



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

Policy Development and Research

Thriving Communities Technical Assistance

FR-6600-N-85

11/22/2022

# Table of Contents

Summary .....	3
Overview .....	3
I. FUNDING OPPORTUNITY DESCRIPTION.....	4
A. Program Description. ....	4
B. Authority. ....	13
II. Award Information. ....	13
A. Available Funds .....	13
B. Number of Awards. ....	13
C. Minimum/Maximum Award Information .....	13
D. Period of Performance.....	14
E. Type of Funding Instrument. ....	14
III. Eligibility Information. ....	14
A. Eligible Applicants.....	14
B. Ineligible Applicants. ....	15
C. Cost Sharing or Matching.....	15
D. Threshold Eligibility Requirements. ....	15
E. Statutory and Regulatory Requirements Affecting Eligibility. ....	17
F. Program-Specific Requirements. ....	17
G. Criteria for Beneficiaries.....	18
IV. Application and Submission Information. ....	18
A. Obtaining an Application Package.....	18
B. Content and Form of Application Submission. ....	19
C. System for Award Management (SAM) and Unique Entity Identifier (UEI). ....	22
D. Application Submission Dates and Times. ....	23
E. Intergovernmental Review. ....	25
F. Funding Restrictions. ....	26
G. Other Submission Requirements.....	28
V. Application Review Information.....	29
A. Review Criteria. ....	29
B. Review and Selection Process.....	33
VI. Award Administration Information. ....	34
A. Award Notices.....	34

B. Administrative, National and Department Policy Requirements and Terms for HUD Recipients Financial Assistance Awards .....36

C. Reporting.....37

D. Debriefing.....38

VII. Agency Contact(s).....38

VIII. Other Information.....38

APPENDIX.....39

**Program Office:**

Policy Development and Research

**Funding Opportunity Title:**

Thriving Communities Technical Assistance

**Funding Opportunity Number:**

FR-6600-N-85

**Assistance Listing Number:**

14.259

**Due Date for Applications:**

11/22/2022

**Summary**

The U.S. Department of Housing and Urban Development (HUD) Strategic Plan sets the direction and focus of our programs and staff to create strong, sustainable, inclusive communities and quality, affordable homes for all.

**HUD's Strategic Goals**

HUD's FY 2022-2026 Strategic Plan lays out this administration's strategy for ensuring everyone has an affordable, healthy place to live. Over the course of the next four years HUD will pursue two overarching priorities focused on increasing equity and improving customer experience across all HUD programs. Five strategic goals undergird the Plan as follows:

- Strategic Goal 1: Support Underserved Communities
- Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing
- Strategic Goal 3: Promote Homeownership
- Strategic Goal 4: Advance Sustainable Communities
- Strategic Goal 5: Strengthen HUD's Internal Capacity

The five goals of the FY 2022-2026 Strategic Plan present the core vision of what we hope to accomplish, the strategies to accomplish those objectives, and the indicators of success.

**Overview**

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

During the selection process HUD is prohibited from disclosing 1) information regarding any applicant's relative standing, 2) the amount of assistance requested by an applicant, and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For Further Information Regarding this NOFO: Please direct questions regarding the specific

requirements of this NOFO to the office contact identified in Section VII.

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

**OMB Approval Number(s):**  
2528-0338

## **I. FUNDING OPPORTUNITY DESCRIPTION.**

### **A. Program Description.**

- **Purpose**

#### **Background**

State and local governments and tribes are receiving historic amounts of funding through the Infrastructure Investment and Jobs Act ([P.L. 117-58](#), approved November 15, 2021), appropriations, and other laws, to invest in a range of infrastructure projects, including transportation, water systems, high-speed internet accessibility, environmental remediation, and electric grids. These investments will reach every community across the country, including those that have been under-resourced or are experiencing economic distress. Jurisdictions can leverage these infrastructure investments to revitalize communities, ensure equitable access, create economic opportunities for residents and businesses, and improve housing availability, affordability, and quality.

Like the federal government, local governments often have siloed departments and processes, in addition to needing to coordinate with local transit authorities, Metropolitan Planning Organizations, state agencies, and other entities with overlapping jurisdictions. Local leaders may recognize the value of holistic, integrated approaches, but many jurisdictions lack the resources to coordinate across offices and sectors, particularly when responding to a variety of federal funding programs, each with a separate focus. Capacity builders may better enable local entities to plan, develop, implement, and manage multisector economic revitalization strategies.

HUD's Thriving Communities Technical Assistance program is designed to support local jurisdictions receiving federal infrastructure funds, directly or through state pass through grants, in creating thriving communities and ensuring housing needs are addressed when designing and implementing infrastructure investments.

#### **Thriving Communities Technical Assistance (TC/TA) Program**

HUD's Thriving Communities Technical Assistance program will provide funding to technical assistance providers to help local governments ensure housing needs are considered as part of their larger infrastructure investment plans, while also supporting equitable development and local economic development ecosystems in Disadvantaged Communities, as defined in this NOFO.

Through this NOFO, HUD is announcing the availability of \$5 million in FY 2022 funding.

HUD anticipates no fewer than two and no more than five awards for grantees to provide technical assistance (TA) to units of general local government (UGLGs), as defined in this NOFO, which may also support the UGLGs' work with non-profit and cross-sector partners serving Disadvantaged Communities. The TC/TA program is designed to ensure coordination and integration of transportation and housing in infrastructure planning and implementation. HUD will establish criteria for eligible beneficiaries and then work with awardees to identify, from the UGLGs that apply for assistance, those that can benefit from HUD's Thriving Communities TA.

The U.S. Department of Transportation (DOT), U.S. Environmental Protection Agency (EPA), U.S. Department of Energy, and other federal agencies are also providing technical assistance under the banner of "Thriving Communities." HUD's TC/TA is specifically focused on integrating housing and transportation planning to support disadvantaged communities as UGLGs design and implement infrastructure plans.

### **1) TA Focus Areas**

Using a wide range of eligible activities, HUD expects TA awardees under this NOFO to focus on assisting UGLGs in the following four areas:

- a) Identifying and using vacant, abandoned, or underutilized land located on or near transportation projects that is suitable for housing development (including land owned by federal, state, and local governmental entities as well as the private sector) to create location-efficient housing (as defined below).
- b) Preserving affordable housing and protecting residents and businesses from displacement as new infrastructure is deployed.
- c) Identifying and implementing regulatory and procedural reforms to reduce unnecessary barriers to location-efficient housing that impede housing production and increase development costs.
- d) Improving coordination both among public entities (for example, local housing, transportation, planning, and community development departments) and between public entities and state recipients of infrastructure funding; transit authorities and other quasi-public entities; the private sector; and locally-based organizations in ways that support a holistic and regional approach to housing and transportation.

The TA provided by awardees through this NOFO will respond to the local market conditions and context of the UGLG. The length and offerings of the TA engagement will be designed to ensure a measurable impact on the UGLG's goals. To that end, HUD is seeking awardees that will take a localized, holistic approach to technical assistance, working across sectors and building local capacity.

Coordination, communication, and community involvement are critical components of effective TA under this program. HUD expects the TA providers to have or assemble teams with a diversity in expertise, experiences, and perspectives. HUD also expects the TA providers to have experience partnering with locally-based organizations to satisfy specific TA assignments, while increasing local capacity and supporting equitable engagement and outcomes. Developing sustainable local capacity is an important component of the Thriving Communities TA program. An applicant does not need to have expertise to address all four TA Focus Areas identified above

but must clearly identify in the narrative which TA Focus Areas its TA efforts would address.

Applicants are not required to have experience as a HUD-funded TA provider, but should have expertise and experience across a range of issues, such as: governance in UGLGs; planning that integrates transportation and housing; economic and community revitalization and development; cross-sector partnerships; project planning, implementation and monitoring; participation in federal, state and local housing and transportation programs; meaningful community engagement, especially with groups that have faced barriers to participation in local planning and resource allocation; new construction and rehabilitation; affordable housing preservation and production; prevention of displacement of residents and businesses; community wealth-building; and tools for identifying, tracking, and developing underutilized land.

**Important Note:** *This NOFO is not part of the comprehensive “Community Compass Technical Assistance and Capacity Building Program.” Applicants should thoroughly review this NOFO to ensure that they have the necessary skills to provide the technical assistance described in this NOFO.*

## **2) Eligible Activities**

Successful applicants may be tasked to deliver TA using any of the eligible activities described in (a) through (f) below. These activities are subject to any restrictions or limitations imposed by the federal regulations, statutes, and policies referenced in this NOFO. HUD expects TA providers will use a range of tools to work with jurisdictions. Some jurisdictions may have specific technical needs (for example, conducting geospatial analysis to identify vacant and underutilized land suitable for development; or identifying mechanisms to capture value from development near transit to support affordable housing and community development). Other jurisdictions may need more intensive, longer-term assistance (for example, to build coordination among local governmental departments to enable holistic and equitable planning; or to work with local organizations to design and implement meaningful community engagement to inform a neighborhood infrastructure and housing plan). The TA engagement may also include synthesizing lessons learned from the work with UGLGs and their partners to develop TA tools and products that can be useful to a group that extends beyond the beneficiaries of HUD’s Thriving Communities TA.

**a) Needs Assessments.** Needs assessments are intended to help determine the nature and scope of the TA and capacity building required by the jurisdictions requesting TA. Needs assessments help to quantify the potential impact of development activity and initiatives. They also examine local market conditions so that program resources may be better targeted and leveraged. In some instances, a self-assessment by the potential TA beneficiary may provide a satisfactory basis for determining the scope and scale of the assistance necessary. In other cases, a TA provider will conduct an on-site or remote needs assessment to collect information about the capacity gaps of the potential TA beneficiary. A needs assessment may use multiple information collection and analysis tools, including public data resources and primary data gathered on-site. Needs Assessments should be conducted in a collaborative manner, with active involvement of local officials and other stakeholders.

**b) Direct TA and Capacity Building Engagements.** Direct TA and capacity building require

working onsite and/or remotely to improve knowledge and capacity around TA Focus Areas mentioned in Section I.A.1. above.

**c) Development and Maintenance of Tools and Products.** Tools and products developed will use adult learning principles to assist UGLGs in adopting effective, efficient, and sustainable practices that address challenges in the TA Focus Areas supported by this NOFO. These products might take the form of web-based courses or trainings, videos, and interactive tools. Tool and product development may also include the creation of templates, desk guides, case studies, toolkits, and curricula that support the four TA Focus Areas. All products and tools developed must comply with Section 508 accessibility requirements. Development and maintenance of tools and products includes translating materials into other languages.

**d) Self-Directed and Group Learning.** Self-directed and group learning is intended to increase the capacity and close the competency gaps of participants by equipping them with the necessary program knowledge and skills needed to integrate housing needs into their infrastructure planning and increase housing supply. Group learning will incorporate adult learning principles that may include delivery of HUD-approved training courses remotely or in person; online self-directed courses; problem-solving clinics; policy academies; live or pre-recorded webinars; and peer-to-peer assistance exchanges for TA beneficiaries with similar local market contexts, challenges, opportunities, and community needs. Group learning could include establishing and supporting group learning cohorts and curricula.

**e) Coordination.** Coordination involves activities conducted with other TA providers and/or HUD to plan the technical assistance engagements, including data gathering, studies, and analysis, and the identification of actions that will implement such plans. Coordination enables successful applicants to:

- Determine needs and capacity gaps to address with TA beneficiaries, including addressing needs across multiple federal programs
- Set long-term goals and short-term objectives for technical assistance plans
- Devise products and activities to meet these goals and objectives
- Evaluate the progress of such programs and activities in accomplishing these goals and objectives

**f) Administration.** Administrative activities are directly associated with overall award management and execution, including salaries and benefits of persons who support the execution of the award terms. Costs include preparing reports for submission to HUD, obtaining program audits, and general operating costs when billed direct. Administrative costs are not allowable as direct award execution charges when these costs are included in a selected applicant organization's negotiated indirect cost rate agreement or when the organization is using the de minimus rate. Refer to section VI.A. of this NOFO for administrative cost limits applicable to award execution costs.

Certain administrative costs are not considered to be award execution costs and are not subject to the administrative limits in this NOFO. For example, the salary and fringe benefits for the Program Manager assigned to oversee the outcome of a specific TA engagement are considered



part of the TA engagement costs and are not included in award execution costs.

Rental and maintenance of office space is allowed only under the following conditions:

- The lease must be for existing facilities not requiring rehabilitation or construction except for minimal alterations to make the facilities accessible for a person with disabilities;
- No repairs or renovations of the property may be undertaken with funds provided under this NOFO; and
- Properties in the Coastal Barrier Resources System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased or rented with federal funds.
- **Changes from Previous NOFO.**

Not applicable.

- **Definitions.**

a. Standard Definitions

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

**Assistance Listing number** refers to the publicly available listing of Federal assistance programs managed and administered by the General Services Administration, formerly known as the Catalog of Federal Domestic Assistance (CFDA). Assistance Listing is a unique number assigned to identify a Federal Assistance Listings, formerly known as the CFDA

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

**Consolidated Plan** is a document developed by states and local jurisdictions. This plan is completed by engaging in a participatory process to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions with funding from formula grant programs. (See [24 CFR part 91](#) for HUD's requirements regarding the Consolidated Plan and related Action Plan).

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

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

**Deficiency** is information missing or omitted within a submitted application. Examples of deficiencies include missing documents, information on a form, or some other type of unsatisfied information requirement. Depending on specific criteria, deficiencies may be either Curable or Non-Curable.

- *Curable Deficiencies* may be corrected by the applicant with timely action. To be curable the deficiency must:
- Not be a threshold requirement, except for documentation of applicant eligibility;
- Not influence how an applicant is ranked or scored versus other applicants; and
- Be remedied within the time frame specified in the notice of deficiency.

**Non-Curable Deficiencies** cannot be corrected by an applicant after the submission deadline. Non-curable deficiencies are deficiencies that, if corrected, would change an applicant's score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application's score and final determination.

**DUNS Number** is the nine-digit Dun and Bradstreet Data Universal Number System identification number assigned to a business or organization by Dun & Bradstreet and provides a means of identifying business entities on a location-specific basis.

**E-Business Point of Contact (E-Biz POC)** A user registered as an organization applicant who is responsible for the administration and management of grant activities for his or her organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The E-Biz POC authorizes representatives of their organization to apply on behalf of the organization (see Standard AOR and Expanded AOR). There can only be one E-Biz POC per DUNS Number.

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

**Expanded Authorized Organization Representative (AOR)** An AOR is a member of your organization authorized by the EBiz POC to submit applications in Grants.gov on behalf of the organization. An applicant user with the Expanded AOR role is authorized to submit any applications on behalf of the organization and has privileges that allow the user to modify organization-level settings in Grants.gov.

**Federal Financial Assistance** means assistance that entities received or administer in the form of:

1. Grants;
2. Cooperative agreements (which does not include a cooperative research and development agreement pursuant to the Federal Technology Transfer Act of 1986, as amended (15 U.S.C. 3710a)).
3. Loans;
4. Loan guarantees;
5. Subsidies;
6. Insurance;

7. Food commodities;
8. Direct appropriations;
9. Assessed and voluntary contributions; and
10. Any other financial assistance transaction that authorizes the non-Federal entity's expenditure of Federal funds.
11. Federal financial assistance does not include amounts received as reimbursement for services rendered to individuals as described in section [200.502\(h\)](#) and (i). ([2 CFR 200.1](#))

**Federal award**, has the meaning, depending on the context, in either paragraph (i) or (ii) of this definition:

1. (i) The Federal financial assistance that a recipient receives directly from a Federal awarding agency or a subrecipient receives indirectly from a pass-through entity, as described in [2 CFR §200.101](#); or
  - ii. The cost-reimbursement contract under the Federal Acquisition Regulations that a non-Federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in [2 CFR §200.101](#).
2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in [2 CFR §200.1](#), and this NOFO, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.
3. Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).
4. See also definitions of Federal financial assistance, grant agreement, and cooperative agreement in [2 CFR 200.1](#).

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

**Historically Black Colleges and Universities (HBCUs)** The Higher Education Act of 1965, as amended, defines an HBCU as: "...any historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation." HBCUs offer all students, regardless of race, an opportunity to develop their skills and talents.

**Non-Federal Entity (NFE)** means a state, local government, Indian tribe, Institution of Higher Education (IHE), or non-profit organization that carries out a federal award as a recipient or subrecipient.

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

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

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

**Standard Authorized Organization Representative (AOR)** An AOR is a member of your organization authorized by the EBiz POC to submit applications in Grants.gov on behalf of the organization. An applicant user with the Standard AOR role can only submit applications when they are a Participant of that workspace.

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

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

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

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

**Unique Entity Identifier (UEI)** means the identifier assigned by SAM to uniquely identify business entities.

- Program Definitions.

b. Program Definitions

**Capacity Building:** Assistance which increases the ability of TA beneficiaries and their partners to organize and independently implement and manage affordable housing, community development, and economic development programs.

**Consultant:** An individual who can provide valuable and pertinent advice generally drawn from a high degree of broad administrative, professional, or technical knowledge or experience.

**Demand-Response System:** The means by which HUD, TA beneficiaries, and/or HUD's partners identify TA and capacity building needs. HUD prioritizes the identified needs based on Departmental, programmatic, and jurisdictional priorities. Successful applicants to this NOFO are then tasked with responding to identified needs. Successful applicants may not respond to direct requests for TA. HUD is solely responsible for authorizing the entities to be assisted, the location, and the nature of the assistance to be provided, including a specific scope of work, which must be part of a HUD-approved work plan for each engagement.

**Disadvantaged Community:** (1) Any Tribal land or any territory or possession of the United States and (2) those census tracts (a) experiencing disproportionate effects (as defined by Executive Order 12898); (b) that contain areas of persistent poverty as defined in 49 U.S.C. section 6702(a)(1); (c) that are historically disadvantaged as defined by DOT's mapping tool for Historically Disadvantaged Communities; or (d) other federally designated community development zones.

**Equitable Development:** A development approach for meeting the needs of all communities, including underserved communities through policies and programs that reduce disparities while fostering livable places that are healthy and vibrant for all.

**Equity:** The consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as persons of color; religious minorities; LGBTQI+ persons; persons with disabilities; rural residents; and people living in poverty.

**Government Technical Monitor (GTM):** As defined by HUD, the individual designated to provide technical monitoring, advice, and assistance to aid the Government Technical Representative (GTR) in the technical direction and evaluation of a successful applicant's performance. The GTM provides programmatic expertise and input to proposed TA work plans, status reports, invoices, and products.

**Government Technical Representative (GTR):** As defined by HUD, the individual who is responsible for the technical direction and evaluation of a successful applicant's performance. The GTR is responsible for review and approval of work plans, status reports, invoices, and products.

**Historically Disadvantaged Community:** Any Tribal land or any territory or possession of the United States; or certain census tracts in the top 50% (75% for resilience) in at least four of the following categories - transportation access, health, environmental, economic, resilience, and equity disadvantage. For more information see <https://www.transportation.gov/grants/dot-navigator/federal-tools-determine-disadvantaged-community-status>.

**Indirect cost rate proposal:** This NOFO adopts the definition of *indirect cost rate proposal* as found at 2 CFR 200.1.

**Indirect costs:** This NOFO adopts the definition of *indirect (facilities and administrative (F&A)) costs* as found at 2 CFR 200.1.

**Location-efficient housing:** Housing, including market-rate, mixed-income and affordable housing, that benefits from being located in communities near work, schools, services, and amenities and has accessibility to public transportation networks.

**Minority Serving Institution:** An accredited academic institution whose enrollment of a single minority or a combination of minorities exceeds fifty percent of the total enrollment, including graduate and undergraduate and full- and part-time students.

**Outcomes:** Results achieved or benefits derived from TA or capacity building, such as changes in a recipient's land use regulations, government coordination processes; integrated housing and transportation planning; and full utilization of vacant or underutilized land.

**Technical Assistance (TA):** Guidance which enables recipients to overcome a lack of specific skills or knowledge and, by doing so, become more successful in meeting the needs of their communities. TA is the transfer of skills and knowledge to entities that may need, but do not possess, such skills and knowledge. TA includes all eligible activities listed in NOFO section I.A.2.

**Underserved Communities:** Populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the definition of Equity.

**Unit of General Local Government (UGLG):** Any city, county, town, township, parish, village, or other general purpose political subdivision of a State or territory. For the purposes of this program, this includes tribal governments.

## **B. Authority.**

This program is authorized and funded by the Consolidated Appropriations Act, 2022 (Public Law 117-103, approved March 15, 2022).

## **II. Award Information.**

### **A. Available Funds**

Funding of approximately **\$5,000,000** is available through this NOFO.

Additional funds may become available for award under this NOFO. Use of these funds might be subject to statutory constraints or other requirements. All awards are subject to the funding restrictions contained in this NOFO.

### **B. Number of Awards.**

HUD expects to make approximately 5 awards from the funds available under this NOFO.

The minimum number of awards will be 2. There is no maximum number of awards.

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

Estimated Total Funding:  
\$5,000,000

Minimum Award Amount:  
\$500,000  
Per Project Period

Maximum Award Amount:  
\$3,000,000  
Per Project Period

#### **D. Period of Performance**

Estimated Project Start Date:  
03/30/2023

Estimated Project End Date:  
03/30/2026

Length of Project Periods:  
36-month project period and budget period

Length of Periods Explanation of Other:  
There will be multiple assignments over the period of performance.

#### **E. Type of Funding Instrument.**

Funding Instrument Type:

CA (Cooperative Agreement)

HUD will have significant involvement in the management of the Cooperative Agreement throughout the period of performance of the award. This means HUD will identify capacity building and TA needs; assign tasks and the method of providing TA; and review and approve proposed work plans, products, time frames, reports, and other items related to administration of the Cooperative Agreement. HUD will assign work to successful applicants on a demand-response basis. Successful applicants must share final deliverable(s) with HUD, in addition to the beneficiary.

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

#### **A. Eligible Applicants.**

06 (Public and State controlled institutions of higher education)

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

12 (Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education)

13 (Nonprofits without 501(c)(3) status with the IRS, other than institutions of higher education)

20 (Private institutions of higher education)

22 (For profit organizations other than small businesses)

23 (Small businesses)

25 (Others (see text field entitled "Additional Information on Eligibility" for clarification))

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

Entities that are seeking funding under the DOT's Thriving Communities Program are eligible to apply if they meet HUD's eligibility criteria under this NOFO.

### **B. Ineligible Applicants.**

Individuals are ineligible to apply.

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

This Program does not require cost sharing or matching.

### **D. Threshold Eligibility 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.

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

- a. Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that have not been resolved to HUD's satisfaction before or on the application deadline date are ineligible for funding. Such matters include:
  1. Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;
  2. Status as a defendant in a Fair Housing Act lawsuit filed by the United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
  3. Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
  4. Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or the Americans with Disabilities Act; or
  5. Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.



- b. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:
1. Current compliance with a voluntary compliance agreement signed by all the parties;
  2. Current compliance with a HUD-approved conciliation agreement signed by all the parties;
  3. Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
  4. Current compliance with a consent order or consent decree;
  5. Current compliance with a final judicial ruling or administrative ruling or decision; or
  6. Dismissal of charges.

**2. Affirmatively Furthering Fair Housing.** With some exceptions for federally recognized Indian tribes and their instrumentalities, the application must discuss how the applicant will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with the Fair Housing Act and its implementing regulations. Applicants may propose activities that are consistent with their jurisdiction's Analysis of Impediments (AI), an Assessment of Fair Housing (AFH), or other means of fair housing planning that meaningfully supports their AFFH certification.

If the applicant will carry out proposed activities in a jurisdiction with an accepted Assessment of Fair Housing (AFH), the proposed activities should be consistent with the AFH's fair housing goals and with fair housing strategies specified in the jurisdiction's Consolidated Plan or Public Housing Agency Plan.”

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

**4. Contractor/Consultant Restriction.** An organization that applies under this NOFO is prohibited from being listed as a contractor or consultant on any other application under this NOFO. Contractors and consultants may be included in multiple applications only if they themselves do not apply. If an organization that is included as a contractor or consultant within another application submits its own application, that application will not pass threshold review, will not be scored, and will be ineligible to receive an award. This restriction does not apply to new applicants, defined as those organizations that have not performed work as a direct awardee under HUD's Community Compass or Distressed Cities TA program in the five years prior to the publication date of this NOFO.

**5. Narrative Responses.** You must submit a narrative response to each of the three Rating Factors. If you do not submit narrative responses to the three rating factors, your application will not pass threshold review and will not be scored.

**6. Assistance Listing and Funding Opportunity Number.** Submission of an application that is otherwise sufficient under the wrong Assistance Listing and Funding Opportunity Number is a curable deficiency (this language supersedes the language in Section IV.B.).

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

### **Eligibility Requirements for Applicants of HUD's Grants Programs**

The following requirements affect applicant eligibility. Detailed information on each requirement is posted on [HUD's Funding Opportunities Page](#).

- Active Prime and Sub Recipient registration with SAM.gov
- Outstanding Delinquent Federal Debts
- Debarments or Suspensions, or both
- Pre-selection Review of Performance
- Sufficiency of Financial Management System
- False Statements
- Mandatory Disclosure Requirement
- Prohibition Against Lobbying Activities
- In addition, each applicant under this NOFO must have the necessary processes and systems in place to comply with the Award Term in Appendix A of [24 CFR part 170](#) if the applicant receives an award, unless an exception applies as provided in [2 CFR 170.110](#).

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

- TA engagements could take place across the United States and its insular areas as HUD deems necessary.
- HUD may task a successful applicant to coordinate with organizations conducting other federally-funded activities.
- Successful applicants must comply with all applicable program statutes, regulations, policies, and award provisions.
- Successful applicants will be required to provide information on the results, impacts, and outcomes of their capacity building and TA activities.
- Successful applicants must obtain access to relevant HUD systems and other HUD tools to assist in the management of award requirements.
- HUD reimburses on a monthly basis. Advance payments are not permitted.
- Successful applicants must maintain stated capacity throughout the duration of the period of performance:
  - You must actively maintain staff/subrecipients/consultants that have the knowledge and experience described in your application.
  - If you decline or delay assignments or fail to deliver acceptable TA in your stated areas of experience/capacity, HUD reserves the right to terminate your cooperative agreement early and recapture funds awarded to you, consistent with 2 CFR Part 200. HUD may also consider declined or delayed assignments or unacceptable TA engagements during future HUD TA NOFO competitions.
- If you receive an award, you must operate within the structure of the “demand-response system” (as defined in NOFO section I.A.). Under the demand-response system, you must:
  - Promptly respond to assignments or requests from the GTM or GTR.

- Coordinate TA plans and activities with other TA providers that have particular skills and/or experience in providing assistance to TA beneficiaries in the same jurisdiction or geographic area using TA funds. The coordination may include conference calls, virtual meetings, and/or in-person meetings.
  - Attend and/or conduct joint training sessions, workshops, or conferences with other TA providers, as may be requested by the GTM or GTR.
  - Conduct work only when tasked or assigned by HUD (GTM, GTR, or designee).
  - Provide TA plans, requests for reimbursement, performance reports, deliverables, and trainings in formats prescribed by HUD.
- Successful applicants should be able to make a plan and then adapt as needed to changing circumstances such as pivoting from in-person to virtual capacity building engagements.
  - Successful applicants must be prepared to contribute to and participate in virtual hosting platforms. You must be ready to learn and master virtual modalities using various tools available centrally through HUD's existing TA funded resources and/or be prepared to purchase specific platforms if you anticipate needing them in support of implementing specific TA work plan assignments.
  - Successful applicants may be required to obtain the necessary facilities (e.g., a hotel conference room) to deliver TA to TA beneficiaries under the TA award.

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

A selected applicant who provides TA cannot also be a beneficiary of that TA or of other activities carried out under the Cooperative Agreement.

Beneficiaries must be UGLGs that (a) will be receiving transportation funding, either directly or through a state pass-through, (b) want to address housing needs in Disadvantaged Communities, and (c) have a need for TA based on a needs assessment. The UGLG may be working with regional organizations (such as a Metropolitan Planning Organization), non-profits, philanthropy, or other cross-sector partnerships, but the request for TA must be made by the UGLG.

UGLGs receiving TA under DOT's Thriving Communities technical assistance program are not precluded from receiving TA funded through HUD's Thriving Communities TA NOFO.

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

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

##### **Instructions for Applicants.**

You must download both the Application Instructions and the Application Package from Grants.gov. You must verify that the Assistance Listing Number and Assistance Listing Description on the first page of the Application Package, and the Funding Opportunity Title and the Funding Opportunity Number match the Program and NOFO to which you are applying. The Application Package contains the portable document forms (PDFs) available on Grants.gov, such as the SF-424 Family. The Instruction Download contains official copies of the NOFO and forms necessary for a complete application. The Instruction Download may include Microsoft Word files, Microsoft Excel files, and additional documents.

An applicant demonstrating good cause may request a waiver from the requirement for electronic submission, for example, a lack of available Internet access in the geographic area in

which your business offices are located. Lack of SAM registration or valid DUNS/UEI is not good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic grant submission requirements. HUD will not grant a waiver if the Applicant fails to submit to HUD in writing or via email a request for a waiver at least 15 calendar days before the application deadline. If HUD grants a waiver, a paper application must be received before the deadline for this NOFO. To request a waiver, you must contact:

Name:

Katina Jordan

Email:

Katina.L.Jordan@hud.gov

HUD Organization:

PDR

Street:

451 7th Street, SW

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

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

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

Submission of an application that is otherwise sufficient, under the wrong Assistance Listing and Funding Opportunity Number is Non-Curable unless otherwise stated under the Threshold requirements section.

**1. Content.**

<b>Forms/Assurances/Certifications</b>	<b>Submission Requirement</b>	<b>Notes/Description</b>
HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report	Submission is required for all applicants by the application due date.	
Application for Federal Assistance (SF424)	Submission is required for	Required for all applications.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	all applicants by the application due date.	
Disclosure of Lobbying Activities (SFLLL), if applicable	HUD will provide instructions to grantees on how the form is to be submitted.	If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the applicant shall complete and submit the SF-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Applicants must furnish an executed copy of the Certification Regarding Lobbying prior to award.

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

**a. Application summary.** This must be submitted in PDF format. The application summary will not be scored and does not count toward the 35-page limit for the narrative responses to the Rating Factors. The application summary must include:

- (1) A brief description of your organization in no more than 350 words. This description or some portion of it may appear in the award announcement if you are funded through this NOFO. The description must contain: Organizational purpose and mission; years of service; history of providing services at the intersection of housing and transportation to UGLGs; and organization web address.
- (2) Whether your organization is designated as any of the following:
  - a) a disadvantaged business (e.g., 8(a) business) as defined by the U.S. Small Business Administration (SBA);
  - b) a small business as defined by the SBA;
  - c) a Historically Black College or University; or
  - d) other Minority Serving Institution.
- (3) A description of eligible activities you have completed in the five years prior to the NOFO publication date. The eligible activities categories are in NOFO section I.A.2., and your application summary should address all eligible activities except Coordination and

Administration.

(4) Indirect Cost Rate. You must indicate your indirect cost rate as described in section IV.F. of this NOFO.

**b. List of relevant staff, consultants, and subrecipients and their experience**

**and qualifications.** This must be submitted as an Excel workbook (.xls or .xlsx format). A sample template is available on [Grants.gov](https://www.grants.gov) as part of the application package. The list must clearly identify whether an individual is staff, a consultant, or a subrecipient. This information will not be scored and does not count toward the 35-page limit for the narrative responses to the Rating Factors.

**c. Narrative responses addressing Rating Factors 1-3.** As detailed under NOFO section III.D.5, "Threshold Eligibility Requirements," any applicant that does not submit a narrative response that addresses each of the three Rating Factors within the 35-page limit will not meet the threshold for review. See NOFO section V.A for more information on the Rating Factors. Your narrative response must be 35 pages or less. Any additional pages will not be considered in the review.

**d. Indirect Cost Rate attachment.** Applicants selected for funding pursuant to this NOFO may charge indirect costs to the award. As explained in section IV.F of this NOFO, if you want to charge indirect costs against the award, your application must include an attachment labeled "Indirect Costs" that clearly states the rate, the applicable distribution base, and, if applicable, a letter or other documentation from the cognizant agency showing the negotiated rate. The indirect cost rate attachment does not count toward the 35-page limit for the narrative responses to the Rating Factors.

**e. Code of Conduct attachment.** You must develop and maintain a written code of conduct in accordance with 2 CFR 200.318, unless you are a state. If you already have a code of conduct on file with HUD, you do not need to resubmit a new code unless the information on file has changed. To determine whether HUD has your code of conduct on file, you must visit the following website:

[https://www.hud.gov/program\\_offices/spm/gmomgmt/grantsinfo/conductgrants](https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conductgrants). If you are not listed on that website, you must include your code of conduct with your NOFO application as an attachment labeled "Code of Conduct." If you are listed on that website but your code of conduct has changed since you last submitted it to HUD, you must include your most up-to-date code of conduct as an attachment. If you are listed on that website and your code of conduct has not changed since you last submitted it to HUD, you do not need to include your code of conduct with your NOFO application. The code of conduct does not count toward the 35-page limit for the narrative responses to the Rating Factors.

**A complete submission will consist of the application signed by an authorized official of your organization and contain all relevant sections of the application as described in this NOFO.**

**2. Format and Form.**

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

35 Pages maximum length of narratives

Other

**Page Limit for the 3 Rating Factor Narrative Responses.** The file that you submit as the narrative responses to Rating Factors 1-3 must total no more than 35 pages in length. Applicant must number the pages, and any pages beyond 35 will be removed from the end and not reviewed.

**Margins, Font Size, Text Color.** Your narrative responses to the Rating Factors must adhere to the following requirements:

- 8.5 by 11-inch paper size with at least 0.5-inch margins
- 12-point, easily readable font such as Times New Roman, Courier New, or Arial
- Black text

**Restrictions on Information Added to Narrative Responses.** You may not include any pictures, graphics, or text boxes in your narrative responses to Rating Factors 1-3. HUD will not score information provided in those formats. You may use tables and graphs in your narrative responses if they help to organize information.

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

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

Applicants must be registered with <https://www.sam.gov/> before submitting their application. Applicants must maintain current information in SAM on immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a federal contract or grant within the last three years, if applicable. Information in SAM must be current for all times during which the applicant has an active Federal award or an application or plan under consideration by HUD.

### **2. UEI Requirement.**

Applicants must provide a valid UEI, registered and active at [/www.sam.gov/](https://www.sam.gov/) in the application. For more information, see: <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update>.

The DUNS number remained the official identifier for doing business with the U.S. Government only until April 4, 2022. As of April 4, 2022, entities doing business with the federal government must use the Unique Entity Identifier created in SAM.gov.

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

Anyone planning to submit applications on behalf of an organization must register at grants.gov and be approved by the E-Biz POC in SAM to submit applications for the organization. Registration for SAM and grants.gov is a multi-step process and can take four (4) weeks or

longer to complete if data issues arise. Applicants without a valid registration cannot apply through grants.gov. Complete registration instructions and guidance are provided on grants.gov.

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

##### **Application Due Date Explanation**

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

11/22/2022

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

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

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

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

HUD strongly recommends you submit your applications at least **48 hours before the deadline** and during regular business hours to allow enough time to correct errors or overcome other problems.

**Grants.gov Customer Support.** Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html>. Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to [support@grants.gov](mailto:support@grants.gov). The customer support center is open 24 hours a day, seven days per week, except Federal holidays. 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 (800)-877-8339.

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

- Log in to Grants.gov.
- Click the Check Application Status link, which appears under the Grant Applications heading in the Applicant Center page. This will take you to the Check Application Status page.
- Enter search criteria and a date range to narrow your search results.



- Click the Search button. To review your search results in Microsoft Excel, click the Export Data button.
- Review the Status column, to view more detailed submission information, click the Details link in the Actions column.
- To download the submitted application, click the Download link in the Actions column.

Please make note of the Grants.gov tracking number, it will be needed by the Grants.gov Help Desk if you seek their assistance.

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

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

If these events occur, HUD will post a notice on its website establishing the new, extended deadline for the affected applicants. HUD will also include the fact of the extension in the program's NOFO required to be published in the Federal Register.

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

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

#### 1. Amending or resubmitting an application.

Before the submission deadline, you may amend a validated application through Grants.gov by resubmitting a revised application containing the new or changed material. The resubmitted application must be received and validated by Grants.gov by the applicable deadline.

If HUD receives an original and a revised application for a single proposal, HUD will evaluate only the last submission received by Grants.gov before the deadline.

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

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

#### 3. Late Applications.

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

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

#### 4. Corrections to Deficient Applications.

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

HUD will uniformly notify applicants of each curable deficiency. See curable deficiency in the definitions section (Section I.A). Examples of curable (correctable) deficiencies include inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

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

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

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

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

5. **Authoritative Versions of HUD NOFOs.** The version of these NOFOs as posted on Grants.gov are the official documents HUD uses to solicit applications.
6. **Exemptions.** Parties that believe the requirements of the NOFO would impose a substantial burden on the exercise of their religion should seek an exemption under the Religious Freedom Restoration Act (RFRA).

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

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

## **F. Funding Restrictions.**

1. An organization may not provide TA or capacity building to itself or an affiliated entity, and it may not provide TA to another organization with which it contracts or sub-awards funds to carry out activities under the TA award.
2. No fee or profit may be earned or paid to any recipient, subrecipient, contractor, or consultant of an award under the Thriving Communities TA program. This includes but is not limited to any interest paid on accounts used to manage program funds.
3. Grant funds cannot be used for the construction, rehabilitation or purchase of real property.
4. Compensation Restrictions:
  - An award recipient cannot charge more than Level IV of the Federal Executive Schedule annually for an individual's compensation even if the individual earns more than the capped amount. Effective January 2022, the salary limitation for Executive Level IV is \$176,300. The compensation cap does not require a TA award recipient to limit the amount paid to individuals funded with a Thriving Communities TA award, but an individual's remaining compensation over the cap must be paid from an alternate source of organizational funds. The requirement applies to all of an award recipient's staff, subrecipients, consultants, and contractors. If the salary cap amount for Level IV of the Federal Executive Schedule, authorized by law, increases, if adequate funds are available in active awards, and if the salary cap increase is consistent with the TA award recipient's compensation policy, TA award recipients are permitted to use Thriving Communities TA funds to cover the increased salary amount. However, additional funds will not be provided to cover these costs.
  - HUD will determine whether compensation is reasonable and customary for the skill set provided and the area(s) being served.
5. Maximum administrative and coordination cost limits.
  - Unless HUD's authorized official or a federal directive specifically provides otherwise, up to twenty (20) percent of the award made under this NOFO may be used for the purpose of paying administrative and coordination costs. This includes up to ten (10) percent of the award for coordination costs (see Sec. I.A.2.e.) and up to ten (10) percent for administrative costs (see Sec I.A.2.f.).
  - Specific cost limits by award amount are negotiated between HUD and the selected applicant, before cooperative agreement execution and during the project period. Costs may be denied or modified if it is determined that they are not allowable, allocable, and/or reasonable.
  - The selected applicant must segregate administrative and coordination costs in separate cost centers.
6. An award recipient under this NOFO may also be working with TA recipients under DOT's Thriving Communities TA program either as a TA provider for both programs or in coordination with a TA provider under DOT's Thriving Communities NOFO. In either situation, the award recipient must institute appropriate fiscal controls to ensure that TA assistance provided as part of this grant is directly attributable to the grant and specifically identified for reimbursement. The award recipient must avoid the comingling of funds,

avoid duplication of assistance provided to beneficiaries, and ensure that invoices billed to this grant are for work performed under this grant.

Additional restrictions are described at 2 CFR Part 200.

### **Indirect Cost Rate.**

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

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

State and local governments. If your department or agency unit has a Federally negotiated indirect cost rate, your application must include that rate, the applicable distribution base, and a letter or other documentation from the cognizant agency showing the negotiated rate. If your department or agency unit receives more than \$35 million in direct Federal funding per year, you may not claim indirect costs until you receive a negotiated rate from your cognizant agency for indirect costs as provided in Appendix VII to [2 CFR Part 200](#).

If your department or agency unit receives no more than \$35 million in direct Federal funding per year and your department or agency unit has developed and maintains an indirect cost rate proposal and supporting documentation for audit in accordance with 2 CFR Part 200, Appendix VII, you may use the rate and distribution base specified in that indirect cost rate proposal. Alternatively, if your department or agency unit receives no more than \$35 million in direct Federal funding per year and does not have a current negotiated rate (including provisional) rate, you may elect to use the de minimis rate of 10% of MTDC. As described in [2 CFR 200.403](#), costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until your department or agency chooses to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

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

### **Application, Assurances, Certifications and Disclosures.**

**Standard Form 424 (SF-424) Application for Federal Assistance** is the government-wide form required to apply for Federal assistance programs, discretionary Federal grants, and other forms of financial assistance programs. Applicants for this Federal assistance program must submit all required forms in the SF-424 Family of forms, including SF-424B (Assurances of Non construction Programs) or SF-424D (Assurances for Construction Programs). Applications receiving funds for both non-construction programs and construction programs must submit both the SF-424B and SF-424D.

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

#### **Assurances.**

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

#### **Applicant Disclosure Report form 2880.**

Required for each applicant applying for assistance within the jurisdiction of HUD to any housing project subject to Section 102(d). Assistance is provided directly by HUD to any person or entity, but not to subrecipients. It includes assistance for the acquisition, rehabilitation, operation conversion, modernization, renovation, or demolition of any property containing five or more dwelling units that is to be used primarily for residential purposes. It includes assistance to independent group residences, board and care facilities, group homes and transitional housing but does not include primarily nonresidential facilities such as intermediate care facilities, nursing homes and hospitals. It also includes any change requested by a recipient in the amount

of assistance previously provided, except changes resulting from annual adjustments in Section 8 rents under Section 8(c)(2)(A) of the United States Housing Act of 1937 ([42 U.S.C. 1437f](#)). [See HUD Reform Act regulation for additional information.](#)

**V. Application Review Information.**

**A. Review Criteria.**

**1. Rating Factors.**

HUD will review applications in accordance with the requirements of this NOFO. HUD will consider whether your application is clear, concise, and well organized. Each rating factor is reviewed independently. Be sure your response for each rating factor does not include information that belongs with another rating factor. The total maximum points for an application is 102. The minimum total points for an application to be considered for funding is 75. However, if no eligible applicants score at least 75 points, HUD may award funds to applicant(s) scoring below 75 points. Individual minimum scores for each factor are set forth in the chart below. HUD will select applicants as set forth in V.B. HUD reminds applicants that responses are subject to verification.

Rating Factor		Maximum Points	Minimum Points needed
<b>Rating Factor 1</b>	<b>Capacity of Applicant</b>	<b>45</b>	35
A	Prior experience and performance	10	
B	Prior experience at the intersection of transportation and housing	10	
C	Prior experience creating communities of opportunity	5	
D	Key personnel and organizational capacity	20	
<b>Rating Factor 2</b>	<b>Understanding of the Context</b>	<b>15</b>	10
<b>Rating Factor 3</b>	<b>Soundness of Approach</b>	<b>40</b>	30
A	Program strategy	32	
B	Project management	8	
<b>Preference Points</b>	<b>HBCU</b>	<b>2</b>	
<b>TOTAL</b>		<b>102</b>	75

**Rating Factor 1: Capacity of the Applicant**

**Maximum Points: 45**

**Minimum Points Needed: 35**

This factor evaluates your overall capacity to provide the TA described in this NOFO. Your narrative response to this rating factor must include the following:

*A. Prior experience and performance (10 points)*

Demonstrate your ability to plan and implement a TA engagement by describing at least three examples from within the last five years. The description should address:

1. Experience working with a broad range of UGLGs on issues involving disadvantaged communities. Specify if your experience includes rural communities and/or tribal organizations. (3 points)
2. Demonstrated ability to overcome challenges in providing TA, such as providing assistance to a disengaged recipient or a recipient with limited capacity. (2 points)
3. Experience in cross-sector collaboration (such as inter-governmental collaboration, private/public collaboration, and collaboration between local government and local organizations and anchor institutions), including examples of how you have developed partnerships to better ensure the long-term impact of TA engagements. (3 points)
4. Experience explicitly incorporating equity into TA engagement activities and equity outcomes into engagement goals or deliverables. (2 points)

*B. Prior experience at the intersection of transportation and housing (10 points)*

Demonstrate your ability to assist UGLGs in developing location-efficient housing while supporting equitable development through a description from at least two examples from within the last five years. If you are proposing to address fewer than all four TA Focus Areas, clearly identify for which of the TA Focus Areas you would be prepared to provide TA under this NOFO.

Examples of such assistance follow, but the list is not meant to be exclusive:

- Increasing housing supply through changes in governance, regulations, and/or processes.
- Implementation of equitable transit-oriented development.
- Development of community plans informed by meaningful and equitable community engagement.
- Development and deployment of tools to identify housing production and preservation needs in connection with transportation and other infrastructure investments.
- Working with entitlement communities to address barriers related to affordable and accessible housing identified in their Consolidated Plans.

*C. Prior experience creating communities of opportunity (5 points)*

Describe your organization's experience addressing significant disparities in housing needs and in access to opportunities, replacing segregated living patterns with integrated and balanced living patterns, transforming and revitalizing racially and ethnically concentrated areas of poverty into areas of opportunity, and/or fostering and maintaining compliance with civil rights

and fair housing laws. If applicable, highlight an example of working with organizations in a disadvantaged community to build capacity.

*D. Key personnel and organizational capacity (20 points)*

Effective capacity building requires meeting individuals—in the community, in the government, in local businesses and organizations—where they are. A diverse team, that can bring a range of experiences and perspectives to inform the TA engagement, is an important component of success. That success is often more sustainable when local organizations are empowered and supported.

Describe how your organization has available staff with the appropriate expertise and experience, including subrecipients or consultants, to provide the full range of TA activities you are proposing to provide that meet the TA Focus Areas, or the subset of TA Focus Areas you identified in Rating Factor 1.B. The narrative should identify the key personnel who would be planning and implementing the engagements, including summaries of their relevant experience and qualifications. Address how you maintain continuity of operations when faced with staff turnover. (15 points)

Describe the diversity of your team, discussing the range of experiences and perspectives that will be supporting your work, including through consultants and subrecipients. (5 points)

**Rating Factor 2: Understanding of the Context**

**Maximum Points: 15**

**Minimum Points Needed: 10**

This factor addresses your understanding of current challenges that will be addressed through HUD’s TC/TA program. Drawing on examples from the last five years, address the following:

1. Demonstrate familiarity with strategies and opportunities to address the challenges UGLGs may face in meeting local housing needs when designing and deploying the infrastructure investments provided in the Bipartisan Infrastructure Law. (5 points)
2. Demonstrate familiarity with the tools and funding sources needed to work with UGLGs to address the housing challenges they experience, including production, preservation, and avoiding displacement in Disadvantaged Communities. (5 points)
3. Demonstrate experience in improving the local community and economic development ecosystem (e.g., creating equitable community-wealth building opportunities, supporting diverse small businesses, increasing local hiring) when working with UGLGs to address their housing challenges or to integrate a holistic approach to infrastructure planning in disadvantaged communities. (5 points)

**Rating Factor 3: Soundness of Approach**

**Maximum Points: 40**

**Minimum Points Needed: 30**

This factor evaluates your ability to effectively plan and implement TA engagements as described in this NOFO. You must clearly describe your process for the following:



A. *Program strategy (32 points)*

1. Completing a needs assessment for an UGLG to identify and prioritize TA needs. (4 points)
2. Identifying TA activities and tools appropriate for addressing the scale of challenges that are within the capacity of the UGLGs. (4 points)
3. Ensuring equity in process and outcomes from the TA. (4 points)
4. Working with UGLGs to prioritize challenges or goals that may be supported through TA. (4 points)
5. Partnering with locally-based organizations to address local challenges and support community engagement, while enhancing and sustaining the capacity building through the TA engagement being provided. (4 points)
6. Helping UGLGs improve coordination and integration among their government departments and agencies and with their regional, state, and federal government partners to successfully achieve community goals. (4 points)
7. Setting short- and long-term goals and defining measurable outcomes for TA engagements. This should include using qualitative and quantitative data to track progress. (4 points)
8. Ensuring post-engagement sustainability of outcomes. (4 points)

B. *Project management (8 points)*

Describe your organization's protocols, if awarded, for monitoring and overseeing HUD's TC/TA effectively, including:

- Ensuring acceptable work and products are provided before submitting invoices to HUD and paying subrecipients, contractors and/or consultants;
- Managing and monitoring the performance of subrecipients, contractors and consultants and the ability to comply with award requirements, and the terms, conditions, and specifications of contracts or other formal agreements;
- Financial processes for managing awards and monitoring award expenditures; and
- Ensuring proper fund control if awardee anticipates also being a TA provider under DOT's Thriving Communities Program and avoiding duplication of work or billing if awardee were to work with a DOT TA provider.

**Preference Points:**

This NOFO offers up to 2 preference points for an HBCU applicant or an applicant partnering with an HBCU - see details in Section V.A.2. below. The TC/TA NOFO does not offer preference points for Climate Change, Environmental Justice, or Promise Zones.

**Maximum Points: 102**

**2. Other Factors.**

This program does not offer points for Section 3.

**Preference Points**

HUD encourages activities in support of the interdepartmental initiatives. HUD may award no more than four total preference points for a combination of any of the four (4) preferences (Climate Change, Environmental Justice, Promise Zones (PZ) or Historically Black Colleges and Universities (HBCU). Each preference is worth up to two (2) points. For example, points may be awarded for Climate Change and Environmental Justice, or for Promise Zones and HBCUs.

This program does not offer points for Climate Change

This program does not offer points for Environmental Justice

### **HBCU.**

An applicant designated by the U.S. Department of Education as a Historically Black College or University (HBCU) will receive up to two (2) preference points when the application includes documentation of the applicant's status as an HBCU. [Click here to view the list of accredited HBCU's](#)

An applicant partnering with a Historically Black College or University (HBCU) will receive up to two (2) Preference Points when the application includes a Letter of Commitment certifying that an HBCU Partnership is in place and signed by an authorizing official of the HBCU and documentation of the college or university's status as an HBCU.

The maximum number of HBCU Preference Points is two (2) points per application.

### **Promise Zones**

This program does not offer Promise Zone preference points.

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

### **1. Past Performance**

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

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

Timely use of funds received from HUD;

Timely submission and quality of reports submitted to HUD;

Meeting program requirements;

Meeting performance targets as established in the grant agreement;

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

Producing positive outcomes and results.

*NOTE: An applicant with expertise in one or more of the TA Focus Areas identified in I.A.1. may still receive an award even if it has not previously managed federal funding.*

HUD may reduce scores based on the past performance review, as specified under V.A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review results in an adverse finding related to integrity of performance, HUD reserves the right to take any of the remedies provided in Section III E., Statutory and Regulatory Requirements Affecting Eligibility, "[Pre-selection Review of Performance](#)".

## **2. Assessing Applicant Risk.**

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

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in this part;
- History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and
- The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

As required by 2 CFR 200.206, HUD will evaluate the risks to each HUD program posed by each applicant and will conduct due diligence to ensure an applicant's ability to manage federal funds. The results from this evaluation will inform funding decisions. If HUD determines that an award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award. In evaluating risks, HUD will consider factors found in 2 CFR 200.206, as well as publicly available information, including information from your organization's website, media sources, Inspector General or Government Accountability Office reports or findings, or hotline or other complaints that have proved to have merit.

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

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

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

**Final Grant.** After HUD has made selections, HUD will finalize specific terms of the award and budget in consultation with the selected applicant. If HUD and the selected applicant do not finalize the terms and conditions of the award in a timely manner, or the selected applicant fails to provide requested information, an award will not be made to that applicant. In this case, HUD may select another eligible applicant.

HUD may impose specific conditions on an award as provided under [2 CFR 200.208](#):

- Based on HUD's review of the applicant's risk under [2 CFR 200.206](#);
- When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- When the applicant or recipient fails to meet expected performance goals contained in a federal award; or

- When the applicant or recipient is not otherwise responsible.

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

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

- (1) Is not eligible for funding under applicable statutory or regulatory requirements;
- (2) Does not meet the requirements of this notice; or
- (3) Duplicates other funded programs or activities from prior year awards or other selected applicants.

b. If funds are available after funding the highest-ranking application, HUD may fund all or part of another eligible fundable application. If an applicant turns down an award offer, or if HUD and an applicant do not finalize the terms and conditions of the award in a timely manner, HUD may withdraw the award offer and make an offer of funding to another eligible application.

c. If funds remain after all selections have been made, remaining funds may be made available within the current FY for other competitions within the program area, or be held for future competitions, or be used as otherwise provided by authorizing statute or appropriation.

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

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

**Budget form.** Due to the nature of the demand-response system, applicants responding to this NOFO will not know at the time of application the specific activities they will be asked to carry out over the course of the performance period, the location of the engagements, or their duration. Therefore, you will not submit a HUD-424-CBW or any other budget form with your application. A cooperative agreement without a formal budget can be executed if HUD has other specific information (e.g., the award amount, labor rates, and the activities you have the capacity to carry out).

**Administrative budget.** HUD requires that a selected applicant participates in negotiations to determine an administrative budget. The administrative budget must clearly identify the labor, associated indirect costs, travel, and material and supply costs associated with your management of the award. The administrative budget must track the different sources of funding and associate administrative costs to each source. Should HUD not be able to successfully conclude negotiations with a selected applicant within a period determined by HUD, an award will not be made.

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

For this NOFO, the following [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](#) apply.

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

- Compliance with Fair Housing and Civil Rights Laws, Which Encompass the Fair Housing Act and Related Authorities (see cf. [24 CFR 5.105\(a\)](#)).
- Affirmatively Furthering Fair Housing ([Click Here](#)).
- Improving Access to Services for Persons with Limited English Proficiency (LEP) See [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/limited\\_english\\_proficiency](https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency).
- Accessible Technology. See

<https://www.hud.gov/sites/dfiles/OCIO/documents/s508103017.pdf>

2. Equal Access Requirements. [See 24 CFR 5.105\(a\)\(2\)](#)

3. Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business.

4. Equal Participation of Faith-Based Organizations in HUD Programs and Activities.

5. Real Property Acquisition and Relocation. See [49 CFR part 24](#).

6. Participation in HUD-Sponsored Program Evaluation.

7. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

8. Drug-Free Workplace.

9. Safeguarding Resident/Client Files.

10. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L.109-282) (Transparency Act), as amended.

11. Eminent Domain.

12. Accessibility for Persons with Disabilities. See

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/disability\\_overview](https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_overview)

13. Violence Against Women Act. See [24 CFR part 5](#), subpart L and applicable program regulations.

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

15. Environmental Requirements, which include compliance with environmental justice requirements under Executive Order [12898](#) and [14008](#).

### **Environmental Review**

Compliance with [24 CFR part 50](#) or [58](#) procedures is explained below:

In accordance with 24 CFR 50.19(b)(1), (b)(2), (b)(3), (b)(4), (b)(7),(b)(8), (b)(9), and (b)(13), activities funded under this NOFO are exempt or categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

### **Prohibition on Surveillance**

[2 CFR 200.216](#) Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment

### **Remedies for Noncompliance**

[2 CFR 200.340](#) *Termination* A Federal award may be terminated in whole or in part if the grantee fails to comply with the terms and conditions of the award or if HUD determines the award no longer effectuates the program goals or agency priorities.

### **Lead Based Paint Requirements.**

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

## **C. Reporting.**

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

**1. Recipient Integrity and Performance Matters.** Applicants should be aware that if the total Federal share of your federal award includes more than \$ 500,000 over the period of performance, the award will be subject to post award reporting requirements reflected in Appendix XII to Part 200 Award Terms and Conditions for Recipient Integrity and Performance Matters.

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

**3. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) as amended (FFATA).** FFATA requires information on federal awards be made available to the public via a single, searchable website, which is [www.USASpending.gov](http://www.USASpending.gov). Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to [2 CFR Part 170](#), “REPORTINGSUBAWARD AND EXECUTIVE COMPENSATION INFORMATION,” unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed \$30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-grant equal to or greater than \$30,000.

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

**Program Progress.** You will be required to submit Quarterly Performance Reports in a manner specified by HUD, with outputs and outcomes achieved and a narrative explanation of any disparity between projected and actual results. Quarterly Performance Reports must comply with requirements described in 2 CFR 200.327-329.

**Final Performance Report.** You will be required to submit a Final Performance Report in a manner and within a time period specified by HUD.

## **D. Debriefing.**

For a period of at least 120 days, beginning 30 days after the public announcement of awards under this NOFO, HUD will provide a debriefing related to their application to requesting applicants. A request for debriefing must be made in writing or by email by the authorized organization representative whose signature appears on the SF-424 or by his or her successor in office and be submitted to the POC in Section VII Agency Contact(s), below. Information provided during a debriefing may include the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

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

HUD staff will be available to provide clarification on the content of this NOFO.

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

Name:

Katina Jordan

Phone:

202-402-7577

Email:

Katina.L.Jordan@hud.gov

Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339. Please note that HUD staff cannot assist applicants in preparing their applications.

## **VIII. Other Information.**

### **1. National Environmental Policy Act.**

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFO in accordance with HUD regulations at [24 CFR part 50](#), which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

The FONSI is available for inspection at [HUD's Funding Opportunities](#) web page.

### **2. Web Resources.**

- [Affirmatively Furthering Fair Housing](#)
- [Code of Conduct list](#)
- [Assistance Listing \(formerly CFDA\)](#)
- [Unique Entity Identifier](#)
- [Equal Participation of Faith-Based Organizations](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [FFATA Subaward Reporting System](#)
- [Grants.gov](#)
- [HBCUs](#)
- [Healthy Homes Strategic Plan](#)

- [Healthy Housing Reference Manual](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [Limited English Proficiency](#)
- [NOFO Webcasts](#)
- [Procurement of Recovered Materials](#)
- [Promise Zones](#)
- [Section 3 Business Registry](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)
- [Uniform Relocation Assistance and Real Property Acquisition Act of 1970 \(URA\)](#)
- [USA Spending](#)

### **3. Program Relevant Web Resources**

None.

## **APPENDIX**