



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

Public and Indian Housing

Indian Housing Block Grant (IHBG) Competitive Grant Program

FR-6800-N-48

08/29/2024

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**Funding Opportunity Title:**

Indian Housing Block Grant (IHBG) Competitive Grant Program

**Funding Opportunity Number:**

FR-6800-N-48

**Assistance Listing Number:**

14.867

**Due Date for Applications:**

08/29/2024

## 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):**

2577-0218

## I. FUNDING OPPORTUNITY DESCRIPTION

### A. Program Description

#### 1. Purpose

This Notice of Funding Opportunity (NOFO) announces the availability of the Indian Housing Block Grant (IHBG) Competitive Grant Program.

The IHBG program is authorized under Title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), as amended, (25 U.S.C. 4101 et seq.) . Under the

program, eligible Indian tribes and tribally designated housing entities (TDHEs) receive grants to carry out a range of affordable housing activities. Grant funds may be used to develop, maintain, and operate affordable housing in safe and healthy environments on Indian reservations and in other Indian areas and carry out other affordable housing activities. Grant funds must be used to benefit low-income Indian families, except under some circumstances as provided in section 201(b) of NAHASDA.

In the Consolidated Appropriations Act, 2024 (Appropriation Act) (Public Law 118-42), approved March 9, 2024, Congress provided a total of \$150,000,000 for competitive grants to eligible IHBG recipients authorized under NAHASDA in addition to formula-based funding. This NOFO describes the criteria that HUD will use to award IHBG Competitive grants, and outlines program requirements.

In January 2017, HUD released a study titled, “Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs.” The study found that conditions for tribal households are substantially worse than other U.S. households, with overcrowding in tribal areas being especially severe. The study found that between 2013-2015 alone, 68,000 new units were needed to help eliminate overcrowding and replace physically deteriorating units. Additional information is available at:

<https://www.huduser.gov/portal/publications/HNAIHousingNeeds.html>

The Department recognizes that this additional IHBG funding provides an opportunity to fund strong and viable affordable housing projects in Indian Country. These projects could begin to address the concerns identified in the study.

HUD will give priority to projects that spur construction and rehabilitation of housing, while considering housing need and the recipient's administrative capacity. HUD strongly encourages new affordable housing construction projects that will increase the number of housing units available for low-income Indian families and help address the housing shortage in Indian Country. Additionally, HUD encourages housing rehabilitation projects that will increase the useful life of existing affordable housing units and alleviate substandard housing conditions. HUD also encourages the acquisition of existing housing units that increases housing stock and necessary affordable housing-related infrastructure projects that will enable future construction or rehabilitation.

Finally, Indian tribes and TDHEs that are applying for funding under this NOFO are encouraged to propose projects that are part of a comprehensive plan to address housing conditions in their communities, including overcrowding, physically deteriorating units, and housing that is inaccessible for individuals with disabilities, as appropriate. Applicants should also engage in long-term planning and ensure that the project being proposed is part of a holistic plan that considers planned future infrastructure development, economic development opportunities, and more.

All applications received through this NOFO that pass initial application screening and threshold review will be rated. Funds will be awarded in 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,

consistent with Section VI.A.2.d.). Grantees must comply with the requirements of NAHASDA and 24 CFR part 1000.

The Office of Native American Programs (ONAP) within HUD's Office of Public and Indian Housing will administer this program.

## **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**

#### **Strategic Goal 1: Support Underserved Communities**

Fortify support for underserved communities and support equitable community development for all people.

#### **Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing**

Ensure housing demand is matched by adequate production of new homes and equitable access to housing opportunities for all people.

#### **2A: Increase the Supply of Housing**

Enhance HUD's programs that increase the production and supply of housing across the country.

The goals and objectives are to increase the affordable housing inventory supply for low-income Native American families.

#### **Other Goals and Objectives**

This funding opportunity seeks to increase affordable housing inventory for low-income Native American families by:

- Giving priority to projects that spur construction and rehabilitation, while considering need and administrative capacity.
- Encouraging new affordable housing construction projects
- Encouraging housing rehabilitation projects that will increase the useful life of existing affordable housing units and alleviate substandard housing conditions; and
- Encouraging the acquisition of existing housing units that will increase the housing stock and

necessary affordable housing-related infrastructure projects that will enable future construction or rehabilitation.

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

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

- Updated this section to include the FY24 Appropriation citation.

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

- Revised grant ceiling categories for funding based on the population of tribes from FY 2024 IHBG Formula data. HUD will consider the higher population amount from either AIAN persons or tribal enrollment, based on formula data.

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

- Updated Period of Performance dates to reflect 12/30/2024 to 12/28/2029.

#### **Section IV.F Funding Restrictions**

- Updated the Consultant Cap to the 2024 rate.

#### **Section V.A.1 Application Review Information – Review Criteria – Rating Factors**

- **Rating Factor 1**
  - Subfactor 1.2 - Progress of IHBG Formula Grant – HUD will now evaluate all funding for applicants that receive \$750,000 or more in 2023 IHBG formula funding. Also, applicants that receive less than \$750,000 in 2023 formula funding may earn maximum points for Subfactor 1.2 regardless of current IHBG balance.
- **Rating Factor 2.**
  - Subfactor 2.4 – New and Previously Funded Applicants: Revised criteria of 3 points for applicants funded from the FY 2018/2019, FY 2020, and FY 2021 NOFO competitions. Revised criteria for 0 points for applicants funded from the FY 2022 and FY 2023 NOFO competitions.
- **Rating Factor 3.**
  - Subfactor 3.1.a. - IHBG Competitive Priorities - New Housing Construction Projects: Removed references to housing rehabilitation and moved that activity to appear at 3.1.b only.
  - Subfactor 3.1.b. - IHBG Competitive Priorities - Housing Rehabilitation Projects: Applicants proposing to use 100% of funding for Housing Rehabilitation projects and demonstrating income below the low-income 25th percentile threshold level according to the Tribal Area Per Capita Income (PCI) Resource List will be eligible to receive a maximum score of 10 points under Housing Rehabilitation.

#### **V.B.2. Application Selection Process.**

- Tiebreakers: Revised tiebreaker condition for Subfactor 1.2 Progress of IHBG Grant to include the highest number of points awarded.

## 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 definitions in NAHASDA and in the IHBG program regulations at 24 CFR 1000.10 apply to this program.**

**Choice Limiting Actions:** Any action in which a Tribe or TDHE commits or expends HUD or non-HUD funds on activities for a project assisted by this program that reduces or eliminates a Tribe’s or TDHE’s opportunity to choose alternatives. Choice-limiting includes actions to

acquire, dispose, rehabilitate, demolish, convert, transfer, remove, lease, or construct properties (including entering contracts or other written commitments).

**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](#).

**NOFO Publication Date** – Actual date NOFO is published on Grants.gov, which is MONTH, DATE, YEAR.

**Planning and Administration** expenses are IHBG-eligible administrative expenses, as defined at 24 CFR 1000.236, for the proposed IHBG Competitive 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 preceding the application deadline date.

## B. Authority

The IHBG program is authorized by the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) with implementing regulations at 24 CFR part 1000. Funding for this program 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 **\$150,000,000** 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.

HUD has established a maximum grant amount of \$7,500,000 and a minimum grant amount of \$500,000.

If your application requests more than the maximum applicable grant amount under this NOFO, then your application will not be reviewed. See Section III.D.4. 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. for guidance.

All applications received through this NOFO that pass the initial application screening and threshold requirements will be rated and ranked. Funds will be awarded in 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, consistent with Section VI.A.2.d.).

## Grant Ceiling.

HUD has adopted grant ceiling categories for IHBG Competitive awards based on American Indian Alaska Native (AIAN) or Tribal enrollment of tribes, whichever is higher. Applicants should review their 2024 IHBG formula data. For purposes of the FY24 IHBG Competitive NOFO, HUD will use the AIAN or Tribal enrollment data, whichever is higher. For TDHE applicants, HUD will combine the highest FY 2024 AIAN or Tribal enrollment formula data numbers for each Tribe included in the proposed project to determine the ceiling for the grant award. You should contact your Area Office prior to submitting your application to confirm the AIAN or Tribal enrollment data that HUD will use to determine the ceiling.

Applications may include more than one project, but the entire grant may not exceed the limits listed below for the population of your tribe. Please see the table below:

Population	Ceiling
50,001 +	\$7,500,000
10,501 – 50,000	\$6,000,000
10,500 and below	\$5,000,000

## B. Number of Awards

HUD expects to make approximately 25 awards from the funds available under this NOFO.

The number of awards will be based on the number of proposals HUD reviews, approves, and funds.

## C. Minimum/Maximum Award Information

Estimated Total Funding:

\$150,000,000

Minimum Award Amount:

\$500,000

Per Project Period

Maximum Award Amount:

\$7,500,000

Per Project Period

## D. Period of Performance

The period of performance and planned drawdowns for any grant awarded under this NOFO must be included on the SF-424 (Blocks 17a-17b) and Implementation Schedule (Form HUD-53247) and approved by HUD. Costs must be incurred during the period of performance identified on the grant award. Please review Section IV.F.3 for Pre-Award Costs for reference.

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

Estimated Project Start Date:

12/30/2024

Estimated Project End Date:

12/28/2029

Length of Project Periods:

60-month project period and budget period

Length of Periods Explanation of Other:

## 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

The following entities are eligible to apply:

- Indian Tribes (as defined under section 4(13) of NAHASDA).
- TDHEs (as defined under 4(22) of NAHASDA) that have ever been allocated formula funding.

Applications submitted by a TDHE on behalf of an Indian tribe(s) must include a tribal certification(s) or resolution(s) on official letterhead authorizing the TDHE to apply on behalf of the tribe(s). HUD will accept existing Indian Housing Plan (IHP) certifications that state that the tribe has delegated to the TDHE the authority to submit an IHP or application on behalf of the tribe without prior review by the tribe. The certification(s) or resolution(s) must be submitted with the application. See Section IV.B.3.1.

**Subawards:** Eligible applicants may make subawards to other entities under this NOFO. In this instance, HUD will assess the entity listed on the SF-424 throughout this competition.

**Alaska Tribes Only:** Pursuant to the General Provisions in the annual appropriations Act, only Native Alaskan Indian Housing Block Grant recipients that received IHBG grants in Fiscal Year 2005 are eligible to apply directly for funding under this NOFO. Native Alaskan tribes that are required to designate a TDHE in Alaska for their IHBG formula program may not apply directly for funding under this competition. Native Alaskan tribes that choose to but are not required to designate a TDHE in Alaska for its IHBG formula program may apply for IHBG competitive funds directly.

## **B. Ineligible Applicants**

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

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

This Program does not require cost sharing or matching.

Cost sharing, mandatory matching or leveraging is not required under this grant.

## **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. Number of Applications and Eligible Activity Project(s)**

Each eligible applicant may only submit one application under this NOFO, which may include one project or multiple projects. If an applicant submits more than one application under this NOFO, then HUD will only accept the last application submitted by the application deadline specified in Section IV.D.-Application Submission Dates and Times. Also, if a TDHE serves as an umbrella organization for multiple tribes the TDHE may only submit one application under this NOFO.

Regardless of whether your application proposes one or multiple projects with funding under this NOFO, your application may not receive a grant that exceeds the **applicable** maximum grant amount set under this NOFO. If your application requests more than the maximum applicable grant amount under this NOFO (according to your AIAN or Enrollment), the application will not be reviewed. See Section III.D.4. Additionally, if your application proposes multiple projects, HUD will evaluate all projects covered in the application together and will not separately score each project proposed.

An Indian tribe that authorizes a TDHE to apply on its behalf may not also submit its own application for funding. If an Indian tribe submits an application (in addition to its authorized TDHE application), the tribe's application will not be evaluated.

## **4. Maximum Grant Request**

If your application requests more than the maximum applicable grant amount allowed based on your AIAN or Tribal Enrollment under this NOFO, then the application will not be reviewed.

Your application 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. for guidance.

HUD has integrated grant ceiling categories for IHBG Competitive awards based on population of tribes awarded, which is based on the Formula data for AIAN or Tribal enrollment, whichever is higher. Applications may include more than one project, but the entire grant may not exceed the limits listed above for the population of your tribe. Please see Section II.A for guidance.

## **5. Rating Factors Thresholds**

Your application must receive a minimum combined score of 35 points for Rating Factor 1-Capacity of the Applicant and Rating Factor 2-Need, and a minimum of 20 points for Rating Factor 3-Soundness of Approach. HUD will complete an initial screening of applicants and confirm data as laid out in V.B.2.k before determining whether the applicant meets the minimum scores required to meet threshold. Applicants who do not meet the minimum score for each of these rating factors and an overall score of 75 points (without the addition of Preference Points) will be ineligible to receive a grant under this competition.

## **6. Workplan Narrative**

Your application must include a Workplan Narrative, which is the response to all four rating factors listed in Section V of this NOFO and encompasses the proposed IHBG Competitive project(s). There are no guidelines for your narratives relating to page limits or font. Failure to submit a Workplan Narrative will result in your application to be determined ineligible.

# **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

**Compliance with Fair Housing and Civil Rights Laws.** Nondiscrimination requirements are outlined in 24 CFR 1000.12. Actions under NAHASDA by Federally recognized Indian tribes and their instrumentalities are subject to the requirements of Title II of the Civil Rights Act of 1968, known as the Indian Civil Rights Act, in addition to the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, and HUD's Equal Access requirements ((24 CFR 5.105(a)(2) and 24 CFR Part 46)). Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act), including the obligation to Affirmatively Further Fair Housing apply to recipients that are not Federally recognized Indian tribes and their instrumentalities.

**Equity in Federal Government Activities.** It is the policy of the Federal Government to pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our government. Because advancing equity requires a systematic approach to embedding fairness in the Federal funding programs, the Agencies administering such programs must ensure that recipients and their subrecipients, contractors, and other participating entities make an affirmative effort to identify, obtain the participation of, and benefit persons in historically underserved, marginalized, and adversely affected populations. See <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

### 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 acknowledgement of this order and Executive Order 13985, Advancing Racial Equity and

Support for Underserved Communities, HUD’s equity provisions will enable Tribal applicants to determine if barriers to equity exist, and if so, to address them.

Due to the unique nature of the IHBG 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.

### **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.

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

The beneficiaries of funds awarded under the IHBG Competitive program are families that meet the criteria of NAHASDA and 24 CFR 1000.104.

## **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:

Director-Grants Mgmt

Email:

IHBGCompetitiveProgram@hud.gov

HUD Organization:

PIH-ONAP

Street:

451 7th Street 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 for the IHBG Competitive Grant Program may submit a waiver request from the electronic submission requirement up to 7 business days prior to the application deadline date. Applicants should send waiver requests to the contact listed above, with a copy to their respective ONAP Area Office.**

## **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 and Recipient Assurances and Certifications (HUD 424-B)	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.
Disclosure of Lobbying Activities (SF-LLL)	This form is conditionally required.	Review section IV.B.2.a. of this NOFO for detailed application requirements.
Certification Regarding Lobbying Activities	This form is required.	
IHBG Cost Summary (Form HUD-53246)	Submission is required for all applicants by the application due date.	For detailed instructions, see Section IV.B.2.-Content and Form of Application Submission.
IHBG Implementation Schedule (Form HUD-53247)	Submission is required for all applicants by the application due date.	For detailed instructions, see Section IV.B.2.-Content and Form of Application Submission.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Certification of Consistency with Promise Zone Goals and Implementation (Form HUD-50153)	Submission is required for applicants requesting consideration for Preference Points.	For detailed instructions, see Section IV.B.2.- Content and Form of Application Submission.
Tribal Area PCI	This document is not a required submission. This document is provided by HUD as part of the application package as is a resource.	A resource document that pertains to IHBG Competitive Priorities - New Housing Construction.

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

Optional Submission: 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. 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.

N/A Pages maximum length of narratives

**Submission for All Projects:** The following information must be submitted by you for all types of IHBG Competitive projects. Unless otherwise noted as a curable deficiency as defined in Section I.A.4.-Definitions, if information under this section is not submitted with the application or is submitted incorrectly, then the application will be disqualified and not evaluated. Submitted incorrectly includes documents or forms that are blank or that have file extensions that are incompatible with Grants.gov. Submitted incorrectly also includes narratives and other attachments that are password protected or encrypted. Do not submit third-party documents, such as audits, general letters of support, or policies, unless specifically asked to do so. Unsolicited information will not be used when rating the applications.

#### **a) Application for Federal Assistance (SF-424):**

The 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 IHBG Competitive Grant only. Other federal funding should not be listed.

1. Key Contact (Block 8f): List the contact information of your proposed IHBG Competitive Grant 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): 14.867
3. Proposed Project Dates (Blocks 17a-b): The estimated period of performance start and end dates for projects awarded under this NOFO is 12/30/2024 – 12/28/2029. You may

request a shorter period of performance based on the project that is being proposed for IHBG Competitive funding. 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 IHBG Competitive 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 Chief, TDHE Executive Director, etc.). This should not be the same person listed as the Key Contact in Block 8f.

**b) Applicant and Recipient Assurances and Certifications (Form HUD-424B) (Curable deficiency)**

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

**d) IHBG Implementation Schedule (Form HUD-53247)** for implementing 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 may choose to 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 ICDBG Implementation Schedule (Form HUD-4125) instead of the Form HUD-53247, 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.

**e) IHBG Cost Summary (Form HUD-53246)** providing 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, you may choose to submit a separate Cost Summary form for each project. The Cost Summary totals must match the information provided on the SF-424 and Budget Narrative and be completed as follows:

1. Planned NAHBG Expenditures (Column b): List the amount requested under this IHBG Competitive grant only and this must match 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 (e.g., IHBG formula funds)
3. Planned Non-Federal Funds Expenditures (Column d): List any proposed non-federal funds used. 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 and must match the Budget Narrative. Any funds proposed towards Indirect Costs must be included in line 5b of the Cost Summary.
5. Grand Total (Line 7): The total must match the overall total in line 18g of the SF-424.

If numbers do not match or there are other errors, 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 ICDBG Cost Summary (Form HUD-4123) instead of the Form HUD-53246, 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 Form HUD-4123, your application will not be reviewed.

**f) One-Page Proposal Summary (Curable deficiency):** Your application must include a one-page summary of the proposed project(s), including which affordable housing activities it will implement under NAHASDA Sec. 202 and 24 CFR part 1000 subpart B. The summary must also include key outcomes you will achieve (e.g., number of units constructed or rehabbed, number families targeted, etc.), should you be awarded an IHBG Competitive Grant. If you are a TDHE applying on behalf of multiple tribes, then you must identify those tribes in your summary. HUD will not consider any information in the summary when rating applications and may require successful applicants to update the summary based on the pre-award requirement process outlined in this NOFO.

**g) Workplan Narrative:** The Workplan Narrative is the response to all four rating factors listed in Section V of this NOFO and describes the proposed IHBG Competitive project(s).

**h) Workplan Narrative Supporting Attachments:** Your application may provide attachments to support the Workplan Narrative. Material provided in the attachments must support the rating factors information and will not be used in lieu of information provided in response to the rating factor criteria. Applicants are strongly urged to submit only information that is required and/or requested in the NOFO or relevant to a specific narrative response. Label each page of each attachment with a page number and with a reference to the applicable Rating Factor and Subfactor in the NOFO.

**i) Budget Narrative:** Your application must include a Budget Narrative that shows a breakdown for each budget line, including all sources and uses of funding for the proposed project(s). The Budget Narrative may be included as a separate attachment from the Workplan Narrative or within the Workplan Narrative. This Budget Narrative must match the figures on the SF-424 (Blocks 18a-g) and Cost Summary (Form HUD-53246). You may also choose to submit this in the format of your 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, you may choose to submit a separate Budget Narrative for each project. HUD may require successful applicants to update errors on the Budget Narrative based on the pre-award requirement process outlined in this NOFO.

**j) Certification of Compliance (Curable deficiency):** Your application must include as a separate, standalone document, signed by an authorized official of the applicant, that provides the following:

1. The applicant certifies that, in carrying out a grant under this NOFO, it will comply with the applicable provisions of Title II of the Civil Rights Act of 1968, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, HUD's Equal Access requirements (24 CFR 5.105 (a)(2)), and any other applicable federal laws and regulations;

2. The applicant certifies that it will maintain adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under this NOFO;
3. The applicant certifies that policies are in effect and are available for review by HUD and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under this NOFO;
4. The applicant certifies that policies are in effect and are available for review by HUD and the public governing rents and homebuyer payments charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under this NOFO;
5. The applicant certifies that policies are in effect and are available for review by HUD and the public governing the management and maintenance of housing assisted with grant amounts provided under this NOFO;
6. The applicant certifies that it will comply with section 104(b) of NAHASDA and 24 CFR 1000.16 governing labor standards; and
7. The applicant certifies that it will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) (42 U.S.C. 4601-4655), the regulations at 49 CFR part 24, and the requirements of 24 CFR 1000.14.

**k) Code of Conduct (Curable deficiency):** You must submit your Code of Conduct with your application **if it is not listed on HUD's website at:** [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. This requirement is applicable to all applicants, even if the Code of Conduct is on file with your Area ONAP.

**l) Environmental Review - Expression of Intent (Curable deficiency):** You must include, in a separate standalone document, a statement on whether the tribe plans to assume environmental responsibilities under 24 CFR part 58 or decline to assume environmental responsibilities and request HUD perform the review under 24 CFR part 50, in accordance with 24 CFR 1000.20.

**m) Tribal Certification (Curable deficiency):** If an application is submitted by a TDHE on behalf of a tribe, then a tribal certification or resolution on official letterhead must be submitted authorizing the TDHE to submit the application. HUD will accept copies of existing Indian Housing Plan (IHP) certifications that state that the tribe has delegated to the TDHE the authority to submit an IHP or application on behalf of the tribe without prior review by the tribe. The tribal certification or resolution must be submitted with the application.

**n) Indirect Cost Rate (Curable deficiency):** You must submit the following information if you are including indirect costs as part of the budget:

1. If you are using a federally negotiated indirect cost rate, then your application must clearly state the approved rate and distribution base in the Budget Narrative and amount budgeted in the Cost Summary (HUD-53246, line 5B). You 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 you have never had an indirect cost rate and wish to use the de minimis rate, then you 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).

**o) Disclosure of Lobbying Activities (SF-LLL) (Curable deficiency):** State-recognized Indian tribes and TDHEs established under State law must submit this form.

**p) Statement regarding Experience Promoting Racial Equity (EPRE):** All applicants must include a statement with the application packages 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.

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

**q) Climate Change:** Applicants may qualify for up to 2 points for demonstrating in the application steps they will take to address climate change including 1) Climate Mitigation and/or 2) Climate Adaptation and Resilience. Please go to Section V.A.2. of the NOFO for details.

**r) Certification of Consistency with Promise Zone Goals and Implementation (Form HUD-50153):** Applicants may qualify for up to 2 Promise Zone Preference Points. 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/>.

## **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

08/29/2024

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 affordable housing activities, excluding model activities, consistent with Section 202 of NAHASDA. Model activities under Section 202(6) of NAHASDA are ineligible under this NOFO.

**2. Administrative and planning expenses:** All recipients that are awarded a grant under this NOFO may use up to 20 percent of the grant award for IHBG-eligible, project-related administrative and planning expenses, as required in 24 CFR 1000.238. Administrative and planning expenses 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, as defined in 24 CFR 1000.236. A detailed breakdown of these costs must be included in the Budget Narrative.

**3. Pre-award costs:** With the exception of proposal costs incurred to prepare an application for submission under this NOFO, all costs must be incurred within the period of performance dates established in the IHBG Competitive grant agreement. Please review Section III.D for reference. Applicants requesting reimbursement of proposal costs associated with the preparation of the IHBG Competitive 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 administration and planning cap.

**4. Consultant Cap:** In accordance with 24 CFR 1000.26(b)(2), IHBG Competitive Grant funds may not be used, directly or indirectly, to pay or provide reimbursement for payment of compensation to a consultant in an employer-employee type of relationship at more than the daily equivalent of the rate paid for the Level IV of the Executive Schedule (For example, the 2024 rate is \$99.57/hr, \$764.54/day). For more information on the Executive Schedule, please see the [Office of Personnel Management \(OPM\) website](#).

**5. Investment of IHBG competitive funds:** IHBG Competitive Grant funds awarded under this NOFO may not be invested pursuant to section 204(b) of NAHASDA. Applications that propose to invest IHBG Competitive Grant funds will not be funded.

**6. Title VI Loan Guarantees:** IHBG Competitive Grant funds awarded under this NOFO may not be used for guarantees under Title VI of NAHASDA. Applications that propose to use funds for this purpose will not be funded.

### Indirect Cost 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.

As further explained below, this program is subject to a statute or regulation that imposes indirect cost rate restrictions that are different from the indirect cost rate requirements in 2 CFR part 200, particularly 2 CFR 200.414.

**G. Other Program-specific Requirements**

**V. APPLICATION REVIEW INFORMATION**

**A. Review Criteria**

**1. Rating Factors**

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 4. To be considered for funding, the applicant must receive a minimum combined score of 35 points under Rating Factor 1 and Rating Factor 2, and a minimum of 20 points under Rating Factor 3. Applicants who do not meet the minimum score for each of these rating factors are ineligible to receive an award under the competition. Eligible applicants must also receive an overall total of at least 75 points without the addition of the Preference Points to be considered for funding.

<b>1. Rating Factors</b>	<b>Maximum Points: 100</b>
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RATING FACTOR	FACTOR TITLE	POINTS
<b>1</b>	<b>*CAPACITY OF THE APPLICANT</b>	<b>23</b>
1.1	Managerial and Technical Staff	8
1.2	Progress of IHBG Formula Grant	3
1.3	Progress of Competitive Grants	3
1.4	Progress of Pandemic Relief and Imminent Threat Grants	3
1.5	Findings	2
1.6	Timely Reporting	2
1.7	Single Audit Submission	2

<b>2</b>	<b>*NEED/EXTENT OF THE PROBLEM</b>	<b>25</b>
2.1	Need for Funding – Formula Data	10
2.2	Need for Funding - Project Beneficiaries	5
2.3	Need for Funding – Non-formula Data	5
2.4	New and Previously Unfunded Applicants	5
	*Minimum combined score of 35 points needed from Rating Factor 1 and Rating Factor 2 in order to meet the threshold requirement	
<b>3</b>	<b>SOUNDNESS OF APPROACH</b> (Minimum of 20 points needed to meet threshold requirement)	<b>42</b>
3.1	IHBG Competitive Priorities	10
3.2	Project Implementation Plan	8
3.3	Project Implementation Schedule and Project Readiness	8
3.4	Budget	8
3.5	Sustainability	8
<b>4</b>	<b>COMPREHENSIVENESS AND COORDINATION</b>	<b>10</b>
4.1	Coordination	7
4.2	Outputs and Outcomes	3
	<b>PREFERENCE POINTS FOR CLIMATE CHANGE</b>	<b>2</b>
	<b>PREFERENCE POINTS FOR PROMISE ZONES</b>	<b>2</b>
	<b>TOTAL POINTS</b> (Minimum of 75 points needed, without the addition of Preference Points, to meet threshold requirement)	<b>104</b>
<b>Rating Factor 1: Capacity of the Applicant</b>		<b>Maximum Points: 23</b>

You must demonstrate in the Workplan Narrative and supporting attachments that you possess the managerial, technical, and/or administrative capacity necessary to carry out the proposed project. Material provided in the attachments must support the rating factor information and will not be used in lieu of information provided in response to the rating factor criteria.

Supporting attachments may include, but are not limited to, written summaries of qualifications and past experience of proposed staff, descriptions of staff responsibilities, and references or letters of endorsement from others who have worked with the proposed staff.

Do not submit job descriptions or resumes. Do not submit Social Security Numbers of any personnel or consultants.

<b>Subfactor 1.1. Managerial and Technical Staff</b>	<b>Maximum Points: 8</b>
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You must provide a listing of key staff needed to plan, manage, and implement the project(s) proposed to be funded with an IHBG Competitive 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.

<b>Subfactor 1.2. Progress of IHBG Formula Grant</b>	<b>Maximum Points: 3</b>
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HUD will evaluate administrative capacity by considering to what extent you (or your IHBG formula recipient) have undisbursed IHBG funds. HUD will evaluate the cumulative balance of undisbursed IHBG formula funding prior to (but not including) FY 2024. You need not submit LOCCS or formula funding data for this Subfactor, as HUD will utilize its records to verify.

If you are not investing formula IHBG funds and received \$750,000 or more in 2023 IHBG funding, then you will be evaluated based on the amount of undisbursed IHBG funds remaining in LOCCS as of the NOFO deadline date.

If you are actively investing formula IHBG funds in accordance with Section 204(b) of NAHASDA and 24 CFR 1000.58, you must submit information about the amount of IHBG funds you are currently investing. HUD may verify this information based on your latest SF-425 worksheet. You must also provide well-developed plans for when and how you intend to spend the invested IHBG funds in the future.

Applicants that received less than \$750,000 in 2023 IHBG funding may receive full points for this subfactor, regardless of their current IHBG balance. However, if such applicants are investing, you must provide well-developed plans for when and how you intend to spend the invested IHBG funds in the future to receive points.

**(3 points)**

- You are not investing, and your cumulative undisbursed amount in LOCCS is no more than 25% of the total IHBG formula amount you received during the 2021-2023 Federal fiscal years; or
- You are actively investing, you provided information on the amount of IHBG grant funds that you are currently investing, and you provided well-developed plans on when and how you intend to spend the invested IHBG funds in the future; or
- You are not investing, received less than \$750,000 in 2023 IHBG funding and have a cumulative undisbursed amount in LOCCS of no more than 25%, and you provided well-developed plans on when and how you intend to spend the undisbursed funds.

**(2 points)**

- You are not investing and received more than \$750,000 in IHBG funding, and your cumulative undisbursed amount in LOCCS is more than 25% - 75% of the total IHBG formula amount you received during the 2021-2023 Federal fiscal years;
- You are actively investing, and you provided information, but you did not provide clear information on the amount of IHBG grant funds that you are currently investing, and/or you did not provide clear, well-developed plans on when and how you intend to spend the invested IHBG funds in the future;
- You are not investing, received less than \$750,000 in 2023 IHBG funding, and have a cumulative undisbursed amount in LOCCS of more than 25%. You stated that you intend to spend accumulated IHBG funds in the future but did not provide a well-developed plan to do so.
- You do not accept IHBG funds or do not have a current IHBG formula recipient.

**(0 points)**

- You received more than \$750,000, are not investing, and have more than 75% of undisbursed funds.
- You are not investing and received less than \$750,000, you have more than 25% of undisbursed funds, and did not provide a well-developed plan to spend the funds.
- You invest but did not provide adequate information to receive points under this factor.

<b>Subfactor 1.3. Progress of Competitive Grants</b>	<b>Maximum Points: 3</b>
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For this subfactor, performance will be evaluated based on total LOCCS balances as of the application deadline for IHBG Competitive grants and single purpose Indian Community Development Block Grant (ICDBG) grants that the applicant has received. Grants awarded within the rating period will not be included in the calculation.

Any IHBG Competitive and single purpose ICDBG grants with balances that are outside of the rating period will be included in calculation. Additionally, any IHBG Competitive and single purpose ICDBG grants that do not have balances, are outside of the rating period, and were received during the 2020 Federal fiscal year or later will be included in the calculation.

If you have no applicable IHBG Competitive or ICDBG grants, you will receive two 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>
3	Up to 35%.
2	36% to 50% <b>or</b> the applicant is not a current recipient of applicable competitive grants
1	51% to 80%.
0	81% or more.

<b>Subfactor 1.4. Progress of Pandemic Relief and Imminent Threat Grants</b>	<b>Maximum Points: 3</b>
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For this subfactor, the applicant's performance will be evaluated as follows:

- HUD will evaluate total LOCCS balances as of the NOFO application deadline date for certain pandemic relief grants (ICDBG-CARES, IHBG-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.
- Any ICDBG-IT grants with balances that are outside of the rating period will be included in the calculation. Additionally, any ICDBG-IT that do not have balances, are outside of the rating period, and were received during the 2020 Federal fiscal year or later will be included in the calculation.

- Any ICDBG-CARES, IHBG-ARP and ICDBG-ARP grants outside of the rating period will be included in the calculation.

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

You will 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>
3	Up to 35%.
2	36% to 50% <b>or</b> the applicant is not a current recipient of applicable pandemic or IT grants
1	51% to 80%.
0	81% or more <b>or</b> the applicant has an IHBG-CARES grant that is not fully expended
<b>Subfactor 1.5. Findings</b>	
<b>Maximum Points: 2</b>	

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.

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

The audits should only be submitted to the Clearinghouse, which HUD will verify.

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:

**(2 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;
- 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.

**(1 point)**

**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.

<b>Subfactor 1.6. Timely Reporting</b>	<b>Maximum Points: 2</b>
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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 1 point 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:

**(2 points)**

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

**(1 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.

<b>Subfactor 1.7. - Single Audit Submission</b>	<b>Maximum Points: 2</b>
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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. 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:

**(2 points)**

- The annual audits for the last two audit periods were submitted and accepted by the FAC within 9 months after the fiscal year end and in accordance with 2 CFR 200 subpart F and the 30-day waiver available at OMB Announcements (fac.gov), (within 30 days after completion of the audit or, 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 and provided that explanation in your application, **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)** You did not meet the audit requirements at 2 CFR 200, subpart F.

<b>Rating Factor 2: Need/Extent of the Problem</b>	<b>Maximum Points: 25</b>
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The purpose of this Rating Factor is for the applicant to identify its need for funding. Your narrative must explain the nature and extent of the need for the planned project or planned IHBG

activities that you will implement if awarded funding under this NOFO, in accordance with the information requested by the sub-factors. You must support a description of your needs and the extent of the problem with credible, reliable, and quantitative information.

You will be evaluated based on the needs table assessment and data provided by HUD. You will also be evaluated based on information submitted in the narrative to identify the number of beneficiaries, explain how eligible families will be identified for project activities, and demonstrate how the project will help meet the needs of those families. Finally, more points will be given to you if you have not been awarded an IHBG Competitive grant in prior years.

**Subfactor 2.1. Need for Funding – Formula Data                      Maximum Points: 10**

HUD has prepared a Needs Table 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 when you download your application from grants.gov. You do not need to attach the table with your application. HUD will refer to it when assigning points in this subfactor.

**(10 points)** The dollar amount for the Indian tribe is \$0 - \$800, or the tribe receives the minimum IHBG formula allocation.

**(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 - \$1,400.

**(4 points)** The dollar amount for the Indian tribe is \$1,401 - \$2,000.

**(2 points)** The dollar amount for the Indian tribe is \$2,001 - \$4,500.

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

**Subfactor 2.2. Need for Funding – Project Beneficiaries                      Maximum Points: 5**

You must address need by providing a narrative describing the project beneficiaries and their need for the project.

Specifically:

- Identifying how many families will benefit from the project.
- Identifying how families will be selected.

- Providing information demonstrating the need for the project among eligible families who will benefit.

Maximum points will be earned if all families supported by the project have no permanent residence, live in overcrowded conditions, or live in a home without kitchen or plumbing. Overcrowded is defined in 24 CFR Part 1000.302 as households with more than 1.01 persons per room as defined by the U.S. Decennial Census. Without kitchen or plumbing means an occupied house without one or more of the following items: (1) Hot and cold piped water; (2) A flush toilet; (3) A bathtub or shower; (4) A sink with piped water; (5) A range or cook stove; or (6) A refrigerator.

You must provide this information in the narrative and/or with supporting attachments.

You can identify families by providing waiting lists or other demographic information. You can demonstrate the need for the project among eligible families who will benefit by including narrative information about local housing conditions, such as information collected through surveys or other means, including IHBG formula data. You can explain how families will be selected by describing their tenant selection/occupancy plan, waiting list priorities, or other information the applicant will use to select the households that the project will serve.

If you include a waiting list in your application, please ensure not to include any personally identifiable information such as names, addresses, Social Security Numbers, or any other information that can be traced to a specific individual.

**(5 points)**

- You identified the number of families that will benefit from the project;
- You identified how families have been or will be selected; and
- You provided information to demonstrate the need for the proposed project among the families who will benefit, demonstrating that 100% of the families 1.) have no permanent residence 2.) are living in overcrowded conditions and/or 3.) are without kitchen or plumbing.

**(3 points)**

- You did not identify the number of families that will benefit from the project; or
- You did not identify how families have been or will be selected; or
- You did not provide information to demonstrate the need for the proposed project among the families who will benefit, demonstrating that 100% of the families 1.) have no permanent residence 2.) are living in overcrowded conditions and/or 3.) are without kitchen or plumbing.

**(2 points)**

You did not provide two of the following:

- The number of families that will benefit from the project.
- How families have been or will be selected.
- Information to demonstrate the need for the proposed project among the families who will benefit, demonstrating that 100% of the families 1.) have no permanent residence 2.) are living in overcrowded conditions and/or 3.) are without kitchen or plumbing.

**(0 points)**

You did not provide sufficient information to receive points under this Subfactor.

**Subfactor 2.3. Need for Funding – Non-Formula  
Data**

**Maximum Points: 5**

You must address factors that demonstrate the need for IHBG Competitive funding that are not accounted for in the other Rating Factor 2 sub-factors. You must provide this information in your narrative. You may attach and refer to supporting documentation, but you are not required to submit additional attachments.

Specifically:

- Information about challenges and expenses related to availability of affordable housing in your community. For example, the area you serve is remote, or the area has a complete lack of infrastructure necessary for housing development.
- Information about your current operating resources, and whether it is able to meet its housing needs using IHBG formula funding.

**(5 points)**

- You provided information about challenges and expenses related to availability of affordable housing in your community; and
- You provided information demonstrating that your housing needs are not being fully met by your IHBG formula funding.

**(2 points)**

One of the following is true (or you failed to address one of the following):

- You did not adequately demonstrate that the land area that you serve has challenges related to availability of affordable housing in your community; or
- You did not provide information adequate to show that your current housing needs are not being fully met by your IHBG formula funding.

**(0 points)**

You did not provide sufficient information to receive points under this Subfactor.

<b>Subfactor 2.4. New and Previously Unfunded Applicants</b>	<b>Maximum Points: 5</b>
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You, including your corresponding tribe or TDHE, will receive maximum points if you did not receive awards under any of the IHBG Competitive Grant NOFOs, including FY 2018/2019, FY 2020, FY 2021, FY 2022, and FY 2023. If you or your corresponding tribe or TDHE received funding under the FY 2022 and/or FY 2023 IHBG Competitive Grant NOFOs, no points will be given.

**(5 points)**

You, including your corresponding tribe or TDHE, did not receive an award under any of the

IHBG Competitive Grant NOFOs including FY 2018/2019, FY 2020, FY 2021, FY 2022, and FY 2023.

**(3 points)**

You, including your corresponding tribe or TDHE, received an award under the FY 2018/2019, FY 2020 and/or FY 2021 IHBG Competitive Grant NOFO.

**(0 points)**

You, including your corresponding tribe or TDHE, received an award under the FY 2022 and/or FY 2023 IHBG Competitive Grant NOFO.

<b>Rating Factor 3: Soundness of Approach</b>	<b>Maximum Points: 42</b>
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The applicant must address the IHBG Competitive Priorities and its plans, schedule, and budget for implementing and sustaining its proposed project.

<b>Subfactor 3.1. IHBG Competitive Priorities</b>	<b>Maximum Points: 10</b>
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HUD is prioritizing applications that propose funding new housing construction projects, housing rehabilitation, acquisition of existing housing units that increase affordable housing stock, and affordable housing-related infrastructure projects that spur housing construction or rehabilitation.

HUD will award the maximum number of points under this Subfactor to new housing construction projects that address the critical housing shortage and further the development of new affordable housing in Indian Country. Proposals that include multiple NAHASDA-eligible activities will be rated according to the Subfactor category that would provide the applicant with the highest number of points. HUD will calculate the percentage of funding proposed towards the eligible activity for direct (project) costs, which will exclude administration and planning costs.

HUD will rate applications that propose to use grant funds for acquisition under the appropriate Subfactor depending on the nature of the project being proposed.

For instance, if you are acquiring land or developing utilities to support the development of affordable housing in the future, then HUD will rate the application under Subfactor category 3.1.d. Affordable Housing-Related Infrastructure Projects. Please see the charts throughout this sub-factor for several more scenarios.

HUD will use its best judgment based on the contents of your application when assessing which Subfactor category to use when rating an application.

<b>3.1.a. New Housing Construction Projects</b>	<b>Maximum Points: 10</b>
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HUD encourages applications that propose to carry out new housing construction projects. This will include **demolition followed by reconstruction**, as well as **acquisition of manufactured housing** since manufactured housing is newly constructed before acquisition. This will also include **infrastructure and land acquisition associated with new housing construction provided the new housing construction will begin during the period of performance** requested in the application.

Please view the table for reference below:

**Housing Projects to Earn Maximum Points**

<b>Activity</b>	<b>Criteria to Meet</b>
New Housing Construction	Construct and build new affordable housing units (single family or multi-family) for eligible families. This includes funds used to acquire manufactured homes, including those constructed offsite.
Demolition prior to new housing construction	Demolition followed by new housing construction, provided the new housing construction begins during the period of performance.
Acquisition of Land for new housing construction	Acquisition of land for new housing construction projects, provided the new housing construction begins during the period of performance.

**(10 points)**

You are proposing to use 100% of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families.

**(8 points)**

You are proposing to use 80-99% of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(6 points)**

You are proposing to use 60-79% of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(4 points)**

You are proposing to use 40-59% of funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(2 points)**

You are proposing to use 39% or less of the funds awarded under this NOFO to carry out a new housing construction project that increases the total number of affordable housing units for IHBG eligible families. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(0 points)**

Your application does not propose to carry out NAHASDA-eligible new housing construction activities with the funds awarded under this NOFO.

<b>3.1.b. Housing Rehabilitation Projects</b>	<b>Maximum Points: 10</b>
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HUD encourages applications that propose to carry out housing rehabilitation projects, including **infrastructure associated with rehabilitation projects provided the rehabilitation of affordable housing units will begin during the period of performance** requested in your application, as follows. Please view the table for reference below.

Some Tribes indicated to HUD during the Tribal consultation process that housing rehabilitation is a vital tool for expanding the viability of affordable housing. They requested that HUD provide equal points to rehabilitation projects as new housing construction projects because rehabilitation is often the only viable option for some Tribes to preserve and expand affordable housing opportunities. This is particularly true in areas with lower median incomes and older housing stock that can be rehabilitated and preserved for many years to come. Because increasing the number of affordable housing units in Indian Country is a major purpose of the IHBG Competitive program, under this year’s NOFO, HUD will rate housing rehabilitation projects that demonstrate income below the 25th percentile threshold according to Tribal Area Per Capita Income (PCI) Resource List (Column D) under this Subfactor. You must also provide a statement to explain how rehabilitation is the only viable option to preserve and expand affordable housing opportunities.

Please view the PCI resource list as posted in the application package in Grants.gov.

**NOTE:** If you are proposing a Housing Rehabilitation Projects and you are demonstrating income below the low-income 25<sup>th</sup> percentile threshold level according to Tribal Area Per Capita Income (PCI) Resource List, your application will now be eligible for 10 points in this category.

**Housing Rehabilitation Projects to Earn Points Under this Subfactor**

<b>Activity</b>	<b>Criteria to Meet</b>
Housing Rehabilitation Carried out by Tribes on PCI Resource List	If you demonstrate income below the low-income 25th percentile threshold level according to Tribal Area Per Capita Income (PCI) Resource List, your application may be eligible for 10 points, if you propose using 100 percent of funds to carry out housing rehabilitation.

**(10 points)**

You are proposing to use 100% percent of funds awarded under this NOFO to carry out a rehabilitation project that will improve conditions of existing affordable housing units that are occupied or will be occupied, by IHBG eligible families, and increase the useful life of such

housing and demonstrate income below the 25th percentile threshold according to Tribal Area Per Capita Income (PCI) Resource List.

**(8 points)**

You are proposing to use 75-100% of the funds awarded under this NOFO to carry out a housing rehabilitation project that will improve the conditions of existing affordable housing units that are occupied or will be occupied, by IHBG eligible families, and increase the useful life of such housing. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(6 points)**

You are proposing to use 50-74% of the funds awarded under this NOFO to carry out a housing rehabilitation project that will improve the conditions of existing affordable housing units that are occupied, or will be occupied, by IHBG eligible families, and increase the useful life of such housing. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(4 points)**

You are proposing to use 49-25% or less of the funds awarded under this NOFO to carry out a housing rehabilitation project that will improve the conditions of existing affordable housing units that are occupied or will be occupied, by IHBG eligible families and increase the useful life of such housing. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(2 points)**

You are proposing to use less than 24% of the funds awarded under this NOFO to carry out a housing rehabilitation project that will improve the conditions of existing affordable housing units that are occupied or will be occupied, by IHBG eligible families and increase the useful life of such housing. You are also proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(0 points)**

Your application does not propose to carry out NAHASDA-eligible housing rehabilitation activities with the funds awarded under this NOFO.

<b>3.1.c. Acquisition of Units</b>	<b>Maximum Points: 7</b>
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HUD awards points for applications that propose the acquisition of existing housing units to increase affordable housing stock and that will be made available to eligible families. Costs may include associated rehabilitation or infrastructure costs for the units.

**Acquisition of Units Projects to Earn Maximum Points**

<b>Activity</b>	<b>Criteria to Meet</b>
Acquisition of Units	Funds used to acquire existing housing with no costs for new housing construction, rehabilitation, or infrastructure.

Infrastructure for housing acquisition project	Funds will be used to acquire existing units, with some funds going toward infrastructure activities associated with acquisition of units, which will begin during the period of performance.
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**(7 points)**

You are proposing to use 75-100% of the funds awarded under this NOFO to acquire existing housing units that increase affordable housing stock that will be made available for IHBG eligible families. You are also proposing to use the remainder of the IHBG Competitive Grant funds towards other NAHASDA eligible activities.

**(5 points)**

You are proposing to use 50-74% of the funds awarded under this NOFO acquire existing housing units that increase affordable housing stock that will be made available for IHBG eligible families. You are also proposing to use the remainder of the IHBG Competitive Grant funds towards other NAHASDA eligible activities.

**(3 points)**

You are proposing to use 49% or less of the funds awarded under this NOFO acquire existing housing units that increase affordable housing stock that will be made available for IHBG eligible families. You are also proposing to use the remainder of the IHBG Competitive Grant funds towards other NAHASDA eligible activities.

**(0 points)**

Your application does not propose to carry out NAHASDA-eligible affordable acquisition of affordable housing units with funds provided under this NOFO.

<b>3.1.d. Affordable Housing-Related Infrastructure or Land Acquisition Projects</b>	<b>Maximum Points: 7</b>
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HUD will award points under this Subfactor for applications that propose to carry out necessary affordable housing-related infrastructure projects or land acquisition projects that will spur construction or rehabilitation. In order to be rated under this Subfactor, your application must demonstrate that the infrastructure will either support existing affordable housing or will support the development of affordable housing that will be developed soon after the period of performance requested in your application. HUD will award points as follows. Please view the table for reference below:

**Affordable Housing-Related Infrastructure or Land Acquisition Projects to Earn Maximum Points**

<b>Activity</b>	<b>Criteria to Meet</b>
Infrastructure - Activity	Funds used for necessary infrastructure of affordable housing projects that will be completed in the future, and other activities (new construction, rehabilitation of homes, acquisition) do not begin during the period of performance.
Infrastructure - Existing	Funds used for necessary infrastructure of existing affordable housing.

**(7 points)**

You are proposing to use 75-100% of the funds awarded under this NOFO to carry out an affordable housing-related infrastructure project or land acquisition project that will spur construction or rehabilitation activities.

**(5 points)**

You are proposing to use 50-74% of the funds awarded under this NOFO to carry out an affordable housing-related infrastructure project or land acquisition project that will spur construction or rehabilitation activities. You are proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(3 points)**

You are proposing to use 49% or less of the funds awarded under this NOFO to carry out an affordable housing-related infrastructure project or land acquisition project that will spur construction or rehabilitation activities. You are proposing to use the remainder of IHBG Competitive Grant funds towards other NAHASDA-eligible activities.

**(0 points)**

Your application does not propose to carry out NAHASDA-eligible affordable housing-related infrastructure activities with the funds awarded under this NOFO.

<b>Subfactor 3.2. Project Implementation Plan</b>	<b>Maximum Points: 8</b>
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You must provide a narrative that describes your plans for implementing the proposed project that will be funded with the IHBG Competitive Grant.

HUD will evaluate whether your proposed project is viable and cost-effective in relation to your IHBG Competitive Grant application and the amount of funding being requested.

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

- Description of how the project is viable and cost-effective;
- Rationale behind the project design;
- Location of the project (e.g., include a map, address (cross-streets or coordinates), and/or aerial photo), site control of the location, compliance with applicable zoning requirements, and whether the units are on fee-simple or trust land;
- Infrastructure Projects: If the infrastructure project will support the development of affordable housing beyond the period of performance requested in the application, then the applicant must describe its plans for the housing development project(s) and the anticipated completion date;
- Description of estimated cost savings (in percentage or dollar amount) resulting from either the building design, construction methods, or energy-efficient measures that will be realized in future years;
- Size (in square feet) and number of units; and
- Type of units (e.g., number of bedrooms proposed, single-family, multi-family units, etc.).

Applicants that propose multiple NAHASDA-eligible projects in their IHBG Competitive Grant application must ensure all the applicable components above are addressed for each project.

HUD will award points as follows:

**(8 points)**

Your proposed project(s) is viable and cost-effective in relation to the IHBG Competitive Grant request. You described the project(s) in detail and included all the applicable components outlined in this Subfactor.

**(6 points)**

Your proposed project(s) is viable and cost-effective in relation to the IHBG Competitive Grant request. You described the project(s) but are missing a description for **one** of the applicable components outlined in this Subfactor.

**(4 points)**

Your proposed project is viable and cost-effective in relation to the IHBG Competitive Grant request. You described the project(s) but are missing a description for **2-3** of the applicable components outlined in this Subfactor.

**(0 points)**

Either your proposed project(s) is not viable and cost-effective in relation to the IHBG Competitive Grant request or you described your project(s) but **are** missing a description for **4** or more of the applicable components outlined in this Subfactor.

<b>Subfactor 3.3. Project Implementation Schedule and Project Readiness</b>	<b>Maximum Points: 8</b>
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For this Subfactor, you must provide a well-developed IHBG Implementation Schedule (Form HUD-53247) for your project. You must also provide a narrative in the workplan that further describes the tasks and timelines in your implementation schedule and includes milestones that you have completed for the project.

Examples of milestones may include but are not limited to completion of environmental review, developing proposed plans or specifications for new construction or rehabilitation, obtaining site control, and beginning coordination efforts with the community (See Rating Factor 4).

Also, any choice limiting actions performed prior to environmental clearance can result in regulatory or statutory violations that can jeopardize HUD funding of the project.

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 IHBG Implementation Schedule (Form HUD-53247) 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.A. 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.

HUD will award points as follows:

**(8 points)**

Your Implementation Schedule and project implementation narrative includes a detailed breakdown of tasks and timelines needed to complete your project. You have completed milestones for the project.

**(6 points)**

You have completed milestones to implement your project, but the narrative or implementation schedule lacks detail on tasks and/or timelines.

**(4 points)**

Your Implementation Schedule and/or project implementation narrative lacks on tasks and/or timelines. You have not completed milestones to implement your project.

**(0 points)**

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

<b>Subfactor 3.4. Budget</b>	<b>Maximum Points: 8</b>
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You must submit the IHBG Cost Summary (Form HUD-53246) and a detailed Budget Narrative for the proposed project and activities. HUD will evaluate whether the budget is thoroughly prepared and that all costs are eligible under NAHASDA, allowable, allocable, reasonable, and necessary for implementing the proposed project and activities. See IV.B.3.h for more information on the required Budget Narrative.

HUD will evaluate whether costs are reasonable by using the current and most recent Total Development Cost (TDC) calculations and [Notice PIH 2022-16 Total Development Costs \(TDC\) for Affordable Housing under the Native American Housing Assistance and Self-Determination Act of 1996 \(NAHASDA\)](#), as a reference.

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

- 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-53246 ), Budget Narrative, and supporting documentation must be consistent;
- Proposed costs are eligible under NAHASDA, 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 that are administrative costs will count towards the administration and planning cap.

HUD will award points as follows:

**(8 points)**

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

**(6 points)**

The budget is adequately prepared, and all costs are eligible under NAHASDA, 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 components were missing.

**(0 points)**

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

<b>Subfactor 3.5. Sustainability</b>	<b>Maximum Points: 8</b>
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For this Subfactor, you must describe your plans to operate and maintain your project upon completion, including a plan for securing future funding sources to sustain the project. Also, you must describe how the project furthers your goals for implementing your IHBG program (or that of your corresponding Tribe or TDHE). Finally, you must describe the project’s affordability period/useful life (if applicable), which should align with the useful life periods described in your IHBG Formula IHP.

You are reminded that you are required to adequately maintain all housing assisted under this program, and to ensure that the housing remains affordable for the required applicable affordability periods. Your failure to comply with these requirements may result in HUD taking corrective and remedial actions under 24 CFR Part 1000, Subpart F. Aligning the affordability

period of your IHBG Competitive project (if applicable) with your IHBG Formula useful life period will facilitate tracking for both you and HUD.

**(8 points)**

**You fully explained the following:**

- How you will operate and maintain the project beyond the period of performance, including the source(s) of funding;
- How the project furthers your goals for implementing your IHBG program; and
- What the affordability period/useful life for the project is and how it aligns with the useful life periods identified in your IHBG Formula IHP, or you explain that an affordability period is not applicable because the proposed project is not housing.

**(4 points)**

**The applicant did not explain one of the following:**

- How you will operate and maintain the project beyond the period of performance, including the source(s) of funding;
- How the project furthers your goals for implementing your IHBG program; and
- What the affordability period/useful life for the project is and how it aligns with the useful life periods identified in your IHBG Formula IHP, or you explain that an affordability period is not applicable because the proposed project is not housing.

**(0 points)**

You did not provide sufficient information to receive points under this Subfactor.

<b>Rating Factor 4 Comprehensiveness and Coordination</b>	<b>Maximum Points: 10</b>
<b>Subfactor 4.1. Coordination</b>	<b>Maximum Points: 7</b>

For this Subfactor, you must address how you have designed the project and how you plan to implement it in coordination with partners including community members, tribal departments, and other agencies/organizations. You must demonstrate this coordination by:

- Identifying the partners in the community,
- Defining the roles and responsibilities of the applicant and each partner, and
- Describing the coordination efforts between the applicant and each partner.

HUD will assign points as follows:

**(7 points)**

You addressed each of the following:

- You identified the partners in the community;
- You defined your role and responsibilities, and the roles and responsibilities of each partner; and
- You described how you and each partner will coordinate.

**(5 points)**

You addressed two out of three of the following:

- You identified the partners in the community;
- You defined your role and responsibilities, and the roles and responsibilities of each partner;
- You described how you and each partner will coordinate.

**(3 points)**

You addressed one out of three of the following:

- You identified the partners in the community;
- You defined your role and responsibilities, and the roles and responsibilities of each partner;
- You described how you and each partner will coordinate.

**(0 points)**

You did not provide sufficient information to award points under this subfactor.

<b>Subfactor 4.2. Outputs and Outcomes</b>	<b>Maximum Points: 3</b>
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You must include outcomes and outputs you plan to achieve with the project. Outputs are measured in the volume of work accomplished and must be identified by each key task proposed in the workplan. They should be clear enough to allow HUD to monitor and assess the proposed project's progress if funded. An outcome is the impact achieved from the outputs of the proposed project. They should be quantifiable measures or indicators that identify the change in the community, people's lives, economic status, etc.

**Examples of outputs could include but are not limited to:**

- Number of housing units constructed;
- Number of housing units rehabilitated;
- Number of housing units accessible for individuals with disabilities constructed and rehabilitated;
- Number of housing units acquired to increase the affordable housing stock;
- Number of homeownership units constructed or financed;
- Number of units connected to utilities (e.g., gas, phone, internet or electric lines/roads/water/sewer);
- Number of persons assisted; and
- Number of jobs created.

**Examples of outcomes could include but are not limited to:**

- Reduction in the number of families living in substandard housing;
- Reduction in overcrowding;
- Increase in homeownership rates;
- Reduction of drug-related crime or health-related hazards;
- Accessibility for persons with disabilities;

- Improved energy efficiency; and
- Climate resilience.

HUD will assign points as follows:

**(3 points)**

You clearly described measurable outputs and outcomes for the proposed project.

**(1 point)**

You included either measurable outputs or outcomes for the proposed project, but not both.

**(0 points)**

You did not provide sufficient information to award points under this Subfactor.

**Total (without Preference Points)**

**Maximum Points: 100**

**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.

This NOFO does not offer Environmental Justice preference points.

This NOFO does not offer HBCU preference points.

This NOFO does not offer preference points related to minority-serving institutions.

### **Promise Zones**

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

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

### **1. Past Performance**

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

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

Producing positive outcomes and results

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 2 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 from an eligible applicant and assign points in accordance with the selection factors described in this section.

**a) Application Screening and Acceptance:** HUD will screen and accept applications if they meet all the criteria listed above at Section III and IV. To summarize:

- 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; and
- The application contains all of the non-curable required submissions.

**b) Threshold Compliance:** HUD will review each application that passes the screening process to ensure that each applicant and each proposed project meets the eligibility and submission thresholds listed above at Section III and IV.

**c) Past Performance:** HUD will evaluate applicants' past performance under Rating Factor 1-Capacity of the Applicant.

**d) Rating:** HUD will rate all eligible applications that meet the Threshold Requirements against the criteria in Rating Factors 1 through 4 and assign a rating score. The maximum total rating score for the four Rating Factors is 100 points. An applicant can receive Preference Points if it scores a minimum of 75 points for the four Rating Factors. HUD will award up to four (4) Preference Points to applicants that meet either Climate Change (up to 2 points) and/or Promise Zones (up to 2 points) criteria. An applicant can receive a possible total of 104 points which includes Rating Factors 1 through 4 and Preference Points. HUD will review and rate each application that meets the acceptance criteria and threshold requirements. Once all applications are rated, HUD will conduct a review to ensure consistency in the application rating.

**e) Minimum Points:** To be considered for funding, the application must receive a minimum combined score of 35 points under Rating Factor 1-Capacity of the Applicant and Rating Factor 2-Need, a minimum of 20 points under Rating Factor 3-Soundness of Approach, and an overall score of at least 75 points (without the addition of the Preference Points). HUD will reject any application that does not meet the minimum rating score requirements.

**f) Ranked Order:** After adding any Preference Points, HUD will place eligible applications that

meet the minimum rating score requirements in ranked order. HUD will award funds in rank order based on the score received on the application submitted under this NOFO. HUD will consider applicants for funding within the fundable range of 75 or more points in ranked order up to the amount requested, or a lesser amount if sufficient funds are not available. Meeting the minimum score of 75 points does not guarantee the funding of an award. HUD also reserves the right to adjust funding to meet urgent policy priorities. HUD reserves the right to issue a supplemental or independent NOFO if necessary (e.g., to ensure that all appropriated funds are awarded).

**g) Grant Award Adjustments:** At its discretion, if HUD determines that there are not enough funds available to fully fund a project as proposed by a successful applicant, then HUD may contact the applicant to determine whether revisions can be made to the program budget and work plan to reflect the actual award offer. If it is not possible to agree on a revised program budget and work plan, then an award will not be made to that applicant. In such an instance, HUD may offer an award, in rank order, to another applicant. HUD may also select additional applicants for funding, in rank order, if additional funds become available. See also Adjustments to Funding information in section VI.A. below.

**h) Tiebreakers:** When rating results in a tie among projects and there is not enough money to fund all tied projects, HUD will use the following factors to resolve the tie in this order:

- HUD will approve projects that can be fully funded over those that cannot be fully funded;
- HUD will approve projects for applicants that score the highest number of points for Subfactor 3.1-IHBG Competitive Priorities;
- 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;
- HUD will approve projects for applicants (or their formula recipients) that have the highest number of points for Subfactor 1.2 Progress of IHBG Formula Grant;
- HUD will approve projects for applicants (or their formula recipients) that have the lowest Per Capita Income (PCI) amount, according to the Tribal Area PCI Resource List;
- HUD will approve projects for applicants that score the highest number of points for Subfactor 3.4 Budget; 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.

**i) IHBG Competitive Grant Progress and Performance:** Failing to make significant progress on your grant by September 30, 2026, as evidenced by failing to meet planned activities described in the IHBG Implementation Schedule (Form HUD-53247), may constitute substantial noncompliance under 24 CFR 1000.534. HUD will review the circumstances of each grantee on a case-by-case basis to determine if the noncompliance is substantial.

**j) Additional IHBG Competitive Funds:** If, after the publication of this NOFO, additional funds become available either through additional appropriations or through the de-obligation or recapture of funds, HUD reserves the right to:

- Award funding to additional applicants based on their score from this competition;
- Use the additional funds to provide additional funding to an applicant awarded less than the originally requested amount of funds to make the full award;
- Fund additional applicants that were eligible to receive an award, but for which there were no funds available; and
- Award funding to applicants that meet the funding errors category in Section VI.A.3. below.

**k) Curable Deficiencies and Pre-Award Requirements:**

- **Curable Deficiencies:** If there are curable deficiencies identified in successful applications, then applicants must satisfactorily address these deficiencies before HUD can make a grant award.
- **Pre-Award Requirements:** Successful applicants 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, budget, or method of implementing the project. HUD may also ask for further 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 return receipt requested. Applicants will be provided fourteen (14) calendar days from the date of receipt of the HUD notification to respond to these requirements. No extensions will be provided. If the deadline date falls on a Saturday, Sunday, or Federal holiday, the response must be received by HUD on the next day that is not a Saturday, Sunday, or Federal holiday. For verifications of HUD records, if you do not respond within the prescribed time period or make 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 an applicant does not respond within the prescribed time period or makes an insufficient response, then HUD will determine that the requirement has not been met and will withdraw the grant offer. Applicants 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 HUD. HUD will ensure that successful applications meet TDC requirements prior to funding.

If for any reason HUD must re-rate and re-rank an application and the total points awarded to the applicant after re-ranking falls below 75 (without the addition of Preference Points), the combined score from Rating Factor 1 and Rating Factor 2 points falls below 35, and/or Rating Factor 3 points fall below 20, HUD will not fund the application.

**l) Agency Errors:** Judgments made within the provisions of this NOFO and all program statutory and regulatory requirements are not subject to a claim of error. There is no appeal process. An applicant may bring arithmetic errors in application scoring to the attention of HUD within 30 days of being informed of its score. However, 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.2.B.2.k Curable Deficiencies and Pre-Award Requirements.

**m) Anticipated Announcement and Award Dates:** HUD anticipates announcing awards under this NOFO approximately four to six months after the application due date.

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

## **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.

The HUD Reform Act prohibits HUD from notifying applicants as to whether they have been selected to receive a grant until it has announced all successful award recipients.

If selected and as soon as a Congressional release has been obtained, HUD will send the applicant an award letter and a grant agreement to sign and return via email. If the applicant does not already have one, it will have to establish an account in LOCCS so that it can draw down grant funds as needed to complete project/activities. Grantees will also be encouraged to participate in award implementation training offered by HUD.

All grant awards are conditioned on the successful completion of an environmental review in accordance with the requirements of 24 CFR 1000.18-1000.24, and an environmental review must be completed before funds are released. Applicants must comply with HUD environmental review requirements, in accordance with 24 CFR 1000.18-1000.24. An Indian tribe can assume environmental responsibilities under 24 CFR part 58 or decline to assume environmental responsibilities and request HUD perform the review under 24 CFR part 50, in accordance with 24 CFR 1000.20(a).

## **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. 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)

### **Environmental Review**

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

All awards under this NOFO will be conditioned on the successful completion of an environmental review, and environmental reviews must be completed before funds are released.

Applicants must comply with HUD environmental review requirements, in accordance with 24 CFR 1000.18-1000.24. An Indian tribe can assume environmental responsibilities under 24 CFR part 58 or decline to assume environmental responsibilities and request HUD perform the review under 24 CFR part 50, in accordance with 24 CFR 1000.20(a). The timing of HUD undertaking the environmental review will be subject to the availability of resources.

An environmental review, all required notifications, and approval of the Request for Release of Funds and Certification when applicable under 24 CFR part 58 or HUD's approval of the project or activity under 24 CFR part 50, must be completed before a recipient may commit HUD or non-HUD funds, or take any other choice limiting action, including but not limited to real property acquisition, demolition, disposition, rehabilitation, repair, new construction, site preparation or clearance, ground disturbance, and leasing. Any mitigating/remedial measures required by the responsible entity (or HUD) must be carried out. Environmental review resources including training, guidance, forms, sample letters and worksheets are available on the hud.gov webpage at: : [Environment and Energy | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#).

### **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](#).

Failure to make progress, as evidenced by failing to meet planned activities described in the IHBG Implementation Schedule (Form HUD-53247), may constitute substantial noncompliance under 24 CFR 1000.534. HUD will review the circumstances of each grantee on a case-by-case basis to determine if the noncompliance is substantial.

If HUD finds after reasonable notice and opportunity for hearing that a recipient has failed to comply substantially with any provision of NAHASDA or the regulations in this part, HUD shall carry out actions with respect to the recipient's current or future grants, which may result in termination of the grant, as appropriate, under 24 CFR 1000.532.

### **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**

#### **IHBG Competitive Grant Program: Post-Award Reporting Requirements**

##### **a) Annual Federal Financial Reports:**

Grantees will have to submit a Federal Financial Report (SF-425) to the Area ONAP within 90 days after the end of each program year. All funds (whether grant funding or other resources) must be received and used during the period of performance. 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 Performance Reports:**

Grantees are required to submit an Annual Performance Report (APR) to HUD within 90 days of the end of their program year and within 90 days after the end of the period of performance identified on the grant agreement. This APR may be submitted via the IHBG Competitive Annual Performance Report Form HUD-53248 or the Annual Performance Report Form HUD-52737. This APR must pertain only to the activities of IHBG Competitive Grant and must be submitted separately from the traditional IHBG formula APR.

Filing of IHBG Competitive Grant Post-Award reports is mandatory for all grantees, and failure to do so within the required timeframe may result in HUD taking enforcement action against the grantee in accordance with Title IV of NAHASDA and IHBG implementing regulations.

HUD will assess all post-award reports submitted to evaluate the grantee’s performance in meeting its project goals. Grantees will also be held to the milestones in the IHBG Implementation Schedule (Form HUD-53247) as approved by HUD. HUD expects all grantees to make progress on their IHBG Competitive project in accordance with their IHBG Implementation Schedule (Form HUD-53247). Failing to make progress by September 30, 2026, as evidenced by failing to meet planned activities described in the IHBG Implementation Schedule (Form HUD-53247) may constitute substantial noncompliance under 24 CFR 1000.534. HUD will review the circumstances of each grantee on a case-by-case basis to determine if the noncompliance is substantial.

**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:

Phone:

Email:

IHBGCompetitiveProgram@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, and does not alter the environmental requirements of 24 CFR Part 1000. Accordingly, under 24 CFR 50.19(c)(5)(i), this NOFO is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C.4321). Activities under the NOFO are subject to environmental review provisions set out at 24 CFR 1000.18 - 1000.24.

### 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

In January 2017, HUD released a study titled, **“Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs.”** The study found that conditions for tribal households are substantially worse than other U.S. households, with overcrowding in tribal areas being especially severe. The study found that between 2013-2015 alone, 68,000 new units were needed to help eliminate overcrowding and replace physically deteriorating units. Additional information is available at:

<https://www.huduser.gov/portal/publications/HNAIHousingNeeds.html>

## APPENDIX