See Rating Factor 4 of this NOFO). All leveraging must be secured and used by the end of the period of performance. Other Federal sources are only allowed to be used as leveraging if permitted by a program's authorizing statute. Grantees will be required to show evidence that leveraging resources were actually received and used for their intended purposes through yearly Federal Financial Reports (SF-425) as the project proceeds.

## **D. Threshold Eligibility Requirements**

Applicants who fail to meet any of the following threshold eligibility requirements are deemed ineligible. Applications from ineligible applicants are not rated or ranked and will not receive HUD funding.

### **1. Resolution of Civil Rights Matters**

Outstanding civil rights matters must be resolved before the application submission deadline. Applicants with unresolved civil rights matters at the application deadline are deemed ineligible. Applications from ineligible applicants are not rated or ranked and will not receive HUD funding.

a. An applicant is ineligible for funding if the applicant has any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that are not resolved to HUD's satisfaction before or on the application deadline date for this NOFO.

- (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 (including sexual orientation and gender identity), national origin, disability or familial status;
- (2) Status as a defendant in a Fair Housing Act lawsuit filed by the United States 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, Violence Against Women 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; Violence Against Women Act; 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:

(1) Current compliance with a voluntary compliance agreement signed by all the parties;

(2) Current compliance with a HUD-approved conciliation agreement signed by all the parties;

(3) 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;

(4) Current compliance with a consent order or consent decree;

(5) Current compliance with a final judicial ruling or administrative ruling or decision; or

(6) Dismissal of charges.

## **2. Timely Submission of Applications**

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

## **3. Grant Ceiling**

If an applicant requests more than the maximum Area ONAP grant ceiling amount applicable under this NOFO, then the application will not be reviewed. Applicants must clearly document the amount requested under this NOFO on line 18a of the Application for Federal Assistance (SF-424). See Section IV.B.2.a. of this NOFO for guidance.

## **4. Rating Factor Thresholds**

Applicants must receive a minimum score of 15 points for Rating Factor 1-Capacity of the Applicant and an overall score of 70 points (without the addition of Preference Points) to be eligible to receive a grant under this competition.

## **5. ICDBG Program and Project Specific Thresholds**

The following requirements are threshold requirements and will not be considered curable deficiencies if not submitted or submitted incorrectly. If the thresholds are not met, the application will be deemed ineligible.

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

**b. 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.

**c. Housing Rehabilitation projects:** The requirements for this threshold are in Section IV.B.1.n. of this NOFO.

**d. New Housing Construction projects:** The requirements for this threshold are in Section IV.B.1.o. of this NOFO.

**e. Economic Development projects:** The requirements for this threshold are in Section IV.B.1.p. of this NOFO.

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

### **Eligibility Requirements for Applicants of HUD's Financial Assistance Programs**

The following requirements affect applicant eligibility. Detailed information on each requirement is found in the "[Eligibility Requirements for Applicants of HUD's Competitive Programs](#)" document on HUD's Funding Opportunities page. Applicants who fail to meet any of these eligibility requirements are deemed ineligible to receive HUD funding.

1. Universal Identifier and System for Award Management (SAM.gov) Requirements
2. Outstanding Delinquent Federal Debts
3. Debarments or Suspensions, or both
4. Mandatory Disclosure Requirement
5. Pre-selection Review of Performance
6. Sufficiency of Financial Management System
7. False Statements
8. Prohibition Against Lobbying Activities

In addition, each applicant under this NOFO must have the necessary processes and systems in place to comply with the Award Term in Appendix A of [2 CFR part 170](#) if the applicant receives an award, unless an exception applies as provided in [2 CFR 170.110](#).

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

**If you are awarded a grant under this NOFO 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 part 1003.**

Other statutory or regulatory requirements specific to the ICDBG program are:

**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. 5307). The provisions and requirements for this section are found at [24 CFR 1003.510](#).

**Eligible Activities**- A complete list and description of eligible activities can be found at [24 CFR part 1003, subpart C](#) .

### **Advancing Racial Equity**

In accordance with Executive Order [13985](#), Executive Order 14091, *Executive Order on Further Advancing Racial Equity and Support for Underserved Communities Through The Federal Government*, and Federal fair housing and civil rights laws, your application must address the following:

- You analyzed the racial composition of the persons or households who are expected to benefit, directly or indirectly, from your proposed award activities;
- You identified any potential barriers to persons or communities of color equitably benefiting from your proposed award activities;
- You detailed the steps you will take to prevent, reduce, or eliminate these barriers; and
- You have measures in place to track your progress and evaluate the effectiveness of your efforts to advance racial equity in your award activities.

Note that any actions taken in furtherance of this section must be consistent with Federal nondiscrimination requirements.

Executive Order 14112, Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination, issued December 6, 2023, encourages agencies to reduce administrative burden on Tribes. In acknowledgment of this order and Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities, HUD's equity provisions enable Tribal applicants to determine if barriers to equity exist, and if so, to address them.

Due to the unique nature of the ICDBG program, and its specific focus on serving tribal communities, all grant activities will benefit underserved communities as defined in this NOFO, including Native Americans and Black and Brown people and communities. If you believe there are potential barriers to historically underserved communities equitably benefiting from proposed grant activities, submit a narrative identifying those barriers, detailing steps to prevent, reduce, or eliminate those barriers, and explaining how you will measure, track progress, and evaluate the effectiveness of efforts to overcome those barriers.

### **Affirmative Marketing and Outreach**

Any outreach or marketing conducted under a HUD award must be conducted broadly throughout the local area and nearby areas and targeted to reach any eligible persons in demographic groups that would be unlikely or least likely to be aware of the benefits of a HUD award absent such efforts, or entities that serve such groups. Such demographic groups may include, for example, Black and Brown persons or communities, individuals with limited English

proficiency, individuals with disabilities, or families with children. Strategies for affirmative marketing or outreach include outreach through community contacts or service providers or at community centers serving the target population; and marketing on websites, social media channels, television, radio, and print media serving local members of the targeted group. You must submit a narrative describing the affirmative marketing/outreach activities that will be conducted if you are selected for a HUD award.

### **Experience Promoting Racial Equity**

In accordance with Executive Order 13985, Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, and Federal fair housing and civil rights laws, your application must demonstrate that the applicant has the experience and/or the resources to effectively address the needs of underserved communities, particularly Black and Brown communities. This may include experience successfully working directly with such groups, experience designing or operating programs that equitably benefit such groups, or experience successfully advancing racial equity in other ways. This may also include experience soliciting, obtaining, and applying input from such groups when designing, planning, or implementing programs and activities.

Executive Order 14112, Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination, issued December 6, 2023, encourages agencies to reduce administrative burden on Tribes. In acknowledgement of this order and Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities, HUD's equity provisions enable Tribal Applicants to demonstrate Experience Promoting Racial Equity through their Indian Housing Plans (IHP), or through a separate narrative. If you decide to use your IHP, HUD will consider the IHP's description of experience effectively serving tribal communities to meet the EPRE requirements. Alternatively, you can elect to submit a separate 1–2-page narrative which describes your experience serving and/or resources to effectively address the needs of underserved communities. You must include a statement with your application stating which option you have selected. Your IHP description or narrative description of experience will be evaluated for sufficiency and will be a curable deficiency if it is deemed insufficient.

### **Affirmatively Furthering Fair Housing**

With some exceptions for Federally recognized Indian tribes and their instrumentalities, the application must discuss how the applicant will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with the Fair Housing Act and its implementing regulations and how applicants will meet the requirements of the definition of affirmatively furthering fair housing at 24 CFR 5.151. If the applicant will carry out proposed activities with an Assessment of Fair Housing (AFH), the proposed activities should be consistent with the AFH's fair housing goals and with fair housing strategies specified in the jurisdiction's Consolidated Plan or Public Housing Agency Plan.

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

The ICDBG program must primarily benefit low and moderate income beneficiaries as defined in [24 CFR 1003.4](#).

## IV. APPLICATION AND SUBMISSION INFORMATION

### A. Obtain an Application Package

#### Instructions for Applicants

All application materials, including the Application Instructions and Application Package, are available through Grants.gov. You must access and review all available application materials. You must submit your application electronically via Grants.gov under the Funding Opportunity Number cited within this NOFO. Your application must list the applicable Funding Opportunity Number.

You can request a waiver from the requirement for electronic submission, if you demonstrate good cause. An example of good cause may include: a lack of available Internet access in the geographic area in which your business offices are located. However, lack of SAM registration or valid UEI is not good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic application submission requirements. HUD will not grant a waiver if you fail to submit to HUD by email or postmark by mail a request for a waiver at least 15 calendar days before the application deadline. If HUD grants a waiver, a paper application must be received before the deadline for this NOFO. To request a waiver, you must contact:

Name:

ONAP Director-Grants

Email:

ONAP-ICDBG@hud.gov

HUD Organization:

PIH-ONAP

Street:

451 7th St. SW, Rm. 4108

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

**Notwithstanding the 15-day deadline referenced in Section IV.A. of this NOFO, applicants may submit waiver requests up to 7 business days prior to the application deadline date.**

*Applicants should send waiver requests to their respective Area Office (See Appendix, page 92) with a copy to the contact listed above.*

*Examples of good cause for a waiver from the electronic submission requirement 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.*

*For more information, please contact your Area Office listed in the Appendix section of this NOFO.*



## B. Content and Form of Application Submission

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

Submission of an application that is otherwise sufficient, but is under the wrong Assistance Listing and Funding Opportunity Number is a Non-Curable Deficiency, and will be rejected, unless otherwise stated under the Threshold requirements section. When applying with a UEI that does not match the organization name as registered in sam.gov will result in an ineligible applications.

### 1. Content

| Forms/Assurances/Certifications                         | Submission Requirement   | Notes/Description  |
|---|--|--|
| Application for Federal Assistance (SF-424)             | This form is required.   | Review section IV.B.2.a. of this NOFO for detailed application requirements. |
| Applicant/Recipient Disclosure/Update Report (HUD 2880) | This form is required.   | Review section IV.B.2.a. of this NOFO for detailed application requirements. |
| Assurances for Construction Programs (SF-424D)          | This form is required.   | This form is contained within the Application Package.                       |
| Implementation Schedule ( <a href="#">HUD-4125</a> )    | Submission is required for all applicants by the application due date. | Review section IV.B.2. of this NOFO for detailed submission requirements.    |
| Cost Summary ( <a href="#">HUD-4123</a> )               | Submission is required for all applicants by the application due date. | Review section IV.B.2. of this NOFO for detailed submission requirements.    |

| Forms/Assurances/Certifications   | Submission Requirement  | Notes/Description   |
|---|---|---|
|   |   |   |
| <b>Certification of Consistency with Promise Zone Goals and Implementation (HUD- 50153)</b> | Submission is required for applicants requesting consideration for Preference Points. | This form is contained within the Instruction Package.  |
| Needs Table for Rating Factor 2.2c  | Reference document for housing projects.  | As indicated in Rating Factor 2.2c, use this table to determine the need for housing in tribal areas. |
| Applicant and Recipient Assurances and Certifications (HUD 424-B)                           | This form is required.  | Review section IV.B.2.a. of this NOFO for detailed submission requirements                            |
| Certification Regarding Lobbying form   | This form is required.  | Review section IV.B.2.a. of this NOFO for detailed submission requirements.                           |
| Disclosure of Lobbying Activities (SF-LLL)  | This form is conditionally required   | Review section IV.B.2.a. of this NOFO for detailed submission requirements.                           |

**Submissions:**

**1. Advancing Racial Equity narrative (Curable deficiency):** If you believe there are potential barriers to historically underserved communities equitably benefiting from proposed grant activities, you should submit the Advancing Racial Equity narrative (Section III.F) with this application package. The narrative should identify those barriers, detail steps to prevent, reduce, or eliminate those barriers, and explain how you will measure, track progress, and evaluate the effectiveness of efforts to overcome those barriers.

**2. Experience Promoting Racial Equity (EPRE) Statement (Curable deficiency):** All applicants must include a statement with the application package which indicates how you elect to meet Experience Promoting Racial Equity (EPRE) requirement in (Section III.F) through either: your IHP or submission of a separate narrative. If using your IHP, HUD will consider the IHP’s description of experience effectively serving tribal communities to meet the EPRE requirements. Alternatively, you can submit a separate 1–2-page narrative which describes your experience serving and/or resources to effectively address the needs of underserved

communities. Your IHP description or narrative description of experience will be evaluated for sufficiency and will be a curable deficiency if it is deemed insufficient.

**Additionally, your complete application must include the following:**

**a. Application for Federal Assistance (SF-424)** must include the information listed below. HUD may require successful applicants to update errors on the SF-424 based on the pre-award requirement process outlined in this NOFO. Line 18a (Federal) must list the amount requested under this ICDBG grant only and not include other Federal funding.

1. Key Contact (Block 8f): List the contact information of your proposed ICDBG program manager. Do not list a non-employee of yours, such as a contractor/consultant grant writer.
2. Catalog of Federal Domestic Assistance Number (Block 11): 14.862
3. Proposed Project Dates (Blocks 17a-b): The estimated period of performance start and end dates for projects awarded under this NOFO is 8/5/2024 to 8/5/2029. You may request a shorter period of performance. Projects considered under this NOFO cannot exceed a 5-year period of performance.
4. Estimated Funding (Blocks 18a-g):
  - a. Line 18a (Federal) must list the amount requested under this ICDBG grant only. This must not include any proposed federal funding used as leveraged funds.
  - b. Lines 18b-18f must list any proposed leveraged funds. Any federal funds proposed as leverage (e.g., IHBG formula) should be listed in line 18e, "Other."
  - c. Line 18g: Overall total from 18a-18g.
5. Authorized Representative (Block 21): Include your authorized representative contact information (e.g., Tribal Chairperson/Chief, TDHE Executive Director, etc.).

**b. Applicant/Recipient Disclosure/Update Report (Form HUD-2880) (Curable deficiency)**

**c. Applicant and Recipient Assurances and Certifications (HUD 424-B) (Curable deficiency)**

**d. Assurances for Construction Programs (SF-424D)(Curable deficiency)**

**e. Implementation Schedule (HUD-4125)** for completing the project. The dates listed on the Implementation Schedule must match the dates proposed on the SF-424, Blocks 17a-b. For applications proposing multiple projects, you must submit a separate Implementation Schedule for each project. HUD may require successful applicants to update errors on the Implementation Schedule based on the pre-award requirement process outlined in this NOFO. Note that if you submit the IHBG Competitive Implementation Schedule (Form HUD-53247) instead of the Form HUD-4125, your application will be reviewed but HUD will send you a curable deficiency notification for you to complete and submit the correct form. If you do not submit either Form HUD-53247 or Form HUD-4125, your application will not be reviewed.

**f. Cost Summary (HUD-4123)** Provide cost information including specific activity costs, administration, planning, and total resources that will be committed to the project, including resources from both Federal and non-Federal sources. For applications proposing multiple projects, applicants must submit a separate Cost Summary form for each project. HUD may require successful applicants to update errors on the Cost Summary form based on the pre-award requirement process outlined in this NOFO. Note that if you submit the IHBG Competitive Cost Summary (Form HUD-53246) instead of the Form HUD-4123, your application will be reviewed

but HUD will send you a curable deficiency notification for you to complete and submit the correct form. If you do not submit either Form HUD-53246 or Form HUD-4123, your application will not be reviewed. The Cost Summary totals must match the information provided on the SF-424 and Budget Detail and be completed as follows:

1. **Planned ICDBG Expenditures (Column b):** List the amount requested under this grant only. The total in Column b must match the requested amount listed in Line 18a of the SF-424. This must not include any proposed federal funding used as leveraged funds.
2. **Planned Other Federal Funds Expenditures (Column c):** List any proposed federal funds used as leverage (e.g., IHBG formula funds).
3. **Planned Non-Federal Funds Expenditures (Column d):** List any proposed non-federal funds used as leverage. Note: The totals for Columns c and d must match the total leveraged funds proposed in lines 18b-18f of the SF-424.
4. **Administration (Line 5a-c):** List any proposed funds towards administration and planning expenses in this section. Amounts must match the Budget Detail. Any funds proposed towards Indirect Costs must be included in line 5b of the Cost Summary.
5. **Grand Total (Line 9):** The total must match the overall total in line 18g of the SF-424.

**g. One-Page Proposal Summary (Curable deficiency):** The applicant must include a one-page summary of the proposed project. 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. HUD may require successful applicants to update the summary based on the pre-award requirement process outlined in this NOFO.

**h. Workplan Narrative:** The Workplan Narrative is the response to all five rating factors in Section V.A. of this NOFO and encompasses the proposed ICDBG project(s). Label each section of your narrative in accordance with the applicable factors and subfactors in the NOFO.

**i. Budget Detail:** The application must include a Budget Detail that shows a breakdown for each budget line, including all sources and uses of funding (including leveraging resources) for the proposed project(s). The Budget Detail may be included as a separate attachment from the Workplan Narrative and does not count against the 30-page limit for narratives. This Budget Detail must match the figures on the SF- 424 (Blocks 18a-g) and Cost Summary (HUD-4123). If there is conflicting information, HUD may require successful applicants to update errors based on the pre-award requirement process outlined in this NOFO. The applicant may also choose to submit this in the format of its own choosing (e.g., Word table attachment, Excel spreadsheet, etc.). The narrative must provide details on eligible activities and all planning and administrative costs (including indirect costs). For applications proposing multiple projects, applicants must submit a separate Budget Detail for each project.

**j. Citizen Participation:** The applicant must submit a current (within 12 months prior to the application deadline date) tribal resolution stating the Citizen Participation requirements were followed in accordance with 24 CFR 1003.604 for the proposed project.

**k. Low and Moderate Income (LMI) Benefit:** Your application must demonstrate 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. See Section V subfactor 2.2 Project Benefit, for non-housing projects. If you are applying for any type of housing-related activity (construction, rehabilitation, and acquisition) or housing assistance, you are required to state in your application that all units funded by ICDBG and leverage resources will be occupied by LMI households upon completion or when assistance (e.g., down payment assistance) is provided.

**l. 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:

1. A current (within 12 months prior to the application deadline date) resolution from the Indian tribe stating that you are submitting the application on their behalf.
2. A letter from the Bureau of Indian Affairs (BIA) or the Indian Health Service (IHS) stating the tribal organization is eligible under Title I of the Indian Self Determination and Education Assistance Act. You do not need to submit a letter if your organization has already provided such a letter in previous years approved by HUD and the status of your tribal organization has not changed.
3. A current (within 12 months prior to the application deadline date) concurring resolution from each tribe or village authorizing the submission of the application for tribal organizations eligible under 24 CFR 1003.5 to submit ICDBG applications in Alaska.

**m. Firm Commitment Documentation (if applicable):** If you are proposing any leveraged resources for this NOFO, you must provide the appropriate firm commitment documentation as discussed in Rating Factor 4.

**n. Demographic Data (if applicable):** 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: Data Update for Low- and Moderate-Income (LMI) Area Benefit Designation for HUD's Indian Community Development Block Grant (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 NOFO.

**o. Housing Rehabilitation Project Requirements (if applicable):** In accordance with 24 CFR part 1003.302(a), you must submit the required information below:

1. Provide a written statement in the Workplan Narrative that the applicant has adopted rehabilitation standards and policies. The adopted rehabilitation standards and policies must be adopted before the application submission. Do not submit the policies.
2. For any housing rehabilitation project involving homeownership, provide a written statement in the Workplan Narrative that ICDBG funds will be used to rehabilitate housing only when the homeowner's payments are current or the homeowner is current in a repayment agreement. This requirement applies to both privately-owned housing units and those owned and operated by a tribe or TDHE. The Area ONAP Administrator may approve exceptions to this requirement if you provide adequate justification for the exception in your application on a case-by-case basis.

**p. New Housing Construction Project Requirements (if applicable):** In accordance with 24 CFR 1003.302(b), you must submit the required information below:

1. Documentation to demonstrate new housing construction will be implemented through a Community Based Development Organization (CBDO). If the organization has been previously

determined by ONAP to be a CBDO, do not resubmit documentation of this in the application. Please contact your Area ONAP to determine if your CBDO has not been previously approved.

2. You must state in the Workplan Narrative that the project will be constructed in accordance with construction standards that were adopted by tribal resolution prior to the application deadline date. See definition at Section I.A.4. Standard Housing/Standard Conditions.

3. Provide documentation that shows:

- i. No other housing is available in the immediate reservation area that is suitable for the households to be assisted; and
- ii. No other sources, including 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
- iii. Rehabilitation of the unit occupied by the household(s) to be assisted is not economically feasible; or
- iv. The household(s) to be assisted is currently living in overcrowded conditions (more than one household per house); or
- v. The household to be assisted has no current residence.

**q. Economic Development Project Threshold Requirements (if applicable):** In accordance with 24 CFR 1003.302(c), you must provide an analysis which shows public benefit commensurate with the ICDBG assistance requested will result from the assisted project. This analysis should also 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. In addition, it must be established that the project is financially feasible and that it has a reasonable chance of success.

**r. Infrastructure Projects (if applicable):** 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 five years of the grant award. Evidence can include contract agreements, including construction and infrastructure contractor agreements, implementation timelines, and budget details that support when the housing project will be completed.

**s. Land Acquisition to Support New Housing Projects (if applicable):** Land for future housing projects 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 in Section V.A.1. of this NOFO. Award of a grant does not constitute approval of specific sites where activities that are subject to environmental review may be carried out.

**t. Health Care Facilities (if applicable):** 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 in the Workplan Narrative 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.

**u. Correctional Facilities/Juvenile Detention Centers (if applicable):** 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 in the Workplan Narrative that the facility meets all applicable BIA/DOJ standards regarding correctional operations, programs and designs.

**v. Evidence of Partner Commitment (if applicable):** 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.

**w. Indirect Cost Rate Agreement (Curable deficiency):** If your application will include funds for indirect costs, your application must include the documentation described below:

1. If the applicant is using a federally negotiated indirect cost rate, then the application must clearly state the approved rate and distribution base in Subfactor 3.2-Budget and amount budgeted in the Cost Summary (HUD-4123, line 5B). The applicant must also include a letter stating the approved rate and distribution base or other documentation from the cognizant agency showing the approved rate; or
2. If the applicant does not have a current negotiated (including provisional) indirect cost rate and wishes to use the de minimis rate, then the application must clearly state the intent to use the de minimis 10 percent of Modified Total Direct Costs (MTDC) in accordance with 2 CFR 200.414(f); or
3. If the applicant is awaiting approval of the rate and base by the cognizant agency, then the application must clearly state that a rate and base by the cognizant agency is requested and that no indirect costs will be charged to the grant unless and until the rate and base is approved and a letter provided to HUD from the cognizant agency showing approval.

**x. Code of Conduct (Curable deficiency):** If your Code of Conduct (code) is not listed on HUD's website at Code of Conduct for HUD Grant Programs ([https://www.hud.gov/program\\_offices/spm/gmomgmt/grantsinfo/conductgrants](https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conductgrants)) or if the information on the website has changed, you must submit a copy of your code of conduct with your application. This requirement is applicable to all applicants, even if the Code of Conduct is on file with the Area ONAP.

Submission Requirements for Preference Points: Applicants may qualify for Promise Zones and Climate Change Preference Points under this NOFO by submitting the information below.

**y. Certification of Consistency with Promise Zone Goals and Implementation (HUD-50153):** 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 that 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 <https://www.hudexchange.info/programs/promise-zones/>.

**z. Climate Change:** To receive Climate Change Preference Points, applicants must address the criteria for Carbon Reduction and/ or Climate Adaptation and Resilience as indicated in Section

V.A.2.

## **2. Other Submission Requirements**

a. Standard Application, Assurances, Certifications and Disclosures

### **(1) Standard Form 424 (SF-424) Application for Federal Assistance**

The SF-424 is the government-wide form required to apply for Federal assistance programs, discretionary awards, and other forms of financial assistance programs. You must complete and submit the form with the other required forms and information as directed in this NOFO.

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

### **(2) Assurances (HUD 424-B)**

By submitting your application, you provide assurances that, if selected to receive an award, you will comply with U.S. statutory and other requirements, including, but not limited to civil rights requirements. All recipients and subrecipients of the award are required to submit assurances of compliance with Federal civil rights requirements. *See, e.g.*, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, Violence Against Women Act, and the Age Discrimination Act of 1975; *see also* [24 CFR §§ 1.5; 3.115; 8.50; and 146.25](#). HUD accepts these assurances in the form of the HUD 424-B, which also require compliance with HUD Reform Act requirements and all general Federal nondiscrimination requirements in the administration of the Federal assistance award.

### **(3) Applicant Disclosure Report Form 2880 (HUD 2880)**

The form HUD 2880 is required if you are applying for assistance within the jurisdiction of HUD to any project subject to Section 102(d) of the HUD Reform Act . Assistance is provided directly by HUD to any person or entity, but not to subrecipients. It includes assistance for the



acquisition, rehabilitation, operation, conversion, modernization, renovation, or demolition of any property containing five or more dwelling units that is to be used primarily for residential purposes. It includes assistance to independent group residences, board and care facilities, group homes and transitional housing but does not include primarily nonresidential facilities such as intermediate care facilities, nursing homes and hospitals. It also includes any change requested by a recipient in the amount of assistance previously provided, except changes resulting from annual adjustments in Section 8 rents under Section 8(c)(2)(A) of the United States Housing Act of 1937 ([42 U.S.C. § 1437f](#)). [See 24 CFR part 4 for additional information.](#)

#### **(4) Code of Conduct**

Both you, as the award recipient, and all subrecipients must have a code of conduct (or written standards of conduct). The code of conduct must comply with the requirements included in the “Conducting Business in Accordance with Ethical Standards” section of the Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards-- 2024, as well as any program-specific requirements. These requirements include ethical standards related to conflicts of interest for procurements in [2 CFR 200.318\(c\)](#) and [2 CFR 200.317](#), as well as HUD-specific conflict of interest standards. HUD maintains a list of organizations that have previously submitted written standards of conduct on its [Code of Conduct for HUD Grant Programs webpage](#). But it is your responsibility to ensure that the standards are compliant with the noted requirements and that HUD has the latest version of the written standards. Updated written standards should be submitted with the application. Any updates to your written standards, after the application period, should be submitted as directed by the HUD program contact for this NOFO.

#### **(5) False Statements**

Applicant understands that providing false or misleading information during any part of the application, award, or performance phase of an award may result in criminal, civil or administrative sanctions, including but not limited to: fines, restitution, and/or imprisonment under 18 USC 1001, 18 USC 1012, or 18 USC 287; treble damages and civil penalties under the False Claims Act, 31 USC 3729 et seq.; double damages and civil penalties under the Program Fraud Civil Remedies Act, 31 USC 3801 et seq.; civil recovery of award funds; suspension and/or debarment from all federal procurement and non-procurement transactions, FAR Part 9.4 or 2 CFR Part 180; and other remedies including termination of active HUD award.

#### **(6) Lobbying Activities**

Applicants are subject to the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment), and 24 CFR part 87, which prohibit recipients of federal awards from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a Federal award. All applicants must submit with their application the signed “Certification Regarding Lobbying” form. In addition, applicants must disclose, using Standard Form LLL (SF-LLL), “Disclosure of Lobbying Activities,” any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific awards. 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.

### **3. Format and Form**

Narratives and other attachments to your application must follow the following format guidelines. Do not submit password protected or encrypted files.

Double spaced 12-point (minimum) Times Roman font on letter sized paper (8 1/2 x 11 inches) with at least 1-inch margins on all sides.

Other

No maximum page limit for narratives.

## **C. System for Award Management (SAM) and Unique Entity Identifier (UEI)**

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

You must register at [www.sam.gov](http://www.sam.gov) before submitting an application. You must maintain current information in SAM on immediate and highest-level owner and subsidiaries, as well as on all predecessors that a Federal award within the last three years, if applicable. Information in SAM must be current for all times during which you have an active Federal award or an application or plan under consideration by HUD.

### **2. UEI Requirement**

All entities doing business with the Federal government must use the UEI created in SAM.gov. Your application must include a valid UEI that is registered and active at [www.sam.gov](http://www.sam.gov). For more information, see: <https://www.gsa.gov/about-us/organization/Federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update>. **When submitting an application with a UEI that does not match the organization name as registered in sam.gov will result in an ineligible application.**

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

Anyone planning to submit applications on behalf of an organization must register at Grants.gov and be approved by the E-Biz POC 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 apply through Grants.gov. Complete registration instructions and guidance are provided on Grants.gov.

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

### **1. Application Due Date Explanation**

The application deadline is 11:59:59 PM Eastern time on

07/15/2024

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

“Received by Grants.gov” means the applicant received a confirmation of receipt and an application tracking number from Grants.gov. Grants.gov then assigns an application tracking number and date-and timestamp each application upon successful receipt by the Grants.gov system. A submission attempt not resulting in confirmation of receipt and an application tracking number is not considered received by Grants.gov.

Applications received by Grants.gov must be validated by Grants.gov to be received by HUD.

“Validated by Grants.gov” means the application has been accepted and was not rejected with errors. You can track the status of your application by logging into Grants.gov, selecting “Applicants” from the top navigation, and selecting “Track my application” from the dropdown list. If the application status is “rejected with errors,” you must correct the error(s) and resubmit the application before the 24-hour grace period ends. Applications in “rejected with errors” status after the 24-hour grace period expires will not be received by HUD. Visit Grants.gov for a complete description of processing steps after applying.

HUD strongly recommends you review your application before you submit it at Grants.gov. Also, HUD recommends you submit your application at least **48 hours before the deadline** and during regular business hours to allow enough time to correct errors or overcome other problems.

## **2. Grants.gov Customer Support**

Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html>. If you have difficulty accessing the application and instructions or have technical problems, contact Grants.gov customer support center by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to [support@grants.gov](mailto:support@grants.gov). The customer support center is open 24 hours a day, seven days per week, except Federal holidays. Individuals who are deaf or hard of hearing, as well as individuals who have speech or other communication disabilities may use a relay service to reach Grants.gov Customer Support. To learn more about how to make an accessible telephone call, visit the [webpage for Federal Communications Commission](#).

## **3. Grants.gov Application Submission**

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

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

Take note of the Grants.gov tracking number, as it is needed by the Grants.gov customer support center should you seek their assistance.

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

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

If these events occur, HUD will post a notice on its website establishing the new, extended deadline for the affected applicants. HUD will also publish the extension on Grants.gov.

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.

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

#### **4. Amend or Revise an Application**

Before the submission deadline, you may amend a validated application through Grants.gov by submitting a revised and complete application including the new or changed material. The revised 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.

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

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

#### **6. Late Applications**

An application received after the NOFO deadline date that does not meet the Grace Period requirements will be marked late and will not be reviewed by HUD for funding

consideration. Improper or expired registration and password issues are not sufficient causes to allow HUD to accept applications after the deadline date.

#### **7. Corrections to Deficient Applications**

HUD will not consider information from applicants after the application deadline except for curable deficiencies.

HUD will uniformly notify applicants of each curable deficiency. See curable deficiency definition in section I.A of this NOFO. Examples of curable (correctable) deficiencies include

inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

When HUD identifies a curable deficiency, HUD will notify the authorized organization representative identified on the SF-424 Application for Federal Assistance via email. This email is the official notification of a curable deficiency.

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

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

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

## **8. Authoritative Versions of HUD NOFOs**

The version of this NOFO posted on Grants.gov includes the official documents HUD uses to solicit applications.

## **9. Exemptions**

Parties that believe the requirements of the NOFO would impose a substantial burden on the exercise of their religion should seek an exemption under the [Religious Freedom Restoration Act](#) (RFRA).

## **E. Intergovernmental Review**

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

## **F. Funding Restrictions**

**1. Eligible activities:** Projects funded under this NOFO are limited to eligible activities consistent with 24 CFR part 1003 subpart C.

**2. Program administration costs:** No more than 20 percent of the sum of any grant plus program income received shall be expended for activities described in 24 CFR 1003.206 and in 24 CFR 1003.205—Eligible planning, urban environmental design and policy-planning-management capacity building activities. This does not include staff and overhead costs directly

related to carrying out activities eligible under 24 CFR 1003.201 through 1003.204, since those costs are eligible as part of such activities. In addition, technical assistance costs associated with developing the capacity to undertake a specific funded activity are also not considered program administration costs. These costs must not, however, exceed 10% of the total grant award.

**3. Pre-award costs:** With the exception of proposal costs incurred to prepare an application for submission under this NOFO and the value of land acquisition used towards an applicant's leveraging contribution as discussed in Rating Factor 4, all costs, including leveraging resources, must be incurred within the period of performance dates established in the ICDBG grant agreement. Applicants requesting reimbursement of proposal costs associated with the preparation of the ICDBG application must clearly identify this amount and activity in the narrative. If successful, any proposal costs incurred that are reimbursed with grant funds will count towards the applicant's program administration costs.

**4. Consultant Cap:** In accordance with 24 CFR 1003.501(b)(2), ICDBG funds may not be used, directly or indirectly, to pay or provide reimbursement for payment of compensation of a consultant in an employer-employee type of relationship at more than the equivalent of the daily rate paid for the Level IV of the Executive Schedule (2023 rate: \$92.26/hr. \$738.08/day). For more information on the Executive Schedule, please see the Office of Personnel Management (OPM) website: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/exec/html/EX.aspx>.

**5. Public Services:** An applicant may not receive a Single Purpose grant solely to fund public service activities. However, an 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 an 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. Examples of public service projects can be found at 24 CFR 1003.201(e). Link to [24 CFR 1003.201](#)- Basic eligible activities.

### **Indirect Cost Rate**

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

Applicants other than state and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your organization does not have a current negotiated rate (including provisional rate) and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC), as defined at 2 CFR 200.1. Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both, as described in 2 CFR 200.403. Once elected, the de minimis rate must be applied consistently for all Federal awards until the organization chooses to negotiate a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

## G. Other Program-specific Requirements

# 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. An additional 4 points are available for preference points under this NOFO. Preference Point categories are Climate Change (up to 2 points) and Promise Zones (2 points).

**To receive points, you must comply with the requirements of that category described in the preference points section of the NOFO. Additionally, you must submit the HUD-50153 form to receive Promise Zones preference points.**

To be considered for funding, your application must receive a minimum of 15 points under Rating Factor 1 and a total of at least 70 points without the addition of Preference Points.

The criteria for Subfactors 2.2 and 3.4 will vary according to the type of project you are applying for.

| RATING   | FACTOR TITLE   | POINTS    | PROJECT TYPE                         |
|----------|--|-----------|--------------------------------------|
| <b>1</b> | <b>CAPACITY OF THE APPLICANT</b>                       | <b>30</b> | <b>Minimum of 15 Points Required</b> |
| 1.1      | Managerial and Technical Staff                         | 8         | All Project Types                    |
| 1.2.     | Audit Submission                                       | 4         | All Project Types                    |
| 1.3      | Findings   | 4         | All Project Types                    |
| 1.4      | Progress of Pandemic Relief and Imminent Threat Grants | 4         | All Project Types                    |
| 1.5      | Progress of Competitive Grants                         | 4         | All Project Types                    |



|          |   |           |                   |
|----------|---|-----------|-------------------|
| 1.6      | Timely Reporting  | 3         | All Project Types |
| 1.7      | Close-outs  | 3         | All Project Types |
| <b>2</b> | <b>NEED/EXTENT OF THE PROBLEM</b>   | <b>23</b> |                   |
| 2.1      | Need and Viability  | 8         | All Project Types |
| 2.2      | Project Benefit   | 10        | All Project       |
| 2.2.a.   | Public Facilities and Infrastructure Projects   |           | ---               |
| 2.2.b.   | Economic Development Projects   |           | ---               |
| 2.2.c.   | New Housing Construction, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing, and Homeownership Assistance Projects |           | ---               |
| 2.2.d.   | Microenterprise Programs  |           | ---               |
| 2.3      | New/Unfunded Applicants   | 5         | All Project Types |
| <b>3</b> | <b>SOUNDNESS OF APPROACH</b>  | <b>38</b> |                   |
| 3.1      | Description of and Rationale for Proposed Project   | 10        | All Project Types |
| 3.2      | Budget  | 10        | All Project Types |
| 3.3      | Project Implementation Schedule   | 8         | All Project Types |
| 3.4      | Commitment to Sustain Projects  | 10        | All Project Types |
| 3.4.a.   | Public Facilities and Infrastructure Projects   |           | ---               |
| 3.4.b.   | Economic Development Projects   |           | ---               |
| 3.4.c.   | New Housing Construction, Housing Rehabilitation, Housing Acquisition and Homeownership Assistance Projects   |           | ---               |



|  |   |          |                          |
|--|---|----------|--------------------------|
| 3.4.d.   | Microenterprise Programs                  |          | ---                      |
| 3.4.e.   | Land Acquisition Projects                 |          | ---                      |
| <b>4</b>   | <b>LEVERAGING RESOURCES</b>               | <b>3</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>Total Rating Factor Points</b>  |   |          | <b>100</b>               |
| <b>Preference Points</b>   |   |          | <b>Points</b>            |
| Promise Zones  |   |          | 2                        |
| Climate Change   |   |          | 2                        |
| <b>Total Points</b><br>(Minimum of 70 points needed, without the addition of Preference Points, to meet threshold requirement) |   |          | <b>104</b>               |

**Subfactor 1.1 Managerial and Technical Staff.**

**Maximum Points: 8**

You must provide a listing of key staff needed to plan, manage, and implement the project(s) proposed to be funded with an ICDBG grant. You must provide a description of the roles and responsibilities for each key staff.

For key staff that are already on board with your organization, you must provide a description of their knowledge and experience. This includes contractors, individuals or organizations that hold a key staff position.

If any of the key staff positions would need to be filled by individuals or entities, include that in the capacity gap analysis.

Each key staff that is already on board with your organization must be addressed in the Workplan Narrative as follows. Knowledge and experience will be judged in terms of recent, relevant, and successful experience for each key staff. In rating this factor, HUD will consider the following:

- Recent: Experience within the last 5 years;
- Relevant: Experience pertaining to the specific activities being proposed or the specific roles and responsibilities described in the application; and
- Successful: Specific accomplishments pertaining to the activities being proposed or the roles and responsibilities described in the application. Evidence of success could include a description of key outcomes, outputs, or completed projects.

You must also address whether there is a gap in capacity to manage and implement the proposed project. This could include key staffing needs for the project or the capacity of current staff to manage and implement the proposed project. If there are identified gaps, you must provide a detailed assessment and plan for addressing the identified gaps (e.g., hiring more staff, working with a contractor/consultant to address the capacity gaps, etc.), including timelines and methods. If there are no gaps, you must state that there are no gaps in capacity. You do not need to address recent, relevant, and successful experience as part of the capacity gap assessment.

Do not include job descriptions or resumes.

Please note that if HUD is aware of capacity gaps that are not addressed, HUD will adjust the score accordingly, in accordance with the scoring criteria below and as allowed under Section V.B.1., Review and Selection Process, Past Performance.

**(8 points)**

**The applicant thoroughly described all the following:**

- The applicant identifies key staff and describes the roles and responsibilities of each key staff in planning, managing, and implementing the proposed project;
- Key staff knowledge and experience is recent, as described above;
- Key staff knowledge and experience is relevant, as described above;
- Key staff experience is successful, as described above; and,
- The applicant addressed gaps in capacity, as described above.

**(6 points)**

**The applicant:**

- Identified key staff but did not thoroughly describe the roles and responsibilities of each key staff in planning, managing, and implementing the proposed project, or
- Key staff knowledge and experience was relevant but was either not recent or not successful.
- The applicant addressed gaps in capacity, as described above.

**(4 points)**

**The applicant:**

- Identified key staff but did not thoroughly describe the roles and responsibilities of each of the key staff in planning, managing, and implementing the proposed project, and
- Key staff knowledge and experience was relevant but was either not recent or not successful.
- The applicant addressed gaps in capacity, as described above.

**(2 points)**

**The applicant:**

- Identified key staff but did not thoroughly describe the roles and responsibilities of each of the key staff in planning, managing, and implementing the proposed project; and
- Key staff knowledge and experience was relevant but was not recent or successful, or,

- The applicant did not address gaps in capacity.

**(0 points)**

The application did not contain information sufficient to receive points under this Subfactor.

**Subfactor 1.2 Audit Submission**

**Maximum Points: 4**

Applicants subject to the audit reporting requirements of 2 CFR part 200, Subpart F must not have any late Single Audit report submissions during the last two audit periods, or any past audits that are still overdue as of the application deadline date. Applicants do not need to submit information for this rating subfactor unless you are providing information about extensions or providing a statement that an audit is not required. Report submission will be verified using the Federal Audit Clearinghouse (FAC) at <https://www.fac.gov/>.

In cases where the audit submission was due on a weekend or holiday and was submitted the following business day, the audit submission will be considered timely. If the information available in the FAC is unclear as to whether the audit submission occurred after it was due, HUD will reach out to you for additional information. HUD will consider an audit report submission that was on time in the time zone in which it was submitted to be timely.

Points will be assigned as follows:

**(4 points)**

- The annual audits for the last two audit periods were submitted and accepted by the FAC in accordance with 2 CFR 200 subpart F (within 30 days after completion of the audit or 9 months after the fiscal year ends, whichever is earlier) **and** you did not have any past Single Audit reports still overdue as of the NOFO deadline, **or**
- You responded to an extension posted on the FAC's website under "Important Announcements," (e.g., disaster related) and provided an explanation of the basis for the extension as described on the FAC website, **or**,
- You are not required to submit an annual audit; you must state why you did not meet the audit threshold under 2 CFR part 200, subpart F.

**(0 points)** The application did not contain information sufficient to award points under this Subfactor.

**Subfactor 1.3 Findings**

**Maximum Points: 4**

For this Subfactor, HUD will evaluate the performance of the applicant during the rating period. To receive maximum points, you must not have had any Single Audit (see 31 USC 7502(d) and 2 CFR Part 200, Subpart F)) findings as described below; HUD-ONAP monitoring findings identified in one or more Final Monitoring Report(s) for ICDBG, IHBG and other programs monitored by ONAP; or findings pertaining to ONAP programs from either HUD’s Office of the Inspector General (OIG) and/or the US Government Accountability Office (GAO) at any time during the rating period.

If you have any HUD-ONAP-related Single Audit findings, or any Single Audit financial statement findings (whether or not HUD-ONAP-related), that are a Material Weakness, Significant Deficiency, or Repeat Finding during the rating period, you will receive zero points

in this Subfactor. Financial statement findings are findings related to financial management, accounting, and internal controls.

If you did not submit one or both of your two most recent audits, you will receive zero points on this Subfactor.

Points will be assigned as follows:

**(4 points)**

**During the rating period, you did not have any of the following:**

- A HUD-ONAP-related Single Audit finding,
- A Single Audit financial statement finding;
- A HUD-ONAP monitoring finding;
- A HUD-OIG finding pertaining to ONAP programs; or
- A GAO finding pertaining to ONAP programs.
- Or, you are not required to submit an annual audit; you must state why you did not meet the audit threshold under 2 CFR part 200, subpart F.

**(2 points)**

**One of the following applies:**

- You had an outstanding HUD-ONAP monitoring, HUD-OIG, or GAO finding during the rating period but submitted information by the established target date(s) or revised target date(s) that ultimately resolved the finding within the rating period; or
- The outstanding HUD-ONAP monitoring, HUD-OIG, or GAO finding was not due for resolution during the rating period based on the established target date(s) or revised date(s).

**(0 points)**

**One of the following applies:**

- During the rating period, you had a HUD-ONAP monitoring, HUD-OIG, or GAO finding that was due for resolution, and you did not resolve the finding by the established target date or revised target date; or
- You had a HUD-ONAP-related Single Audit finding, or Single Audit financial statement finding, whether or not HUD/ONAP-related, that is a Material Weakness, Significant Deficiency, or Repeat Finding during the rating period; or,
- You did not submit one or both of your two most recent audits.

**Subfactor 1.4 Progress of Pandemic Relief and Imminent Threat Grants**

**Maximum Points: 4**

For this subfactor, the applicant's performance will be evaluated as follows:

- HUD will evaluate the total Line of Credit Control System (LOCCS) balances as of the NOFO deadline date for certain pandemic relief grants (ICDBG-Coronavirus Aid, Relief, and Economic Security (CARES), IHBG- American Rescue Plan (ARP) and ICDBG-ARP) and for ICDBG Imminent Threat (IT) grants that the applicant has received. Grants awarded within the rating period will not be assessed.
- If you have an IHBG-CARES grant that is not fully expended as of the NOFO deadline date, you will receive zero points in this subfactor.

If you have no applicable pandemic relief or ICDBG-IT grants, you will receive three points.

You need not submit data for this Subfactor, as HUD will utilize its records to verify.

| <b>Points</b> | <b>Percentage of total ICDBG-CARES, IHBG-ARP, ICDBG-ARP, and IT grants undisbursed in LOCCS as of the NOFO deadline date</b> |
|---------------|--|
| 4             | Up to 35%  |
| 3             | 36% to 50% <b>or</b> the applicant is not a current recipient of applicable pandemic or IT grants                            |
| 2             | 51% to 80%   |
| 0             | 81% or more <b>or</b> the applicant has an IHBG-CARES grant that is not fully expended                                       |

**Subfactor 1.5 Progress of Competitive Grants**

**Maximum Points: 4**

For this subfactor, performance will be evaluated based on total LOCCS balances for IHBG Competitive grants and single purpose ICDBG grants that the applicant has received. Grants awarded within the rating period will not be assessed. If you have no applicable IHBG Competitive or single purpose ICDBG grants, you will receive three points.

You need not submit data for this Subfactor, as HUD will utilize its records to verify.

Points will be assigned as follows:

| <b>POINTS</b> | <b>Percentage of total ICDBG single purpose and IHBG Competitive grants undisbursed in LOCCS as of the NOFO deadline date</b> |
|---------------|---|
| 4             | Up to 35%   |
| 3             | 36% to 50% <b>or</b> the applicant is not a current recipient of applicable competitive grants                                |

|   |             |
|---|-------------|
| 2 | 51% to 80%  |
| 0 | 81% or more |
|   |             |

**Subfactor 1.6 Timely Reporting**

**Maximum Points: 3**

HUD will evaluate the applicant for timely submissions of reports for HUD-ONAP grants that were open during the rating period. This includes:

- IHBG formula
- IHBG Competitive
- ICDBG, including IT
- IHBG-CARES
- ICDBG-CARES
- IHBG-ARP
- ICDBG-ARP
- Tribal HUD-VASH

You must ensure the timely submission of the following required reports: Annual Performance Report (APR), Annual Status and Evaluation Report (ASER), and the Federal Financial Report (SF-425). If the applicant has never received a HUD-ONAP grant, you will be awarded 2 points under this Subfactor. HUD will award maximum points if you have submitted all reports by the submission deadlines (which includes any granted extensions) for all HUD-ONAP grants during the rating period.

Applicants need not submit supporting attachments on this subfactor, as HUD will utilize its records to verify.

Points will be assigned as follows:

**(3 points)**

The applicant submitted all required reports by the submission deadlines for all HUD-ONAP grants open during the rating period.

**(2 points)**

The applicant submitted some required reports on time; or the applicant did not have a HUD-ONAP grant open during the rating period.

**(0 points)**

The applicant did not submit any reports on time.

**Subfactor 1.7 Close outs**

**Maximum Points: 3**

For this subfactor, performance will be evaluated for all ICDBG single purpose and ICDBG-IT grants that were closed, due to be closed or should have been closed during the rating period.

Grants that were due to be closed or should have been closed will be evaluated based on whether the applicant submitted closeout documents within 90 days of:

1. The date determined that the criteria for closeout have been met, as described in 24 CFR 1003.508(a) and (b);
2. The latest Project Implementation Schedule (HUD-4125); and
3. The date that a Federal Financial Report (SF-425) was submitted showing that all grant funds and leveraged resources had been disbursed.

Applicants should not submit supporting information for this Subfactor, as HUD will utilize its records to verify.

Points will be assigned as follows:

**(3 points)**

The applicant submitted the required close-out documents within 90 days of the date that the criteria for closeout was met, as described above, or you had no ICDBG or ICDBG-IT grants that were closed, due to close or should have been closed during the rating period.

**(0 points)**

The applicant did not submit closeout documents within 90 days of the date that the criteria for closeout was met, as described above.

**Subfactor 2.1. Need and Viability**

**Maximum Points: 8**

The applicant must identify the needs of the tribe which may include but are not limited to issues of housing cost burden, overcrowding, housing shortages, and/or issues related to plumbing. Additionally, the applicant must identify the viability of the project which may include how the project will help the community grow and develop.

**(8 points)** To receive full points:

- You describe the need for the project;
- You demonstrate that the project will meet an essential community development need; and
- You describe **how and why** the project will improve the viability of the community.

**(4 points)** To receive points:

- You describe the need for the project;
- You demonstrate that the project meets an essential community development need **or**
- You describe how and why the project will improve the viability of the community.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

**Subfactor 2.2. Project Benefit**

**Maximum Points: 10**

The criteria for this subfactor will vary according to the type of project you are applying for. Information below is based on the data you will be using. 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 data you can provide as explained below. The calculation of LMI benefit may be calculated based on households or persons, whichever is more advantageous to the applicant.

### **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 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 2015. If you fail to include all components listed above to support your own demographic data, HUD will use the information at <https://www.huduser.gov/portal/icdbg/home.html> to determine points to be assigned in this subfactor.

Even if you provide your own data and it meets all the requirements outlined above in Subfactor 2.2, HUD will use its data if it results in a higher score.

### **Subfactor 2.2.a. Public Facilities and Infrastructure Projects (up to 10 points).**

Points will be assigned as follows:

#### **(10 points)**

At least 85 percent of the beneficiaries are LMI **OR** the applicant has demonstrated that the proposed project(s) will exclusively serve a limited clientele as described in 24 CFR 1003.208(b)(1)(i) or (iii).

#### **(5 points)**

At least 75 percent but less than 85 percent of the beneficiaries are LMI.



**(2 points)**

At least 51 percent but less than 75 percent of the beneficiaries are LMI.

**(0 points)**

Less than 51 percent of the beneficiaries are LMI.

**Subfactor 2.2.b. Economic Development Projects (up to 10 points).** 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. 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. HUD will assess whether the person employed by the project qualifies as LMI if the person will be LMI at the time the person is hired. 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.

As with public facility and infrastructure projects, HUD will rely on demographic information submitted with your application to assign points for this subfactor.

Points will be assigned as follows:

**(10 points)**

At least 85 percent of the beneficiaries are LMI **OR** applicant has demonstrated that the proposed project(s) will exclusively serve a group of persons in any one of the limited clientele categories described in 24 CFR

.

**(5 points)**

At least 75 percent but less than 85 percent of the beneficiaries are LMI.

**(2 points)**

At least 51 percent but less than 75 percent of the beneficiaries are LMI.

**(0 points)**

Less than 51 percent of the beneficiaries are LMI.

**Subfactor 2.2.c. New Housing Construction, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing and Homeownership Assistance Projects (up to 10 points).** Every year to accompany the ICDBG NOFO, 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 IHBG formula 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](https://www.grants.gov). You do not need to attach the table with your application. HUD will refer to it when assigning points in this subfactor.

**(10 points)** The dollar amount for the Indian tribe is \$0 - \$800 or the tribe receives the minimum amount of IHBG formula funding as described in 24 CFR part 1003.328.

**(8 points)** The dollar amount for the Indian tribe is \$801-\$1,000.

**(6 points)** The dollar amount for the Indian tribe is \$1,001-\$1,200.

**(4 points)** The dollar amount for the Indian tribe is \$1,201 - \$1,400.

**(2 points)** The dollar amount for the Indian tribe is \$1,401 - \$4,500.

**(0 points)** The dollar amount for the Indian tribe is \$0 or \$4,501 or higher.

**Subfactor 2.2.d. Microenterprise Programs (up to 10 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. Points will be assigned as follows:

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

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

**(2 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: New and Unfunded Applicants**

**Maximum Points: 5**

You will receive maximum points if you did not receive awards under any of the following ICDBG Single Purpose Grant NOFOs: FY 2019-2020, FY 2021, FY 2022 and FY 2023. Applicants need not submit supporting information on this Subfactor, as HUD will utilize its records to verify.

Points will be assigned as follows:

**(5 points)**

You did not receive an ICDBG Single Purpose award in the FY2019-2020, FY2021, FY2022 or FY2023 competitions.

**(3 points)**

You did not receive an ICDBG Single Purpose award in the FY2022 or FY2023 competitions.

**(0 points)**

You received an ICDBG Single Purpose award in the FY2022 or FY2023 competitions.

**Subfactor 3.1 Description of and Rationale for Proposed Project**

**Maximum Points: 10**

For this subfactor, you must provide a detailed description of the rationale behind the project, including how the project design and plans are feasible and cost-effective.

You must describe the project in detail by including the following components:

- You described the project in detail including: *size* (for example: square feet, linear feet, and bedroom size, as applicable); *type* (for example: type of building, type of construction, and material used); and *location* (for example: a map, address and/or aerial photo). If available, provide architectural renderings and floor plans;
- You describe how the project is feasible and cost effective;
- You explain your rationale for project design (e.g., how the project design will serve the intended purpose);
- You describe how you will comply with the Indian preference requirements in 1003.510;
- **Housing Construction/Rehabilitation or Public Facility Building projects (only):** You describe and provide the cost savings (in percentage or dollar amount) resulting from either the building design or construction methods or energy efficiency measures that will be realized in future years;
- **Land for Future Housing (only):** You established 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.

Points will be assigned as follows:

**(10 points)**

Your proposed project is feasible and cost-effective in relation to the grant request. You described the project in detail and included all the applicable components outlined in this Subfactor.

**(6 points)**

Your proposed project is feasible and cost-effective in relation to the grant request. You described the project but the description for one of the applicable components outlined in this Subfactor is missing or lacks detail.

**(4 points)**

Your proposed project is feasible and cost-effective in relation to the grant request. You described the project but the description for two or more of the applicable components outlined in this Subfactor is missing or lacks detail.

**(0 points)**

Your proposed project is not feasible and cost-effective or you did not provide sufficient information to receive points in this subfactor.

**Subfactor 3.2 Budget**

**Maximum Points: 10**

You must submit the Cost Summary [HUD-4123](#) and a thorough Budget Detail for the proposed project and activities. HUD will evaluate whether the budget is thoroughly prepared, mathematically correct, and that all costs (including leveraging) are eligible under ICDBG, allowable, allocable, reasonable, and necessary for implementing the proposed project activities. See Section IV.B.1.c for more information on the required Budget Detail. If there is conflicting information, HUD may require successful applicants to update errors based on the pre-award requirement process outlined in this NOFO.

If your application includes a public service component, your budget must also include a breakdown of those costs. 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 do include any funds the applicant will contribute toward administering the grant.

You must include the following components in your Cost Summary and Budget Detail:

- Breakdown of cost estimates by line item for each proposed activity, including administration and planning costs;
- Budget calculations must all be mathematically correct;
- The SF-424, Cost Summary (HUD-4123), Budget Detail, and supporting documentation must be consistent;
- Proposed costs are eligible under ICDBG, allowable, allocable, reasonable, and necessary for implementing the proposed project;
- Description of the qualifications and experience of the individual(s) that prepared the budget as it pertains to budget preparation, and how the experience is recent and relevant to the proposed project; and
- If applicable, applicants including indirect costs as part of the budget must demonstrate how they are calculating these costs in accordance with either their current federally-

approved negotiated rate or the de minimis rate in accordance with 2 CFR 200.414. Indirect costs will count towards the administration and planning cap.

- If you are not requesting ICDBG funds to administer the project, you must specify who will pay for this.

Points will be assigned as follows:

**(10 points)**

The budget is thoroughly prepared, and all costs are eligible under ICDBG, allowable, allocable, reasonable, and necessary for implementing the proposed project. The applicant addressed all the components discussed above in detail.

**(8 points)**

The budget is adequately prepared, and all costs are eligible under ICDBG, allowable, allocable, reasonable, and necessary for implementing the proposed project. The applicant addressed all of the components discussed above, but some details were lacking or inconsistent.

**(4 points)**

The budget is adequately prepared, but one entire component was missing

**(2 points)**

The budget is adequately prepared, but two or more entire components were missing.

**(0 points)**

The applicant did not provide sufficient information to receive points in this subfactor.

### **Subfactor 3.3 Project Implementation Schedule**

**Maximum Points: 8**

HUD will evaluate whether the proposed project has a well-developed implementation plan that includes tasks and timelines. The applicant must address the following components:

- The narrative must describe the specific tasks and timelines that the applicant and/or hired contractors, consultants, and sub-recipients will undertake to complete the proposed project on time and within budget;
- The ICDBG Implementation Schedule (Form HUD-4125) must identify each task required for completing the planned project and must identify start and completion dates for each task.
- The narrative must describe whether you have already completed milestones to facilitate the implementation of the proposed project or activities.
- Note that you must ensure that no choice limiting actions will occur prior to completion of the environmental review process, and approval of the Request for Release of Funds where applicable, as discussed in Section VI.B. A choice limiting action may include but is not limited to real property acquisition, demolition, disposition, rehabilitation, repair, new construction, site preparation or clearance, ground disturbance, and leasing.

Points will be assigned as follows:

**(8 points)**

Your implementation schedule ([form HUD-4125](#)) and/or project implementation narrative includes a detailed breakdown of tasks and timelines needed to complete your project. You have completed one or more milestones to implement your project.

**(4 points)**

Your implementation schedule and/or project implementation narrative lacks detail related to tasks and/or timelines. You have not completed any milestones to implement your project.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor

**Subfactor 3.4 Commitment to Sustain Projects**

**Maximum Points: 10**

Your application shows 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 3.4.a. Public Facilities and Infrastructure Projects (up to 10 points).** You must state that either the tribe or another entity has adopted an operation and maintenance (O&M) plan to maintain the project and that it commits, by resolution or commitment letter, the funds to do so including the dollar amount. The O&M plan must also include a cost breakdown for annual expenses and indicate a time frame for maintaining and operating the project that is not less than five years following the grant closeout date. The following five components must be addressed in the 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 infrastructure projects, such as water and sewer lines or roads); and
- Security (may not apply to infrastructure projects, such as water and sewer lines or roads).

Applicants proposing public facilities or community buildings must also provide letters of commitment demonstrating that funds for the services that will be provided in the building have been committed.

Points will be assigned as follows:

**(10 points)**

- You included the O&M statement and funding commitment described above.
- You described how the O&M plan addresses all five of the above components and included a satisfactory cost breakdown for annual expenses along with a commitment to maintain the project for at least 5 years after the grant closeout date.
- For **public facilities or community buildings**, you demonstrated that funds for the recreation, social, or other services that will be provided in the building have been committed.

- You included letter(s) of commitment from the service provider(s) that identify and commit to providing the service(s) and service budget.
- For **infrastructure projects** like water, sewer lines or roads, the applicant only needs to address the first three (maintenance, repairs, reserves) of the five O&M components.

**(6 points)**

- You included the O&M statement and funding commitment described above.
- You described how the O&M plan addresses at least four of the above components and included a satisfactory cost breakdown for annual expenses along with a commitment to maintain the project for at least 5 years after the grant closeout date.
- For **public facilities or community buildings**, you demonstrated that funds for the recreation, social, or other services that will be provided in the building have been committed. You included letter(s) of commitment from the service provider(s) that identify and commit to provide the service(s) and service budget.
- For **infrastructure projects** like water, sewer lines or roads, the applicant only addressed two of the first three O&M components.

**(2 points)**

- You included the O&M statement and funding commitment described above.
- You described how the O&M plan addresses at least three of the above components and/or did not include a satisfactory cost breakdown for annual expenses along with a commitment to maintain the project for at least 5 years after the grant closeout date.
- For **public facilities and community buildings**, you included letter(s) from service provider(s), but the letter(s) did not adequately identify and commit to provide the service(s) and/or service budget.
- For **infrastructure projects** like water, sewer lines or roads, only one of the first three O&M components was addressed.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

**Subfactor 3.4.b. Economic Development Projects (up to 10 points).** In accordance with 24 CFR 1003.302(c), you must provide an analysis which shows public benefit will result from the assisted project that is commensurate with the ICDBG assistance requested.

- The analysis should establish 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.

- In addition, it must be established that the project is financially feasible and that it has a reasonable chance of success.
- Finally, the analysis must be prepared by a qualified party that has recent and relevant experience in the type of project being proposed.

Points will be assigned as follows:

**(10 points)**

You satisfactorily addressed all the components listed above and provided evidence that the project's chance for financial success is excellent.

**(6 points)**

You satisfactorily addressed **most** of the components listed above and provided evidence that supports the project's chance for financial success is reasonable.

**(2 points)**

You addressed **some** of the components listed above and provided evidence that supports the project's chance for financial success is fair.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

**Subfactor 3.4.c. New Housing Construction, Housing Rehabilitation, Housing Acquisition, and Homeownership Assistance Projects (up to 10 points).** Describe in detail how the project will be sustained by addressing maintenance and insurance responsibilities.

Points will be assigned as follows:

**(10 points)**

You described the ongoing maintenance and insurance responsibilities (if applicable) for the project in detail. You also stated who is paying for it.

**(6 points)**

You described the ongoing maintenance and insurance responsibilities (if applicable) for the project in general. You also stated who is paying for it.

**(2 points)**

You described the maintenance and insurance responsibilities (if applicable) for the project but not who is paying for it.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

**Subfactor 3.4.d. Microenterprise Programs (up to 10 points).** Persons determined to be LMI may qualify for microenterprise programs designed to provide job training and placement and/or



other employment support services, including but not limited to, peer support programs, counseling, childcare, transportation, and other similar services.

- 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.

Points will be assigned as follows:

**(10 points)**

You addressed all of the components above and documentation applicable to the proposed project, and provided evidence that supports the chance for success is excellent.

**(6 points)**

You addressed all of the components above and documentation applicable to the proposed project, and provided evidence that supports the chance for success is reasonable.

**(2 points)**

You addressed all of the above components and documentation applicable to the proposed project, and provided evidence that supports the chance for success is fair.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

**Subfactor 3.4.e. New Land Acquisition Projects to Support New Housing (up 10 points).**

Your application must show the results of a preliminary investigation conducted by a qualified independent entity demonstrating 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.
- Additionally, you must submit documentation to indicate that all units will be constructed within two years after site purchase to receive full points.
- You must address in your Workplan Narrative whether your Implementation Schedule has this information, and must also include evidence, such as Construction Contract Agreements.

Points will be assigned as follows:

**(10 points)**

Your application includes all of the above components and demonstrates that 100 percent of units will be constructed within two years after site purchase, as described above.

**(6 points)**

Your application includes all of the above components and demonstrates that at least 50 percent but less than 100 percent of the units will be constructed within two years after site purchase, as described above.

**(2 points)**

Your application includes all of the above components and demonstrates that at least 25 percent but less than 50 percent of the units will be constructed within two years after site purchase, as described above.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

**Rating Factor 4: Leveraging Resources**

**Maximum Points: 3**

Cost sharing or mandatory matching is not required under this grant, but voluntary leveraging with both Federal (including IHBG formula funding) and non-Federal funds is encouraged. Applicants proposing leveraging must identify the source and specific amount in its Workplan Narrative and include references to the Firm Commitment documentation submitted with the application.

A Firm Commitment must be submitted for any sources of leveraging including cash or in-kind contributions (e.g., property or services such as computers, software, furniture, equipment, supplies, transportation, administrative support, space, mail, internet, etc.). Contributions that could be considered as leveraged resources for point award include, but are not limited to:

- Tribal government funds;
- Donations from individuals or organizations, private foundations, businesses;
- Private foundations, businesses, state or federal loans (e.g., IHBG Title VI) or guarantees;
- Other federal grants permitted by statute, 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) but not land that has been used as leverage towards other ONAP competitions;
- Land used for a building expansion project if the land was not previously used for leverage

- Direct administrative costs but only up to the 20% cap allowed for administrative and planning costs of the ICDBG grant amount

With the exception of the value of land acquisition and proposal costs, funds that have been expended on the project prior to the Period of Performance start date will not be counted as leverage. Applicants are not allowed to spend leveraged dollars before the approval of the Request for Release of funds, with the exception of acceptable pre-award leveraging (value of land acquisition and proposal costs). Additionally, leverage resources must be for the same project that is proposed, and must be incurred within the Period of Performance of the proposed project.

Applicants are reminded that all ICDBG requirements apply to the commitment or use of both ICDBG and non-ICDBG funds in a leveraged project. Federal sources are only allowed to be used as leveraging if permitted by a program’s authorizing statute.

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

Leveraged resources do not include:

- Indirect administrative costs as identified in 2 CFR part 200; and
- The value of the existing facility (if your application is to expand or rehab 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                  | <ul style="list-style-type: none"> <li>• Tribal resolution committing funds or equivalent; the resolution (or equivalent) must identify the exact dollar amount (or value of resources to be committed)</li> <li>• If using in-kind funds, a method of valuation detailing the dollars used must be included.</li> </ul> |

|  |   |
|--|---|
| Federal Resources                                | <ul style="list-style-type: none"> <li>● IHBG formula funds (whether administered by the tribe or a TDHE): <ul style="list-style-type: none"> <li>○ Leveraging with current program year funds: The most recently approved Indian Housing Plan (IHP) must identify the dollar amount and commit the IHBG resources to the project. If not currently approved in the most recent IHP, the application must state that an amendment to the IHP will be processed if the applicant is awarded ICDBG funds.</li> <li>○ Future IHBG funding: If future IHBG funds will be used, then the application must identify the program year and the dollar amount of IHBG funds that will be used.</li> </ul> </li> <br/> <li>● Other Federal Program Funds: might include funds from the U.S. Department of Agriculture, Indian Health Service, Bureau of Indian Affairs, or any other federal agency. If allowable by the federal program's statute, the applicant should submit a statement (e.g., letter, email, etc.) from the federal agency approving the amount of funds to be committed for leveraging. NOTE: If a federal agency has published clear guidance stating that its funds can be used in accordance with the ICDBG program, HUD reserves the right to accept that guidance as sufficient evidence that these other Federal Program Funds can be proposed as leverage under this NOFO. HUD reserves the right at its discretion to request additional documentation later from the applicant demonstrating that these resources are available to the applicant and will be committed to the activities being proposed in the applicant's application.</li> </ul> |
| Tribal Organization (applicant) Resources        | <ul style="list-style-type: none"> <li>● Statement committing and identifying the amount of funds to be committed for leveraging.</li> </ul>  |
| Public Agency, Foundation or Other Private Party | <ul style="list-style-type: none"> <li>● Letters of commitment which must include: <ul style="list-style-type: none"> <li>● the donor organization's name,</li> <li>● the specific funds proposed,</li> <li>● the dollar amount of the financial or in-kind resource,</li> <li>● method for valuation, and</li> <li>● the purpose of that resource within the proposed project.</li> </ul> </li> <li>● An official of the organization legally authorized to make commitments on behalf of the organization must sign the commitment.</li> <br/> <li>● Memorandum of understanding, and/or agreement to participate, including any conditions to which the contribution may be subject.</li> </ul>  |

|                    |   |
|--------------------|---|
| Goods and Services | <ul style="list-style-type: none"> <li>• Must demonstrate that the donated items are necessary to the actual development of the project and include comparable costs that support the donation.</li> </ul>  |
| Land               | <ul style="list-style-type: none"> <li>• Land valuation must be established using one of the following methods and the documentation must be contained in the application. The application of land valuation documentation must state the method used to determine land value and identify the land value. Land that has previously been used as leverage towards other ONAP competitions may not be proposed as leveraging for this NOFO.</li> <li>• The methods include: <ul style="list-style-type: none"> <li>○ A site-specific appraisal no more than two years old;</li> <li>○ An appraisal (e.g., tax assessment) of a nearby comparable site also no more than two years old;</li> <li>○ A reasonable extrapolation of land value based on current area realtor value guides; or</li> <li>○ A reasonable extrapolation of land value based on recent sales of similar properties in the same area.</li> </ul> </li> </ul> |

Grantees will be required to show evidence that leveraging resources were actually received and used for their intended purposes through yearly reports (SF-425 and Annual Status and Evaluation Reports) as the project proceeds.

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 NOFO 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, or if the anticipated leverage is not provided, HUD will re-rate and re-rank the application with the updated leverage information. If the application does not meet a rating equal to or greater than the lowest rating received by a funded project during the most recent funding competition, HUD will rescind the grant and recapture grant funds. HUD reserves the right to terminate the grant for cause in accordance with 24 CFR 1003.702 or 1003.703, and to recapture the grant funds

and, may award such funds in accordance with 24 CFR 1003.102.

Leveraged funds will be calculated by dividing total eligible leverage resources by the total project cost as identified on line 18g of the SF-424.

Example: Percentage of leverage = (equals) Total leverage resource amount/ (divided by) Total project cost (grant amount requested + total leverage resource amount)

Points will be assigned as follows:

| <b>Non-ICDBG Resources to Total Project Costs</b>  | <b>Points</b> |
|--|---------------|
| 10% or more, with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements | 3             |
| 5%-9%, with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements       | 2             |
| 1%-4%, with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements       | 1             |
| Less than 1% with firm commitment documentation supporting all sources of leveraging in accordance with the above requirements | 0             |
|  |               |

**Subfactor 5.1 Coordination**

**Maximum Points: 2**

For this Subfactor, you must demonstrate that the proposed activities are consistent with strategic plans or policy goals of the community and explain how you coordinated with community members, tribal departments, and other agencies/organizations.

The applicant must address the following components:

- You demonstrated that the activities are consistent with strategic plans or policy goals of your community.
- You identified and described how you plan to coordinate and work on the project with organizations that will not be providing leveraged funds to the project.
- You summarized how you involved the community in developing the application pursuant to the regulatory requirements for citizen participation requirements.

Points will be assigned as follows.

**(2 points)**

You addressed all the components listed above in detail.

**(1 point)**

You addressed some of the required components.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

**Subfactor 5.2. Outputs and Outcome**

**Maximum Points: 4**

In this portion of your application, you must include the 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 projects progress if funded. An outcome is the impact you hope to achieve with your proposed project. Outcomes should be quantifiable measures or indicators that identify the change in the community, people's lives, economic status, or other positive effects.

Depending on the type of project 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;
- Square feet for any public facility;
- Number of education or job training opportunities provided;
- Number of tribal youth participants;
- Number of homeownership units constructed or financed;
- Number of businesses supported (including number of minority/Native American);
- Number of persons assisted;
- Linear feet of infrastructure.

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

- Reduction in the number of families living in substandard housing;
- Reduction in overcrowding;
- Increased income and self-sufficiency resulting from employment generated by project;
- Increase enrollment figures in higher education;
- Increase in homeownership rates;
- Reduction of drug-related crime or health-related hazards;
- Increased units connected to gas, phone or electric lines/roads/water/sewer;
- Increased accessibility for persons with disabilities; or
- Improved energy efficiency
- Increase resiliency to climate change impacts.

Points will be assigned as follows:

**(4 points)**

You included measurable output(s) and outcome(s) for the proposed activity.

**(2 points)**

You included measurable outputs, but not outcomes, or vice versa.

**(0 points)**

The application did not contain information sufficient to award points under this Subfactor.

## **2. Other Factors**

### **Policy Initiative Preference Points**

This NOFO supports the following policy initiatives, for which a maximum of four (4) preference points may be awarded. Preference points are added to your overall application score.

Climate Change (2 points)

Promise Zones (PZ) (2 points)

You may voluntarily choose to address preference point policy initiatives in your application. Addressing these policy initiatives is not a requirement to apply for or receive an award. If you voluntarily choose to address a policy initiative in your application, you will be required to adhere to the information submitted with your application should you receive an award. The proposed information will be included as a binding requirement of any Federal award you receive as a term and condition of that award.

### **Climate Change**

In accordance with Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, HUD prioritizes activities that achieve the goal of bolstering adaptation and increasing resilience to the effects of climate change. HUD will award up to two (2) points for applications that incorporate measures that will advance carbon reduction or reduce vulnerability to climate impacts and threats identified in the U.S. Global Change Research Program National Climate Assessment (NCA), the FEMA National Risk Index (NRI), and related analyses. Climate impacts include, but are not limited to: threats from hydrological and precipitation changes, extreme weather events, extreme heat, and sea level rise.

Applicants may receive one point for demonstrating via application materials one of the following, with a maximum of two (2) points awarded for this priority overall:

- a. **Carbon Reduction (1 point):** To receive one (1) point under this initiative, applicants must show how their proposed award activities will increase energy or water efficiency or



reduce carbon emissions, through one or a combination of the following: (1) Meeting an industry-recognized, green building certification that supports net-zero and net-zero energy ready construction; (2) incorporating water saving measures and renewable energy sources such as solar power; (3) having no onsite emissions or (3) using building materials with lower embodied carbon.

**b. Climate Adaptation and Resilience (1 point):** To receive one (1) point under this initiative, applicants must show how their proposed award activities will reduce vulnerabilities to one or more of the impacts of the climate change identified in the NCA and related analyses in the target community. Applicants must show how their proposed activities would improve climate adaptation and resilience through use of materials and construction techniques including natural and green techniques and those that harden infrastructure, buildings, and surrounding open space from extreme weather as defined below:

(1) **Hydrological and Precipitation Change including Flood Risk:** The application demonstrates one of the following: a) The project structures and facilities, as applicable, are elevated to at least two feet above the Federal Emergency Management Agency 100-year base flood elevation (BFE), or, for critical actions, at least three feet above BFE or above the 500-year floodplain where mapped; or, b) the project purpose includes restoration of the beneficial function of the floodplain in accordance with the criteria at 24 CFR 55.12(c)(3).

(2) **Extreme Weather Events:** The application demonstrates that project design is informed by consideration of the potential for extreme weather events at the project location based on the NCA and related analyses (including regional and local assessments) and based on extreme weather threats endemic to the geographic location and incorporates measures to reduce the risk to residents and property through construction techniques, site selection, emergency planning, resilient systems that reduce the potential for service interruption, or other measures, such as meeting a FORTIFIED Home (Certified, Silver, Gold) with standards selected for high wind, hail, hurricane or tornado depending on local vulnerability.

(3) **Temperature Shifts:** The application demonstrates that the project design includes specific measures to reduce vulnerability to extreme heat events, heat-related illness affecting children, elderly, persons with disabilities, and functional needs populations, to reduce risk to asthmatic individuals in locations with higher ground-level ozone concentrations, or to assist communities impacted by thawing permafrost.

(4) **Sea-Level Rise:** The application demonstrates that the project design includes measures to protect buildings and infrastructure in coastal areas from inundation and wave action or permit relocation of residents from locations impacted by these effects.

(5) **Wildfires:** In a location with elevated wildfire risk, the application demonstrates that the project design includes protective measures such as defensible space and separation from tree lines, fire-resistant construction techniques, and participation in emergency

planning efforts, such as meeting ICC's International Wildland-Urban Interface Code (IWUIC) or NFPA's Firewise USA.

## **Promise Zones**

# **B. Review and Selection Process**

## **1. Past Performance**

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

OMB-designated repositories of governmentwide data, as noted in [2 CFR 200.206\(a\)](#)

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

Timely use of funds received from HUD

Timely submission and quality of reports submitted to HUD

Meeting program requirements

Meeting performance targets as established in the HUD agreement

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

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

The number of persons served or targeted for assistance

Promoting self-sufficiency and economic independence

HUD may reduce scores based on the past performance review, if specified under V.A. Rating Factors. Whenever possible, HUD will obtain and review past performance information. If this review results in an adverse finding related to integrity of performance, HUD reserves the right to take any of the remedies provided in the [Pre-Selection Review of Performance section of the Eligibility Requirements for Applicants of HUD Financial Assistance Programs](#).

## **2. Assessing Applicant Risk**

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

(1) Financial stability;

(2) Quality of management systems and ability to meet the management standards prescribed in this part;

(3) History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;

(4) Reports and findings from audits performed under Subpart F—Audit Requirements of 24 CFR part 200 or the reports and findings of any other available audits; and

(5) The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

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

a. **Application Screening and Acceptance** - The Area ONAP will screen and accept applications if they meet all the criteria listed below.

- - The application is received or submitted in accordance with the requirements of this NOFO.
  - The applicant is eligible to submit an application.
  - The proposed project is eligible.
  - The application contains all of the applicable components listed in Section IV. B. of this NOFO. 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 <https://www.huduser.gov/portal/icdbg/home.html> if the data submitted with the application does not meet this screening requirement.

b. **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 eligibility and submission thresholds in this NOFO.

c. **ICDBG Past Performance** - HUD will evaluate past performance of current grantees in Rating Factor 1.

d. **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.

e. **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 (without the addition of Preference Points).

**Ranking** - All projects will be ranked against each other after scoring 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, the reasonableness of the project costs and the administrative capacity of the applicant to complete the activities in a timely manner. 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.

- f. **Tiebreakers** - When rating results in a tie among projects and there is not enough money to fund all tied projects, the Area ONAP will use the following factors in the order listed to resolve the tie:
- HUD will approve projects for applicants that can be fully funded over those that cannot be fully funded;
  - HUD will approve projects for applicants with the fewest active ICDBG grants;
  - HUD will approve projects for applicants that score the highest number of cumulative points for Rating Factor 3-Soundness of Approach;
  - HUD will approve projects for applicants that score the highest cumulative points for Rating Factor 1-Capacity of the Applicant and Rating Factor 2-Need/Extent of the Problem; and
  - A random lottery will be used to determine order of funding to the extent that using the other tiebreakers in order does not resolve the tie.
- g. **Technical Deficiencies and Pre-award Requirements-**
1. **Technical Deficiencies-** If there are technical deficiencies in successful applications, you must satisfactorily address these deficiencies within the established deadline before HUD can make a grant award.
  2. **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. Additionally, if your application passes initial screening and threshold, HUD may reach out to you to confirm the accuracy of its records prior to making awards. HUD will notify applicants by email. 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. For verifications of HUD records, if you do not respond within the prescribed time period or make an insufficient response, you will not be able to later claim HUD error as discussed in Section V.B.4.1, Agency Errors. For all other requirements, 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 pre-award requirements begins on the day after receipt of the pre-award letter from the Area ONAP.

- h. **Agency Errors-Judgments** made within the provisions of this NOFO and the program regulations (24 CFR part 1003) are not subject to claim of error. There is no appeal

process. You may, however, bring arithmetic errors within your application score to the attention of your Area ONAP within 30 days of being informed your score. If HUD committed an error that would result in funding when corrected, HUD may issue an award, subject to the availability of funds. For certain provisions in the NOFO, HUD may reach out to you to confirm the accuracy of its records prior to making awards.

Applicants will be provided fourteen (14) calendar days from the date of receipt of the HUD notification to respond to these requirements. If you do not respond or if you provide insufficient response, you will not be able to later claim HUD error as provided in this NOFO. See V.B.3.h. Curable Deficiencies and Pre-Award Requirements.

- i. **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.

## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. Award Notices**

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

#### **1. Final Award**

After HUD has made selections, HUD will finalize specific terms of the award and budget in consultation with the selected applicant. If HUD and the selected applicant do not finalize the terms and conditions of the award in a timely manner, or the selected applicant fails to provide requested information, an award will not be made to that applicant. In this case, HUD may select another eligible applicant. HUD may also impose specific conditions on an award as provided under [2 CFR 200.208](#).

#### **2. Adjustments to Funding**

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

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

- (1) Is ineligible for funding under applicable statutory or regulatory requirements;
- (2) Fails, in whole or in part, to meet the requirements of this notice;
- (3) Duplicates activities funded by other Federal awards; or
- (4) Duplicates activities funded in a prior year.

b. HUD may adjust the funding for an application to ensure funding diversity, geographic diversity, and alignment with HUD administrative priorities.

c. If an applicant turns down an award offer, or if HUD and an applicant do not finalize the terms and conditions of the award in a timely manner, HUD may withdraw the award offer and make an offer of funding to another eligible application.

d. If funds remain after all selections have been made, remaining funds may be made available within the current FY for other competitions within the program area, may be held for future competitions (if allowable in accordance with the applicable appropriation or authorizing statute), or may be used as otherwise provided by authorizing statute or appropriation.

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

### **3. Funding Errors**

If HUD commits an error that, when corrected, would cause selection of an applicant during the funding round of a Program NOFO, HUD may select that applicant for funding, subject to the availability of funds. If funding is not available to award in the current fiscal year, HUD may make an award to this applicant during the next fiscal year if funding is available.

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. HUD may impose other grant conditions if additional actions or approvals are required before the use of funds.

## **B. Administrative, National and Departmental Policy Requirements and Terms for HUD Applicants and Recipients of Financial Assistance Awards**

Unless otherwise specified, the following requirements apply and are detailed on HUD's Funding Opportunity page in the document titled, "[Administrative, National & Departmental Policy Requirements and Terms for HUD Financial Assistance – 2024](#)." You must review each requirement to ensure compliance is considered when preparing your application materials (e.g., staff, budget, and timeline). Failure to comply with these requirements may impact your ability to receive or retain a financial assistance award from HUD.

3. Compliance with the Age Discrimination Act of 1975 ([42 U.S.C. 6101-6107](#)) and implementing regulations at [24 CFR part 146](#)

4. Compliance with Section 504 of the Rehabilitation Act of 1973 ([29 U.S.C. 794](#)) and implementing regulations at [24 CFR part 8](#)

5. Compliance with the Americans with Disabilities Act, [42 U.S.C. 12101 et seq](#)

8. Compliance with Improving Access to Services for Persons with Limited English Proficiency (LEP) requirements, including those listed within [Federal Register Notice, FR-4878-N-02](#) (also see [HUD's webpage](#))
9. Compliance with Accessible Technology requirements, including those listed on in [HUD's Policy on Section 508 of the Rehabilitation Act and Accessible Technology](#)
10. Compliance with Equal Access Requirements (e.g., [24 CFR 5.105\(a\)\(2\)](#) and [5.106](#))
11. Compliance with Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business requirements at [2 CFR 200.321](#)
12. Compliance with Energy Efficient and Sustainable by Design
13. Compliance with Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 USC 4601 et seq.) (URA) requirements, [49 CFR part 24](#), and applicable program regulations
14. Compliance with Participation in HUD-Sponsored Program Evaluation
15. Compliance with OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ([2 CFR part 200](#))
16. Compliance with Drug-Free Workplace requirements ([2 CFR part 2429](#))
17. Compliance with the requirements related to safeguarding resident/client files (e.g., 2 CFR 200.303(e))
18. Compliance with the Federal Funding Accountability and Transparency Act of 2006 ([2 CFR part 170](#)) (FFATA), as amended
19. Compliance with Eminent Domain
20. Compliance with Accessibility for Persons with Disabilities requirements, including 24 CFR parts 8 and 100; 28 CFR part 35
22. Compliance with Conducting Business in Accordance with Ethical Standards/Code of Conduct, including [2 CFR 200.317](#), [2 CFR 200.318\(c\)](#) and other applicable conflicts of interest requirements
24. Compliance with System for Award Management and Universal Identifier Requirements at [2 CFR part 25](#)
25. Compliance with [section 106\(g\) of the Trafficking Victims Protection Act of 2000 \(TVPA\), as amended \(22 U.S.C. 7104\(g\)\)](#) and implementing regulations at [2 CFR part 175](#) (Award Term for Trafficking in Persons)
26. Compliance with Award Term and Condition for Recipient Integrity and Performance Matters (see [Appendix XII to 2 CFR part 200](#))
27. Compliance with Suspension and Debarment regulations ([2 CFR part 2424](#) and [2 CFR part 180](#))
28. Compliance with environmental justice requirements that apply in accordance with Executive Orders [12898](#) and [14008](#), and OMB Memorandum [M-21-28](#), which implements the *Justice40 Initiative*, section 223 of Executive Order [14008](#).



29. Compliance with [HUD Secretary Fudge’s April 12, 2022 memorandum](#), “Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participation in HUD Programs”

30. Compliance with equity requirements, including racial equity and underserved communities and LGBTQ+ requirements that apply in accordance with Executive Orders [13985](#), [13988](#), and 14091

31. Compliance with 41 U.S.C. § 4712, which includes informing your employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a contractor, subcontractor, grantee, subgrantee, and personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant. (See [Federal Contractor or Grantee Protections | Office of Inspector General, Department of Housing and Urban Development \(hudoig.gov\)](#))

32. Compliance with [2 CFR 200.216, Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment](#) and Executive Orders 14091 and 14110, which includes prohibition on the use of HUD funds to purchase or fund any form of facial or biometric recognition technology for the purpose of surveillance or any other use that may adversely impact equitable access to housing

33. Compliance with the [Build America, Buy America \(BABA\) Act](#) procurement requirements.

Build America, Buy America (“BABA”). The Recipient must comply with the requirements of the Build America, Buy America (BABA) Act, Sections 70901-52 of Pub. L. No. 117-58, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee’s infrastructure project. Pursuant to HUD’s Notice, “Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance” (88 FR 17001), any infrastructure projects for which HUD obligates funds on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by another applicable waiver. Pursuant to HUD’s Notice “Extension of Public Interest, General Applicability Waiver of Build America, Buy America Provisions as Applied to Tribal Recipients of HUD Federal Financial Assistance: Final Notice” (88 FR 34514), HUD waived applicability of BABA to Tribal Recipients of HUD Federal Financial Assistance through May 22, 2024. Any infrastructure projects for which HUD obligates funds to Tribal recipients after May 22, 2024, are subject to BABA requirements, unless HUD issues another waiver. For more information and a list of waivers issued by HUD, please see

[https://www.hud.gov/program\\_offices/general\\_counsel/build\\_america\\_buy\\_america/waiver](https://www.hud.gov/program_offices/general_counsel/build_america_buy_america/waiver)

34. Compliance with Title II of the Civil Rights Act of 1968 as required by 24 CFR 1003.601.

**Note:** OIG maintains a hotline to receive allegations of fraud, waste, and abuse related to HUD programs at <https://www.hudoig.gov/hotline/hotline-form>.



## **Environmental Review**

Compliance with environmental requirements, including regulations at 24 CFR 50 or 58:

Activities under this NOFO are subject to the environmental review provisions set out at 24 CFR 1003.605, which requires compliance with the environmental review procedures at 24 CFR part 58. The expenditure or commitment of ICDBG or other federal 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.

It is essential for the project applicant, its environmental review partners (such as consultants) and the responsible entity tribe to have the capacity to manage the environmental review process. Applicants should verify that the proper training, experience and protocols are in place to ensure the environmental review requirements that are applicable to the type of project being proposed in the application are met. More information on the environmental review process and requirements is available on the hud.gov webpage at [https://www.hud.gov/program\\_offices/comm\\_planning/environment\\_energy/environmental\\_review](https://www.hud.gov/program_offices/comm_planning/environment_energy/environmental_review).

## **Remedies for Noncompliance**

HUD may apply the remedies at [2 CFR 200.339](#) or impose additional conditions to remedy noncompliance with any Federal State, or local statutes, regulations, or terms and conditions of the financial assistance award. If noncompliance cannot be remedied, HUD may terminate a Federal award, in whole or in part, for any of the reasons specified in [2 CFR 200.340, Termination](#).

Also, please see the ICDBG Program's termination provisions at 24 CFR 1003.502 and 24 CFR 1003.508.

## **Lead-Based Paint Requirements**

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

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

## **C. Reporting**

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

## **1. Recipient Integrity and Performance Matters**

You should be aware that if the total Federal share of your Federal award includes more than \$500,000 over the period of performance, the award will be subject to post award reporting requirements reflected in [Appendix XII to 2 CFR part 200, Award Terms and Conditions for Recipient Integrity and Performance Matters](#).

## **2. Race, Ethnicity and Other Data Reporting**

HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of HUD programs in order to carry out the Department's responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987. These authorities prohibit discrimination in housing and in programs receiving financial assistance from the Department and direct the Secretary to administer the Department's programs and activities in a manner affirmatively to further these policies and to collect certain data to assess the extent of compliance with these policies. Each recipient shall keep such records and submit to the Department timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Department may determine to be necessary to enable it to ascertain whether the recipient has complied or is complying with 24 CFR parts 1 and 121. In general, recipients should have available for the Department data showing the demographics of beneficiaries of Federally-assisted programs.

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

FFATA requires information on Federal awards be made available to the public via a single, searchable website, which is [www.USASpending.gov](http://www.USASpending.gov). Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to [2 CFR part 170](#), "REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed \$30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-award equal to or greater than \$30,000.

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

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

#### **a. Yearly Financial Reports**

Unless otherwise advised, grantees will have to submit a Federal Financial Report (SF-425) to the Area ONAP within 90 days after the end of program year. If applicable, the SF-425 must also include the receipt and disbursement of leverage resources as Required Recipient Share. A final SF-425 must be submitted within 90 days after the end of the period of performance identified on the grant agreement.

#### **b. Annual Status and Evaluation Report (ASER)**

If funded, grantees will have to submit this report annually. The ASER is due 45 days after the end of the federal fiscal year and at the time of grant close-out to your Area ONAP.

The report must include:

- The progress made on completing your project in accordance with the description of proposed activities identified in the funded application;
- A list of work remaining;
- A breakdown of funds spent on each major activity including both grant funds and leveraged resources, and
- When the project is completed, an evaluation of its effectiveness in meeting your community development needs.
- The estimated number of (1) permanent and (2) temporary jobs that are created each year in whole or in part with ICDBG funds. This estimate should include the number of recipient staff positions, sub-recipient staff positions, and related construction jobs or jobs created through a contract between an employer and the ICDBG recipient.
- HUD's Office of Labor Relations uses the definitions of permanent and temporary employment as follows:
  1. A permanent employee, full-time or part-time, is one who's employment agreement with the employer is not limited by duration and remains continuous until employment is terminated, voluntarily or otherwise, or unless the employment agreement is altered to include a limit on duration.
  2. A temporary employee, full-time or part-time, is one who's employment agreement with the employer contains conditions under which the employment is limited by duration involving time or task (e.g., not to exceed six months from hire, or on a date determined by the employer, or upon completion of a specified task(s)).
- The ICDBG recipient may provide additional information about the nature of these jobs if it wishes.

#### **c. Minority Business Enterprise Report**

If funded, grantees must submit this report on contract and subcontract activity by October 10th of each fiscal year.

#### **d. Close-Out Report**

If funded, grantees must submit this report within 90 days of the date determined that the criteria for grant activity closeouts have been met. The report consists of the final Federal Financial Report (SF-425), the final ASER and the Close-Out Agreement.

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

## **D. Debriefing**

For a period of at least 120 calendar days, beginning 30 calendar days after the public announcement of awards under this NOFO, if requested, HUD will provide a debriefing related to their application. The AOR or the AOR's successor must submit a written request for debriefing via mail or email to the POC in Section VII Agency Contact(s) of this NOFO.

Information provided during a debriefing may include the applicant's final score 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 NOFO.

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

Name:

ONAP Grant Management Director

Phone:

Email:

ONAP-ICDBG@hud.gov

Individuals who are deaf or hard of hearing, as well as individuals who have speech or communication disabilities may use a relay service to reach the agency contact. To learn more about how to make an accessible telephone call, visit the webpage for the [Federal Communications Commission](#).

Note that HUD staff cannot assist applicants in preparing their applications.

## VIII. OTHER INFORMATION

### 1. Compliance of this NOFO with the National Environmental Policy Act (NEPA)

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

### 2. Web Resources.

- [Affirmatively Furthering Fair Housing](#)
- [Assistance Listing\(formerly CFDA\)](#)
- [Climate Action Plan](#)
- [Climate and Economic Justice Screening Tool \(CEJST\)](#)
- [Code of Conduct Requirements and E-Library](#)
- [Environmental Review](#)
- [Equal Participation of Faith-Based Organizations](#)
- [Fair Housing Rights and Obligations](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [Federal Funding Accountability and Transparency Act \(FFATA\) Subaward Reporting System](#)
- [Grants.gov](#)
- [Healthy Homes Strategic Plan](#)

- [Healthy Housing Reference Manual](#)
- [Historically Black Colleges and Universities \(HBCUs\)](#)
- [HUD's Disability Overview](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [HUD Reform Act](#)
- [HUD Reform Act: Hud Implementing Regulations](#)
- [Limited English Proficiency \(LEP\)](#)
- [NOFO Webcasts](#)
- [Procurement of Recovered Materials](#)
- [Promise Zones](#)
- [Rural.gov](#)
- [Rural Partners Network Community Networks](#)
- [Section 3](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)
- [Real Estate Acquisition and Relocation](#)
- [Unique Entity Identifier](#)
- [USA Spending](#)

### 3. Program Relevant Web Resources

## APPENDIX

### Area ONAP Offices and Contact Information:

| Area ONAP         | Phone Numbers and Addresses  |  |
|-------------------|--|--|
| Alaska            | (907) 677-9860<br><a href="mailto:Greg.M.Stuckey@hud.gov">Greg.M.Stuckey@hud.gov</a>   | 3000 C Street, Suite 401<br>Anchorage, AK 99503  |
| Eastern Woodlands | (800) 735-3239<br><a href="mailto:Elton.Jones@hud.gov">Elton.Jones@hud.gov</a><br><a href="mailto:Mary.White@hud.gov">Mary.White@hud.gov</a> | Ralph H. Metcalfe<br>Federal Building<br>77 West Jackson<br>Boulevard, Room 2404<br>Chicago, Illinois 60604-3507 |
| Northern Plains   | (303) 672-5465<br><a href="mailto:NPONAP_CustomerService@hud.gov">NPONAP_CustomerService@hud.gov</a>   | 1670 Broadway, 24th<br>Floor Denver, CO<br>80202-4801  |
| Northwest         | (206) 220-5270 or (202) 220-6161<br><a href="mailto:David.P.Boyd@hud.gov">David.P.Boyd@hud.gov</a>   | 909 1st Avenue, Suite<br>300<br>Seattle, WA 98104-1000   |

|                 |   |   |
|-----------------|---|---|
| Southern Plains | (405) 609-8520<br><a href="mailto:David.W.Southerland@hud.gov">David.W.Southerland@hud.gov</a>  | 301 N.W. 6th Street<br>Suite 200<br>Oklahoma City, OK<br>73102  |
| Southwest       | Phoenix Office<br>2800 N Central, Suite 700<br>Phoenix, AZ, 85004<br>(602) 379-7213<br><a href="mailto:Shane.T.Begay@hud.gov">Shane.T.Begay@hud.gov</a> | Albuquerque Office<br>500 Gold Avenue<br>7 <sup>th</sup> Floor, Suite 7301<br>PO Box 906<br>Albuquerque, NM<br>87103-0906<br>(505) 346-6923 |