

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5600-N-37]

Notice of Funding Availability (NOFA) Office of Native American Programs Training and Technical Assistance

A. Federal Agency Name: Department of Housing and Urban Development (HUD).

B. Funding Opportunity Title: Office of Native American Programs Training and Technical Assistance (ONAP T&TA).

C. Announcement Type: Initial Announcement.

D. Funding Opportunity Number: The funding opportunity number is FR-5600-N-37. The OMB Approval Number for this NOFA is 2577-0277.

E. Catalog of Federal Domestic Assistance (CFDA) Number: The Catalog of Federal Assistance (CFDA) Numbers are 14.893 for Categories One and Two (Indian Housing Block Grant (IHBG)) and 14.894 for Category Three (Native Hawaiian Housing Block Grant (NHHBG)).

F. Dates: The application deadline date is **October 16, 2012**. Applications must be received by Grants.gov by 11:59:59 p.m. eastern time on the deadline date. Applicants may download the application and instructions from the Grants.gov website at:

http://www.grants.gov/applicants/apply_for_grants.jsp. Please carefully read HUD's Fiscal Year (FY) 2012 Notice of Funding Availability (NOFA) Policy Requirements and General Section for Discretionary Programs (**General Section**), published on Grants.gov on September 19, 2011. All information required to complete the application is in the FY2012 **General Section** and this NOFA. Applicants need to be aware that following receipt by Grants.gov, applications go through a validation process in which the application may be accepted or rejected. Please allow sufficient time for this process by submitting early to ensure that you meet the timely submission requirements.

G. Additional Overview Information:

1. Available Funds. The total amount of funding available for the ONAP T&TA program is approximately \$7,350,000. The application submission information is contained in this ONAP T&TA NOFA at Section IV.B. Awards will be administered under cooperative agreements with significant HUD involvement (see Section II.B of this NOFA). This NOFA has three categories.

a. Category One. Up to \$2 million is available to national and regional nonprofit organizations representing Native American housing interests to provide T&TA to Indian tribes and tribally designated housing entities (TDHEs) (and subrecipients) eligible to receive an Indian Housing Block Grant (IHBG) pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.)(Category One). "Representing Native American housing interests" requires an applicant to demonstrate that the organization's primary objective is to serve Native Americans.

b. Category Two. Up to \$5 million is available to national and regional nonprofit organizations representing Native American housing interests as well as for-profit entities to provide T&TA to tribes/TDHEs (and subrecipients) eligible to receive an IHBG (Category Two).

c. Category Three. Up to \$350,000 is available to national and regional nonprofit organizations, as well as for-profit entities to provide T&TA to the Department of Hawaiian Homelands (DHHL) and subrecipients of Native Hawaiian Housing Block Grant (NHHBG) funds pursuant to Title VIII of NAHASDA (Category Three). Tribes/TDHEs and their subrecipients and DHHL and its subrecipients eligible to receive assistance provided by T&TA providers under this NOFA are collectively referred to as “T&TA beneficiaries” throughout the NOFA. The following chart details each T&TA category and the approximate funding available.

Category	Applicant Eligibility	Available Funds	Maximum Award	Minimum Award
1	National and regional nonprofit organizations representing Native American housing interests	\$2 million	\$1 million	\$350,000
2	National and regional nonprofit organizations representing Native American housing interests and for-profit entities	\$5 million	\$1 million	\$350,000
3	National and regional nonprofit organizations, as well as for-profit entities.	\$350,000	\$350,000	\$350,000

2. Eligible applicants. The eligible applicants for this NOFA are listed in Section III.A under the full text of this NOFA. Applicants should be aware that HUD does not fund individuals through its competitive NOFA process.

3. Number of applications. Applicants should submit an application for each T&TA Category that they want to be funded under.

FULL TEXT OF ANNOUNCEMENT

I. FUNDING OPPORTUNITY DESCRIPTION

A. Definition of Technical Assistance. Technical assistance under this NOFA is an activity whereby a subject matter expert provides assistance, advice and guidance in order to increase or transfer knowledge, skills, and abilities on topics related to native housing program operations. Technical assistance typically results in an increase in knowledge, skills, and abilities and improved program outcomes.

B. Areas of Technical Assistance Experience.

Applicants experienced in and successful in providing any of the items listed below are encouraged to apply and must specify which of the three Categories they are applying for:

- NAHASDA;
- NHHBG;
- Low-income housing development, inspection, maintenance, modernization, and operation;
- Admissions and occupancy;
- Procurement;
- Financial and fiscal management;
- Program income;
- Governance and organizational development;
- Leveraged financing including Low Income Housing Tax Credits and Title VI;
- Healthy home environments including mold and air quality issues;
- Homebuyer education;
- Crime prevention;
- Youth activities, including but not limited to Boys and Girls Clubs;
- Other topics responsive to low-income housing issues in native communities; and
- Consultation Facilitation.

C. Program Description. The purpose of the ONAP T&TA program is to provide training and technical assistance to tribes/TDHEs that are eligible to receive an IHBG and IHBG subrecipients, as well to DHHL and NHHBG subrecipients (collectively “T&TA beneficiaries”). This ONAP T&TA will be centrally managed by HUD Headquarters with extensive involvement of the Area ONAPs.

Awards under this NOFA will be made to T&TA providers with a broad range of skills and expertise as well as T&TA providers with more focused or targeted skills and expertise. Selected ONAP T&TA providers will work collaboratively in teams and will be deployed as HUD deems necessary across the country to achieve the objectives. HUD is interested in funding a mix of the type of providers that will provide T&TA in a cost effective manner. This ONAP T&TA will be centrally managed by HUD headquarters with extensive involvement of the Area ONAPs.

D. Authority. The ONAP T&TA is authorized by: the Department of Housing and Urban Development Appropriations Act, 2012, Public Law 112-55, Approved: Nov. 18, 2011; the Department of Defense and Full-Year Continuing Appropriations Act, 2011, Public Law 112-10, approved April 15, 2011; the Transportation/HUD Consolidated Appropriations Act, 2010, Public Law 111-117, approved December 16, 2009; the Omnibus Appropriations Act, 2009, Public Law 111-8, approved March 11, 2009; and the Consolidated Appropriations At, 2008, Public Law 110-161, approved December 26, 2007.

II. AWARD INFORMATION

A. Available Funds. Up to \$7,350,000 is available for the ONAP T&TA program. Of that total, up to \$2 million is available for national and regional nonprofit organizations representing Native American interests to provide ONAP T&TA to T&TA beneficiaries eligible to receive

IHBG assistance. Up to \$5,000,000 is available for national and regional nonprofit organizations representing Native American housing interests as well as for-profit entities to provide ONAP T&TA to T&TA beneficiaries eligible to receive IHBG assistance. Up to \$350,000 is available for national and regional nonprofit organizations as well as for-profit entities to provide ONAP T&TA to T&TA beneficiaries eligible to receive NHHBG assistance under Title VIII of NAHASDA.

Additional funds may become available under this NOFA as a result of HUD's efforts to recapture unused funds or to utilize carry over funds or other appropriated funds. Their use will be subject to statutory requirements.

HUD has established a \$350,000 minimum award for grants for all three Categories under this NOFA. There is a \$1 million maximum award for Category One, a \$1 million maximum award for Category Two, and a \$350,000 maximum award for Category Three. An applicant may receive an award under more than one category and may therefore receive more than \$1 million in total. The following chart details each T&TA category and the approximate funding available.

Category	Applicant Eligibility	Available Funds	Maximum Award	Minimum Award
1	National and regional nonprofit organizations representing Native American housing interests	\$2 million	\$1 million	\$350,000
2	National and regional nonprofit organizations representing Native American housing interests and for-profit entities	\$5 million	\$1 million	\$350,000
3	National and regional nonprofit organizations, as well as for-profit entities.	\$350,000	\$350,000	\$350,000

B. Type of Assistance Instrument. All categories of this NOFA will be awarded under cooperative agreements. ONAP T&TA activities will be administered by a Government Technical Representative (GTR) and Government Technical Monitor (GTM). Significant HUD involvement is required in T&TA planning, delivery, and follow-up, including review of budgets, approval of deliverables, and approval of training facilities. See Section III.D.2.a. Awards will be for a period of 24 months.

III. ELIGIBILITY INFORMATION

A. Eligible Applicants. There are three categories to this NOFA and several types of entities eligible to apply for each category.

1. Category One. The eligible applicants for Category One are national and regional nonprofit organizations representing Native American housing interests. "Representing Native American

housing interests” requires an applicant to demonstrate that the organization’s primary objective is to serve Native Americans. Tribes and TDHEs are also eligible. There is approximately \$2 million available for this category.

2. Category Two. The eligible applicants for Category Two are national and regional nonprofit organizations representing Native American housing interests as well as non-profit and for-profit entities. Tribes and TDHEs are also eligible.. There is approximately \$5 million available for this category.

3. Category Three. The eligible applicants for Category Three are national or regional nonprofit organizations or for-profit entities to provide T&TA to recipients of NHHBG. There is approximately \$350,000 available for this category. HUD anticipates making only one award for this category.

Applicants may expand their expertise by partnering with other organizations that bring additional subject matter expertise to the application by including subcontractors and/or consultants in the application. Subcontractors and consultants may be included in more than one ONAP T&TA application, if their resumes are included in the application. Applicants, if selected for funding and after award, may use additional resources to provide ONAP T&TA with HUD approval. There must be one designated lead applicant that submits the application. The lead applicant is ultimately responsible for the management of the award; no co-applicants will be accepted.

B. Eligible Activities. There are four eligible activities or methods for delivery of T&TA under this program: (1) needs assessment; (2) direct TA; (3) materials/tools development on the eligible subjects described in Section 1.A.2.; and (4) group learning delivery. T&TA may be provided through consultation, demonstration, training, conferences, educational tools and techniques, on- and off-site assistance, via computers, Internet, telephone or written communication depending on the needs of the T&TA beneficiary.

C. Cost Sharing or Matching. None required.

D. Other

1. HUD Threshold Requirements. Applicants for ONAP T&TA grants must comply with the HUD threshold requirements listed in the **General Section** to receive an award of funds with the exception of the requirement to affirmatively further fair housing (see also Section III.D.2.h. of this NOFA). Where an applicant partners with another organization, each entity must meet the threshold requirements set forth in Section III.C.2.d. of the **General Section** “Resolution of Outstanding Civil Rights Matters”. Each applicant must qualify as an eligible applicant under this NOFA and must meet the timely receipt requirements. See the FY2012 **General Section**.

a. Dun and Bradstreet Data Universal Numbering System (DUNS) Number Requirement. Refer to the FY2012 **General Section**, Section III.C.2.b for information regarding the DUNS requirement. Additional information on obtaining a DUNS number is available at <http://www.hud.gov/grants/index.cfm>. Applicants must obtain a DUNS number to receive an award from HUD.

b. Central Contractor Registration Requirement. Applicants must register or update a current registration in the Central Contractor Registration and must have an active registration to receive funding from HUD. As of the end of July 2012, CCR registration is now found under the portal system for System for Award Management (SAM). Active registrations in CCR will be transferred automatically to the new SAM site. If an applicant has not been previously registered in CCR or has an inactive registration, they will have to go to <https://www.sam.gov/portal/public/SAM/> to update/ renew their registration.

2. Program Requirements. The following program requirements apply to the ONAP T&TA program:

a. Demand-Response System. All successful ONAP T&TA applicants must operate within the structure of the demand-response system. Under the demand-response system, HUD identifies technical assistance needs and prioritizes them based on Departmental, programmatic, and jurisdictional priorities. HUD is solely responsible for determining the entities to be assisted, the location, and the nature of the assistance to be provided and any change in personnel from persons included in the application must be approved by HUD. Under the demand-response system, T&TA providers are required to:

- (1) Promptly respond to requests for assistance from the GTM or GTR;
- (2) When requested by a GTM or GTR, conduct a needs assessment to identify the type and nature of the assistance needed by the T&TA beneficiary;
- (3) Coordinate ONAP T&TA plans and activities with other providers that may have expertise on a given topic, or that are currently active in providing assistance within the Area ONAP region;
- (4) Attend joint training sessions, workshops or conferences with other T&TA providers; and
- (5) Obtain the GTM's approval before responding to direct requests for T&TA from T&TA beneficiaries.

HUD reserves the right to withdraw funds from any ONAP T&TA provider if HUD determines that: (a) the T&TA provider's performance is found to be substandard and unacceptable; (b) the need for assistance is not commensurate with the award; or (c) the need for assistance is greater in other ONAP regions where the T&TA provider does not operate. HUD will make this determination on a case-by-case basis, provide a 30-day notice to T&TA providers and allow them a reasonable opportunity to respond before withdrawing funds. Recaptured ONAP T&TA funds may subsequently be awarded to another eligible and experienced T&TA provider that was not funded.

A tribe or TDHE may not provide T&TA to itself but may provide T&TA to another tribe/TDHE.

b. Needs Assessments. Needs assessments will be conducted as prescribed by HUD, but may include any or all of the following: self-assessment, HUD Headquarters' assessment, Area ONAP assessment, data analysis, and T&TA provider assessment.

c. Direct TA. Engagements of direct technical assistance will be conducted upon completion of a needs assessment and approval by ONAP Headquarters.

d. Materials, tools, and courses. All materials, tools, and courses developed under the award must be approved by the GTR/GTM before dissemination or use by ONAP T&TA providers. New courses must be designed so that, with appropriate training, HUD staff and other T&TA providers may independently conduct the courses. Materials must be provided in electronic format acceptable to HUD and must be made available to the GTM and GTR at least six weeks prior to the date of the course delivery or group learning session to allow time for review and concurrence from the GTM/GTR on the content and quality of the materials. In exceptional cases the GTM/GTR may allow materials to be provided less than six weeks prior to the ONAP T&TA activity.

e. Group Learning. Delivery of group learning must have prior approval from HUD. ONAP T&TA providers must arrange for joint delivery of the training with HUD participation when requested by the GTR and send trainers to approved "train-the-trainers" sessions. The cost associated with attending these required sessions will be eligible ONAP T&TA costs. ONAP T&TA providers may be asked to organize conferences to provide for group learning.

f. Effective Communication. Successful applicants should ensure that all training notifications as well as communication during training sessions shall be provided in a manner that is effective for persons with hearing, visual, and other communications-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973. See 24 CFR Section 8.6.

g. Accessibility of Training Facilities. All T&TA providers that are awarded funds must use training facilities and services that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, T&TA providers must give priority to alternative methods of product delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and its implementing regulations at 24 CFR Part 8, and Title II/Title III of the Americans with Disabilities Act as applicable. Furthermore, HUD encourages all T&TA providers to adopt the goals and objectives of Section 508 of the Rehabilitation Act of 1973 by ensuring that electronic and information technology is made available to persons with disabilities on a comparable basis as it is made available to persons without disabilities. See the Accessible Technology requirements in Section III.C.5.f of the FY2012 **General Section**. The GTR/GTM will approve the facilities.

h. Affirmatively Furthering Fair Housing. Successful applicants that are not exempt from the requirements of the Fair Housing Act will affirmatively further fair housing through activities as may be directed by HUD under the demand-response system.

IV. APPLICATION AND TIMELY RECEIPT INFORMATION

A. Addresses to Request Application Package. See the FY2012 **General Section** for specific procedures concerning the electronic application submission and timely receipt requirements.

Copies of the published NOFAs and application forms for HUD programs announced through NOFAs may be downloaded from the grants.gov website at http://www07.grants.gov/applicants/apply_for_grants.jsp. Customer support is available from Grants.gov by calling its Support Desk at 800-518-GRANTS, or by sending an email to support@grants.gov. The Grants.gov help desk is open 7 days a week, 24 hours a day, except federal holidays.

B. Content of Application, Forms and Required Elements. Each applicant must include in its application a one page abstract that specifies: which T&TA Category it is applying for; whether it is applying to provide ONAP T&TA on a regional (Area ONAP) or national level; and if on a regional level, which Area ONAP region/s. A completed application consists of an application submitted by an authorized official of the organization.

HUD requires T&TA providers applying for assistance under this NOFA to apply electronically through Grants.gov. An applicant may request in writing a waiver to the electronic submission requirement for good cause in accordance with 24 CFR 5.1005 (see the FY2012 **General Section** for more information and Section IV.F. of this NOFA).

All forms needed to submit an application for ONAP T&TA are available in the Application Package and Application Instructions at www.grants.gov/applicants/apply_for_grants.jsp. Applicants need only enter either the CFDA Number, **or** Funding Opportunity number, **or** Funding Opportunity Competition ID for the respective program. Entering more than one of these IDs will result in an error message that the application cannot be found.

Note that grants.gov has changed its file attachment naming requirements. Valid file names may only include the following UTF-8 characters: A-Z, a-z, 0-9, underscore (_), hyphen (-), space, period. If applicants use any other characters when naming their attachment files, their applications will be rejected.

The applicant must submit all of the forms required in this section along with other data listed below.

a. *SF424, Application for Federal Assistance* (see FY2012 General Section). Applicants must include the nine digit zip code (zip code+4) associated with the applicant address in box 8d of the SF424. Note: the DUNS number listed must be associated with an active registration in CCR/SAM and the person submitting the application must be the person authorized by eBiz Point of Contact listed in the CCR/SAM registration for the applicant organization.

b. *Narrative* to all four of the rating factors listed in Section V.B. of this NOFA.

c. *Applicant/Recipient Disclosure Update (HUD2880)*.

d. *Acknowledgement of Application Receipt (HUD2993)*. This is relevant only to applicants granted a waiver of the electronic submission requirements and who are submitting a paper application.

e. *Budget*: Budget indicating: labor categories, labor rates for each labor category, estimated direct costs (phone calls, copying, etc.), estimated travel costs per region (TA: 3-5 days; training: 3 days), facility rentals, and materials. In addition, a HUD-424-CB detailing the non-construction budget costs must be submitted with the application.

f. *Disclosure of Lobbying Activities (SFLLL)* (see FY2012 **General Section**); and

g. *HUD Facsimile Transmittal (HUD96011)*, Third Party Documentation Facsimile Transmittal (“Facsimile Transmittal Form” on Grants.gov) to be used as the cover page to transmit third-party documents and other information designed for each specific application for tracking purposes. HUD will be unable to match faxes to an application if the application does not contain the HUD96011 fax cover page, and each fax submitted does not use the HUD96011 as the cover page to the facsimile transmission.

C. Timely Receipt Requirements. Completed applications must be received in Grants.gov no later than 11:59:59 p.m. on **October 16, 2012**. Following receipt, the application will go through a validation process. If the application fails the Grants.gov validation process, it will be rejected. Please see the FY2012 **General Section** for instructions for timely receipt, including actions to take if the application is rejected. Applicants should carefully read the section titled, “Instructions on How to Download an Application Package and Application Instructions,” in the FY2012 **General Section**. This section contains information on using Adobe Reader, HUD’s timely receipt policies and other application information.

D. Intergovernmental Review. Intergovernmental review is not applicable to ONAP T&TA applications.

E. Funding Restrictions. An ONAP T&TA provider may not provide assistance to itself. In other words, any entity with whom the T&TA provider is contracted or sub-awarded for the purposes of this NOFA may not be the beneficiary of the ONAP T&TA. In addition, no fee or profit may be paid to any T&TA provider or contractor/consultant on an award under this NOFA. Contractors providing ONAP T&TA services/products are not consultants and thus are not subject to the salary provisions applicable to consultants in the FY2012 **General Section**. HUD will determine whether the salary rates are reasonable and customary for the skill set provided and the area(s) being served.

During negotiations, administrative costs associated with the management of the award will be capped by HUD based on the size of the award.

F. Waiver of Electronic Submission Requirements. Applicants interested in applying for funding under this NOFA must submit their applications electronically via Grants.gov or request a waiver for the ONAP T&TA program from HUD. Applicants should submit their waiver requests by email or in writing no later than 15 days prior to the application deadline date to mike.andrews@hud.gov or Mike Andrews, Director of Operations, Office of Native American Programs, U.S. Department of Housing and Urban Development, 451 7th Street SW, Room 4126, Washington, DC 20410. Written waiver requests must be postmarked no later than 15 days prior to the application deadline date. HUD only provides waivers for cause under the waiver provisions at 24 CFR 5.110. Instructions regarding the number of copies to submit and the address where they must be submitted will be contained in any approval of the waiver request. Paper submissions must be received at the address above in HUD headquarters no later than 5:00 P.M. the deadline date.

V. APPLICATION REVIEW INFORMATION

A. Criteria

1. Rating Factors. The maximum number of points to be awarded for an ONAP T&TA application is 100. The minimum score for an application to be considered for funding is 75 with a minimum of 45 points on Factor 1. Bonus points are not available under the ONAP T&TA program.

Points are assigned on four factors. Applicants should review the factors carefully. When addressing the factors, applicants should identify relevant experience and expertise in the narrative. Applicants should also address the overall management of the award including policies and procedures for ensuring that all ONAP T&TA program requirements are met and quality products are developed and delivered. Factor 2–Need/Extent of the Problem as identified in the FY2012 **General Section** does not apply under this NOFA. The following table summarizes the points assigned to each rating factor and each rating subfactor.

Rating Factor	Title	Points
1	Experience and Personnel	50 (minimum of 42 points required)
Subfactor 1	Recent Experience and Performance	24
Subfactor 2	Key Personnel	24
Subfactor 3	Tribally Owned Entities	2
2	Soundness of Approach	35
Subfactor 1	Management and Capacity	15
Subfactor 2	Budget	8
Subfactor 3	Quality Control	10
Subfactor 4	Regional Priority	2
3	Leveraging	5
4	Program Evaluation	10
Total Possible		100 (minimum of 75)

Rating Factor 1: Experience and Personnel (50 points) (Minimum for Funding Eligibility is 42 points)

1. Recent Experience and Performance (24 points). Applicants should indicate experience within 24 months of the publication date of this NOFA managing T&TA activities that are the same or similar to those required under this NOFA. The brief description of each experience type should include the number and type of personnel (applicant, consultant, and/or subcontractor) and the types of TA provided. Also provide both short and long-term outcomes resulting from the TA provided.

Applicants should identify any other technical assistance awards received in the past 24 months including:

- a. Awarding Organization–the name of the organization that awarded the T&TA funds.
- b. Award Date–the date the contract or agreement for the T&TA funds was executed.
- c. Award Amount–the amount of the award rounded to the next whole dollar.

- d. Period of Performance—the timeframe covered by the contract or agreement.
- e. Awarding Organization Contact – including the name, address, phone number and e-mail.

An applicant should demonstrate that it has:

- (1) Proven ability and success in providing different types of technical assistance for diverse entities;
- (2) Complied with cooperative agreement or contract provisions, financial and performance reporting requirements, timeliness of drawdown of funds, and close-out of expired awards;
- (3) Managed multiple, large and/or complex T&TA awards in multiple locations simultaneously;
- (4) For Categories One and Two, demonstrated knowledge about and experience with the IHBG and experience working with tribes and Native Americans; and
- (5) For Category Three, demonstrated knowledge about and experience with the NHHBG and experience working with DHHL and Native Hawaiians.

In evaluating this subfactor, HUD will review the experience and capability of the staff and organization in providing T&TA particularly T&TA related to the purpose of this NOFA. HUD will also take into account any information in its files if the applicant had previously provided T&TA services for HUD. Customer feedback from other offices and agencies will also be used to judge an applicant's past performance and effectiveness, if applicable.

2. Key Personnel (24 points). The application should list personnel of the applicant, subcontractor(s) and consultant(s), with whom a contract or agreement already exists are expected to actually be tasked with and/or who you are planning to task with conducting needs assessments, developing technical assistance products and/or delivering training courses, delivering group learning, or providing direct TA.

For each person listed the applicant must list the organization(s) and person's role(s) as current and/or past practitioner and the timeframe as a practitioner in the narrative. Additionally, for personnel identified as having extensive knowledge the narrative should briefly describe how each of those persons received their expertise, including organization, role, and timeframe.

The program knowledge and TA skills of personnel should clearly support the range of possible T&TA activities the applicant may be asked to undertake. Applicants who wish to provide T&TA in multiple ONAP regions should demonstrate that they can manage multiple, large, and/or complex awards in multiple locations simultaneously.

For Categories One and Two, applicants should provide evidence of knowledge about and experience with the IHBG and experience working with tribes and Native Americans.

For Category Three, applicants should provide evidence of knowledge about and experience with the NHHBG and experience working with DHHL and Native Hawaiians.

The more relevant and recent experience of organization staff member or others brought into work on the T&TA, the greater the number of points applicants will receive for this rating factor.

3. Tribally Owned Entities (2 points). Applicants that are “tribally owned entities” will receive two points. The term “tribally owned entities” is defined under this NOFA as either the governing body of any Indian tribe or an entity established or recognized by such governing body, or any non-profit or for-profit entity whereby Indian ownership of the entity constitutes not less than 51 percent. Any lead applicant wishing to receive points for this rating factor must provide a statement that it is a tribally owned entity and how that determination was obtained.

Rating Factor 2: Soundness of Approach (35 points)

1. Management and Capacity (15 points). The applicant should identify key management staff responsible for overall management, oversight, and administration of the ONAP T&TA award. The term “Key management staff” is defined under this NOFA as any individual who will have decision-making authority related to the financial or task management, performance reporting, or overall coordination of the award. The applicant must identify the names, roles, and responsibilities of the proposed key management staff as well as their recent experience (within 24 months of this NOFA’s publication date) managing people and tasks within the demand-response system or a similar client-driven environment.

The successful administration and management of a technical assistance award is critical to the timeliness of ONAP T&TA delivery, prioritization of multiple ONAP T&TA needs, and sound financial management of the award. The narrative should present a clear and practical management plan for: (1) managing multiple, large and/or complex technical assistance engagements simultaneously and/or developing products on multiple topics; and (2) implementing a multi-disciplinary approach to the delivery of ONAP T&TA to maximize effectiveness. In the case of applications from tribes/TDHEs, the financial management of existing HUD grants will also be reviewed.

The policies and procedures in the plan must clearly explain how the applicant will manage ONAP T&TA activities within the demand-response system, including the processes for consulting with Area ONAPs and managing the formal ONAP T&TA requests from HUD Headquarters; assigning appropriately skilled and knowledgeable staff to develop or provide ONAP T&TA across program areas; prioritizing and managing multiple ONAP T&TA engagements, with multiple entities, in multiple Area ONAP regions (if applicable); coordinating and collaborating with other T&TA providers active in the Area ONAP region(s), managing the overall operation with a focus on delivering results; providing feedback to HUD on ONAP T&TA progress and outcomes; and resolving issues or overcoming obstacles that may affect progress.

In rating this subfactor, HUD will evaluate the comprehensiveness of the plan provided, and the likely effectiveness of the timeframe and approach to management of the award and the likelihood that the approach will be effective. The plan will be rated on its thoroughness, clarity, and appropriateness for the type of T&TA to be offered.

2. Budget (8 points). HUD requires that all selected applicants participate in negotiations to determine the specific terms of the cooperative agreement, including a budget. The budget must clearly identify the labor, associated indirect, travel, and material and supply costs associated with the provider’s management of the award. The budget must track the different sources of

funding and associate administrative costs to each source. The following types of expenses will be required in each budget.

- a. Salaries, wages, benefits, and related costs of the awardee for developing and negotiating the budget and work plans; developing systems and schedules for ensuring compliance with this award; preparing reports required under the award, including monthly or quarterly reports and final closeout report; participating in performance status meetings with HUD; attending HUD-required training for ONAP T&TA providers; submitting billing information; managing or supervising persons who carry out ONAP T&TA activities, including managing and monitoring contractors and subrecipients; and closing the award;
- b. Travel costs related to administration of the award;
- c. Administrative services performed by the ONAP T&TA provider or performed under third-party contracts or agreement, including such services as general legal services, accounting services, and audit services;
- d. Other costs for goods and services required for the administration of the award, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space. Rental and maintenance of office space is allowed only to make the facilities accessible for a person with disabilities.

Costs shall be segregated in a separate cost center within the awardees' accounting system.

Costs may be denied or modified if HUD determines that they are not allowable, allocable, and/or reasonable. In cases where HUD cannot successfully conclude negotiations with a selected applicant or a selected applicant fails to provide HUD with requested information, an award will not be made to that applicant. In this instance, HUD may offer an award, and proceed with negotiations with the next highest-ranking applicant(s) not yet funded up to the aggregate cap of all three Categories.

In rating this subfactor, HUD will evaluate the thoroughness and reasonableness of projected costs of types of T&TA expected to be provided pursuant to this NOFA.

3. Quality Control (10 points). The applicant must include a detailed plan for ensuring that all T&TA products developed or delivered under the ONAP T&TA program are accurate and of the highest quality. Specifically, the applicant must present a detailed plan for ensuring that for any type of T&TA needed, it will provide the most up-to-date and accurate statutory, regulatory, and other program and capacity building guidance in all written, electronic and in-person activities. The applicant should also include a course of action for curing any eligibility or product quality issues that may arise. In rating this subfactor, HUD will evaluate the applicant's quality control plan for thoroughness and effectiveness, and the likelihood that such procedures will ensure that the intended outcomes of the ONAP T&TA activities are achieved.

4. Regional Priority (2 points). ONAP believes that it is prudent from fiscal and organizational standpoints to encourage T&TA providers most familiar with tribal housing needs and issues in specific Area ONAP regions to provide the ONAP T&TA within that region. Accordingly, two points will be awarded to applicants that are located within the particular Area ONAP region and propose to provide ONAP T&TA primarily to T&TA beneficiaries within that region.

Rating Factor 3: Leveraging (5 points)

HUD will award points based on the percentage of non-ONAP T&TA resources provided relative to project costs as follows. Leveraged funds can include staff time and resources donated to the grant.

<u>Non-ONAP-TA Resources to Award Costs</u>	<u>Points</u>
Less than 4 percent	0
At least 4 percent but less than 11 percent	1
At least 11 percent but less than 18 percent	2
At least 18 percent but less than 25 percent	3
25 percent or more	5

Rating Factor 4: Program Evaluation (10 points)

For each of the four eligible T&TA activities an applicant proposes to undertake, describe the evaluation procedures and tools the applicant will use to evaluate the effectiveness of the T&TA. While the specific T&TA tasks to be undertaken by successful applicants will be identified post-award through the demand-response system, HUD has identified the broad eligible activities that encompass technical assistance. HUD will assess whether the T&TA evaluation methods described by the applicant will successfully measure the effectiveness of each eligible T&TA activity identified.

C. Review and Selection Process

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

- a. Ineligible applicants will not be rated and ranked.
- b. The application is received in accordance with the requirements set forth under Application and Submission Procedures in Section IV of this NOFA.
- c. Applicants that do not meet the timely receipt requirements specified in the **General Section** (Section IV.C.4.a.) will not be eligible for funding.

2. Threshold Eligibility Requirements. All applicants requesting ONAP T&TA funds must be in compliance with the threshold requirements found in the FY2012 **General Section** and the eligibility requirements listed in Section III of this NOFA in order to receive an award.

3. Rating. Applications for each of the three categories of ONAP T&TA will be rated only against other applications for that category.

4. Minimum Points. To be considered for funding, the application must receive a minimum score of 42 points in Rating Factor 1 and an application score of 75 points.

5. Ranked Order. Once rating scores are assigned, applications will be listed in ranked order by category. Applications within the fundable range will then be funded in ranked order in each category. The amount awarded to applications ranked within the fundable range will be determined according to the factors described below in 6. Funding Decisions.

6. Funding Decisions. Applications will be scored on the criteria in the rating factors. In determining the amount awarded to each successful applicant, HUD will take into consideration the funds available for the ONAP T&TA program; the number of successful ONAP T&TA applicants; and the geographic areas to be served. HUD has established a \$350,000 minimum funding amount for all successful ONAP T&TA applicants as well as a maximum award of \$1 million for Categories One and Two. There may be insufficient funds available to make an award to every application scoring within the fundable range. HUD reserves the right to skip an application with a high score to ensure geographic coverage of the T&TA.

7. Tiebreakers. When two or more applications within a category have the same overall score, the application with the higher score in Rating Factor One (Experience and Personnel), will be ranked higher. If applications still have the same score, the tie will be broken by the Rating Factor Two (Soundness of Approach) score. If a tie remains, the tie will be broken by the Rating Factor 4 score (Program Evaluation). If a tie still remains, the application committing the greatest amount of leveraged funds under Rating Factor 3 will be selected.

8. Reallocation of Funds. If HUD does not receive sufficient applications in a particular category, HUD has the discretion to hold funds for competition in the next fiscal year.

9. Corrections to Deficient Applications. If there are technical deficiencies in successful applications, applicants will have 14 calendar days in which to satisfactorily address these deficiencies before HUD can make the award. Instructions on submission of cures for deficiencies will be provided by HUD with the request for correcting the deficiency. See Section V.B.2 of the FY2012 **General Section** for additional information on the process to be followed for corrections to deficient applications

10. Code of Conduct. After selection, but prior to award, applicants selected for funding will be required to provide HUD with their written Code of Conduct if they have not previously done so and it is not recorded on the HUD website at:

www.hud.gov/offices/adm/grants/codeofconduct/cconduct.cfm.

11. Debriefing. For a period of 120 days, beginning 30 days after the awards under this program are publicly announced, HUD will provide to a requesting applicant a debriefing related to its application. A request for debriefing must be made in writing by the authorized official whose signature appears on the SF424 or by his or her successor in office, and must be submitted to the contact identified in Section VII below.

VI. AWARD ADMINISTRATION INFORMATION

A. Award Notices. HUD will send written notifications to both successful and unsuccessful applicants. A notification sent to a successful applicant is not an authorization to begin performance. Upon notification that an applicant has been selected for award, HUD may ask applicants to clarify information submitted or may negotiate with the applicant to ensure that HUD approves all T&TA providers, the proposed budget and skill sets and area for provision of TA .as described below in Sections VI.A.1. through 3. and Sections VI.B and C based on a demand-response system.

B. Administrative and National Policy Requirements. After selection for funding but prior to award, applicants must submit financial and administrative information to comply with applicable requirements. These requirements are found in 24 CFR part 84 for all organizations, except tribal governments whose requirements are found in 24 CFR part 85. Cost principles requirements are found at OMB Circular A-122 for nonprofit organizations (2 CFR Part 230), OMB Circular A-21 for institutions of higher education (2 CFR Part 220), OMB Circular A-87 (2 CFR Part 225) for tribal governments and at 48 CFR 31.2 for commercial organizations. Applicants must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that the applicant’s financial management system meets prescribed standards for fund control and accountability.

See the FY2012 **General Section** for requirements for Procurement of Recovered Materials.

C. Indian Preference. Funds under this NOFA are subject to Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(b)). Preference in the award of grants, subgrants, contracts and subcontracts given by ONAP T&TA providers shall, to the greatest extent feasible, be given to Indian organizations and Indian-owned economic enterprises as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452). In section 3 of the Indian Financing Act of 1974 “economic enterprise” is defined as any Indian owned commercial, industrial, or business activity established or organized for the purpose of profit, except that Indian ownership must constitute not less than 51 percent of the enterprise. This act defines “Indian organization” to mean the governing body of any Indian tribe or entity established or recognized by such governing body. This requirement does not apply to funds awarded under Category Three.

D. Reporting.

1. Program Progress. ONAP T&TA providers will be required to provide financial and progress reports to the GTR on, at a minimum, a quarterly basis unless otherwise specified in the cooperative agreement.

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

(a) Prime Grant Awardee Reporting. Prime recipients of HUD financial assistance are required to report certain subawards in the federal government-wide website www.fsrs.gov or its successor system.

Starting with awards made October 1, 2010, prime financial assistance awardees receiving funds directly from HUD are required to report subawards and executive compensation information both for the prime award and subaward recipients, including awards made as pass-through awards or awards to vendors, if (1) the initial prime grant award is \$25,000 or greater, or the cumulative prime grant award will be \$25,000 or greater if funded incrementally as directed by HUD in accordance with OMB guidance; and (2) the sub-award is \$25,000 or greater, or the cumulative subaward will be \$25,000 or greater. For reportable subawards, if executive compensation reporting is required and subaward recipients' executive compensation is reported through the Central Contractor Registration (CCR) system/System for Award Management (SAM), the prime recipient is not required to report this information. The reporting of award and subaward information is in accordance with the requirements of Federal Financial Assistance Accountability and Transparency Act of 2006, as amended by section 6202 of Public Law 110-252, hereafter referred to as the "Transparency Act" and OMB Guidance issued to the Federal agencies on September 14, 2010 (75 FR 55669) and in OMB Policy guidance. The prime awardee will have until the end of the month plus one additional month after a subaward or pass-through award is obligated to fulfill the reporting requirement. Prime recipients are required to report the following information for applicable subawards. This information will be displayed on a public government website pursuant to the Transparency Act.

- (i) Name of entity receiving award;
- (ii) Amount of award;
- (iii) Funding agency;
- (iv) North American Industry Classification System (NAICS) code for contracts/CFDA program for financial assistance awards;
- (v) Program source;
- (vi) Award title descriptive of the purpose of the funding action;
- (vii) Location of the entity (including Congressional district);
- (viii) Place of Performance (including Congressional district);
- (ix) Unique identifier of the entity and its parent; and
- (x) Total compensation and names of top five executives.

For the purposes of reporting into the FFATA Sub-award Reporting System (FSRS) reporting site, the unique identifier is the DUN and Bradstreet Universal Numbering System (DUNS) number the entity has obtained from Dun and Bradstreet, and for Prime awardees the DUNS number registered in the CCR/SAM as required by HUD regulation 24 CFR 5.1004.

(b) Prime Grant Awardee Executive Compensation Reporting. Prime awardees must also report in the government-wide website the total compensation and names of the top five executives in the prime awardee organization if:

- (i) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and

(ii) Compensation information is not readily available through reporting to the Securities Exchange Commission (SEC.)

(c) Subaward Executive Compensation Reporting. Prime grant awardees must also report in the government-wide website the total compensation and names of the top five executives in the subawardees if:

(i) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and

(ii) This required compensation information is not readily available through reporting to the Securities Exchange Commission (SEC.) For applicable subawards, if executive compensation reporting is required and subaward recipients' executive compensation is reported through the Central Contractor Registration (CCR) system, the prime recipient is not required to report this information.

(d) Transparency Act Reporting Exemptions. The Transparency Act exempts any sub-awards less than \$25,000 made to individuals and any sub-awards less than \$25,000 made to an entity whose annual expenditures are less than \$300,000. Subawards with a cumulative total of \$25,000 or greater are subject to subaward reporting beginning the date the subaward total award amount reaches \$25,000. The Transparency Act also prohibits reporting of any classified information. Any other exemptions to the requirements must be approved by the Office of Management and Budget.

3. Compliance with Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), hereafter referred to as "Section 872". Section 872 requires the establishment of a government-wide data system – the Federal Awardee Performance and Integrity Information System (FAPIIS) - to contain information related to the integrity and performance of entities awarded federal financial assistance and making use of the information by federal officials in making awards. OMB is in the process of issuing regulations regarding federal agency implementation of section 872 requirements. HUD anticipates that the terms and conditions to its FY2012 awards will contain requirements related to meeting FFATA and Section 872 requirements.

VII. AGENCY CONTACTS

A. General Assistance. Applicants may contact Mike Andrews, Director of ONAP Operations, in HUD Headquarters, by phone at 202-402-6329 or by email at mike.andrews@hud.gov or by calling the Federal Relay Service at 800-877-8339 (this is a toll-free number). Information may also be obtained through the HUD website on the Internet at www.hud.gov/offices/adm/grants/fundsavail.cfm.

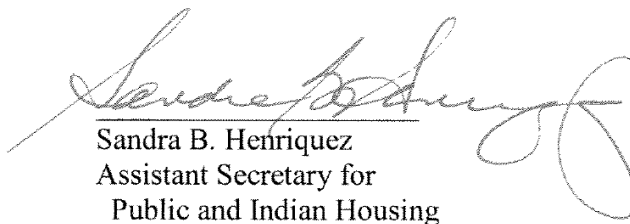
VIII. OTHER INFORMATION

A. Paperwork Reduction Act. The information collection requirements contained in this document have been approved by or the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control numbers **2577-0277**. 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 currently valid OMB control number. Public reporting burden for the

collection of information is estimated to average 1,880 hours for the application and award administration. This includes the time for collecting, reviewing, and reporting the data. The information will be used for awardee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

B. Environmental Impact. This NOFA concerns activities that are listed in 24 CFR 50.19(b) as categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4231) (“NEPA”). Accordingly, under 24 CFR 50.19(c) (5), this NOFA is categorically excluded from environmental review under NEPA.

Dated: August 29, 2012


Sandra B. Henriquez
Assistant Secretary for
Public and Indian Housing

[FR-5600-N-37]