



U.S. Department of Housing and Urban Development

Public and Indian Housing

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

FR-6000-N-23

Application Due Date: 06/14/2016

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

FR-6000-N-23

TABLE OF CONTENTS

- I. [Funding Opportunity Description.](#)
- II. [Award Information.](#)
- III. [Eligibility Information.](#)
 - A. Eligible Applicants.
 - B. Cost Sharing or Matching.
 - C. Other.
- IV. [Application and Submission Information.](#)
 - A. Obtaining an Application Package.
 - B. Content and Form of Application Submission.
 - C. System for Award Management (SAM) and Dun and Bradstreet Universal Numbering System (DUNS) Number.
 - D. Application Submission Dates and Times.
 - E. Intergovernmental Review.
 - F. Funding Restrictions.
 - G. Other Submission Requirements.
- V. [Application Review Information.](#)
 - A. Criteria.
 - B. Review and Selection Process.
 - C. Anticipated Announcement and Award Dates.
- VI. [Award Administration Information.](#)
 - A. Award Notices.
 - B. Administrative, National and Departmental Policy Requirements.
 - C. Reporting.
- VII. [Agency Contact\(s\).](#)
- VIII. [Other Information.](#)
- IX. [Appendix.](#)

U.S. Department of Housing and Urban Development

Program Office: Public and Indian Housing
Funding Opportunity Title: Community Development Block Grant Program for Indian Tribes and Alaska Native Villages
Announcement Type: Initial
Funding Opportunity Number: FR-6000-N-23
Primary CFDA Number: 14.862
Due Date for Applications: 06/14/2016

For Further Information Contact: Please direct questions regarding the specific program requirements of this Program Notice of Funding Availability (NOFA) to the agency contact identified in Section VII. Please direct general questions regarding the FY2016 NOFAs to the Office of Strategic Planning and Management, Grants Management Division, at AskGMO@hud.gov. Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Relay Service at 1-800-877-8339.

Additional Overview Information

Incorporation of the General Section. HUD publishes a General Section each fiscal year that contains requirements for all applicants to HUD's various competitive grant programs, including this NOFA. Applications must meet all of the requirements of the General Section in addition to the requirements of this NOFA to be considered and potentially receive funding. The full title of the General Section is the General Section to HUD's Fiscal Year 2016 Notice[s] of Funding Availability for Discretionary Programs. Copies are available at Grants.gov or HUD's Funds Available page, http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail.

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

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

I. Funding Opportunity Description.

A. Program Description.

1. Purpose.

The purpose of the ICDBG program is the development of viable Indian and Alaska Native communities, including the creation of decent housing, suitable living environments, and economic opportunities primarily for persons with low- and moderate- incomes. See the ICDBG regulation of 24 CFR 1003, the full text of which is available at: <http://www.ecfr.gov/cgi-bin/text-idx?SID=4257505e81e934a4ad1bd12562a05db4&mc=true&node=pt24.4.1003&rgn=div5>

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

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

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

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

Applicants for imminent threat funding should contact their Area Office of Native American Programs (ONAP) for further information. http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/map/nationalmap

2. Changes from Previous NOFA.

The FY 2016 ICDBG NOFA has been simplified and reorganized and duplicate language has been eliminated. Only the major changes are highlighted below. You are encouraged to read each section of the NOFA carefully and prepare your application accordingly. The NOFA:

- Modifies description of the non-competitive ICDBG Imminent Threat grant program and refers applicants to the Area ONAP for their regions.
- In the definitions section, deletes definitions of provisions rarely used or when definitions are included elsewhere in the NOFA.
- Establishes one application ceiling for the Northern Plains Area ONAP rather than two.
- Clarifies the description of eligible applicants.
- Adds a new threshold on untimely closeouts.
- Moves some requirements that should be curable from the threshold requirements section to the general requirements so failure to submit such information can be cured.

- Eliminates the long list of types of eligible and ineligible activities that can be funded with ICDBG and instead refers applicants to the specific section of the regulation.
- Clarifies that applicants should submit requests for waivers of the electronic application review requirement to the Acting Director of Grants Management in ONAP headquarters.
- Establishes a 20 page limit on the narrative that must be submitted with the application.
- Reaffirms that the resolution about citizen participation on the project must be in the form of a tribal resolution.
- To receive the maximum number of points in Subfactor 1.1.b of Rating Factor 1, the NOFA states that implementation plans submitted with the applications must show that projects will be underway 180 days from the expected award date in the NOFA.
- Modifies the points provided for performance on past ICDBG projects in Rating Factor 1, subfactor 2.
- Revises the breakdown on points provided based on amounts not yet spent on open ICDBGs in Rating Factor 1, subfactor 1.2.a.
- Eliminates the 15 days grace period on the submission of reports in the past performance rating factor in Rating Factor 1, subfactor 1.2.b.
- Eliminates the subfactor on Unfunded Applicants in Rating Factor 2.
- In Rating Factor 4 (Leveraging) moves most of the text into tables so requirements are clearer.
- Adds a requirement that the proposed project be consistent with tribal comprehensive plans to get full points in Rating Factor 5, subfactor 1.

3. Definitions.

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

b. **Threshold Requirement** – Threshold requirements are a category of eligibility requirements. A threshold requirement is a requirement that must be met in order for an application to be reviewed. Threshold requirements are not curable.

Threshold requirements are listed in Section III.C.1 of this Program NOFA.

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

c. **Deficiency** – Deficiencies are not the same as errors. Errors are never curable except as permitted under Section IV.D.4. Deficiencies are items of missing or omitted information within a submitted application. Deficiencies typically involve missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box, etc.). Depending on specific criteria, deficiencies may be either curable or non-curable.

d. **Curable Deficiency** – A curable deficiency is a specific type of deficiency that applicants may correct with timely action. To be curable the deficiency must:

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

e. **Non-Curable Deficiency** – An applicant cannot correct a non-curable deficiency after the submission deadline. Non-curable deficiencies are deficiencies that if corrected would change an applicant's score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application's score and final determination.

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

- **Adopt.** To approve by vote of the governing body of the tribe or tribal organization.
- **Community Based Development Organization (CBDO).** Only CBDOs can develop new housing under the ICDBG program. Tribally Designated Housing Entities (TDHEs) are not automatically considered CBDOs. (see 24 CFR 1003.204(c)).

- **Document.** When the NOFA asks you to document something it means that you should provide information and/or data in your application to satisfy that particular NOFA requirement.
- **Entity Other Than Tribe.** This means that the organization is not part of the tribal government in any way.
- **Firm Commitment.** A letter of commitment from a partner by which an applicant or an applicant's partner agrees to perform an activity specified in the application and demonstrates the financial capacity and conditional agreement to deliver the resources necessary to carry out the activity, either in cash or through in-kind contributions if HUD awards ICDBG funds. If a tribe is committing resources to the project the amount of such commitment should be included in the tribal resolution. If a tribal organization is the applicant it should submit evidence of such commitment in the equivalent of a tribal resolution.
- **Low- and Moderate-Income (LMI).** For purposes of the ICDBG program this means a family, household, or individual whose income does not exceed 80 percent of the median income for the area. This program does not allow applicants to choose to use the greater of the area median or national median income as the Indian Housing Block Grant (IHBG) program does.
- **New Applicant.** An applicant that has either never received an ICDBG or an applicant whose prior grants have been closed for at least 12 months before applications are due.
- **Standard Housing/Standard Conditions.** Housing that meets the quality standards adopted by the tribe or tribal organization depending on the type of housing proposed. The adopted standards must provide for: (a) a safe house, in physically sound condition with all systems performing their intended design functions; (b) a livable home environment that is energy efficient and incorporates energy conservation measures; and, (c) provides adequate space and privacy for all intended household members.

B. Authority.

The authority for this program is Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and the program regulations in 24 CFR Part 1003. HUD's authority for making funding available under this NOFA is the Consolidated Appropriations Act, 2016, Public Law 114-113, approved December 18, 2015.

II. Award Information.

A. Available Funds.

HUD is making available approximately **\$56,000,000** through this NOFA for Community Development Block Grant Program for Indian Tribes and Alaska Native Villages.

Additional funds may become available for award under this NOFA as a result of HUD's efforts to recapture unused funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the applicable funding restrictions described in the General Section and to those contained in this NOFA.

The FY 2016 appropriation for the ICDBG program is \$60,000,000. Of that amount up to \$4,000,000 is retained to fund Imminent Threat grants. Combined with \$611,911 in funds carried over from FY 2015, there is a total of \$56,611,911 available for Single Purpose grants under this NOFA.

1. Allocations to Area ONAPs. The ICDBG regulation specifies how the funds for the Single Purpose ICDBGs will be divided among the six Area ONAPs. See 24 CFR 1003.101. Accordingly, the allocations for FY 2016 grants are as follows:

Area ONAP	Amount
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Alaska	\$7,056,169
Eastern Woodlands	\$4,608,084
Northern Plains	\$8,551,891
Northwest	\$3,068,364
Southern Plains	\$13,444,256
Southwest	\$19,883,147

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

Area ONAP	Population	Ceiling
Alaska	ALL	\$600,000
Eastern Woodlands	ALL	\$600,000
Northern Plains	ALL	\$1,000,000
Northwest	ALL	\$500,000
Southern Plains	ALL	\$800,000
Southwest	50,001+	\$5,500,000
	10,501-50,000	\$2,750,000
	7,501-10,500	\$2,200,000
	6,001-7,500	\$1,100,000
	1,501-6,000	\$825,000
	0-1,500	\$605,000

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

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

individual applications for one combined project if the project will benefit the members of all of the tribes that apply for it.

3. Housing Rehabilitation Cost Limits. HUD will not provide more than the following amounts for each housing unit rehabilitated with ICDBG funds. The rehabilitation costs may exceed these limits but your budget must show that you will not spend more than these amounts of ICDBG funds on each unit.

Alaska	\$75,000
Eastern Woodlands	\$35,000
Northern Plains:	\$50,000
Northwest	\$50,000
Southern Plains	\$35,000
Southwest	\$65,000

B. Number of Awards.

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

C. Minimum/Maximum Award Information.

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

Estimated Total Funding:	\$56,000,000
Minimum Award Amount:	\$500,000 Per Project Period
Maximum Award Amount:	\$5,500,000 Per Project Period

D. Period of Performance.

HUD must obligate the funds in this NOFA no later than September 15, 2018. With the exception of imminent threat grants, you will have until September 15, 2023, to draw down all of your funds and complete your project. For Imminent Threat grants you have 12 months from the date funds are available to you. HUD can require you to spend funds before this date in accordance with the implementation schedule submitted with your application. If funded and you do not make progress toward meeting your implementation schedule, HUD reserves the right to recapture the funds.

Estimated Project Start Date:	10/03/2016
Estimated Project End Date:	10/02/2019
Length of Project Periods:	Other
Length of Project Periods	The length of the project period is based on the implementation
Explanation of Other:	schedule submitted by the applicant and approved by HUD.

E. Type of Funding Instrument.

Funding Instrument Type: Grant

F. Supplementation.

Not Applicable

III. Eligibility Information.

A. Eligible Applicants.

Native American tribal governments (Federally recognized)

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

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

- Tribes eligible to receive ICDBG assistance must be listed in the following publication "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs (<http://www.bia.gov/cs/groups/xraca/documents/text/idc1-033010.pdf>).
- Tribal organizations are permitted to submit ICDBG applications on behalf of eligible tribes if one or more eligible tribe(s) authorizes the organization to do so by tribal resolution. The Bureau of Indian Affairs (BIA) or the Indian Health Service (IHS), must provide a letter that states that the tribal organization is eligible under Title I of the Indian Self Determination and Education Assistance Act. You must provide a copy of this letter to your Area ONAP by the application deadline unless your organization has already provided such a letter to the Area ONAP in previous years and the status of your tribal organization has not changed. HUD will not review an application submitted by a tribal organization on behalf of a specific tribe if the tribe itself submits an application for the same funding round.

Due to the unique structure of tribal entities eligible to submit ICDBG applications in Alaska, and as only one ICDBG application may be submitted for each area within the jurisdiction of an entity eligible under 24 CFR 1003.5, a tribal organization that submits an application for activities in the jurisdiction of one or more eligible tribes or villages must include a concurring resolution from each such tribe or village authorizing the submission of the application. The hierarchy for funding priority continues to be the IRA Council, the Traditional Village Council, the ANCSA Village Corporation, and the ANCSA Regional Corporation.

Any questions regarding eligibility determinations and related documentation requirements for entities in Alaska should be referred to the Alaska Area ONAP prior to the application deadline. Due to the unique structure of tribal entities in Alaska you should contact the Alaska ONAP prior to the application due date if you plan to submit an application for an Alaska tribe or village.

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

As required in the Code of Federal Regulations (CFR) at 2 CFR 25.200 and 24 CFR Part 5 Subpart K, all applicants for financial assistance must have an active Data Universal Numbering System (DUNS) number (<http://fedgov.dnb.com/webform>) and have an active registration in the System for Award Management (SAM) (www.sam.gov) before submitting an application. Getting a DUNS number and completing SAM registration can take up to four weeks; therefore, applicants should start this process or check their status

early.

See also Section IV.B for necessary form and content information.

B. Cost Sharing or Matching.

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

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

C. Other.

All applicants must comply with the following requirements, which may determine whether your application is reviewed or make your application ineligible for funding. Eligibility criteria for this competition include:

1. Threshold Requirements.

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

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

b. Civil Rights Matters – Outstanding civil rights matters must be resolved prior to the application deadline.

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

(a) Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;

(b) Status as a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance pursuant to 42 U.S.C. 3614(a);

(c) Status as a defendant in any other lawsuit filed or joined by the Department of Justice 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, Title II of the Americans with Disabilities Act, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;

(d) Receipt of a letter of findings identifying systemic noncompliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or Title II of the Americans with Disabilities Act; or

(e) 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.

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

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

- (b) Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- (c) 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;
- (d) Current compliance with a consent order or consent decree; or
- (e) Current compliance with a final judicial ruling or administrative ruling or decision.

c. ICDBG Program and Project Related Thresholds

- **Outstanding ICDBG Obligation.** Pursuant to 24 CFR 1003.301(a), if you have an outstanding ICDBG obligation to HUD that is in arrears, or have not agreed to a repayment schedule you will be disqualified from the competition.
- **Resolution of Civil Rights Matters.** To be eligible to apply under this NOFA, you may not have any outstanding violations of the civil rights requirements applicable to tribes as of the application deadline.
- **Untimely ICDBG Closeouts.** HUD will not review your application if you have any ICDBG that is open two or more years past the due date for closeout identified on the most recently submitted project implementation schedule approved by the Area ONAP.
- **New Housing Construction.** In accordance with 24 CFR 1003.302(b), you may only use ICDBG funds to build new housing if a Community Based Development Organization (CBDO) will build the housing. If the organization has previously been determined by ONAP to be a CBDO, you do not have to resubmit documentation of this in the application. In addition, new housing construction can only be built when you show in your application that:
 - No other housing is available in the immediate reservation area that is suitable for the households to be assisted; and
 - No other sources, including Indian Housing Block Grants (IHBG), can meet the needs of the household(s) to be served (applicants that receive minimum IHBG funding pursuant to the IHBG regulation at 24 CFR 1000.328 are exempt from this provision); and
 - Rehabilitation of the unit occupied by the household(s) to be assisted is not economically feasible; or the household(s) to be assisted is currently living in overcrowded conditions (more than one household per house); or the household to be assisted has no current residence.
- **Economic Development Projects.** In accordance with 24 CFR 1003.302(c), for this type of project you must provide a financial analysis prepared by a qualified party. Specifically: (1) the qualified party preparing the analysis must have recent and relevant experience in the type of project being proposed; (2) the financial analysis must demonstrate that the project is financially feasible and has a reasonable chance of success; (3) the analysis should include information about the project's market share, sales levels, growth potential, revenue projections, project expenses and debt service, if applicable; and (4) the analysis must also demonstrate the public benefit resulting from the ICDBG assistance. In addition, the analysis must establish that, to the extent practicable: (1) reasonable financial support will be committed from non-federal sources prior to disbursement of federal funds; (2) any grant amount provided will not substantially reduce the amount of non-federal financial support for the activity; (3) not more than a reasonable rate of return on investment is provided to the owner; and (4) that grant funds used for the project will be disbursed on a pro-rata basis with amounts from other sources.

2. Statutory and Regulatory Requirements.

a. Compliance with Nondiscrimination and Related Requirements.

b. HUD Agency Wide or Federal Government Wide Requirements.

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

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

(2) Pre-Award Accounting System Survey – HUD will not award or disburse funds to applicants that do not have a financial management system that meets federal standards. HUD may arrange for a pre-award survey of any such financial management system for applicants selected for award who have not previously received federal financial assistance, where HUD Program officials have reason to question whether a financial management system meets federal financial management standards, or for applicants considered high risk based upon past performance or financial management findings.

(3) Debarments and/or Suspensions – In accordance with 2 CFR part 2424, no award of federal funds may be made to debarred or suspended applicants, or those proposed to be debarred or suspended from doing business with the Federal Government.

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

(5) Do Not Pay Website Review – As part of the Improper Payments Elimination and Recovery Improvement Act (IPERIA) of 2012, in making funding determinations HUD will look up applicant information on the Federal website <http://www.donotpay.treas.gov/>. The Do Not Pay Portal is intended to prevent improper payments and can be used by HUD to ensure that applicants that receive funding do not owe funds to the federal government; are not on the Excluded Parties List System (EPLS); the List of Excluded Individuals/Entities List (LEIE); the Social Security Administration (SSA) Death Master File (DMF); or other federal databases that would provide adverse information regarding the applicant. HUD reserves the right to:

- (a) Deny funding, or in the case of a renewal or continuing award, consider suspension or termination of an award immediately for cause,
- (b) Require the removal of any key individual from association with management or implementation of the award, and
- (c) Make appropriate provisions or revisions with respect to the method of payment or financial reporting requirements.

(6) Conducting Business in Accordance with Ethical Standards/Code of Conduct – Applicants are required to develop and maintain a written code of conduct in accordance with 2 CFR 200.112 and 200.318. Codes of conduct must prohibit real and apparent conflicts of interest that may arise among officers, employees, or agents; prohibit the solicitation and acceptance of gifts or gratuities by officers, employees, or agents for their personal benefit in excess of minimal value; and outline administrative and disciplinary actions available to remedy violations of such standards.

Pursuant to applicable Federal and HUD regulations, applicants must disclose in writing any potential conflict of interest and all violations of Federal criminal law involving fraud, bribery, or gratuity violations

potentially affecting the Federal award.

Before entering into an agreement with HUD, applicants selected to receive funding under a Program NOFA must submit an up-to-date copy of their code of conduct. Applicants with codes already on file with HUD do not need to resubmit a new code unless the information on file has changed. New or updated submissions must be dated and signed by the Executive Director, or Chair, or equivalent official, of the governing body of the organization. Applicants must also describe the methods to be used to ensure that all officers, employees, and agents are aware of and have agreed to adhere to the code of conduct.

(7) Conflict of Interest of Consultants or Technical Experts Assisting HUD – Consultants and technical experts who assist HUD in rating and ranking applications for funding under published FY 2016 Program NOFAs are subject to 18 U.S.C. 208, the federal criminal conflict-of-interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, consultants and technical experts who have assisted or plan to assist applicants with preparing applications for FY 2016 Program NOFAs may not serve on a selection panel and may not serve as a technical advisor to HUD. Anyone involved in rating and ranking FY 2016 Program NOFA applications, including departmental staff, experts and consultants must avoid conflicts of interest or the appearance of such conflicts. These individuals must also disclose to HUD’s Office of General Counsel Ethics Law Division the following information, if applicable:

(a) How the selection or non-selection of any applicant under a FY 2016 Program NOFA will affect the individual’s financial interests, as provided in 18 U.S.C. 208, or

(b) How the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502.

The consultant or technical expert assisting HUD must disclose this information before participating in any matter regarding an FY 2016 program NOFA. Applicants with questions regarding these provisions or concerning a conflict of interest, please call the Office of General Counsel, Ethics Law Division, at (202) 708-3815 (this is not a toll-free number). The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service’s teletype service at 1-800-877-8339.

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

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

Under HUD's regulations at 24 CFR 91.2(d), an applicant's PHA Plan must include a certification by the appropriate state or local official that the PHA Plan is consistent with the applicable Consolidated Plan for the jurisdiction in which the PHA is located and must describe the manner in which the applicable contents of the PHA Plan are consistent with the Consolidated Plan. To the extent that a proposal funded under this NOFA is addressed or should be addressed in the PHA Plan, it must be certified to be consistent with the Consolidated Plan.

3. Program Specific Requirements.

The requirement for consistency with the Consolidated Plan in number (9) above is not required for an ICDBG application. If you are awarded a grant under this NOFA you will be required to comply with the all laws, regulations, and other requirements relating to federal funds, as well as the specific ICDBG requirements found at 24 CFR 1003. Other statutory or regulatory requirements specific to the ICDBG program are listed below in a.-d.

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

b. Economic Opportunities for Low- and Very Low Income Persons (Section 3). Section 3 requirements under 24 CFR Part 135 apply to the ICDBG program but, as stated in §135.3(c), the procedures and requirements of Part 135 apply to the maximum extent consistent with, but not in derogation of, preferences for the benefit of Indians under §7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(b)). Grantees are required to submit an annual report on employment, training, contracting and other economic opportunities consistent with the Section 3 regulatory reporting requirements.

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

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

e. Other ICDBG Requirements.

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

- **New Housing Construction Project Requirements.** In accordance with 24 CFR 1003.302(b), if you

are submitting an application for a new housing construction project, you must state that you have a current, in effect, tribal resolution adopting and identifying construction standards that, at a minimum, meet the requirements in Section I.A.3.p. of this NOFA.

- **Public Services.** You may not receive a Single Purpose grant solely to fund public service activities. However, your application may contain a public service component for up to 15 percent of the total grant. In addition, the public service(s) may be unrelated to the other project(s) in the application. If your application does not receive full funding, HUD will reduce the public service allocation so that it comprises no more than 15 percent of the total grant award. A complete description of public service projects can be found at 24 CFR Part 1003.201(e).
- **Infrastructure Projects.** If your infrastructure project will support future housing or community development project(s), you must submit evidence that the housing or community development project(s) will be completed within three years of the grant award.

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

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

4. Criteria for Beneficiaries.

This program has eligibility criteria for beneficiaries.

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

IV. Application and Submission Information.

A. Obtaining an Application Package

An electronic copy of the Application Package and Application Instructions for this NOFA can be downloaded from Grants.gov at <http://www.grants.gov/applicants/apply-for-grants.html>. Except for Continuum of Care applications, or unless an applicant received a waiver for good cause, all applications must be submitted electronically via Grants.gov. The Continuum of Care application is submitted through HUD's e-snaps system.

An applicant demonstrating good cause may request a waiver from the requirement for electronic submission. For example, a lack of available Internet access in the geographic area in which the applicant's business offices are located. Applicants that cannot submit their applications electronically and must seek a waiver of the electronic grant submission requirements must submit a waiver request so that the request is received at least 15 days before the application deadline. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFA. To request a waiver and receive a paper copy of the application materials, you should contact:

Tom Carney

Phone: (206) 220-6204

Email: tom.carney@hud.gov

Acting Grants Management Director

Office of Native American Programs

909 First Ave

Suite 300

Seattle , WA 98104

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

B. Content and Form of Application Submission.

To ensure that the correct Application Package and Application Instructions are used, applicants must verify that the CFDA Number and CFDA Description on the first page of the Application Package downloaded from Grants.gov, as well as the Funding Opportunity Title, and the Funding Opportunity Number match the Program and NOFA to which they are applying. Applications will only be considered for the competition indicated in box 11, 12, and 13 on the SF-424 submitted in the application.

1. Content

Forms for your package include the forms outlined below:

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

2. Format and Form.

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

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

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

- **Narrative to all five of the rating factors listed in Section V.A. of this NOFA**, including a one page summary of the proposed project(s). If you are requesting funds for more than one type of ICDBG-eligible project you must include a summary and narrative for each project. Indicate on the first page of each narrative and in the one-page summary, the type of project(s) you are proposing: *Economic Development, Homeownership Assistance, Housing Rehabilitation, Housing Acquisition, Land Acquisition to Support New Housing, Microenterprise Programs, New Housing Construction, or Public Facilities and Improvements*. This will help to ensure that HUD will apply the appropriate project-specific criteria and rating subfactors in reviewing your application. Label each section of your narrative in accordance with the applicable factors and subfactors in the NOFA. Limit your narrative to no more than 20 pages, single spaced 12 point font (attachments are not included in this page limit).
- **Application for Federal Assistance** (SF424), which includes a Dun and Bradstreet Data Universal Numbering System (DUNS) number.
- **Applicant/Recipient Disclosure Update Report** (form HUD2880).
- **Implementation Schedule** (form HUD4125). If you are proposing more than one project, you must submit an implementation schedule for each project.
- **Budget Information.** If you are proposing more than one type of project, you must include a separate budget (form HUD4123) for each project and a consolidated budget. The budget(s) should include cost information for specific activity costs, administration, planning, technical assistance and total HUD share. Planning and administrative costs cannot exceed 20 percent of each grant and may be funded only in conjunction with a physical development activity.

For planning and administrative costs, do not include direct project costs /activity delivery costs (e.g. certain architectural/engineering, environmental, technical assistance, and some staff/overhead costs related to directly carrying out eligible activities) but do include any funds the applicant will be contributing toward administering the grant including planning and administrative costs that are charged as indirect costs charged to the ICDBG program under a cost sharing plan prepared in accordance with 2 CFR 200 as applicable.

- **Citizen Participation.** You must submit a tribal resolution that states that you have considered the views of the community in preparing your application in accordance with 24 CFR 1003.604. Do not submit a resolution from a previous year or for a project other than the type of project you are seeking funds for in this application. Even if the applicant is a tribal organization, you must submit a resolution from the tribe certifying that citizen participation was undertaken in accordance with the regulations.
- **Low and moderate-income (LMI) benefit.** You must demonstrate in your application that at least 70 percent of the grant funds will be used for activities that benefit LMI persons in accordance with the requirements of 24 CFR 1003.208. If you are applying for any type of housing-related activity (construction, rehabilitation, and infrastructure) or housing assistance, you must state in your application that all units will be occupied by LMI households upon completion or when assistance (e.g., down payment assistance) is provided.

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

- **Acknowledgement of Application Receipt** (form HUD2993). This is relevant only if you have been granted a waiver of the electronic submission requirements and you are submitting a paper application.
- **Resolution for Tribal Organization to Submit.** If you are a tribal organization defined in 24 CFR 1003.5(b) and are submitting an application on behalf of an Indian tribe, you must include a resolution from the Indian tribe that says that you are submitting the application on the tribe's behalf.
- **Statement on Housing Standards.** If you are applying for a housing rehabilitation or new construction project, you must state that the tribe or tribal organization has adopted housing or construction standards as specified in Section III.C.4.a. of this NOFA.
- **Resolution on Tribal Funds Committed.** If the tribe is committing funds for the project, your application must include a tribal resolution that states the exact amount of funds that the tribe is committing. If a tribal organization is committing the funds, the equivalent of a resolution must be provided.
- **Demographic Data.** If you are applying for any type of project other than a housing project your application must include information about the number of LMI persons that will benefit from the project. You can either use the data provided on HUD's website at <http://www.huduser.gov/portal/icdbg/home.html> or submit your own data. For more information on how to submit your own demographic data, see Rating Factor 2, in section V.A.1 of this NOFA.
- **Land Acquisition to Support New Housing Projects.** If you are applying just for land for future housing projects you must include evidence that the land is suitable for housing. You must also establish that there is a reasonable ratio between the number of net usable acres to be acquired and the number of LMI persons to benefit from the project. See Rating Factor 3, subfactor e in Section V.A.1. of this NOFA.
- **Health Care Facilities.** If you are applying for a facility that would provide health care services funded by the Indian Health Service (IHS), you must include a statement that the facility will meet all applicable IHS facility requirements. HUD recognizes that tribes that are contracting services from the

IHS may establish other facility standards. These tribes must assure that these standards at least compare to nationally-accepted minimum standards.

- **Correctional Facilities/Juvenile Detention Centers.** If you are applying for a correctional facility or juvenile detention center that would provide correctional services to be funded by the U.S. Department of Justice (DOJ) and/or Bureau of Indian Affairs (BIA), you must include a statement that the facility meets all applicable BIA/DOJ standards regarding correctional operations, programs and designs.
- **Evidence of Partner Commitment.** If you are proposing to partner with other entities/organizations on your project, you must submit a letter on letterhead of the entity/organization and signed by the chief executive of the entity/organization that demonstrates that the entity/organization is willing and able to participate.
- **Code of Conduct.** If your Code of Conduct (code) is not listed on HUD's website at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/conduct or if the information on the website has changed, you must submit a copy of your code of conduct with your application.
- **Disclosure of Lobbying Activities (SFLLL).** You must submit this form if you are a State-recognized Indian tribe or tribally designated housing entity established only under state law.

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

1. SAM Registration Requirement.

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

2. DUNS Number Requirement.

Applicants must provide a valid DUNS number in their application. DUNS numbers may be obtained for free at <http://fedgov.dnb.com/webform>.

D. Application Submission Dates and Times.

The application deadline is 11:59:59 p.m. Eastern time on **06/14/2016**. Applications must be received no later than the deadline.

Submit your application to Grants.gov unless a waiver has been issued allowing you to submit your application in paper form or you are applying for the Continuum of Care program. The Continuum of Care application is submitted through HUD's e-snaps system. Instructions for submitting your application to Grants.gov are contained within the Application Package you downloaded from Grants.gov. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

Your application must be both **received and validated** by Grants.gov. Your application is "received" when Grants.gov provides you a confirmation of receipt and an application tracking number. **If you do not see this confirmation and tracking number, your application has not been received.**

After your application has been received, your application still must be validated by Grants.gov. During this process, your application may be "validated" or "rejected with errors." To know whether your application was rejected with errors and the reason(s) why, you must log into Grants.gov, select "Applicants" from the top navigation, and select "Track my application" from the drop-down list. If the status is "rejected with errors," you have the option to correct the error(s) and resubmit your application before the Grace Period ends. **If your application was "rejected with errors" and you do not correct these errors, Grants.gov**

will not send your application to HUD, and HUD will not review your application. If your status is “validated” your application will be forwarded to HUD by Grants.gov.

1. Amending or Resubmitting an Application.

Before the submission deadline, applicants who choose to amend an application that has been validated by Grants.gov may resubmit a revised application containing the new or changed material. The resubmitted application must be received by the applicable deadline.

2. Grace Period for Grants.gov Submissions.

If an application is received by Grants.gov before the deadline, but is rejected with errors, applicants have a grace period of 24 hours beyond the application deadline to submit a corrected application that is received and validated by Grants.gov. Any application submitted during the grace period that does not meet the criteria above will not be considered for funding. There is no grace period for paper applications.

3. Late Applications.

An application received after the Program NOFA deadline date that does not meet the requirements of the grace period policy will be marked late, and will not be considered for funding.

4. Corrections to Deficient Applications.

Except as provided by the electronic submission grace period described in this notice, HUD may not consider any unsolicited information that applicants may want to provide after the application deadline. (Refer to 24 CFR part 4, subpart B.) In addition, HUD may not seek clarification of items or responses that improve the substantive quality of an applicant’s response to any rating factors or which correct deficiencies which are in whole or part of a rating factor, including items that impact bonus points. HUD may contact the applicant to clarify other items in its application. In order not to unreasonably exclude applications from being rated and ranked in situations where there are curable deficiencies, HUD will notify applicants of each technical deficiency and will do so on a uniform basis.

If HUD finds a curable deficiency in an application, HUD will notify the applicant by email describing the clarification or technical deficiency. HUD will send an email to the person designated in item 8F of the SF424 and to the person listed as the authorized representative in item 21 of the SF424. Both email notifications will be sent from HUD with confirmation of delivery receipt requested. The email notifications will be the official notification of the need to cure a technical deficiency. It is the responsibility of applicants to provide accurate email addresses for receipt of these notifications and to monitor their email accounts to determine whether a cure letter has been received. The applicant must carefully review the request for cure of a technical deficiency and must provide the response in accordance with the instructions contained in the deficiency notification.

Clarifications or corrections of technical deficiencies must be received by HUD within the time limits specified in the notification. In no case shall the time allowed to correct deficiencies exceed 14 calendar days or be less than 48 hours from the date of the email notification. The start of the cure period will be the date stamp on the email HUD sends to the applicant. If the deficiency cure deadline date falls on a Saturday, Sunday, federal holiday, or other day when HUD’s Headquarters offices in Washington, DC, are closed, then the applicant’s correction must be received on the next day that is not a Saturday, Sunday, or federal holiday, or other day when the HUD’s Headquarters offices in Washington, DC, are closed.

Curable deficiency items must be submitted via email addressed to ApplicationSupport@hud.gov. When submitting technical deficiency cure items you must enter “Technical Cure” plus the Grants.gov application tracking number in the subject line of the email (e.g., Subject: Technical Cure - GRANT123456). If this information is not included, HUD will not be able to match the response to the application under review and the application may therefore be rejected due to the deficiency.

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

E. Intergovernmental Review.

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

F. Funding Restrictions.

Not Applicable

Indirect Cost Rate

Statutory or Regulatory Restrictions Apply

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

G. Other Submission Requirements.

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

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

2. Application Certifications and Assurances.

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

3. Lead Based Paint 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)).

4. Indirect Cost Rate (ICR)

If you are a governmental organization or agency that receives more than \$35 million in federal funding, you are required to request an Indirect Cost Rate from your cognizant agency (2 CFR 200 Appendix VII). If you have not requested an indirect cost rate or have not received a negotiated indirect cost rate, you may not claim indirect costs until you receive a negotiated rate.

Non-governmental organizations: If your organization has never had an indirect cost rate and wishes to use the *de minimis* rate, your application must include an attachment labeled "Indirect Costs" that clearly states you intend to use the *de minimis* 10% of MTDC. If you have a negotiated indirect cost rate, your application must include an attachment labeled "Indirect Costs" that clearly states the approved rate and distribution base and a letter or other documentation from the cognizant agency showing the approved rate.

Governmental organizations: If your organization has a negotiated indirect cost rate, your application must include an attachment labeled "Indirect Costs" that lists the negotiated rate and a letter or other documentation from the cognizant agency showing the negotiated rate. If your organization has prepared and maintains an indirect cost rate proposal and documentation but has not negotiated the rate with your cognizant agency, your application must include an attachment labeled "Indirect Costs" that lists the proposed indirect cost rate and applicable distribution base. State and local government departments that have never negotiated indirect cost rates with the Federal government and receive less than \$35 million in direct Federal funding per year may use the 10% *de minimis* indirect cost rate, and must keep the documentation of this decision on file. Federally recognized Indian tribes that have never negotiated an indirect cost rate with the Federal government may also use the 10% *de minimis* rate and must keep the documentation of this decision on file.

V. Application Review Information.

A. Review Criteria.

1. Rating Factors

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

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

RATING	FACTOR TITLE	POINTS	PROJECT TYPE
1	CAPACITY OF THE APPLICANT	30	Minimum of 15 Points Required
1.1	Managerial, Technical and Administrative Capability	15 or 30	

1.1.a.	Managerial and Technical Staff	8	All Project Types
1.1.b.	Project Implementation Plan	3 or 8	All Project Types
1.1.c.	Financial Management	2 or 7	All Project Types
1.1.d.	Procurement and Contract Management	2 or 7	All Project Types
1.2.	Past Performance	15 or 0	
1.2.a.	Implementation and Expenditures	4 or 0	All Project Types
1.2.b.	Reports	2 or 0	All Project Types
1.2.c.	Close-outs	3 or 0	All Project Types
1.2.d.	Audits	3 or 0	All Project Types
1.2.e.	Findings	3 or 0	All Project Types
2	NEED/EXTENT OF THE PROBLEM	16	
2.1	Need and Viability	4	All Project Types
2.2	Project Benefit	12	All Project Types
2.2.a.	Public Facilities and Improvement Projects	12	---
2.2.b.	Economic Development Projects	12	---
2.2.c.	New Housing Construction, Housing Rehabilitation, Land Acquisition to Support New Housing and Homeownership Assistance Projects	12	---
2.2.d.	Microenterprise Programs	12	---
3	SOUNDNESS OF APPROACH	36	
3.1	Description of and Rationale for Project	14	All Project Types
3.2	Budget and Cost Estimates	10	All Project Types
3.3	Commitment to Sustain Activities	12	All Project Types
3.3.a.	Public Facilities and Improvement Projects	12	---
3.3.b.	New Housing Construction, Housing Rehabilitation and Homeownership	12	---
3.3.c.	Economic Development Projects	12	---
3.3.d.	Microenterprise Programs	12	---
3.3.e.	Land Acquisition Projects	12	---
4	LEVERAGING RESOURCES	8	All Project Types

5	COMPREHENSIVENESS AND COORDINATION	10	All Project Types
5.1	Coordination	2	---
5.2	Outputs, Outcomes, and/or Goals	8	---

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

Subfactor 1.1. Managerial, Technical, and Administrative Capability.

Subfactor 1.1.a. Managerial and Technical Staff (up to 8 points). You must describe the specific roles and responsibilities and the knowledge/experience of the project director and key staff, including the day-to-day program manager, consultants, and contractors in planning, managing, and implementing projects in accordance with the implementation schedule for which funding is being requested. HUD will consider experience pertaining to the specific activities being proposed or the specific roles and responsibilities described in the application to be relevant, experience within the last 5 years to be recent, and provision of an affirmative statement of meeting or exceeding benchmarks and timetables of past projects to be successful.

(8 points) You adequately describe the roles/responsibilities and the knowledge/experience of the project director and key staff, including the day-to-day program manager, consultants, and contractors in planning, managing, and implementing projects for which funding is being requested. Experience of all key staff is relevant, recent, and successful.

(4 points) You adequately describe the roles/responsibilities and the knowledge/experience of the project director and staff, including the day-to-day program manager, consultants, and contractors in planning, managing, and implementing projects for which funding is being requested. Experience of all key staff is relevant, and is either recent, or successful.

(0 points) You do not adequately describe the roles/responsibilities and the knowledge/experience of the project director and key staff, including the day-to-day program manager, consultants, and contractors in planning, managing, and implementing projects for which funding is being requested or staff experience as described in the application is either not relevant, or is not recent, or successful.

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

Points will be assigned as follows:

(3 or 8 points). Your implementation plan (form HUD4123) must include a detailed breakdown of all tasks needed to complete your project. You must show that the project will be underway 180 days from the expected award date included in the NOFA.

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

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

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

Points will be assigned as follows:

(2 or 7 points) You must describe how the financial management systems of the entity responsible for managing the finances of the project meets the regulatory requirements at 2 CFR Part 200 and 24 CFR Part 1003. The responsible entity's audit due and submitted within 12 months of the application due date must not contain any findings related to its financial management systems. If the responsible entity does not have a current audit, you must include a letter from the entity's Independent Public Accountant (IPA) dated within the past 12 months stating that the entity's financial management systems comply with all applicable regulatory requirements.

(1 or 4 points) You did not describe how the responsible entity’s financial management systems meet the regulatory requirements. The responsible entity’s audit due and submitted within 12 months of the application due date does not contain any findings related to its financial management systems. If the responsible entity does not have a current audit, you submitted a letter from the responsible entity’s IPA, dated within the last 12 months stating that the entity’s financial management systems comply with all applicable regulatory requirements.

(0 points) You did not describe how the responsible entity’s financial management systems meet the regulatory requirements or the responsible entity’s audit contains findings related to its financial management systems.

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

Points will be assigned as follows:

(2 or 7 points) You describe how the procurement and contract management policies and procedures of the entity responsible for these aspects of the project meet the regulatory requirements at 2 CFR Part 200 and 24 CFR Part 1003. The responsible entity’s audit that was due and submitted within 12 months of the application due date did not contain any findings related to its procurement and contract management policies and procedures. If the responsible entity not have a current audit, you included a letter from the recipient’s IPA dated within the last 12 months stating that the responsible entity’s procurement and contract management policies and procedures comply with all applicable regulatory requirements.

(1 or 4 points) You did not describe how the responsible entity’s procurement and contract management policies and procedures meet the regulatory requirements. The responsible entity’s audit that was due and submitted within 12 months of the application due date did not contain any findings related to its procurement and contract management policies and procedures. If the responsible entity does not have a current audit, you must submit a letter from the recipient’s IPA dated within the past 12 months stating that the responsible entity’s procurement and contract management policies and procedures comply with all applicable regulatory requirements.

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

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

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

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

(4 points) You have met the timeframes established in HUD-approved implementation schedules and have a remaining balance in LOCCS as of the application deadline date of no more than 35 percent of total awarded amounts.

(3 points). You have met the timeframes established in HUD approved implementation schedules and have a remaining balance in LOCCS as of the application deadline date of 36 to 50 percent of total awarded amounts.

(2 points). You have met the timeframes established in HUD-approved implementation schedules and have a remaining balance in LOCCS as of the application deadline date of 51 to 80 percent of total awarded amounts.

(0 points). You have not met the timeframes established in HUD-approved implementation schedules and/or have a remaining balance in LOCCS as of the application deadline date of over 80 percent of total awarded amounts.

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

(2 points) You have submitted Annual Status and Evaluation Report(s) (ASER) and Federal Financial Report(s) (FFR) by the submission deadlines.

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

(0 points) You submitted neither of the required reports by the submission deadlines.

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

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

(0 points) Close-out documents were not submitted within 90 days of the date that the criteria for closeout had been met.

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

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

(0 points) You have not submitted annual audits for the last two audit periods or if you received an extension of the audit submission date, you did not submit the audit by the extended due date, and/or did not submit the extension approval letter with the application. If you are not required to submit an annual audit, you did not provide an explanation in your application.

Subfactor 1.2.e. Findings. (up to 3 points) You have resolved ICDBG monitoring and controlled audit findings by the established target date(s) or there are no findings in current reports. Do not submit responses to open monitoring or audit findings with the application. Points will be assigned as follows:

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

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

Rating Factor 2: Need/Extent of the Problem (up to 16 points).

Subfactor 2.1. Need and Viability (up to 4 points).

(4 points) You clearly describe the need for the project, demonstrate that it will meet an essential community development need, and that it is critical to the viability of the community.

(2 points) Your application describes the need for the project but it does not demonstrate that the project meets both an essential community need and is critical to the viability of the community.

(0 points) Your application does not include any information on need and community viability.

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

To determine the percentage of LMI persons who will benefit from area-wide public facility and improvement projects as well as economic development projects, you must submit the most recent data available from the U.S. Census Bureau (see <http://huduser.org/portal/icdbg/homehtml>) or may submit data that are unpublished, not generally available, and not older than the latest data available from the U.S. Census Bureau. If you are submitting demographic data other than the Census, you must state in your application that:

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

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

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

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

Points will be assigned as follows:

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

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

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

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

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

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

Points will be assigned as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(12 points) All employees are LMI.

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

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

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

Rating Factor 3: Soundness of Approach (up to 36 points). In this rating factor you must demonstrate

Rating Factor 3: Soundness of Approach (up to 36 points). In this rating factor you must demonstrate that you have planned your project carefully and that it will enhance your community's viability. You must also show that you will be able to maintain your project over time.

Subfactor 3.1. Description of and Rationale for Proposed Project (up to 14 points).

Points will be assigned as follows:

(14 points) You must:

- Describe the project in detail including size, type and location;
- Show that the project is feasible and cost effective;
- Explain how the project will enhance the viability of your community;
- Explain your rationale for project design;
- If your application is for housing construction or rehabilitation or a public facility building, you describe and enumerate cost savings resulting from either the building design or construction methods or energy efficiency measures that will be realized in future years;
- If your application is for land for future housing you must establish that there is a reasonable ratio between the number of usable acres to be acquired and the number of LMI households to benefit from the project; and
- State that you will train and/or employ Section 3 residents or contract with Section 3 businesses in accordance with Section II.B.1.c. of this NOFA.

(10 points) You must:

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

(6 points) You must:

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

(0 points):

- You did not provide the information requested above.

Subfactor 3.2. Budget (up to 10 points). You must submit form HUD4123 (Cost Summary) and may supplement the budget information in your narrative. If your application includes a public service component, your budget must also include a breakdown of those costs.

Points will be assigned as follows:

(10 points) Your budget is reasonable and costs are broken down by line item for each proposed activity, including planning and administration. You have included a description of the qualifications of the person who prepared the budget. In addition you must show that this person has recent and relevant experience in preparing budgets for the type of project proposed.

(7 points) Your budget is reasonable but costs are not broken down by line item for each proposed activity including planning and administration or you did not include a description of the qualifications as well as the recent and relevant experience of the person(s) who prepared the budget.

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

3.3. Commitment to Sustain Projects (up to 12 points).

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

Subfactor 3.3.a. Public Facilities and Improvement Projects (up to 12 points).

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

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

Points will be assigned as follow:

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

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

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

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

Subfactor 3.3.b. New Housing Construction, Housing Rehabilitation, Housing Acquisition, and Homeownership Assistance Projects (up to 12 points).

Points will be assigned as follows:

(12 points) You described the ongoing maintenance and insurance responsibilities of the applicant and/or participants in detail as well as how the maintenance and insurance responsibilities will be enforced. You also said who is paying for it.

(8 points) You described the ongoing maintenance and insurance responsibilities of the applicant and/or the participants in general as well as how the maintenance and insurance responsibilities will be enforced. You also said who is paying for it.

(4 points) You describe the maintenance and insurance responsibilities of the applicant and/or the

participants but do not describe how the maintenance and insurance responsibilities will be enforced.

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

Subfactor 3.3.c. Economic Development Projects (up to 12 points).

You must describe:

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

Points will be assigned as follows:

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

(8 points) You have addressed two of the components and provided evidence that the project's chance for financial success is reasonable.

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

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

Subfactor 3.3.d. Microenterprise Programs (up to 12 points).

Points will be assigned as follows:

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

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

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

(4 points) You generally addressed the above information or documentation applicable to the proposed project and provided evidence that the chance for success is marginal.

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

Subfactor 3.3.e. Land Acquisition Projects to Support New Housing (up 12 points).

You must show that the proposed site has:

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

This assessment must be prepared by a qualified independent entity.

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

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

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

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

Rating Factor 4: Leveraging Resources (up to 8 points).

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

Non-ICDBG Resources to Total Project Costs	Points
25 percent or more	8
At least 18 percent but less than 25 percent	6
At least 11 percent but less than 18 percent	4
At least 4 percent but less than 11 percent	2
Less than 4 percent	0

Leveraged resources include, but are not limited to:

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

Leveraged resources do not include:

- Indirect administrative costs as identified in 2 CFR 200;
- Contributions of funds to pay for anticipated operations and maintenance costs of the proposed project; and
- The value of the existing facility (if your application is for an expansion of an existing facility).

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

Type of Leveraged Resource	Evidence/Documentation Needed
Tribal Resources	Tribal resolution committing funds If IHBG will be used, your current Indian Housing Plan must identify and commit IHBG funds to the project by fiscal year. If you intend to use future IHBG funds for this project you must include a written statement identifying and committing such funds by fiscal year.

Public Agency, Foundation or Other Private Party	Letters of commitment which must include the donor organization's name, the specific funds proposed, the dollar amount of the financial or in-kind resource and method for valuation, and the purpose of that resource within the proposed project. Memorandum of understanding, and/or agreement to participate, including any conditions to which the contribution may be subject. An official of the organization legally authorized to make commitments on behalf of the organization must sign the commitment.
Goods and Services	Must demonstrate that the donated items are necessary to the actual development of the project and include comparable costs that support the donation.
Land	Land valuation must be established using one of the following methods and the documentation must be contained in the application: A site-specific appraisal no more than two years old; An appraisal of a nearby comparable site also no more than two years old; A reasonable extrapolation of land value based on current area realtor value guides; or A reasonable extrapolation of land value based on recent sales of similar properties in the same area.

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

Rating Factor 5: Comprehensiveness and Coordination (up to 10 points).

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

Subfactor 5.1. Coordination (up to 2 points)

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

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

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

Subfactor 5.2. Outputs and Outcomes (up to 8 points).

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

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

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

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

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

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

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

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

2. NOFA Priorities.

HUD encourages applicants for funding to undertake programs and projects that contribute to HUD's NOFA Priorities. Applicants that undertake activities that result in achievement of specific NOFA Priorities listed below are eligible to receive priority points in the rating of their application. These points will be awarded only if the application otherwise meets or exceeds the Program's minimum fundable score based on the rating factors of this NOFA.

Priority points are not available for this program.

3. Bonus Points.

In support of certain inter-agency initiatives, HUD awards bonus points to projects where the preponderance of work will occur in a designated zone, community or region. **These points will be awarded only if the application otherwise meets or exceeds the Program's minimum fundable score based on the rating factors of this NOFA.**

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

a. To receive **Preferred Sustainability Status Communities Bonus Points**, applicants must submit form HUD2995, Certification of Consistency with Sustainable Communities Planning and Implementation, signed by the designated Preferred Sustainability Status Community point of contact. Designated PSS Communities Points of Contacts can be found on HUD's website at [http:// portal.hud.gov/ hudportal/ HUD?src=/ program_offices/ administration/ grants/ nofa11/ psscontacts](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/nofa11/psscontacts).

b. To receive **Promise Zones Bonus 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 bonus points. To view the list of designated Promise Zones and persons authorized to certify, please go to [https:// www.hudexchange .info/ promise-zones/ promise-zones- designees/](https://www.hudexchange.info/promise-zones/promise-zones-designees/).

B. Reviews and Selection Process.

1. Past Performance

In evaluating applications for funding HUD will take into account an applicant's past performance in managing funds, including, but not limited to: the ability to account for funds appropriately; the timely use of funds received from HUD or other federal, state, or local programs; the timely submission and quality of reports submitted to HUD; meeting program requirements; meeting performance targets as established in Logic Models or other performance evaluation tools approved as part of the grant agreement; the timelines for completion of activities and receipt of promised matching or leveraged funds; and the number of persons to be served or targeted for assistance. Before making a Federal award, HUD is required by 31 U.S.C. 3321 and 41 U.S.C. 2313 note to review information available through any OMB-designated repositories of government-wide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), Dun and Bradstreet, and "Do Not Pay." HUD may consider other public sources such as newspapers, Inspector General or Government Accountability Office reports or findings, or hotline or other complaints that have been proven to have merit. In evaluating past performance, HUD may deduct points from the rating score or establish threshold levels as specified under the Factors for Award in the Program NOFAs. Each Program NOFA will specify how past performance will be rated.

2. Integrity

HUD evaluates the integrity of the applicant as reflected in government-wide websites, information in HUD's files, the federal Do Not Pay portal, public information and information received during HUD's Name Check Review process. If this integrity evaluation results in an adverse finding, HUD reserves the right to take any of the remedies provided in Section III.C.4.a.5, Do Not Pay website Review.

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

4. Application Screening and Acceptance.

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

- Your application is received or submitted in accordance with the requirements of this NOFA.
- You are eligible to submit an application.
- The proposed project is eligible.
- Your application contains all of the applicable components listed in Section IV. B. of this NOFA. Your application shows that at least 70 percent of the grant funds are to be used for activities that benefit LMI persons. For screening purposes only HUD will use the census data posted at <http://www.huduser.gov/portal/icdbg/home.html> if the data submitted with the application does not meet this screening requirement.

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

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

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

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

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

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

- The applicant that has not received an ICDBG over the longest period of time;

- The applicant with the fewest active ICDBGs; and
- The project that would benefit the highest percentage of LMI persons.

11. Technical Deficiencies and Pre-award Requirements.

a. Technical Deficiencies. If there are technical deficiencies in successful applications, you must satisfactorily address these deficiencies before HUD can make a grant award. See the **General Section** at V.B.2. for information.

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

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

12. Agency Errors. Judgments made within the provisions of this NOFA and the program regulations (24 CFR Part 1003) are not subject to claims of error. In other words, there is no appeal process. You may however, bring arithmetic errors in your application score to the attention of your Area ONAPs within 30 days of being informed of your score. Please see Section VI.A. of the **General Section** for further information regarding errors.

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

C. Anticipated Announcement and Award Dates.

HUD expects to announce awards by September 2016.

VI. Award Administration Information.

A. Award Notices.

Following the evaluation process HUD will notify successful applicants of their selection for funding. HUD will also notify all other applicants, whose applications were received by the deadline, that have not been chosen for award. Notifications will be sent by email, delivery receipt requested, to the person designated in item 8F of the SF424 and to the person listed as authorized representative in item 21 of the SF424.

If selected, your Area ONAP will send you an award letter and a grant agreement to sign and return. If you do not already have one, you will be required to establish an account in LOCCS so you can draw down grant funds as needed to complete your project/activities. You will also be encouraged to participate in award implementation training offered by your Area ONAP.

B. Administrative, National and Department Policy Requirements.

For this NOFA, the following requirements apply:

OMB Administrative Requirements and Cost Principles.

Unless excepted under 24 CFR chapters I through IX, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, set forth in 2 CFR part 200, shall apply to Federal Awards made by the Department of Housing and Urban Development to non-Federal entities.

C. Reporting.

1. Race and Ethnicity Data Reporting Form. HUD requires grantees that provide HUD-funded program benefits to individuals or families to report data on the race and ethnicity of those individuals receiving such benefits. Grantees that provide benefits to individuals during the period of performance, whether directly or through subrecipients or contractors, must report the data using the Race and Ethnic Data Reporting Form found on Grants.gov. The form is a data collection based on the standards published by OMB on August 13, 2002.

2. ICDBG Post-Award Reporting Requirements.

a. Quarterly Financial Reports. If you receive an ICDBG you will be required to submit a SF425, Federal_Financial_Report to your Area ONAP at the end of each quarter.

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

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

Please direct questions regarding specific reporting requirements to the point of contact listed in Section VII below.

D. Debriefing.

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

VII. Agency Contact(s).

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

Questions regarding specific program requirements for this NOFA should be directed to the the Area ONAP contacts listed in section I.A.1.b of this NOFA.

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

VIII. Other Information.

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

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

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