



Administration for Children and Families

Office of Community Services

Community Economic Development Focus on Energy Communities

HHS-2022-ACF-OCS-EE-0081

Application Due Date: 08/29/2022

Due Date for Applications:

FY 2023: April 24, 2023

FY 2024: April 22, 2024

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Community Economic Development Focus on Energy Communities

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Executive Summary

Notice:

- **Applicants are strongly encouraged to read the entire notice of funding opportunity (NOFO) carefully and observe the application formatting requirements listed in *Section IV.2. Content and Form of Application Submission*. For more information on applying for grants, please visit "How to Apply for a Grant" on the ACF Grants & Funding Page at <https://www.acf.hhs.gov/grants/how-apply-grant>.**

For fiscal year (FY) 2022, the Administration for Children and Families (ACF), Office of Community Services (OCS) will award approximately \$3.2 million in Community Economic Development (CED) discretionary grant funds to Community Development Corporations (CDC) for CED projects that will be located in and serve energy communities. Energy communities have either experienced employment loss and/or economic dislocation events as a result of declines in the fossil fuel industry and/or are disproportionately reliant on fossil fuel energy production or distribution, including coal, oil, gas, and power plant communities across the country. Projects may include the creation or expansion of business(es) that reduce emissions of toxic substances and greenhouse gases from existing and abandoned infrastructure and that prevent environmental damage that harms communities and poses a risk to public health and safety. Projects may also employ individuals from energy communities but focus on a range of other industries. The overall goal of this effort will be to create good-paying jobs, spur economic revitalization, remediate environmental degradation, and support energy workers. Further, these grants will be made as part of a broader strategy to address objectives such as decreasing dependency on federal programs, chronic unemployment, and community deterioration in urban and rural areas.

The objective of this program is to support businesses that develop new products, services, and commercial activities that result in new positions for individuals with low incomes. CED projects are expected to actively recruit individuals with low incomes to fill the positions created by

CED-funded development activities, to assist those individuals in successfully maintaining employment, and to ensure that the businesses and jobs created remain viable for at least 1 year after the end of the grant period. CED-funded projects can be non-construction or construction projects; however, short-term construction jobs associated with preparing for business startup or expansion are not counted when determining the number of jobs created under the CED program as they are designed to be temporary.

This is a standing NOFO. It will be effective until canceled or changed by the Director of OCS.

I. Program Description

Statutory Authority

This program is authorized by section 680(a)(2) of the CSBG Act, as amended, 42 U.S.C. 9921(a)(2).

The CED authority for construction and renovation is through annual appropriations, and the most recent language is located at division H, title II of the Consolidated Appropriations Act, 2022, Public Law 117-103.

Description

The CED program recognizes that non-profit CDCs know their communities and can efficiently and effectively create new CED projects that are culturally appropriate and promote equity in their communities.

The objective of the program is to support businesses that develop new products, services, and commercial activities that result in the creation of new positions for individuals with low incomes. These projects should include the following key elements:

- Be ready to implement at the time of award;
- Lead to increased self-sufficiency for individuals and families with low incomes;
- Create businesses and jobs in low-income communities that improve the livelihood of not only those who obtain those jobs but also the community itself;
- Attract additional public and private funds to increase investment and quality of life in low-income communities; and
- Promote equitable outcomes for underserved communities (see “Equity” in the *Definition of Terms* found later in this section),

Community buy-in is a critical aspect of the CED program as it helps to ensure that there is continued community support for the project, which will lead to sustained success of the project beyond the CED project period. To secure community buy-in and ensure that CDCs are effectively addressing the needs of their communities, it is critical that the Board of Directors for the governing organization include representation from the community in which the proposed project will be located. See *Section III.1. Eligible Applicants*.

SUPPORTING ENERGY COMMUNITIES

Aligned with President Biden's Executive Order 14008: Tracking the Climate Crisis at Home and Abroad and the Justice40 initiative, the CED program is supporting efforts to empower workers

by revitalizing energy communities. Energy communities are communities that have experienced employment loss and/or economic dislocation events because of declines in the fossil fuel industry and/or are disproportionately reliant on fossil fuel energy production or distribution, including coal, oil, gas, and power plant communities across the country.

As stated in Executive Order 14008, “Mining and power plant workers drove the industrial revolution and the economic growth that followed, and have been essential to the growth of the United States.” Communities that have historically relied on mining and power plants have experienced steep declines over the last 50 years due to research and technological advances. This has displaced many workers and left entire communities with fewer quality job opportunities. The decline and closure of a factory or mine in a small community often meant disinvestment in and the slow decline of all businesses in that community. With the effects of the global pandemic still looming strong, these workers and communities have even fewer quality job opportunities. Investment in local businesses and the creation of high-quality jobs in these communities are critical to providing meaningful economic revitalization that allows individuals and families to achieve economic self-sufficiency.

Under this funding opportunity, the CED program will fund projects that will be located in and serve energy communities. One hundred percent of the projects funded will be located in disadvantaged communities. Projects may include the creation or expansion of business(es) that reduce emissions of toxic substances and greenhouse gases from existing and abandoned infrastructure and that prevent environmental damage that harms communities and poses a risk to public health and safety. Projects may also employ individuals from energy communities but focus on a range of other industries. The overall goal of this effort will be to create good-paying jobs, spur economic revitalization, remediate environmental degradation, and support energy workers. Further, these grants will be made as part of a broader strategy to address objectives such as decreasing dependency on federal programs, chronic unemployment, and community deterioration in urban and rural areas.

NON-CONSTRUCTION PROJECTS

CED-funded projects can be non-construction projects that are ready to be implemented at the time of the grant award and completed during the assigned project period. The grant period for non-construction projects is 3 years. It is expected that all participating business expansion/creation and job creation for non-construction projects is completed and CED funds are expended within the 3-year project period. Changes in direction in the final year of a project are discouraged. Applicants distinguish projects that are ready to implement at the time of award by providing evidence such as lending guidelines, sample loan agreements, commitment from identified participating businesses, etc., in the application.

Non-construction projects involve limited alteration or renovation, costing less than \$250,000, to support participating business creation and/or expansion and job creation. Non-construction projects typically involve a loan(s) or equity investment(s) in participating business(es).

Business plans for CED projects that demonstrate they are ready to implement must include a realistic project plan with the following key elements:

1. A timeline that clearly demonstrates that the proposed project will be completed and all CED funding expended within the proposed grant.
2. A plan demonstrating that CED funds will be managed consistently with applicable federal regulations, including 45 CFR §75.302 (Financial management and standards for financial management systems) and 75.322 (Intangible property and copyrights), whereas recipients must have control over and accountability for all funds, property, and other assets.
3. A proposal demonstrating how recipients will support participating business creation/expansion and job creation.

Note: When the applicant proposes to loan or invest money in a third-party participating business and this participating business is the property owner of record on any property purchased with such funds, the applicant's ownership interest is in the note on the debt instrument or other security, rather than in the property itself. As such, the federal interest is in the debt instrument or security, and as intangible property, the federal interest in such property is subject to the 12-year rule set forth in annual appropriations law (see, e.g., the Consolidated Appropriations Act, 2022, Public Law 117-103).

Applicants proposing **non-construction projects** must propose to create at least a minimum number of jobs using the following formula:

$$[\text{Total Amount of Federal CED Funds Awarded}] \div [\text{\$25,000}] = [\text{Minimum Number of Jobs to be Created}]$$

For example, if a recipient is awarded \$800,000 in federal CED funds, it must use that money to conduct activities that will create at least 32 jobs ($\$800,000 \div \$25,000 = 32$). For a table with examples of the minimum number of jobs based on specific award amounts, see *Appendix A: Sample Chart of Cost per Job Created* at the end of this NOFO. **Note:** An applicant's score will not increase by proposing jobs above the required minimum.

CONSTRUCTION PROJECTS

CED-funded projects can be construction projects that are ready to be implemented at the time of the grant award and completed during the assigned project period. The grant period for construction projects is 4 years. It is expected that all participating business expansion/creation and job creation for construction projects be completed and CED funds expended within the 4-year grant period. Changes in direction in the final year of a project are discouraged. Construction projects involve construction or renovation. For more information, see the *Definition of Terms* found later in this section and [ACF Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#). Construction projects typically include commercial real estate for lease or use by the gamut of small and large-scale business operations. The CED program permits facility construction, as needed, to support participating business creation, expansion, and/or job creation.

Business plans for CED construction projects must include a realistic project plan with the following key elements:

1. A timeline that clearly demonstrates that the proposed construction project will be completed and all CED funding expended within the proposed grant period.
2. A plan demonstrating that CED funds will be managed consistently with applicable federal regulations, including 45 CFR §75.302, 75.316, 75.317, 75.318, 75.320, 75.322, and 75.343, whereas recipients must have control over and accountability for all funds, property, and other assets.
3. A proposal demonstrating how recipients will use the property for the originally authorized purpose and will not encumber the property without prior approval from ACF. Please note that any encumbrance, (e.g., new financing, refinancing, or extensions of existing loans) with or without a subordination, requires deviation prior approval by the ACF Chief Grants Management Officer **before** federal funds are used for these purposes. This may delay the facility project.
4. Evidence that recipients are ready to begin construction upon award, including contracts or other third-party agreements with parties involved in the construction.
5. A proposal demonstrating how recipients will support participating business creation/expansion and job creation as a result of the completed construction.

Applicants proposing **construction projects** must propose to create at least a minimum number of jobs using the following formula:

[Total Amount of Federal CED Funds Awarded] divided by [\$30,000] = [Minimum Number of Jobs to be Created].

For example, if a recipient is awarded \$800,000 in federal CED funds, it must use that money to conduct activities that will create at least 27 jobs ($\$800,000 \div \$30,000 = 27$). For a table with examples of the minimum number of jobs based on specific award amounts, see *Appendix A: Sample Chart of Cost per Job Created* at the end of this NOFO. **Note:** An applicant's score will not increase by proposing jobs above the required minimum.

Note: Per language in the FY 2022 Consolidated Appropriations Act (Public Law 117-103), in instances where the applicant proposes to loan money or have an equity investment in a third-party participating business, the applicant owns the note on the intangible property, not the real property itself. The third-party participating business is the property owner of record. As such, the federal interest is in the debt instrument, as intangible property and not the property. The intangible property is subject to the 12-year rule set forth in the appropriations language. See *Intangible Property* for additional details. Any CED project with construction activities, regardless of whether the property is owned by the recipient or participating business, will be considered a construction project and granted a 48-month project period. However, prospective applicants are urged to read the federal requirements related to "real property" carefully, as those only apply to projects where the recipient owns the property. For ACF property-related policy and guidance, please refer to the ACF website at <https://www.acf.hhs.gov/grants/real-property-and-tangible-personal-property>. Also, to determine how real property requirements apply to CED projects please refer to <https://www.acf.hhs.gov/ocs/policy-guidance/ced-acf-real-property-guidance-what-does-it-mean-my-ced-grant>.

It is important to note that short-term construction jobs associated with preparing for participating business start-ups or expansion are not counted when determining the number of

jobs created under the CED program, as they are designed to be temporary.

All environmental and historic preservation requirements must be fulfilled before award, or before allowing drawdown of funds. For more information, please see *Section VI.2.*

Administrative and National Policy Requirements, National Environmental Policy Act.

GENERAL PROGRAM ELEMENTS

CED funds are flexible and can be used in many different ways to support the creation or expansion of businesses that ultimately result in the creation of new permanent, full-time, full-year jobs. For the purposes of this funding opportunity, CED funds will only be awarded to projects that will be located in, and serve, energy communities.

While the focus of the program is on the creation of jobs for individuals with low incomes, as defined by the poverty guidelines published annually by the U.S. Department of Health & Human Services (HHS) at <https://aspe.hhs.gov/poverty-guidelines>, ACF does not expect that 100 percent of the created jobs will necessarily be filled by individuals with low incomes. Often when a business is created or expanded, there is a need to hire high-level managers or other content experts with unique skills and/or experiences that may be more difficult to identify and recruit. For this reason, ACF only requires that a minimum of 75 percent of the newly created jobs be filled by individuals with low incomes.

Jobs created through the CED program are intended to be high-quality jobs that provide living wages, paid leave, fringe benefits, opportunities for career growth, and/or predictable and flexible scheduling practices to allow individuals to achieve economic self-sufficiency and promote equity. In addition to creating new jobs, all funded recipients are expected to develop and implement a plan to connect employees to critical wraparound support services, such as financial literacy assistance, child care, transportation, substance use disorder treatment, and English language education, to remove barriers to employment and allow individuals to maintain long-term employment. **Note:** ACF defines “low income,” for purposes of this grant, as an individual whose household income level does not exceed 200 percent of the official poverty guidelines, as found in the most recent revision of the HHS Poverty Guidelines published by HHS at <https://aspe.hhs.gov/poverty-guidelines>.

ELIGIBLE ACTIVITIES

CED funds may be used for the start-up or expansion activities of participating businesses, as consistent with the cost principles, as implemented in 45 CFR Part 75, Subpart E, provided that the expenditures result in the creation of new positions that can be filled with individuals with low incomes. This includes the following:

- Start-up capital for operating expenses, such as salaries, facilities, and equipment that will be replaced by projected earnings;
- Loans to identified, viable, participating businesses;
- Equity or stock investment in identified, viable, participating businesses; and/or

- Funding for construction. For more information, please see *Construction Projects* earlier in this section.

CED projects may utilize multiple strategies as long as they result in the creation of full-time positions. See *Definition of Terms* for more details about each of the referenced strategies. The training and placement of individuals in positions existing prior to the start of the project, even positions guaranteed to individuals with low incomes through a formal agreement with an employer, is not considered job creation.

Limited incubator development is allowable, as long as the applicant demonstrates the incubator will support participating businesses that demonstrate the financial capacity to create the agreed-upon jobs for individuals with low incomes within the proposed geographic location. For more information about an incubator, see *Definition of Terms* found later in this section.

INELIGIBLE ACTIVITIES

CED grant funds may not be used for the following purposes:

- Projects that include the reimbursement of pre-award costs.
- Projects that provide subawards/pass-throughs.
- Projects that use funding to capitalize loan loss reserve funds.
- Projects that use funds for loan(s) with balloon payments.
- Projects that use CED funding to provide loan(s) where repayment of all loans funded with CED funds does not begin during the course of the funded project period.
- Projects that create or expand microenterprise business training and technical assistance centers.
- Projects that focus primarily on job training, job placement, and technical assistance. Limited job training and job placement activities can only be supported in the context of training that is provided specifically for the new positions created. For example, funds can be used to train a cashier for a specific position that has been created with CED funds but cannot be used to operate a general job training and placement program.
- Projects that do not create new jobs that did not exist prior to the proposed CED project.
- Projects that are not located in or serve an energy community.

FEDERAL EVALUATION

ACF plans to implement a federally sponsored evaluation strategy to assess the success of approved CED demonstration projects. As such, grant funds awarded to CDCs should not be used to support external evaluations.

The federal evaluation strategy will include recipient-level documentation of activities, outputs, and outcomes. As a condition of acceptance of a grant award, all funded recipients are required to agree to participate fully in federal evaluations, if selected, and to follow all evaluation protocols established by ACF or its designee contractor. Fully participating in a federal evaluation may include (but is not limited to) supporting and complying with special data collection requirements; providing additional administrative data on program participation or service receipt; facilitating on-site meetings and observations, including interviews with program

and partner managers and staff as well as participants; and incorporating planned variation into program strategies.

Recipients selected to be in a federal evaluation will receive technical assistance and other support in meeting evaluation requirements. Recipients included in a federal evaluation must also meet regular grant reporting requirements specified in this funding opportunity (see *Section VI.3. Reporting*).

NOTE: Consistent with the Paperwork Reduction Act (PRA) of 1995, (44 U.S.C. 3501-3521), under this NOFO, OCS will not conduct or sponsor—and a person is not required to respond to—a collection of information covered by such Act, unless it displays a currently valid Office of Management and Budget (OMB) control number.

If necessary, OCS will seek approval for information collections related to the federal evaluation through the OMB Office of Information and Regulatory Affairs and will not request information for the federal evaluation that is subject to PRA until the information collection is approved.

DEFINITION OF TERMS

The following definitions apply throughout this NOFO, and applicants are strongly encouraged to review these carefully prior to submitting an application. For real property related terms (e.g., Alteration and Renovation (A&R), capital expenditure, construction, etc.), please see the [ACF Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

A&R—Please see the ACF [Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

Balloon Payment—A large loan payment agreed upon by the parties and due at the end of a mortgage, commercial loan, or other amortized loan. The balloon payment is not amortized over the life of the loan, and the remaining balance is the final repayment to the lender. **Note:** As noted in the definition of “loan,” repayment of all loans funded with CED funds must begin during the course of the funded project period and **balloon payments are not allowed**.

Board Approval—For the purposes of this NOFO, “board approval” is a document authorizing the approval of the proposed project by the Board of Directors in order to ensure the goals and objectives of projects are community-driven and in accordance with community-prioritized needs for job creation. This could be demonstrated through a board resolution, meeting notes, or other written documentation that records the decisions or actions of a CDC Board of Directors.

Board Resolution—Written document demonstrating decisions or actions of a CDC Board of Directors as recorded in the minutes of the organization. For the purpose of the NOFO, a document proving the authorization of the submission of the CED application to ensure the goals and objectives of projects are community-driven and in accordance with community-prioritized needs for job creation and submitted on behalf of the CDC.

Budget Period—Projects under CED awards are not divided into the typical 12-month intervals known as “budget periods.” All CED projects have only a single budget period that is equal in length to the project period.

Community—Any geographic area defined by specific boundaries and the residents, businesses, and institutions within that geographical area.

Community Barriers-Conditions in a community that impede success in employment or self-employment of individuals with low incomes. Such conditions may include the following: lack of employment education and training programs; lack of public transportation; lack of markets; unavailability of financing, insurance, or bonding; inadequate social services, such as employment services, child care, or job training; high incidence of crime; high incidence of substance use disorder; inadequate healthcare; or environmental hazards, such as toxic dumpsites or leaking underground tanks.

CDC-In accordance with section 680(a)(2) of the CSBG Act, 42 U.S.C. 9921(a)(2), to be a qualified CDC, an organization must meet the following three conditions:

- The organization must be a private non-profit with 501(c)(3) status;
- The organization must have articles of incorporation or bylaws demonstrating that the CDC has, as a principal purpose of planning, developing, or managing low-income housing or community development projects; and
- The Board of Directors of the organization must have representation from community residents, business leaders, and civic leaders.

Note: CDC designation does not need to be specified on any official documents as long as the three requirements stated earlier in this definition are met.

CED-A process by which a community organizes its resources and capacities to attract capital to invest in physical, commercial, and business development in order to create job opportunities for its residents.

Construction-Please see the ACF [Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

Contract-A legal instrument by which a recipient purchases goods, services, or property needed to carry out the project or program under the CED grant award. The term as used here does not include a legal instrument, even if the non-federal entity considers it a contract, because the substance of the transaction meets the definition of a “grant award” or “subaward” (see *Subaward*).

Debt Instruments-Any financial documents that enable the issuing party to raise funds by promising to repay a lender in accordance with the terms of a contract. Types of debt instruments include notes, bonds, certificates, mortgages, leases, or other agreements between a lender and a borrower.

Earnings-The net income of the participating business, which is the difference between its revenues, costs, and expenses, as shown on the profit and loss statement.

Employment Education and Training Program-A program that provides employment-directed education and/or training to individuals with low incomes, including Temporary Assistance for Needy Families (TANF) recipients, at-risk youth, public housing residents, displaced workers, persons who are homeless, and other individuals with low incomes.

Energy Community-Communities that have experienced employment loss and/or economic dislocation events because of declines in the fossil fuel industry and/or are disproportionately reliant on fossil fuel energy production or distribution, including coal, oil, gas, and power plant communities.

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 Black, Latino, Indigenous and Native American persons, Asian Americans and Pacific Islanders, and other persons of color; members of religious minorities; Lesbian, Gay,

Bisexual, Transgender, and Queer persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

Equity Investment-The provision of capital to an identified for-profit participating business entity for a specified purpose in return for a **share of ownership** evidenced by a formal equity investment agreement. This may involve the issuance of stock, as in an equity stock investment. An equity investment may be either in a subsidiary for-profit corporation of the applicant or in an unaffiliated business.

Federal Interest-Please see the ACF [Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

Financial Feasibility/Viability-The component of the business plan demonstrating the financial ability of the recipient to achieve the project's goals of creating permanent, full-time jobs for individuals with low incomes over the project period. Financial feasibility/viability is usually demonstrated using the following types of documentation: profit and loss forecasts or pro forma, cash flow projections, balance sheets, and sources and uses of funds statements. Financially feasible/viable projects identify and explain earnings, fees, or other sources of revenues sufficient to provide for business operation and maintenance, a reasonable reserve, and all expenses for proposed job creation.

Financial Literacy Services-Delivery of information and tools that helps individuals make informed choices about their personal finances. Such services typically focus on budgeting, credit, savings, and other matters relating to a household's financial well-being.

Full-Time, Full-Year Position-A nonseasonal position requiring at least 30 hours of work per week. An aggregation of part-time positions to a full-time equivalent is not considered a full-time position.

Grant Award-The funding made available to an eligible organization after a competitive grant application process.

Grant Terms and Conditions-A statement of HHS and ACF regulations and policies, pursuant to federal law, that is attached to the Notice of Grant Award and that sets forth the standard terms and conditions with which recipients are required to comply.

Incubator-A program to help start-up participating businesses flourish by providing support, resources, and business services and advice, normally in one physical location. Incubators that are established without a geographic location in the community are not supported by this funding opportunity. Further, for the purposes of this funding opportunity, limited incubator development is allowable as long as the applicant demonstrates the incubator will support participating businesses that demonstrate the financial capacity to create the agreed-upon jobs for individuals with low incomes within the proposed geographic location.

Indirect Costs-Costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved.

In-Kind Contributions-These contributions may be in the form of real property, equipment, supplies, and/or other expendable property, or goods and services provided by non-governmental sources directly benefiting and specifically allocated to the project.

Intangible Property-As defined by 45 CFR § 75.2, intangible property means "property having no physical existence, such as trademarks, copyrights, patents and patent applications, and property, such as loans, notes, and other debt instruments, lease agreements, stock, and other instruments of property ownership (whether the property is tangible or intangible)."

Intervention-Any planned activity within a project that is intended to reduce personal barriers or

community barriers to employment and can be formally evaluated. For example, job readiness training is an intervention.

Job Creation-New full-time, full-year positions for the project that did not exist prior to the start of the project and came about as a direct result of the investment of OCS funds in project activities, such as the development of new business ventures, the expansion of existing participating businesses, or the development of new products and services. **Note:** This includes the recreation or restoration of full-time, full-year positions that were lost due to the COVID-19 pandemic. The training and placement of individuals in positions existing prior to the start of the project, even positions guaranteed to individuals with low incomes through a formal agreement with an employer, is not considered job creation.

Job Placement-Placing an individual in an existing vacant job of a business, service, or commercial activity not related to new development or expansion activity. All jobs supported by the project must meet the definition of new job creation, not job placement. **Note:** CED funds cannot be used solely for job placement, but limited job placement activities are permitted only in the context of filling the newly created positions with employees.

Job Training-For the purposes of this funding opportunity, “training” refers to group-based adult education and skill-building activities (e.g., workshops). It does not include consultations or technical assistance that is specifically customized or tailored to the needs of a particular business identified in the project. **Note:** CED funds cannot be used primarily for training, but limited job training activities can be supported only in the context of training that may be provided specifically to employees to fill the new positions created.

Less-Than-Arm’s-Length-Please see the ACF [Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

Letters of Support-A signed letter that describes an endorsement of the project from a local or regional government agency or community organization. The letter should describe any specific relationship the agency or organization has with the applicant, knowledge of the applicant’s experience and qualifications in business and job creation, and any in-kind or financial contributions to the project, if applicable.

Loan-Money provided to finance an eligible participating business borrower evidenced by a promissory note and loan agreement for a specified purpose to be repaid with a stated rate of interest and within a specified period. Loans made to eligible participating businesses must be at or below market rate (or what commercial lenders would offer). This includes a distinct loan fund established exclusively for CED projects as a resource for loans to finance eligible business development and operational activities and, when the principal is repaid, is used to make new loans that support a similar purpose. In all instances, the first borrower must be identified along with the standards used for selection. Interest accrued on CED funds must be used to continue or expand the activities of the approved project. See also *Federal Interest*. Repayment of all loans funded with CED funds must begin during the course of the funded project period and a balloon payment is not allowed. No portion of a loan is forgivable.

Low-Income—ACF defines “low-income” as an individual whose household income level does not exceed 200 percent of the official poverty guidelines as found in the recent revision of the HHS Poverty Guidelines published by HHS.

Major Renovation (A&R)-Please see the ACF [Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

Minor Renovation (A&R) - Please see the ACF [Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

Microenterprise-A commercial participating business with five or fewer employees, at least one of whom is the owner.

More Experienced Partner-A project partner that successfully meets all of the following requirements: is a CDC, has completed two or more CED projects, has completed one or more projects involving activities similar to the proposed project, and has experience with collaborative programming.

Need for Assistance-Physical, economic, social, financial, institutional, and/or other problem(s) requiring a solution.

Non-Profit Organization-Any 501(c)(3) organization, (corporation, trust, association, cooperative, or other organization) not including institutions of higher education, that (1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; (2) is not organized primarily for profit; and (3) uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term “non-profit organization” excludes colleges and universities; hospitals; state, local, and federally recognized Indian tribal governments; and those non-profit organizations listed in Appendix VIII to 45 CFR Part 75–Non-Profit Organizations Exempt from Subpart E of Part 75.

Notice of Federal Interest-A notice of public record that a recipient must file if it *directly expends* federal grant funds for acquisition, construction, or major alteration and renovation of real property. See also *Federal Interest*.

Notice of Award (NOA)-A legal document given to the intended organization that indicates that an award has been made and that funds may be requested from the designated HHS payment system or office. The notice of grant award shows the amount of federal funds authorized for obligation and the budget period for the approved project. Recipients will find this information helpful because it outlines the conditions of their grant awards.

Participating Business-A business that has been identified as a CED project participant with a signed a third-party agreement with the CED applicant to create new, full-time, full-year jobs, at least 75 percent of which will be filled by individuals with low incomes. Proposed jobs are specifically identified in the third-party agreement.

Persistent Poverty County-A county in which 20 percent or more of the population has lived in poverty over the past 30 years according to the U.S. Census, as determined by the Economic Research Service of the U.S. Department of Agriculture.

Personal Barriers-Those aspects of an individual’s personal situation that may impede success in obtaining and retaining employment. Barriers may include factors such as limited education, substance use disorder, insufficient life skills, criminal history, health problems, or disability.

Profit and Loss Statement-Financial report summarizing participating business revenues, expenses, and net income over a specified period of time.

Project-The scope of OCS activities described in the application for federal grant funds pursuant to this funding opportunity.

Project Partner-Any individual, organization, or business entity participating in the project that is not the direct recipient of CED grant funds. Typical project partners include the following: equity investors, donors, a more experienced partner, a wholly owned subsidiary, or a business entity to which the recipient makes a loan or equity investment in support of grant purposes. **Note:** CED recipients must play a substantive role in the project. A recipient working with a project partner must actively monitor the project and ensure compliance with CED program requirements.

Project Period-The time during which the recipient may incur new obligations to carry out the

work authorized under the federal award. For the CED program, non-construction projects will have a 3-year project period. Projects that involve construction will have a 4-year project period. **Real Property**-Please see the ACF [Property Glossary](#) page and related real property pages under the [ACF Property Guidance](#).

Rural Community-A “metro area” contains a core urban area of 50,000 or more population, and a “micro area” contains an urban core of at least 10,000 (but less than 50,000) population. All counties that are not part of a Metropolitan Statistical Area are considered rural. Micropolitan counties are considered non-metropolitan, or rural, along with all counties that are classified as neither. For more information on metro areas, see <https://www.census.gov/programs-surveys/metro-micro/about.html>. Note: For purposes of this NOFO, bonus points will be awarded to projects that will create jobs in a rural community with a high rate of poverty, unemployment, or substance use disorder (as defined by the OMB) or hire individuals with low incomes from a rural community to fill positions created. OMB designates counties as metropolitan, micropolitan, or neither. See also *Section V.1. Criteria*.

Self-Employment-The employment status of an individual who owns and operates a for-profit business.

Self-Sufficiency-A state of being or status of an individual or family where, by reason of employment, eligibility for public assistance is replaced by the financial capacity to meet all basic needs.

Service Area-The community to be served by the funded project.

Site Control-Documented proof of the applicant’s ownership or control of the property where grant activities will be conducted. Proof of site control includes the following types of documentation: documentation of the specific property location (address, city, state); documentation of a signed and dated deed or lease agreement between the applicant and property owner; or, documentation in the agreement of the terms of the agreement, use of premises, and description of the site (prior use or new property, square footage, use of space for the project).

Social Service Provider-Agencies and/or organizations that work with low-income individuals and can assist a grant recipient in filling the newly created positions with individuals with low incomes. Examples of social service providers include TANF, employment education and training programs (e.g., the Department of Labor’s Employment and Training Administration—funded one-stop career centers), and local child support enforcement agencies. These partnerships should be documented with signed third-party agreements, such as memorandums of understanding (MOUs), letters of commitment, or project partner agreements.

Sources and Uses of Funds Statement-A statement that identifies the committed sources of debt and equity financing and the specific categories of uses of funds associated with each of the sources for the project.

Stock-A share of ownership in a for-profit company. Stocks are sold to investors by a for-profit corporation to raise capital for the start-up and/or expansion of the business. Stock purchases by the recipient are equity investments. Such investments may be made by recipients in affiliated and non-affiliated businesses.

Subaward-A subaward (also known as a “pass-through”) is an award of financial assistance in the form of money, or property in lieu of money, made under an award by a recipient to an eligible subrecipient, or by a subrecipient, to a lower tier subrecipient. The term includes financial assistance when provided by any legal agreement but does not include procurement of goods and services, nor does it include any form of assistance that is excluded from the definition of “award” in this section. For more information, see 45 CFR § 75.351. **Note:**

Subawards are not permitted under this NOFO. Equity investments and loan transactions are not subawards, these qualify as intangible property.

Substance Use Disorder-This disorder occurs when the recurrent use of alcohol and/or drugs causes clinically and functionally significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school, or home.

Support Services-For the purpose of this NOFO, services provided to the target population that support and complement efforts to obtain economic self-sufficiency. This may include social supports, such as financial literacy training, child care, transportation, substance use disorder treatment, English language education, or job training.

Technical Assistance-A problem-solving service generally using the services of a specialist and specifically customized or tailored to the needs of a particular organization. Such services may be provided on-site, by telephone, or by other means of communication.

Third-Party Agreement-Written and signed agreements between recipients and social service providers, subcontractors, project partners, participating businesses, or other cooperating entities. These agreements must detail the scope of work to be performed, work schedules, remuneration, and other terms and conditions that structure or define the relationship. **No agreement can be a subaward for CED funds.** The following are examples of common types of third-party agreements for CED projects.

Commitment Letter-A signed letter of commitment that describes the level of financial support for the project made by a third-party (e.g., a lender, investor, donor, or other grantor). Such commitment letters are required if the applicant proposes a project for which non-CED funds (e.g., loans, municipal, federal or state tax credits, equity stock investments, etc.) will be required in order to successfully create the proposed jobs and create and/or expand the proposed business(es). Commitment letters must be signed, specific, and conditioned only on the receipt of the grant award.

Equity Investment Agreement-A written agreement that documents a capital investment by a recipient in a participating business to achieve the purposes of the project as defined in the application. The agreement sets forth the recipient's share of ownership in the business, the terms and conditions related to the use of the invested funds, the rights of the recipient as an equity owner, including, if the business is a corporation, representation on the board of directors, and any provisions for liquidation of the investment. The agreement must include the elements outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan–Project Implementation*.

Project Partner Agreement-A written and signed agreement entered into by the recipient and project partners, such as a more experienced partner or social service providers that will indirectly spend CED funds and/or create new full-time, full-year positions and/or play another role to help the recipient achieve the purposes of this project. An MOU with a project partner committing resources or capital is a typical project partner agreement. The agreement must include the elements outlined in *Section IV.2. Content and Form of Application Submission, Organizational Capacity*.

Underserved Communities- "[The] 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 preceding definition of equity" as defined in Executive Order 13985 on "Advancing Racial Equity and Support for

Underserved Communities through the Federal Government.”

ADDITIONAL RESOURCES

Resources for prospective applicants will be available at <https://www.acf.hhs.gov/ocs/programs/ced> under the link titled, “Information for Prospective Recipients.”

Pre-Application Webinar

A pre-application webinar and related materials will be available for viewing no later than 7 days after publication at <https://www.acf.hhs.gov/ocs/programs/ced> until the closing of this NOFO. The goal of the pre-recorded webinar is to outline the CED program’s purpose and strategies, provide key dates for submitting an application for CED, and review key application criteria and requirements as outlined in the NOFO.

Joining and participating in the pre-recorded webinar is voluntary. Only the information provided in this NOFO will be presented. No question and answer portion will be conducted during the session. Participants will remain anonymous. Opting not to participate in the webinar will not affect eligibility, application scoring, or the selection process. Applicants will be able to access the recording and transcript on the program office website at <https://www.acf.hhs.gov/ocs/programs/ced>.

II. Federal Award Information

Funding Instrument Type:

G (Grant)

Estimated Total Funding:

\$3,200,000

Expected Number of Awards:

4

Award Ceiling:

\$800,000

Per Project Period

Award Floor:

\$100,000

Per Project Period

Average Projected Award Amount:

\$800,000

Per Project Period

Anticipated Project Start Date:

09/30/2022

Length of Project Periods:

Other

Additional Information on Project Periods and Explanation of 'Other'

CED-funded projects can be non-construction or construction projects. Non-construction projects will have one 36-month project and budget period. Projects that involve construction will have one 48-month project and budget period.

Additional Information on Awards:

Awards made under this funding opportunity are subject to the availability of federal funds.

Applications requesting an award amount that exceeds the *Award Ceiling* per budget period, or per project period, as stated in this section, will be disqualified from competitive review and funding under this funding opportunity. This disqualification applies only to the *Award Ceiling* listed for the first 12-month budget period for projects with multiple budget periods. If the project and budget period are the same, the disqualification applies to the *Award Ceiling* listed for the project period. Please see *Section III.3. Other, Application Disqualification Factors*.

Note: For those programs that require matching or cost sharing, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period or by project period for fully funded awards, even if the projected commitment exceeds the required amount of match or cost share. **A recipient's failure to provide the required matching amount may result in the disallowance of federal funds.** For more information on these requirements, see *Section III.2. Cost Sharing or Matching*.

All awards will be fully funded; however, projects that include construction will be special conditioned. Construction projects must include a budget, budget narrative, and submission of SF-429 form(s), along with supporting documents in GrantSolutions Online Data Collection System (OLDC) that support the expenditures of CED grant funds in relationship to the completion of specific project milestones. Please see *Section IV.2. Content and Form of Application Submission, The Project Budget and Budget Justification* and *Section VI.3. Reporting* for more information. ACF reserves the right to request and access any documents, papers, or other records of the recipient that are pertinent to the federal award. See *HHS Grants Policy Statement Part II-86, Record Retention and Access* and 45 CFR § 75.364.

III. Eligibility Information

III.1. Eligible Applicants

To be eligible for the CED program, an applicant must meet the following three conditions:

1. Applicant must be a private, non-profit CDC with 501(c)(3) status;
2. Applicant must have articles of incorporation or bylaws demonstrating that the CDC has as a principal purpose, experience in planning, developing, or managing of low-income housing or community development projects; and
3. Board of Directors must have representation from each of the following: community residents, business leaders, and civic leaders.

Applications from individuals (including sole proprietorships) and foreign entities are not eligible and will be disqualified from competitive review and funding under this funding opportunity. See *Section III.3. Other, Application Disqualification Factors*.

Faith-based and community organizations that meet the eligibility requirements are eligible to receive awards under this funding opportunity. Faith-based organizations may apply for this award on the same basis as any other organization, as set forth at and, subject to the protections and requirements of 45 CFR Part 87 and 42 U.S.C. 2000bb *et seq.*, ACF will not, in the selection of recipients, discriminate against an organization on the basis of the organization's religious character, affiliation, or exercise.

Reference to Legal Status

See *Section IV.2. Legal Status of Applicant Entity* for documentation required to support eligibility.

Funding Restrictions Reference

Please see *Section IV.6. Funding Restrictions* for any limitations on the use of federal funds that could affect the eligibility of an applicant or project.

III.2. Cost Sharing or Matching

Cost Sharing / Matching Requirement:

No

For all federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the recipient's cost sharing or matching when such contributions meet all criteria listed in 45 CFR § 75.306.

For awards that require matching by statute, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period, or by project period for fully funded awards, even if the projected commitment exceeds the amount required by the statutory match. **A recipient's failure to provide the statutorily required matching amount may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

For awards that do not require matching or cost sharing by statute, where "cost sharing" refers to any situation in which the recipient voluntarily shares in the costs of a project other than as statutorily required matching, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period, or by project period for fully funded awards. These include situations in which contributions are voluntarily proposed by a recipient or subrecipient and are accepted by ACF. Non-federal cost sharing will be included in the approved project budget so that the recipient will be held accountable for proposed non-federal cost sharing funds as shown in the Notice of Award (NoA). **A recipient's failure to provide voluntary cost sharing of non-federal resources that have been accepted by ACF as part of the approved project costs and that have been shown as part of the approved project budget in the NoA, may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

III.3. Other

Application Disqualification Factors

Applications from individuals (including sole proprietorships) and foreign entities are not eligible and will be disqualified from competitive review and funding under this funding opportunity.

Award Ceiling Disqualification

Applications that request an award amount that exceeds the *Award Ceiling* per budget period or per project period ("per project period" refers only to fully funded awards), as stated in *Section II. Federal Award Information*, will be disqualified from competitive review and funding under this funding opportunity. This disqualification applies only to the *Award Ceiling* listed for the first 12-month budget period for projects with multiple budget periods. If the project and budget period are the same, the disqualification applies to the *Award Ceiling* listed for the project period.

Required Electronic Application Submission

ACF requires electronic submission of applications at Grants.gov. **Paper applications received from applicants that have not been approved for an exemption from required electronic submission will be disqualified from competitive review and funding under this funding opportunity.**

Applicants that do not have an internet connection or sufficient computing capacity to upload large documents to the internet may contact ACF for an exemption that will allow the applicant to submit applications in paper format. Information and the requirements for requesting an exemption from required electronic application submission are found in "[ACF Policy for Requesting an Exemption from Electronic Application Submission](#)."

Missing the Application Deadline (Late Applications)

The deadline for electronic application submission is 11:59 pm ET on the due date listed in the Overview and in Section IV.4. Submission Dates and Times. Electronic applications submitted to Grants.gov after 11:59 pm ET on the due date, as indicated by a dated and time-stamped email from Grants.gov, will be disqualified from competitive review and funding under this funding opportunity. That is, applications submitted to Grants.gov, on or after 12:00 am ET on the day after the due date will be disqualified from competitive review and funding under this funding opportunity.

Applications submitted to Grants.gov at any time during the open application period, and prior to the due date and time, which fail the Grants.gov validation check, will not be received at, or acknowledged by ACF.

Each time an application is submitted via Grants.gov, the submission will generate a new date and time-stamp email notification. Only those applications with on-time date and time stamps that result in a validated application, which is transmitted to ACF will be acknowledged.

The deadline for receipt of paper applications is 4:30 pm ET on the due date listed in the Overview and in Section IV.4. Submission Dates and Times. Paper applications received after 4:30 pm ET on the due date will be disqualified from competitive review and funding under

this funding opportunity. **Paper applications received from applicants that have not received approval of an exemption from required electronic submission will be disqualified from competitive review and funding under this funding opportunity.**

OCS Application Disqualification Factors

Applications received from organizations that are not CDCs will be disqualified from competitive review and funding under this funding opportunity.

Notification of Application Disqualification

Applicants will be notified of a disqualification determination by email or by USPS postal mail within 30 federal business days from the closing date of this NOFO.

IV. Application and Submission Information

IV.1. Address to Request Application Package

Gerald
Shanklin
OCS Operations Center
HHS-2022-ACF-OCS-EE-0081
1401 Mercantile Lane, Suite 401
Largo
MD
20774
1-855-792-6551

ocstech@reviewops.org

Application Packages

Electronic Application Submission:

The electronic application submission package is available in the NOFO's listing at Grants.gov.

Applications in Paper Format:

For applicants that have received an exemption to submit applications in paper format, Standard Forms (SFs), assurances, and certifications are available in the "Select Grant Opportunity Package" available in the NOFO's Grants.gov Synopsis under the Package tab at Grants.gov. See *Section IV.2. Request an Exemption from Required Electronic Application Submission* if applicants do not have an Internet connection or sufficient computing capacity to upload large documents (files) to Grants.gov.

Federal Relay Service:

Hearing-impaired and speech-impaired callers may contact the Federal Relay Service (FedRelay) for assistance at www.gsa.gov/fedrelay.

IV.2. Content and Form of Application Submission

FORMATTING APPLICATION SUBMISSIONS

Each applicant applying electronically via Grants.gov is required to upload only two electronic files, excluding SFs and Office of Management and Budget (OMB)-approved forms. No more than two files will be accepted for the review, and additional files will be

removed. SFs and OMB-approved forms will not be considered additional files.

FOR ALL APPLICATIONS:

Authorized Organization Representative (AOR)

AOR is the designated representative of the applicant/recipient organization with authority to act on the organization's behalf in matters related to the award and administration of grants. In signing a grant application, this individual agrees that the organization will assume the obligations imposed by applicable Federal statutes and regulations and other terms and conditions of the award, including any assurances, if a grant is awarded.

Point of Contact

In addition to the AOR, a point of contact on matters involving the application must also be identified. The point of contact, known as the Project Director or Principal Investigator, should not be identical to the person identified as the AOR. The point of contact must be available to answer any questions pertaining to the application.

Application Checklist

Applicants may refer to *Section VIII. Other Information* for a checklist of application requirements that may be used in developing and organizing application materials.

Accepted Font Style

Applications must be in Times New Roman (TNR), 12-point font, except for footnotes, which may be TNR 10-point font. Pages that contain blurred text, or text that is too small to read comfortably, will be removed.

English Language

Applications must be submitted in the English language and must be in the terms of United States (U.S.) dollars. If applications are submitted using another currency, ACF will convert the foreign currency to U.S. currency using the date of receipt of the application to determine the rate of exchange.

Page Limitations

Applicants must observe the page limitation(s) listed under "PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:." Page limitation(s) do not include SFs and OMB-approved forms.

All applications must be double-spaced. An application that exceeds the cited page limitation for double-spaced pages in the Project Description file or the Appendices file will have extra pages removed, and those pages will not be reviewed.

Application Elements Exempted from Double-Spacing Requirements

The following elements of the application submission are exempt from the double-spacing

requirements and may be single-spaced: the table of contents, the one-page Project Summary, required Assurances and Certifications, required SFs, required OMB-approved forms, resumes, logic models, proof of legal status/non-profit status, third-party agreements, letters of support, footnotes, tables, the line-item budget and/or the budget justification.

Adherence to NOFO Formatting, Font, and Page Limitation Requirements

Applications that fail to adhere to ACF's NOFO formatting, font, and page limitation requirements will be adjusted by the removal of page(s) from the application. Pages will be removed before the objective review and will not be made available to reviewers.

Applications that have more than one scanned page of a document on a single page will have the page(s) removed from the review.

For applicants that submit paper applications, double-sided pages will be counted as two pages. When the maximum allowed number of pages is reached, excess pages will be removed and will not be made available to reviewers.

NOTE: Applicants failing to adhere to ACF's NOFO formatting, font, and page limitation requirements will receive a letter from ACF notifying them that their application was amended. The letter will be sent after awards have been issued and will specify the reason(s) for removal of page(s).

Corrections/Updates to Submitted Applications

When applicants make revisions to a previously submitted application, ACF will accept only the last on-time application for pre-review under the Application Disqualification Factors. The Application Disqualification Factors determine the application's acceptance for competitive review. See *Section III.3. Other, Application Disqualification Factors* and *Section IV.2. Application Submission Options*.

Copies Required

Applicants must submit one complete copy of the application package electronically. Applicants submitting electronic applications need not provide additional copies of their application package.

Applicants submitting applications in paper format must submit one original and two copies of the complete application, including all SFs and OMB-approved forms. The original copy must have original signatures.

Signatures

Applicants submitting electronic applications must follow the registration and application submission instructions provided at Grants.gov.

The original of a paper format application must include original signatures of the authorized representatives.

Accepted Application Format

With the exception of the required SFs and OMB-approved forms, all application materials must be formatted so that they are 8 ½" x 11" white paper with 1-inch margins all around.

If possible, applicants are encouraged to include page numbers for each page within the application.

ACF generally does not encourage submission of scanned documents as they tend to have reduced clarity and readability. If documents must be scanned, the font size on any scanned documents must be large enough so that it is readable. Documents must be scanned page-for-page, meaning that applicants may not scan more than one page of a document onto a single page. Pages with blurred text will be removed from the application.

PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:

Applications must be submitted in two files and must not exceed a combined total of 200 pages. In both files, all items must be labeled, numbered, and organized clearly in the Table of Contents. The first file must be titled "Project Description" and must include the following items:

- Table of Contents
- Project Summary/Abstract
- Additional Eligibility Documentation (actual documentation should be included in the Appendices)
- Need for Assistance
- Objectives
- Business Plan–Barrier Reduction Support Services
- Business Plan–Project Implementation
- Business Plan–Participating Business Viability
- Business Plan–High-Quality Job Creation
- Business Plan–Past Performance with Similar Job Creation Projects
- Organizational Capacity
- List of the Letters of Support (actual letters should be included in the Appendices)
- Project Budget and Budget Justification
- Bonus Points–Underserved Areas: CED Projects Located in Priority Energy Communities
- Bonus Points–Underserved Areas: States or Trust Territories without Active CED Grants
- Bonus Points–Underserved Areas: CED Projects Supporting Native American

The second file must be titled **Appendices** and must include the following:

- Table of Contents (**All items must be labeled, numbered, and organized clearly in the Table of Contents**)
- Proof of Legal Status/Proof of Non-Profit Status
- Additional Eligibility Documentation

- Market Research and Data
- Evidence of Site Control (**Note:** The lease documentation **will not** count towards the page limit)
- Financial Documentation (i.e., profit and loss forecasts or pro forma, cash flow projections, balance sheets, and sources and uses of funds statements)
- Third-Party Agreements
- Resumes (must be no more than two pages in length and identify the percent of time the individual has available for the project)
- Letters of Support
- Audited Financial Statements
- Other Supporting Documentation

ELECTRONIC APPLICATION SUBMISSION INSTRUCTIONS

Applicants are required to submit their applications electronically unless they have received an exemption that will allow submission in paper format. See *Section IV.2. Application Submission Options* for information about requesting an exemption.

Electronic applications will only be accepted via Grants.gov. **ACF will not accept applications submitted via email or via facsimile.**

Each applicant is required to upload ONLY two electronic files, excluding SFs and OMB-approved forms.

File One: Must contain the entire Project Description, and the Budget and Budget Justification (including a line-item budget and a budget narrative).

File Two: Must contain all documents required in the Appendices.

Adherence to the Two-File Requirement

No more than two files will be accepted for the review. Applications with additional files will be amended and files will be removed from the review. SFs and OMB-approved forms will not be considered additional files.

Application Upload Requirements

ACF strongly recommends that electronic applications be uploaded as Portable Document Files (PDFs). One file must contain the entire Project Description and Budget Justification; the other file must contain all documents required in the Appendices. Details on the content of each of the two files, as well as page limitations, are listed earlier in this section.

To adhere to the two-file requirement, applicants may need to convert and/or merge documents together using a PDF converter software. Many recent versions of Microsoft Office include the ability to save documents to the PDF format without need of additional software. Applicants using the Adobe Acrobat Reader software will be able to merge these documents together. ACF

recommends merging documents electronically rather than scanning multiple documents into one document manually, as scanned documents may have reduced clarity and readability.

Applicants must ensure that the version of Adobe Acrobat Reader they are using is compatible with Grants.gov. To verify Adobe software compatibility please go to Grants.gov and click on “Applicants” at the top bar menu and select “Adobe Software Compatibility”, which is listed under “Applicant Resources.” The Adobe verification process allows applicants to test their version of the software by opening a test Workspace PDF form. Grants.gov also includes guidance on how to download a supported version of Adobe, as well as troubleshooting instructions for use, if an applicant is unable to open the test form.

The Adobe Software Compatibility page located on Grants.gov also provides guidance for applicants on filling out a Workspace PDF form. In addition, it addresses local network and/or computer security settings and the impact this has on use of Adobe software.

Required SFs and OMB-approved Forms

SFs and OMB-approved forms are uploaded separately at Grants.gov. These forms are submitted separately from the Project Description and Appendices files. See *Section IV.2. Required Forms, Assurances, and Certifications* for the listing of required SFs, OMB-approved forms, and required assurances and certifications.

Naming Application Submission Files

Carefully observe the file naming conventions required by Grants.gov. Limit file names to 50 characters (characters and spaces). Please also see <https://www.grants.gov/web/grants/applicants/submitting-utf-8-special-characters.html>.

Use only file formats supported by ACF

Applicants must submit applications using only the supported file formats listed here. While ACF supports all of the following file formats, **we strongly recommend that the two application submission files (Project Description and Appendices) are uploaded as PDFs in order to comply with the two-file upload limitation.** Documents in file formats that are not supported by ACF will be removed from the application and will not be used in the competitive review. This may make the application incomplete, and ACF will not make any awards based on an incomplete application.

ACF supports the following file formats:

- Adobe PDF – Portable Document Format (.pdf)
- Microsoft Word (.doc or .docx)
- Microsoft Excel (.xls or .xlsx)
- Microsoft PowerPoint (.ppt)
- Image Formats (.JPG, .GIF, .TIFF, or .BMP only)

Do Not Encrypt or Password-Protect the Electronic Application Files

If ACF cannot access submitted electronic files because they are encrypted or password protected, the affected file will be removed from the application and will not be reviewed. This

removal may make the application incomplete, and ACF will not make awards based on an incomplete application.

FORMATTING FOR PAPER APPLICATION SUBMISSIONS:

The following requirements are only applicable to applications submitted in paper format. Applicants must receive an exemption from ACF in order for a paper format application to be accepted for review. For more information on the exemption, see "*ACF Policy for Requesting an Exemption from Required Electronic Application Submission*" at www.acf.hhs.gov/grants/howto#chapter-6.

Format Requirements for Paper Applications

All copies of mailed or hand-delivered paper applications must be submitted in a single package. If an applicant is submitting multiple applications under a single NOFO, or multiple applications under separate NOFOs, each application submission must be packaged separately. The package(s) must be clearly labeled with the NOFO title and Funding Opportunity Number.

Applicants using paper format should download the application forms package associated with the NOFO's Synopsis on Grants.gov under the Package tab.

Applicants are advised that the copies of the application submitted, not the original, will be reproduced by the federal government for review. **All application materials must be one-sided for duplication purposes. All pages in the application submission must be sequentially numbered.**

Addresses for Submission of Paper Applications

See *Section IV.7. Other Submission Requirements* for addresses for paper format application submissions.

Required Forms, Assurances, and Certifications

Applicants seeking an award under this funding opportunity must submit the listed SFs, assurances, and certifications with the application. All required SFs, assurances, and certifications are available in the Application Package posted for this NOFO at Grants.gov.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
SF-424A Budget Information - Non-Construction Programs / SF-424B Assurances - Non-Construction Programs and SF-424C - Budget Information Construction Programs / SF-424D - Assurances Construction Programs	Submission is required for all applicants when applying for both, non-construction and construction activities, under the proposed project. SFs must be used and	Required for all applications when applying for non-construction and/or construction activities under the proposed project. Please see special instructions in the <i>Checklist</i> in <i>Section VIII. Other Information</i> in this funding opportunity.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	submitted by the application due date. By signing and submitting the SF-424B and/or SF-424D, applicants are making the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination.	Projects that include both, non-construction and construction activities must submit the SF-424A, B, C, and D.
SF-424 - Application for Federal Assistance	Submission is required for all applicants by the application due date.	Required for all applications.
SF-424C - Budget Information - Construction Programs and SF-424D - Assurances - Construction Programs	Submission is required for all applicants when applying for a construction project. SFs must be used and submitted by the application due date.	Required for all applications when applying for a construction project. By signing and submitting the SF-424D, applicants are making the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination.
Unique Entity Identifier (UEI) and System for Award Management (SAM) registration.	Required of all applicants. Applicants must have a UEI and maintain an active SAM registration throughout the application and project award period. Obtain a UEI and SAM registration	See <i>Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)</i> for more information.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	at: http://www.sam.gov .	
SF-424 Key Contact Form	Submission is required for all applicants by the application due date.	Required for all applications.
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Submission required of all applicants with the application package. If it is not submitted with the application package, it must be submitted prior to the award of a grant.	Submission of the certification is required for all applicants.
SF-424A - Budget Information - Non- Construction Programs and SF-424B - Assurances - Non- Construction Programs	Submission is required for all applicants when applying for a non-construction project. SFs must be used. Forms must be submitted by the application due date. By signing and submitting the SF-424B, applicants are making the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination.	Required for all applications when applying for a non-construction project.
SF-Project/Performance Site Location(s) (SF-P/PSL)	Submission is required for all applicants by the	Required for all applications. In the SF-P/PSL, applicants must cite their primary location and

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	application due date.	up to 29 additional performance sites.
SF-LLL - Disclosure of Lobbying Activities	If submission of this form is applicable, it is due at the time of application. If it is not available at the time of application, it may also be submitted prior to the award of a grant.	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.

Additional Required Assurances and Certifications

Mandatory Grant Disclosure

All applicants and recipients are required to submit, in writing, to the awarding agency and to the HHS Office of the Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. (Mandatory Disclosures, 45 CFR § 75.113)

Disclosures must be sent in writing to:

The Administration for Children and Families, U.S. Department of Health and Human Services, Office of Grants Management, ATTN: Grants Management Specialist, 330 C Street, SW., Switzer Building, Corridor 3200, Washington, DC 20201

And to:

U.S. Department of Health and Human Services, Office of Inspector General, ATTN: Mandatory Grant Disclosures, Intake Coordinator, 330 Independence Avenue, SW., Cohen Building, Room 5527, Washington, DC 20201

Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or

Email: grantdisclosures@oig.hhs.gov

Non-Federal Reviewers

Since ACF will be using non-federal reviewers in the review process, applicants have the option of omitting from the application copies (not the original) specific salary rates or amounts for

individuals specified in the application budget as well as Social Security Numbers, if otherwise required for individuals. The copies may include summary salary information. If applications are submitted electronically, ACF will omit the same specific salary rate information from copies made for use during the review process.

The Project Description

The Project Description Overview

General Expectations and Instructions

The Project Description provides the information by which an application is evaluated and ranked in competition with other applications for financial assistance. It must address all activities for which federal funds are being requested and all application requirements as stated in this section. The Project Description must explain how the project will meet the purpose of the NOFO, as described in *Section I. Program Description*. As a reminder, reviewers will be evaluating this section in accordance with *Section V.1. Criteria*.

The Project Description must be clear, concise, and complete. ACF is particularly interested in Project Descriptions that convey strategies for achieving intended performance. Project Descriptions are evaluated on the basis of substance and measurable outcomes, not length.

Cross-referencing should be used rather than repetition. Supporting documents designated as required must be included in the Appendix of the application.

Table of Contents

List the contents of the application including corresponding page numbers. The table of contents may be single spaced.

Project Summary

Provide a summary of the application project description. It must be clear, accurate, concise, and without cross-references to other parts of the application. The summary must include a brief description of the proposed grant project including the needs to be addressed, the proposed services, and the population group(s) to be served.

Please place the following at the top of the Project Summary:

- Project Title
- Applicant Name
- Address
- Contact Phone Numbers (Voice, Fax, Cell)
- Email Address
- Website Address, if applicable

The Project Summary must be single-spaced, Times New Roman 12-point font, and limited to one page in length. Additional pages will be removed and will not be reviewed.

Geographic Location

Describe the precise physical location of the project and boundaries of the area to be served by the proposed project.

Legal Status of Applicant Entity

Applicants must provide the following documentation:

Non-Profit Organizations

Proof of Non-Profit Status Options:

Option 2: Only 501(c)(3) organizations are eligible

Non-profit 501(c)(3) organizations applying for funding are required to submit proof of their non-profit status. Proof of 501(c)(3) non-profit status is any one of the following:

- A reference to the applicant organization's listing in the IRS's most recent list of tax-exempt 501(c)(3) organizations described in the IRS Code.
- A copy of a currently valid IRS 501(c)(3) tax-exemption certificate.

Unless directed otherwise, applicants must include proof of non-profit status in the *Appendices* file of the application submission.

Additional Eligibility Documentation

Applicants must provide the additional, required documentation, or required credentials, to support eligibility for an award, as described in *Section III. Eligibility Information* of this funding opportunity.

- Articles of incorporation or bylaws demonstrating that the CDC has, as a principal purpose, experience in planning, developing, or managing of low-income housing or community economic development projects.
- Documentation that the Board of Directors has representation from each of the following: community residents, business leaders, and civic. (See *Definition of Terms*.)

Need for Assistance

Clearly identify the physical, economic, social, financial, institutional, and/or other problem(s) requiring a solution. The need for assistance, including the nature and scope of the problem, must be demonstrated. Supporting documentation, such as letters of support and testimonials from concerned parties, may be included in the Appendix. Any relevant data based on planning studies or needs assessments should be included or referred to in the endnotes or footnotes. Incorporate demographic data and participant/beneficiary information, as available.

Objectives

Clearly state the principal and subordinate objectives of the project. Applicants must address how the objectives stated relate to the overall purpose of the program and describe how objectives will be achieved.

Specifically, objectives should exemplify the following:

Demonstrate how the project will promote economic recovery in an energy community and result in the creation of good-paying jobs, spur economic revitalization, and support energy workers with low incomes.

Demonstrate that the project's goals and objectives for business development, job creation, and

contribution to community revitalization align with CED efforts in the proposed energy community.

Expected Outcomes

Identify the outcomes to be achieved from the project. Outcomes should relate to the overall program as described in *Section I. Program Description*. If research is part of the proposed work, outcomes must include hypothesized results and implications of the proposed research.

Organizational Capacity

Provide the following information on the applicant organization and, if applicable, on any cooperating partners:

- Organizational charts.
- Biographical Sketches (short narrative description).
- List of Board of Directors.
- Audit reports or statements from Certified Public Accountants/Licensed Public Accountants, if available, submit statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations).
- Evidence that the applicant organization, and any partnering organizations, have relevant experience and expertise with administration, development, implementation, management, and evaluation of programs similar to that offered under this funding opportunity.
- Evidence that each participating organization, including partners, contractors and/or subrecipients, possess the organizational capability to fulfill their role(s) and function(s) effectively.
- Job descriptions for each vacant key position.

The application must demonstrate that the Board of Directors has granted board approval (see *Definition of Terms* available in *Section I. Program Description*) for the proposed project. Applicants that cannot demonstrate substantial experience with economic development projects similar in size and scope to those proposed in the application must provide evidence of a viable partnership with a more experienced partner (as defined in *Definition of Terms* available in *Section I. Program Description*) and evidence of a workable and strategic arrangement for the more experienced partner to provide the administrative, technical, and/or financial technical assistance needed to ensure the success of the project. Such a partnership must be demonstrated through a third-party agreement that includes a description of roles and the relationship between the applicant and project partner.

The application must demonstrate through biographical sketches, degree information, resumes, and descriptions of previous project experience that the identified staff are qualified for their designated role in the proposed project and identify the percent of time the individual has available for the project.

The application must clearly state whether all key project staff positions are filled with identified staff who have available time to fill the appropriate time commitments, and that key project staff

have experience in supervision, financial management, business development and management, and working with the target population.

Staff experience must be pertinent and describe each individual's skills and experience in enough detail to demonstrate an ability to fulfill the tasks assigned to them. In cases where a key staff person has not yet been hired, the application must demonstrate that an appropriate position description, recruitment strategy, and estimated hiring timeline have been developed.

Plan for Oversight of Federal Award Funds and Activities

Recipients are required to ensure proper oversight in accordance with 45 CFR Part 75 Subpart D.

These regulations set forth the following standards for effective oversight:

- Financial and Program Management
- Property (if applicable by program legislation)
- Procurement
- Performance and Financial Monitoring and Reporting
- Subrecipient Monitoring and Management
- Record Retention and Access
- Remedies for Noncompliance

Describe the framework (e.g., governance, policies and procedures, risk management, systems) in place to ensure proper oversight of federal funds and activities in accordance with 45 CFR Part 75 Subpart D. The description must include: system(s) for record-keeping and financial management; procedures to identify and mitigate risks and issues (e.g., audit findings, continuous program performance assessment findings, program monitoring); and those key staff that will be responsible for maintaining oversight of program activities staff, and, if applicable, partner(s) and/or subrecipient(s).

Project Sustainability Plan

Applicants must propose a plan for project sustainability after the period of federal funding ends. Recipients are expected to sustain key elements of their grant projects, e.g., strategies or services and interventions, which have been effective in improving practices and outcomes.

Describe the approach to project sustainability that will be most effective and feasible. Provide a description of key individuals and/or organizations whose support will be required. Address the types of alternative support that will be required to maintain the program. If the proposed project involves key project partners, describe how their cooperation and/or collaboration will be maintained after the end of federal funding.

Business Plan

When federal grant funds will be used to support a business operation, provide a business plan.

Business Plan-Barrier Reduction Support Services

The application must describe the types of support services that will be provided through the CED project to newly hired individuals with low incomes, demonstrate how these services will help address the specific needs of the target population to be served, and provide a plan for how

these support services will be provided. This includes establishing services and strategies for the retention of individuals with low incomes in the newly created positions.

If project partners will be providing support services, a third-party agreement must be included. Agreements must describe the support services to be provided, how and when they will be provided, and the role that the partner organization will play in furthering the goals of the CED project. Agreements must also be signed and dated by both the applicant and social service provider staff with signature authority. Support services may include financial literacy services, child care services, transportation, substance use disorder treatment, English language education, and job training.

Further, the application must demonstrate the applicant or project partner's capacity and prior experience in successfully delivering these services. See *Support Services* in the *Definition of Terms* available in *Section I. Program Description*.

Business Plan-Project Implementation

The application must provide an overall approach to the project, including a holistic project plan that provides sufficient details regarding how each aspect of the project will be implemented in order to demonstrate financial feasibility/viability and successful creation of full-time, full year positions. In addition to demonstrating project viability, the implementation plan must, at a minimum, contain a quarterly timeline with specific milestones that identify and support the budget expenditures, linkages to proposed project outcomes, a discussion of how those milestones will be achieved, and an analysis of any factors that might affect the schedule and proposed strategies for dealing with them.

The application must describe that the applicant has established a viable recruitment strategy and tracking system to ensure that the new positions are filled during the project period and that a minimum of 75 percent of the new positions are filled by individuals with low incomes, as defined by HHS poverty guidelines referenced in *Section I. Program Description, Definition of Terms*.

The application must provide signed third-party agreements with social service providers (as defined in the *Definition of Terms* available in *Section I. Program Description*) to obtain and document low-income referrals. Agreements must describe the roles and responsibilities the applicant and social service provider will have in support of the project and be signed and dated by both the applicant and social service provider staff with signature authority.

Business Plan-Participating Business Viability

The applicant must demonstrate financial feasibility/viability of all participating business(es) to be created or expanded through this project. The application must identify all business(es) to be supported with CED funds. The application must also include a description of each business, indicate whether it will be a new business or business expansion, describe what the participating business will use CED funds for, and describe how many positions the participating business will create. **Note:** An equity investment can only be made to for-profit entities in return for an

ownership stake in the business. In all instances involving a loan, the applicant must identify the business(es) that will receive the initial loans, not any future loans. The applicant must indicate that copies of executed loan agreements will be submitted to ACF upon establishing such loans with program participants. Additionally, repayment of all loans funded with CED funds must begin during the funded project period. No portion of a loan is forgivable.

In order to demonstrate the financial feasibility/viability of the business, the application must explain the basis for projected business earnings for all the participating business(es), including the necessary documentation demonstrating financial feasibility/viability. See *Financial Feasibility/Viability* in the *Definition of Terms* available in *Section I. Program Description* for examples of acceptable forms of documentation.

The application must demonstrate that the participating business(es) will create positions in a viable industry within an energy community by discussing the industry's short-and long-term outlook. Further, the application should provide recent market research and/or industry data (published within the past 5 years) that shows that the participating business(es) will be viable in terms of competition, anticipated market, customer base, and market trends.

The applicant must demonstrate that they, or the participating business(s), have control of the site and/or facilities required to operate the project or that site control is conditioned only on the receipt of the grant award. The application must provide proof that the physical facility is or will be secured. See *Site Control* in the *Definition of Terms* available in *Section I. Program Description* for examples of acceptable forms of documentation. For CED projects that involve property owned by the applicant, please note the following:

- Include, as appropriate, the types of construction or modernization-related documents an applicant is required to submit with the application and those that will be required as a condition of award. This may include working drawings and specifications, narrative description of proposed utilization of space, and detailed description of floor plan.
- Identify if the property is owned or leased, and corresponding requirements for proof of title or lease requirements.
- Provide information on anticipated environmental impact as part of their applications, as applicable, and consult the relevant National Environmental Policy Act (NEPA) point of contact to determine specific information on what the applicant must address.

For all participating business(es), the application must include a signed, third-party agreement between the applicant and the participating business that includes a description of roles and the relationship between the applicant and participating business; a commitment to create new full-time, full-year positions, 75 percent of which will be filled by individuals with low incomes; a commitment to maintain and provide accurate, unduplicated counts of positions created as distinct from the number of individuals hired to fill them over the course of the grant; and all the elements outlined in *Section IV.2. The Project Description, Third-Party Agreements*.

Business Plan–High-Quality Job Creation

The application must include the total number and types of new full-time, full-year positions that will be created. The following information must be included in a table: position title and a

summary description of the duties associated with the position, anticipated starting wage or salary, and a projection of wage or salary growth opportunities. Additionally, the applicant must present data published within the past 5 years illustrating that the wages to be paid are adequate for family self-sufficiency within the geographic area in which the business(es) will be located.

The application must show that the participating business(es) will offer employee benefits to those who fill the newly created positions, including healthcare, paid leave, and flexible scheduling. Additionally, the application must detail the other employee benefits that the participating business(es) will offer to those who fill the newly created positions. The application must also describe how individuals with low incomes will be supported in achieving career growth and advancement, including any training, educational, or certification opportunities employees will be provided by participating businesses.

Further, the application must include evidence of the participating businesses' ability and commitment to provide such wages, specified benefits, and career growth opportunities. Commitment may be stand-alone documents, such as pages from a personnel manual, company/employee handbooks, or draft employment contracts, or through language included in legally binding third-party agreement between the applicant and participating business(es).

The application must describe how the full-time positions will be created during the project period and sustained for at least 1 year after the end of the grant period, including listing the steps that will be taken to set up the project solidly and position it for continued success after the end of the grant period.

Business Plan-Past Performance with Similar Job Creation Projects

The application must provide evidence of two business creation or business expansion projects undertaken by the applicant or project partner within the last 10 years that are similar in scope or scale to the construction or non-construction project for which CED funding is being requested. In addition, the application must provide evidence that these projects were successful in creating full-time, full-year positions that lasted for at least 1 year beyond the project period. For each of the two business creation or business expansion project examples given, the application must provide a quantitative and qualitative description of the impact of these projects (i.e., the number of jobs created for individuals with low incomes, wages, benefits, and position descriptions) and the number of years of project operation and position availability.

Protection of Sensitive and/or Confidential Information

Provide a description of how protected personally identifiable information and other information that is considered sensitive, consistent with applicable federal, state, local and tribal laws regarding privacy and obligations of confidentiality, will be collected and safeguarded. The applicant must provide the methods and/or systems that will be used to ensure that confidential and/or sensitive information is properly handled and if applicable, address the process for subrecipient(s) and/or contractors. Also, provide a plan for the disposition of such information at the end of the project period.

Third-Party Agreements

Third-party agreements include Memoranda of Understanding (MOU) and Letters of Commitment. Letters of Commitment and MOUs must both clearly describe the roles and responsibilities for project activities and the support and/or resources that the third-party (i.e., subrecipient, contractor, or other cooperating entity) is committing. The Letters of Commitment and MOUs must be signed by the person in the third-party organization with the authority to make such commitments on behalf of their organization. General letters of support are **not** considered to be third-party agreements.

Applicants must provide Letters of Commitment or MOUs between recipients and third-parties (i.e., subrecipients, contractors, or other cooperating entities). In addition to clearly describing the roles and responsibilities for project activities and support and/or resources that the third-party is committing, these agreements must detail work schedules and estimated remuneration with an understanding that a finalized agreement will be negotiated once the successful applicant is awarded the grant.

A third-party agreement covering a loan transaction must contain, at a minimum, the following information: (1) purpose(s) for which the loan is being made; (2) interest rates and other fees; (3) terms of the loan; (4) repayment schedules; (5) collateral security; (6) default and collection procedures; (7) signatures of the authorized officials of the lender and the borrower.

A third-party agreement covering an equity investment must contain, at a minimum, the following: (1) purpose(s) for which the equity investment is being made; (2) the type of equity transaction (e.g., stock purchase); (3) cost per share and basis on which the cost per share is derived; (4) number of shares being purchased; (5) percentage of ownership in the business; (6) term of duration of the agreement; (7) number of seats on the board, if applicable; and (8) signatures of the authorized officials of the recipient and third-party organization.

Letters of Support

Provide statements from community, public, and/or commercial leaders that support the project proposed for funding. All submissions must be included in the application package. At minimum, each letter of support must identify the individual writing the letter, the organization they represent, the date, and reason(s) for supporting the project.

The Project Budget and Budget Justification

All applicants are required to submit a project budget and budget justification with their application. The project budget is entered on the Budget Information SF, either SF- 424A or SF-424C. Applicants are encouraged to review the form instructions in addition to the guidance in this section. The budget justification consists of a budget narrative and a line-item budget detail that includes detailed calculations for "object class categories" identified on the Budget Information Standard Form. Applicants must indicate the method they are selecting for their indirect cost rate. See Indirect Charges for further information.

Project budget calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. If cost sharing or matching is a requirement, applicants must include a detailed listing of any funding sources identified in Block 18 of the SF-424 (Application for Federal Assistance). See the table in *Section IV.2. Required Forms, Assurances, and Certifications* listing the appropriate budget forms to use in this application.

Special Note: *The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2022 and Consolidated Appropriations Act, 2022, (Division H, Title II, Sec. 202), limits the salary amount that may be awarded and charged to ACF grants and cooperative agreements. Award funds issued under this funding opportunity may not be used to pay the salary of an individual at a rate in excess of Executive Level II. For the Executive Level II salary, please see "Executive & Senior Level Employee Pay Tables" under <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>. The salary limitation reflects an individual's base salary exclusive of fringe benefits, indirect costs and any income that an individual may be permitted to earn outside of the duties of the applicant organization. This salary limitation also applies to subawards and subcontracts under an ACF grant or cooperative agreement.*

Provide a budget using the SF-424A and/or the SF-424C, as applicable, for the entire project period that is being fully funded (the budget period and the project period are the same).

Provide a budget justification, which includes a budget narrative and a line-item detail, for the full project period. The budget narrative should describe how the categorical costs are derived. Discuss the necessity, reasonableness, and allocation of the proposed costs.

Applicants must provide sources and uses of funds documentation for both the CED and non-CED funding sources (if applicable) necessary to implement the project, along with an itemization of expenses by funding source. The financial plan must also demonstrate the following:

- The application budget includes funding for all required items as outlined in the application. **Note:** Applicants must forecast their cash needs over the project period on the Federal Assistance form, SF424A Sections D and E.
- Future program income is not necessary to meet the funding needs for implementation of the project design. Program income may not be used to demonstrate the long-term sustainability of the project, since CED projects should be ready for implementation at the time of the award.
- The project will create at least the minimum number of positions for the amount of the requested award, equal to the ratio found by dividing the requested award amount by \$30,000 for construction projects, or \$25,000 for non-construction projects. For examples of number of jobs based on specific award amounts, see *Appendix A: Sample Chart of Cost per Job Created* at the end of this NOFO.
- Travel costs are included for a minimum of one staff member to attend a training and technical assistance conference in Washington, DC, during at least 1 year of the grant (e.g., travel costs, payments to cover staff time, etc.) are included.

For projects that involve non-CED funding, the application must provide evidence that all capital requirements have been met through financing, cash resources, or in-kind contributions. This must, at a minimum, contain the following:

- Commitment letters demonstrating binding financial commitments for loans; municipal, federal, or state tax credits; equity stock investments; or other supporting grants and investments.
- Financial statement of cash available showing the ability of the applicant to contribute any non-CED cash resources that are needed for the project.

- Documentation of in-kind contributions of personal property and a demonstration of how the value of those contributions was derived.

If the applicant does not intend to use non-CED funds to finance the project, the budget must demonstrate the ability of the applicant to carry out a successful project and accomplish its goals with only CED funds.

For projects involving construction, financial plans must include all construction aspects of the project, including property acquisition costs, predevelopment costs, architectural costs, engineering costs, environmental study costs, costs for building permit acquisition and use, occupancy costs, and hard construction costs. They must also include a budget narrative describing incremental expenditures of CED funds for project implementation and must be tied to the milestones.

Facilities

Applicants must delineate properties that will be used or proposed for use during the project period where funds will be charged to the grant made under this NOFO as a direct or indirect cost. Properties must be organized into the following three categories: owned, leased (current lease already in place), or intent to lease (through either a letter of intent or an actual draft/unsigned lease). If a lease(s) has not been executed prior to submission of an application, the applicant must submit an actual draft of the unsigned lease or a letter of intent describing the potential arrangement including address, terms, length, and proposed expenses.

The applicant must identify if the arrangement is a “less-than-arm’s-length” lease and provide how costs are calculated, in accordance with 45 CFR § 75.465 (Rental costs of real property and equipment) and 45 CFR § 75.436 (Depreciation).

In the list of properties, include a detailed breakdown of **all proposed costs**. It must be clear which costs are related to which property. In the budget justification, include a corresponding detailed narrative explanation of the purpose and need for each proposed cost under this grant award to determine reasonableness, allocability, and allowability of costs. Each property must include a breakdown of proposed costs and narrative, including all of the following, if applicable: the allocable percentage and total dollar amount, the depreciation amount with type of method and calculation used, rent amount with calculation, terms of lease, tax amount, insurance amount and what it covers, maintenance and repair amounts with details on each type of expense proposed and the associated cost, and minor A&R with specifics for each type of proposed expense and the associated cost.

For ACF property-related policy and guidance, please refer to the ACF website at <https://www.acf.hhs.gov/grants/real-property-and-tangible-personal-property>.

General

Use the following guidelines for preparing the project budget and budget justification. The budget justification includes a budget narrative and a line-item detail. Applications should only include allowable costs in accordance with 45 CFR Part 75 Subpart E.

Personnel

Description: Costs of employee salaries and wages. See 45 CFR § 75.430 for more information on allowable personnel costs. Do not include the personnel costs of consultants, contractors and subrecipients under this category.

Justification: For each position, provide: the name of the individual (if known), their title; time commitment to the project in months; time commitment to the project as a percentage or full-time equivalent; annual salary; grant salary; wage rates; etc. Identify the project director or principal investigator, if known at the time of application.

Fringe Benefits

Description: Costs of employee fringe benefits are allowances and services provided by employers to their employees in addition to regular salaries and wages. For more information on Fringe Benefits please refer to 45 CFR § 75.431. Do not include the fringe benefits of consultants, contractors, and subrecipients.

Typically, fringe benefit amounts are determined by applying a calculated rate for a particular class of employee (full-time or part-time) to the salary and wages requested. Fringe rates are often specified in the approved indirect cost rate agreement. Fringe benefits may be treated as a direct cost or indirect cost in accordance with the applicant's accounting practices. Only fringe benefits as a direct cost should be entered under this category.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, Federal Insurance Contributions Act taxes, retirement, taxes, etc.

Travel

Description: Costs of project-related travel (i.e., transportation, lodging, subsistence) by employees of the applicant organization who are in travel status on official business. Travel by non-employees such as consultants, contractors or subrecipients should be included under the Contractual line item. Local travel for employees in non-travel status should be listed on the Other line. Travel costs should be developed in accordance with the applicant's travel policies and 45 CFR § 75.474.

Justification: For each trip show: the total number of travelers; travel destination; duration of trip; per diem; mileage allowances, if privately owned vehicles will be used to travel out of town; and other transportation costs and subsistence allowances. If appropriate for this project, travel costs for key project staff to attend ACF-sponsored workshops/conferences/recipient orientations should be detailed in the budget justification.

Equipment

Description: "Equipment" means an article of nonexpendable, tangible personal property (including information technology systems) having a useful life of more than one year and a per unit acquisition cost that equals or exceeds the lesser of: (a) the capitalization level established by the organization for the financial statement purposes, or (b) \$5,000. (Note: Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications,

attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in-transit insurance, freight, and installation, shall be included in, or excluded from, acquisition cost in accordance with the organization's regular written accounting practices.) See 45 CFR §75.439 for more information.

Justification: For each type of equipment requested provide: a description of the equipment; the cost per unit; the number of units; the total cost; and a plan for use on the project; as well as use and/or disposition of the equipment after the project ends.

Supplies

Description: Costs of all tangible personal property, other than included under the Equipment category. This includes office and other consumable supplies with a per-unit cost of less than \$5,000. See 45 CFR § 75.453 for more information.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information that supports the amount requested.

Contractual

Description: Cost of all contracts and subawards except for those that belong under other categories such as equipment, supplies, construction, etc. Include third-party evaluation contracts, if applicable, and contract or subawards with secondary recipient organizations (with budget detail), including delegate agencies and specific project(s) and/or businesses to be financed by the applicant. Costs related to individual consultants should be listed on the Other line. Recipients are required to use 45 CFR §§ 75.326-.340 procurement procedures, and subawards are subject to the requirements at 45 CFR §§ 75.351-.353.

Justification: Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open, and free competition. Applicants must justify any anticipated procurement action that is expected to be awarded without competition and exceeds the simplified acquisition threshold stated in 48 CFR § 2.101(b). Recipients may be required to make pre-award review and procurement documents, such as requests for proposals or invitations for bids, independent cost estimates, etc., available to ACF.

Indicate whether the proposed agreement qualifies as a subaward or contract in accordance with 45 CFR § 75.351. Provide the name of the contractor/subrecipient (if known), a description of anticipated services, a justification for why they are necessary, a breakdown of estimated costs, and an explanation of the selection process. In addition, for subawards, the applicant must provide a detailed budget and budget narrative for each subaward, by entity name, along with the same justifications referred to in these budget and budget justification instructions.

Other

Description: Enter the total of all other costs. Such costs, where applicable and appropriate, may include, but are not limited to: consultant costs, local travel, insurance, food (when allowable), medical and dental costs (non-personnel), professional service costs (including audit charges),

space and equipment rentals, printing and publications, computer use, training costs (such as tuition and stipends), staff development costs, and administrative costs. Please note costs must be allowable per 45 CFR Part 75 Subpart E.

Justification: Provide a breakdown of costs, computations, a narrative description, and a justification for each cost under this category.

Indirect Charges

Description: Total amount of indirect costs. This category has one of two methods that an applicant can select. An applicant may only select one.

1. The applicant currently has an indirect cost rate approved by HHS or another cognizant federal agency.

Justification: An applicant must enclose a copy of the current approved rate agreement. If the applicant is requesting a rate that is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed. Choosing to charge a lower rate will not be considered during the objective review or award selection process.

2. Per 45 CFR § 75.414(f) Indirect (F&A) costs, "any non-Federal entity [i.e., applicant] that has never received a negotiated indirect cost rate, ... may elect to charge a *de minimis* rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. As described in Section 75.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as the non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time."

Justification: This method only applies to applicants that have never received an approved negotiated indirect cost rate from HHS or another cognizant federal agency. Applicants awaiting approval of their indirect cost proposal may request the 10 percent *de minimis* rate. When the applicant chooses this method, costs included in the indirect cost pool must not be charged as direct costs to the grant.

Commitment of Non-Federal Resources

Description: Amounts of non-federal resources that will be used to support the project as identified in Block 18 of the SF-424. This line should be used to indicate required and/or voluntary committed cost sharing or matching, if applicable.

For all federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the recipient's cost sharing or matching when such contributions meet all of the criteria listed in 45 CFR § 75.306.

For awards that require matching or cost sharing by statute, recipients will be held accountable for projected commitments of non-federal resources (at or above the statutory

requirement) in their application budgets and budget justifications by budget period, or by project period for fully funded awards. **A recipient's failure to provide the statutorily required matching or cost sharing amount (and any voluntary committed amount in excess) may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

For awards that do not require matching or cost sharing by statute, recipients are not expected to provide cost sharing or matching. However, recipients are allowed to voluntarily propose a commitment of non-federal resources. If an applicant decides to voluntarily contribute non-federal resources towards project costs and the costs are accepted by ACF, the non-federal resources will be included in the approved project budget. The applicant will be held accountable for all proposed non-federal resources as shown in the Notice of Award (NoA). **A recipient's failure to meet the voluntary amount of non-federal resources that was accepted by ACF as part of the approved project costs and that was identified in the approved budget in the NoA, may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

Justification: If an applicant is relying on cost share or match from a third-party, then a firm commitment of these resources (letter(s) or other documentation) is required to be submitted with the application. Detailed budget information must be provided for every funding source identified in Item 18. "Estimated Funding (\$)" on the SF-424.

Applicants are required to fully identify and document in their applications the specific costs or contributions they propose in order to meet a matching requirement. Applicants are also required to provide documentation in their applications on the sources of funding or contribution(s). In-kind contributions must be accompanied by a justification of how the stated valuation was determined. Matching or cost sharing must be documented by budget period (or by project period for fully funded awards).

Applications that lack the required supporting documentation will not be disqualified from competitive review; however, it may impact an application's scoring under the evaluation criteria in *Section V.1. Criteria* of this funding opportunity.

Construction

Description: Costs of construction or renovation by applicant or contractor/recipient.

Justification: Provide a separate detailed budget and narrative in accordance with the instructions for other object class categories. Identify which construction activities/costs will be contractual and those that the applicant will assume.

Program Income

Description: The estimated amount of gross income, if any, expected to be directly generated by or earned from this project. Program income includes but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federally-funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights, and interest on loans made with award funds. See 45 CFR §75.307 for more information.

Justification: Describe the nature, source and anticipated use of program income in the budget or refer to the pages in the application that contain this information.

Paperwork Reduction Act Disclaimer

As required by the Paperwork Reduction Act, 44 U.S.C. 3501-3521, the public reporting burden for the Project Description is estimated to average 60 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. The Project Description information collection is approved under OMB control number 0970-0139, which expires 03/31/2025. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Application Submission Options

Electronic Submission via Grants.gov

This section provides the application submission and receipt instructions for ACF program applications. Please read the following instructions carefully and completely.

Electronic Delivery

ACF is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for funding opportunities. ACF applicants are required to submit their applications online through Grants.gov.

How to Register and Apply through Grants.gov

Read the following instructions about registering to apply for ACF funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

Organizations must have an active System for Award (SAM) registration which provides a Unique Entity Identifier (UEI), and Grants.gov account to apply for grants.

Creating a Grants.gov account can be completed online in minutes, but SAM registration may take several weeks. Therefore, an organization's registration should be done in sufficient time to ensure it does not impact the entities ability to meet required application submission deadlines.

Organization applicants can find complete instructions

here: <https://www.grants.gov/web/grants/applicants/organization-registration.html>

Register with SAM: All organizations (entities) applying online through Grants.gov must register with SAM. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For detailed instructions for registering with SAM, refer to: <https://www.grants.gov/web/grants/applicants/organization-registration.html>

Create a Grants.gov Account: The next step in the registration process is to create an account with Grants.gov. Follow the on-screen instructions provided on the registration page.

Add a Profile to a Grants.gov Account: A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant). If you work for or consult with multiple organizations, you can have a profile for each organization under one Grants.gov

account. In such cases, you may log in to one Grants.gov account to access all your grant profiles. To add an organizational profile to your Grants.gov account, enter the UEI for the organization in the UEI field. For detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/registration/add-profile.html>

EBiz POC Authorized Profile Roles: After you register with Grants.gov and create an Organization Applicant Profile, the applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC is then expected to log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role. For detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>

Track Role Status: To track your role request, refer to: <https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>

When applications are submitted through Grants.gov, the name of the organization's AOR that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC must authorize individuals who are able to make legally binding commitments on behalf of the organization as a user with the AOR role; this step is often missed and is crucial for valid and timely submissions.

How to Submit an Application to ACF via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each NOFO, you can create individual instances of a workspace.

For an overview of applying on Grants.gov using Workspaces, refer to: <https://www.grants.gov/web/grants/applicants/workspace-overview.html>

Create a Workspace: Creating a workspace allows you to complete an application online and route it through your organization for review before submitting.

Complete a Workspace: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

Adobe Reader: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drive(s), then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at: <https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

Mandatory Fields in Forms: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

Complete SF-424 Fields First: These forms are designed to fill in common required fields across other forms, such as the applicant name, address, and SAM UEI. Once it is completed, the information will transfer to the other forms.

Submit a Workspace: An application may be submitted through Workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application **at least 24-48 hours prior to the close date** to provide you with time to correct any potential technical issues that may disrupt the application submission.

Track a Workspace: After successfully submitting a Workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:
<https://www.grants.gov/web/grants/applicants/applicant-training.html>

Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific funding opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist ACF with tracking and understanding background information on the issue.

Timely Receipt Requirements and Proof of Timely Submission

All applications must be received by 11:59 pm ET on the due date established for each program. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant AOR will receive an acknowledgment of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. Applicant AORs will also receive the official date/stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When ACF successfully retrieves the application from Grants.gov, and acknowledges the download of submission, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application.

Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by ACF.

Applicants with slow internet connections should be aware that transmission can take some time before Grants.gov receives your application. Therefore, applicants should allow enough time to prepare and submit the application before the package closing date.

Grants.gov will provide either an error or a successfully received submission message in the form of an email sent to the applicant with the AOR role.

Issues with Federal Systems

For any systems issues experienced with Grants.gov or SAM.gov, please refer to ACF's "[Policy for Applicants Experiencing Federal Systems Issues](#)" document for complete guidance.

Request an Exemption from Required Electronic Application Submission

To request an exemption from required electronic submission, please refer to ACF's "[Policy for Requesting an Exemption from Required Electronic Application Submission](#)" document for complete guidance.

Paper Format Application Submission

An exemption is required for the submission of paper applications. See the preceding section on "*Request an Exemption from Required Electronic Application Submission*."

Applicants with exemptions that submit their applications in paper format, by mail or delivery, must submit one original and two copies of the complete application with all attachments. The original and each of the two copies must include all required forms, certifications, assurances, and appendices, be signed by the AOR, and be unbound. The original copy of the application must have original signature(s). See *Section IV.7. Other Submission Requirements* of this funding opportunity for address information for paper format application submissions. Applications submitted in paper format must be received by 4:30 pm ET on the due date.

Applicants may refer to *Section VIII. Other Information* for a checklist of application requirements that may be used in developing and organizing application materials. Details concerning acknowledgment of received applications are available in *Section IV.4. Submission Dates and Times* in this funding opportunity.

IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)

All applicants must have a UEI and an active registration with SAM (<https://www.sam.gov>) prior to applying to a funding opportunity.

All applicants are required to maintain an active SAM registration until the application process is complete. If a grant is awarded, the SAM registration must be active throughout the life of the award. Your SAM registration must be renewed every 365 days to keep it active.

Plan ahead. Allow at least 10 business days after you submit your registration for it to become active in SAM and at least an additional 24 hours before that registration information is available in other government systems, i.e., Grants.gov.

This action should allow you time to resolve any issues that may arise. Failure to comply with these requirements may result in your inability to submit your application through Grants.gov or prevent the award of a grant. Applicants should maintain documentation (with dates) of their efforts to request a UEI, register for, or renew a registration, at SAM.

Please see the "Help" tab at <https://sam.gov/content/help> for more information and assistance with this process.

HHS requires all entities that plan to apply for, and ultimately receive, federal grant funds from any HHS Agency to:

- Be registered in SAM prior to submitting an application or plan;
- Maintain an active SAM registration with current information at all times during which it has an active award or an application or plan under consideration by an OPDIV;
- Provide its UEI in each application or plan it submits to the OPDIV; and
- Ensure any proposed subrecipient(s) have obtained and provided to the recipient their UEI(s) prior to making any subawards (**Note:** Subrecipients are not required to complete full SAM registration.).

ACF is prohibited from making an award until an applicant has complied with these requirements. At the time an award is ready to be made, if the intended recipient has not complied with these requirements, ACF:

- May determine that the applicant is not qualified to receive an award; and
- May use that determination as a basis for making an award to another applicant.

IV.4. Submission Dates and Times

07/29/2022

Due Dates for Applications

Due Date for Applications 08/29/2022

08/29/2022

Due Date for Applications:

FY 2023: April 24, 2023

FY 2024: April 22, 2024

Explanation of Due Dates

The due date for receipt of applications is listed in the *Overview* section and in this section. See *Section III.3. Other, Application Disqualification Factors*.

Electronic Applications

The deadline for submission of electronic applications via Grants.gov is 11:59 pm ET on the due date. Electronic applications submitted at 12:00 am ET on the day after the due date will be considered late and will be disqualified from competitive review and funding under this funding opportunity.

Applicants are required to submit their applications electronically via Grants.gov unless they received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

ACF does not accommodate transmission of applications by email or facsimile.

Instructions for electronic submission via Grants.gov are available at:

www.grants.gov/web/grants/applicants/apply-for-grants.html.

Applications submitted to Grants.gov at any time during the open application period prior to the due date and time that fail the Grants.gov validation check will not be received at ACF. These

applications will not be acknowledged.

Mailed Paper Format Applications

The deadline for receipt of mailed, paper applications is 4:30 pm ET on the due date. Mailed paper applications received after the due date and deadline time will be considered late and will be disqualified from competitive review and funding under this funding opportunity.

Paper format application submissions will be disqualified if the applicant organization has not received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

Hand-Delivered Paper Format Applications

Hand-delivered applications must be received on, or before, the due date listed in the *Overview* and in this section. These applications must be delivered between the hours of 8:00 am ET and 4:30 pm ET Monday through Friday (excluding federal holidays).

Applications should be delivered to the address provided in *Section IV.7. Other Submission Requirements*.

Hand-delivered paper applications received after the due date and deadline time will be considered late and will be disqualified from competitive review and funding under this funding opportunity.

Hand-delivered paper format application submissions will be disqualified if the applicant organization has not received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

No appeals will be considered for applications classified as late under the following circumstances:

- Applications submitted electronically via Grants.gov are considered late when they are dated and time-stamped after the deadline of 11:59 pm ET on the due date.
- Paper format applications received by mail or hand-delivery after 4:30 pm ET on the due date will be classified as late and will be disqualified.
- Paper format applications received from applicant organizations that were not approved for an exemption from required electronic application submission under the process described in *Section IV.2. Request an Exemption from Required Electronic Submission* will be disqualified.

Emergency Extensions

ACF may extend an application due date when circumstances make it impossible for an applicant to submit their applications on time. Only events such as documented natural disasters (floods, hurricanes, tornados, etc.), or a verifiable widespread disruption of electrical service, or mail service, will be considered. The determination to extend or waive the due date, and/or receipt time, requirements in an emergency situation rests with the Grants Management Officer listed as the Office of Grants Management Contact in *Section VII. HHS Awarding Agency Contact(s)*.

Acknowledgement of Received Application

Acknowledgement from Grants.gov

Applicants will receive an initial email upon submission of their application to Grants.gov. This email will provide a **Grants.gov Tracking Number**. Applicants should refer to this tracking number in all communication with Grants.gov. The email will also provide a **date and time stamp**, which serves as the official record of the application's submission. Receipt of this email does not indicate that the application is accepted or that it has passed the validation check.

Applicants will also receive an email acknowledging that the received application is in the **Grants.gov validation process**, after which a third email is sent with the information that the submitted application package has passed, or failed, the series of checks and validations.

Applications that are submitted on time that fail the validation check will not be transmitted to ACF and will not be acknowledged by ACF.

Acknowledgement from ACF of an electronic application's submission:

Applicants will be sent additional email(s) from ACF acknowledging that the application has been retrieved from Grants.gov by ACF. Receipt of these emails is not an indication that the application is accepted for competition.

Acknowledgement from ACF of receipt of a paper format application:

ACF will provide acknowledgement of receipt of hard copy application packages submitted via mail or courier services.

IV.5. Intergovernmental Review

This program is covered under Executive Order (E.O.) 12372, "Intergovernmental Review of Federal Programs," and 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities." Under the Executive Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

Applicants should go to the following URL for the official list of the jurisdictions that have elected to participate in E.O. 12372 <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>.

Applicants from participating jurisdictions should contact their SPOC, as soon as possible, to alert them of their prospective applications and to receive instructions on their jurisdiction's procedures. Applicants must submit all required application materials to the SPOC and indicate the date of submission on the SF-424 at item 19.

Under 45 CFR § 100.8(a)(2), a SPOC has 60 days from the application due date to comment on proposed new awards.

SPOC comments may be submitted directly to ACF at: U.S. Department of Health and Human Services, Administration for Children and Families, Office of Grants Management, 330 C St. SW, 3rd Floor, Washington, DC 20201.

Entities that meet the eligibility requirements of this funding opportunity are still eligible to apply for a grant even if a State, Territory or Commonwealth, etc., does not have a SPOC or has chosen not to participate in the process. Applicants from non-participating jurisdictions need take no action with regard to E.O. 12372. Applications from Federally-recognized Indian Tribal governments are not subject to E.O. 12372.

IV.6. Funding Restrictions

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions are unallowable. Fund raising costs for the purposes of meeting the Federal program objectives are allowable with prior written approval from the Federal awarding agency. (45 CFR § 75.442)

Proposal costs are the costs of preparing bids, proposals, or applications on potential Federal and non-Federal awards or projects, including the development of data necessary to support the non-Federal entity's bids or proposals. Proposal costs of the current accounting period of both successful and unsuccessful bids and proposals normally should be treated as indirect (F&A) costs and allocated currently to all activities of the non-Federal entity. No proposal costs of past accounting periods will be allocable to the current period. (45 CFR § 75.460)

Pre-award costs are not allowable.

Balloon payments for loans are not allowed.

Recipients are limited to using a maximum amount of \$25,000 per job for non-construction and \$30,000 per job for construction projects *See Section I Program Description* for more information.

Subawards are not permitted under projects receiving funds under this NOFO. Grant awards may not be used to capitalize loan loss reserve funds.

Organizations may receive a maximum of one new award per year under this NOFO.

Please refer to Unallowable Property Costs on the ACF website at <https://www.acf.hhs.gov/grants/real-property-and-tangible-personal-property#chapter-9> for more information.

IV.7. Other Submission Requirements

Submit paper applications to one of the following addresses. Also see *ACF Policy for Requesting an Exemption from Required Electronic Application Submission* at www.acf.hhs.gov/grants/howto#chapter-6.

Submission by Mail

Tim
Chappelle
Administration for Children and Families
Office of Grants Management
HHS-2022-ACF-OCS-EE-0081
1401 Mercantile Lane, Suite 401

Largo,
MD
20774

Hand Delivery

Same as Above

Electronic Submission

See *Section IV.2.* for application requirements and for guidance when submitting applications electronically via Grants.gov.

For all submissions, see *Section IV.4. Submission Dates and Times.*

V. Application Review Information

V.1. Criteria

Please note: With the exception of the notice of funding opportunity and relevant statutes and regulations, reviewers must not access, or review, any materials that are not part of the application documents. This includes information accessible on websites via hyperlinks that are referenced, or embedded, in the application. Though an application may include web links, or embedded hyperlinks, reviewers must not review this information as it is not considered to be part of the application documents. Nor will the information on websites be taken into consideration in scoring of evaluation criteria presented in this section. Reviewers must evaluate and score an application based on the documents that are presented in the application and must not refer to, or access, external links during the objective review.

Applications competing for financial assistance will be reviewed and evaluated using the criteria described in this section. The corresponding point values indicate the relative importance placed on each review criterion. Points will be allocated based on the extent to which the application proposal addresses each of the criteria listed. Applicants should address these criteria in their application materials, particularly in the project description and budget justification, as they are the basis upon which competing applications will be judged during the objective review. The required elements of the project description and budget justification may be found in *Section IV.2. The Project Description* of this funding opportunity.

Need for Assistance

Maximum Points: 5

In reviewing this section, reviewers will consider the extent to which the application establishes a clear need for the project in an energy community as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Need for Assistance.*

Specifically, reviewers will consider the extent to which:

- The application demonstrates that the project is needed for the following purposes:
 - Support economic recovery in a community that has either experienced employment loss and/or economic dislocation events as a result of declines in the fossil fuel industry and/or are disproportionately reliant on fossil fuel energy production or distribution, including coal, oil, gas, and power plant communities.
 - Create or expand participating businesses in an energy community.

- Create new jobs in an energy community that individuals with low incomes can get and keep, that are not being created by other organizations.
- The application provides recently published (within the past 5 years) and relevant evidence that includes the following:
 - The project is located in and/or will serve a community that has either experienced employment loss and/or economic dislocation events as a result of declines in the fossil fuel industry and/or are disproportionately reliant on fossil fuel energy production or distribution, including coal, oil, gas, and power plant communities.

Both the unemployment rate and the poverty rate within the project's service area are equal to, or greater than, the state or national level.

Objectives

Maximum Points: 4

In reviewing this section, reviewers will consider the extent to which the project's goals and location are aligned with the program's intent, and how the project will achieve these goals, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Objectives*.

Specifically, reviewers will consider the extent to which the following are addressed:

- The application demonstrates how the applicant will promote economic recovery in an energy community that results in the creation of good-paying jobs, spurs economic revitalization, and supports energy workers with low incomes.
- The application demonstrates that the project's goals and objectives for business development, job creation, and contribution to community revitalization align with CED efforts in the proposed energy community.

The application demonstrates that the proposed project will meet the program objectives by successfully serving individuals with low incomes through the creation of employment and business opportunities within an energy community.

Business Plan - Barrier Reduction Support Services

Maximum Points: 10

In reviewing this section, reviewers will consider the extent to which the application demonstrates that the project will provide support services to employees to help reduce personal and community barriers to economic security as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan-Barrier Reduction Support Services and Third-Party Agreements*.

Specifically, reviewers will consider the extent to which the following are addressed:

- The application describes the types of social support services (e.g., child care; financial empowerment; transportation; job or life coach; substance abuse treatment; or access to housing, utilities, food) that will be provided through the CED project for newly hired individuals with low incomes, including strategies for the retention of individuals with low incomes in the newly created positions.
- The application provides a plan for how the proposed support services will be provided by the applicant or a project partner.

- The application demonstrates a link between the support services that will be provided and the specific needs of the target population(s) to be served.
- The application demonstrates the applicant or project partner has capacity and prior experience to successfully deliver these services.
- If project partners will be providing these services, the application includes signed third-party agreements describing the support services to be provided, how and when they will be provided, and the role the partner organization will play in furthering the goals of the CED project.

Business Plan - Project Implementation

Maximum Points: 15

In reviewing this section, reviewers will consider the extent to which the application demonstrates a holistic project plan that provides sufficient detail regarding how the project will be implemented as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Plan for Oversight of Federal Award Funds and Activities, Business Plan-Project Implementation, Protection of Sensitive and/or Confidential Information, and Third-Party Agreements*.

Specifically, reviewers will consider the extent to which the following are addressed:

- The application provides a clear and well-conceived overall approach to the project, with a holistic project plan that includes the following:
 - Provides an overview of the nature of the project;
 - Is consistent with the expectations described in this funding opportunity;
 - Shows how the project will support economic recovery in an energy community;
 - Shows a high likelihood of success in creating and/or expanding participating business(es) that will, in turn, create jobs for individuals with low incomes prior to the end of the project period; and
 - Includes a quarterly timeline with specific milestones, linkages to proposed project outcomes, a discussion of how those milestones will be achieved, and an analysis of any factors that might affect the schedule and proposed strategies for dealing with them.
- The application includes a sound and feasible recruitment plan and strategy to obtain and document referrals of low-income individuals for employment in at least 75 percent of the positions created by the project.
- The application includes signed agreements with social service providers (e.g., TANF, child support, etc.) that demonstrate partnerships to obtain referrals of individuals with low incomes for employment and includes the elements outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Third-Party Agreements*.
- The application describes how any confidential or sensitive information (e.g., background investigations) from staff or project participants and/or project beneficiaries will be collected and protected during the course of the project, and how this information will be disposed of after the grant has ended, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Protection of Sensitive and/or Confidential Information*.

- The application includes a plan that demonstrates the applicant's capacity to responsibly manage the proposed federal funds and to adequately protect any federal funds awarded under the application through a financial management system, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Plan for Oversight of Federal Award Funds and Activities.*

Business Plan - Participating Business Viability

Maximum Points: 20

In reviewing this section, reviewers will consider the extent to which the application demonstrates the financial feasibility/viability of the participating business(es) to ensure a high likelihood of success, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan-Participating Business Viability and Third-Party Agreements.*

Specifically, reviewers will consider the extent to which the following are addressed:

- For each participating business, the application provides:
 - A description of whether this is a business creation or business expansion, and what the participating business will use CED funds for. An explanation of the basis for projected business earnings for all the participating businesses(es), including documentation demonstrating financial feasibility/viability as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan-Participating Business Viability.*
 - Recent market research and/or industry data (published within the past 5 years) that identifies the industry's short-and long-term outlook and demonstrates that the participating business(es) will be viable in terms of competition, anticipated market, customer base, and market trends.
 - Evidence that the applicant and/or the participating business is in control of the site and facilities necessary for the success of the project, or that site control is conditioned only on the receipt of the grant award.
 - A signed third-party agreement with participating business(es) as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan-Participating Business Viability and Third- Party Agreements.*
- For projects with equity or stock investments, reviewers will consider the extent to which draft copies of all equity stock investment agreements with all participating businesses are provided and include the elements outlined in *Section IV.2. Content and Form of Application Submission, The Project Description Business Plan-Participating Business Viability and Third-Party Agreements.*
- For projects with loans, reviewers will consider the extent to which draft copies of the loan agreement(s) with all participating businesses are provided and include the elements outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan-Participating Business Viability and Third-Party Agreements.*

Business Plan - High-Quality Job Creation

Maximum Points: 15

In reviewing this section, reviewers will consider the extent to which the application demonstrates how applicants will work with participating business(es) to create high-quality positions in an energy community that will allow individuals to achieve self-sufficiency as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan-High-Quality Job Creation and Third-Party Agreements*.

Specifically, reviewers will consider the extent to which the following are addressed:

- The application includes the number and type of new permanent, full-time positions that will be created and demonstrates how they will allow families to achieve self-sufficiency by providing competitive starting wages. To demonstrate that wages will support families in achieving self-sufficiency, the application should include the following:
 - List each position title and a summary description of the duties associated with the position;
 - Identify anticipated starting wage or salary;
 - Include a projection of wage or salary growth opportunities; and
 - Include data published within the past 5 years illustrating that the wages to be paid are adequate for family self-sufficiency within the geographic area in which the business(es) will be located.
 - The application describes and provides evidence that the participating business(es) will offer employee benefits to those who fill the newly created positions, including healthcare, paid leave, and flexible scheduling.
- The application describes and provides evidence of other employee benefits that the participating business(es) will offer to those who fill the newly created positions.
- The application describes and provides evidence of how individuals with low incomes will be supported in achieving career growth and advancement, including any training, educational, or certification opportunities employees will be provided by participating businesses.
- The application describes how positions will be created during the project period and sustained for at least 1 year after the end of the grant period, including listing the steps that will be taken to set up the project solidly and position it for continued success after the end of the grant period.

Business Plan - Past Performance with Similar Job Creation Projects

Maximum Points: 3

In reviewing this section, reviewers will consider the extent to which the application demonstrates that the applicant has experience with similar projects, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Business Plan-Past Performance with Similar Job Creation Projects*.

Specifically, reviewers will consider the extent to which the following are addressed:

The application demonstrates that the applicant and all partner organizations have the experience necessary to successfully carry out the proposed project, including evidence of one

business creation or business expansion project undertaken by the applicant or project partner that:

- Have been executed within the past 10 years;
- Are similar in terms of scope or scale to the project for which CED funding is being requested; and
- Were successful in creating sustainable, full-time, full-year positions.

The application provides a quantitative and qualitative description of the jobs created through past business creation or expansion projects. This should include the following:

- Descriptions of the positions created, including information on wages and benefits;
- Descriptions of how the jobs allowed persons to leave public assistance programs or similar supports; and
- Information on the long-term sustainability of the positions created.

Organizational Capacity

Maximum Points: 10

In reviewing this section, reviewers will consider the extent to which the application demonstrates that the organization, staff, and project partners have sufficient overall experience to carry out the project, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Organizational Capacity and Third-Party Agreements*.

Specifically, reviewers will consider the extent to which the following are addressed:

- The application demonstrates that the organization, its staff, and its project partners have sufficient overall experience to successfully implement the proposed project, including relevant experience and success in developing and operating businesses similar to those to be conducted under the proposed project. If one or more project partners are involved, the application demonstrates that the combined capacity of the applicant and the partner organizations is sufficient to successfully implement the proposed project.
- The application includes a signed project partner agreement with all project partners involved as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Third-Party Agreements*.
- The application includes a resolution, meeting minutes, or other documentation demonstrating that the Board of Directors granted approval for the proposed project.
- The application identifies staff that will be responsible for maintaining oversight for each program activity, staff, and partner(s), and describes procedures and policies used to oversee staff and/or partners/contractors.
- For applicants that cannot demonstrate substantial experience with economic development projects similar to those proposed in the application, the extent to which the application provides evidence of a viable partnership with a more experienced partner, including evidence of a strategy for the more experienced partner (as defined in *Section I. Program Description*) to provide the administrative, technical, and/or financial technical assistance needed to ensure the success of the project. The application includes signed agreements as outlined *Section IV.2. Content and Form of Application Submission, The Project Description, Third-Party Agreements*.

- The application demonstrates, through biographical sketches, degree information, resumes, and descriptions of previous experience, that the identified staff are qualified to carry out the proposed project.
- The application demonstrates that key staff have the appropriate time commitment available and experience in supervision; finance, business development, and management; and working with the target population. The discussion of staff experience must include sufficient detail on whether individuals' skills and experience demonstrate an ability to fulfill the tasks assigned to them.
- The application states clearly whether all key project staff positions are filled, including positions to be hired by third parties. In cases where a key staff person has not yet been hired, the application demonstrates that an appropriate position description, recruitment strategy, and estimated hiring timeline have been developed.

Letters of Support

Maximum Points: 3

In reviewing this section, reviewers will consider the extent to which the application demonstrates sufficient public support to successfully carry out the project, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Description, Letters of Support*.

Specifically, reviewers will consider the extent to which the application includes letters of support from local or regional government agencies or community organizations that identify the individual writing the letter, the organization they represent, the date, and reason(s) for supporting the proposed project.

Project Budget and Budget Justification Information

Maximum Points: 15

In reviewing the Project Budget and Budget Justification, reviewers will consider the extent to which the budget for the project demonstrates that the applicant has sufficient funds available (i.e., conditioned only on the receipt of this grant award) and that the planned expenditures are necessary, appropriate, and reasonable for the success of the project, as outlined in *Section IV.2. Content and Form of Application Submission, The Project Budget and Budget Justification*.

Specifically, reviewers will consider the extent to which the applicant addressed the following:

- The application demonstrates that the amount of funds available for the project (CED and non-CED) is commensurate with the level of effort necessary to accomplish the activities, goals, and objectives of the project.
- The application demonstrates that the budget includes funds for all required items, including travel for one staff member to attend a training and technical assistance conference in Washington, DC, during at least 1 year of the grant.
- The application includes financial estimates that demonstrate the necessity, reasonableness, and allocation of the proposed costs to carry out the activities proposed in the application.
- The application includes a budget and budget justification that clearly link the proposed expenditures to the proposed activities necessary for accomplishing the project.

- The application's budget narrative demonstrates, in sufficient detail for a reviewer to evaluate the appropriateness and reasonableness of the line items proposed, that the budget is appropriate for accomplishing the proposed project.
- The application provides sources and uses of funds documentation for both CED and non-CED funding sources (if applicable) necessary to implement the project along with an itemization of expenses by funding source.
- The application budget demonstrates program income is not necessary to meet the funding needs for implementation of the project design.
- The application shows that the CED cost per position created is equal to or less than the ratio found by dividing the requested award amount by \$30,000 for construction projects or \$25,000 for non-construction projects.

For projects that involve non-CED funding to carry out the project, reviewers will consider the extent to which the following are addressed:

- The application provides evidence that all capital requirements have been met through financing, cash resources, or in-kind contributions.
- The application provides evidence, in the form of signed commitment letters, of binding commitments for loans; municipal, federal, or state tax credits; equity stock investments; or other supporting grants totaling at least the amount of non-CED funds necessary.
- The application provides evidence (e.g., a financial statement of cash available) of the applicant's ability to contribute any non-CED cash resources that are needed for the project and that the applicant has pledged in support of the project.
- The application provides evidence of in-kind contributions of personal property and a demonstration of how the value of those contributions was established through techniques, such as an inventory valuation for equipment and/or a certified appraisal for real property.

For projects with only CED funding, reviewers will consider the extent to which the following is addressed:

- The application demonstrates the applicant's ability to carry out a successful project and accomplish its goals with only CED funds.

For construction projects, reviewers will consider the extent to which the following is addressed:

- The application demonstrates that financial plans include all construction costs and demonstrates that all costs are appropriately justified as reasonable and necessary to carry out the activities proposed in the application.

Bonus Points - Underserved Areas: CED Project Located in Priority Energy Communities

Maximum Points: 5

In considering the award of bonus points under this criterion, reviewers will consider the extent to which the application demonstrates that the proposed project will be located in and serve one

of the following Bureau of Labor Statistics' areas that is being prioritized by the Interagency Working Group on Coal and Power Plant Communities on Economic Revitalization:

- Southern West Virginia non-metropolitan area
- Eastern Kentucky non-metropolitan area
- Wheeling, West Virginia-Ohio
- Southwest Virginia non-metropolitan area
- Alaska non-metropolitan area
- Western Kentucky non-metropolitan area
- Bremerton-Silverdale, Washington
- Eastern Wyoming non-metropolitan area
- Western Wyoming non-metropolitan area
- Arizona non-metropolitan area
- Northern West Virginia non-metropolitan area
- Southern Illinois non-metropolitan area
- Central Utah non-metropolitan area
- Southern Indiana non-metropolitan area
- California-Lexington Park, Maryland
- Farmington, New Mexico
- Northeastern Virginia non-metropolitan area
- Western North Dakota non-metropolitan area
- Greeley, Colorado
- College Station-Bryan, Texas
- Southwestern Alabama non-metropolitan area
- Grand Junction, Colorado
- Beckley, West Virginia
- Charleston, West Virginia
- Western Pennsylvania non-metropolitan area

Bonus Points - Underserved Areas: States of Trust Territories without Active CED Grants

Maximum Points: 5

In considering the award of bonus points under this criterion, reviewers will consider whether the application demonstrates that the proposed project will be located in a state or trust territory that does not have an active CED project (as listed below).

- Alabama
- Alaska
- American Samoa
- Arkansas
- Colorado
- Commonwealth of the Northern Mariana Islands
- Delaware

- Federated States of Micronesia
- Georgia
- Guam
- Idaho
- Illinois
- Iowa
- Mississippi
- Nevada
- New Hampshire
- New Jersey
- New Mexico
- North Carolina
- North Dakota
- Rhode Island
- Puerto Rico
- South Dakota
- Tennessee
- Texas
- Utah
- Vermont
- Virgin Islands
- Washington
- Wyoming

Bonus Points - CED Projects Supporting Native American Communities

Maximum Points: 5

In considering points under this criterion, reviewers will consider the extent to which the application demonstrates that the proposed project will support economic mobility in Native communities. Native American communities include American Indian tribes (federally recognized and non-federally recognized), Alaska Natives, Native Hawaiians, and Native American Pacific Islanders.

V.2. Review and Selection Process

No grant award will be made under this funding opportunity on the basis of an incomplete application. No grant award will be made to an applicant that does not have a UEI and an active SAM registration. See *Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)*.

Initial ACF Screening

Each application will be screened to determine whether it meets any of the disqualification factors described in *Section III.3. Other, Application Disqualification Factors*.

Disqualified applications are considered to be “non-responsive” and are excluded from the competitive review process. Applicants will be notified of a disqualification determination by

email or by USPS postal mail within 30 federal business days from the closing date of this NOFO.

Objective Review and Results

Applications competing for financial assistance will be reviewed and evaluated by objective review panels using only the criteria described in *Section V.1. Criteria* of this funding opportunity. Each panel is composed of experts with knowledge and experience in the area under review. Generally, review panels include three reviewers and one chairperson.

Results of the competitive objective review are taken into consideration by ACF in the selection of projects for funding; however, objective review scores and rankings are not binding. Scores and rankings are only one element used in the award decision-making process. If identified in *Section I. Program Description*, ACF reserves the right to consider preferences to fund organizations serving emerging, unserved, or under-served populations, including those populations located in pockets of poverty. In addition, ACF reserves the right to evaluate applications in the larger context of the overall portfolio by considering geographic distribution of federal funds (e.g., ensuring coverage of states, counties, or service areas) in its pre-award decisions.

ACF may elect not to fund applicants with management or financial problems that would indicate an inability to successfully complete the proposed project. In addition, ACF may elect to not allow a prime recipient to subaward if there is any indication that they are unable to properly monitor and manage subrecipients.

Applications may be funded in whole or in part. Successful applicants may be funded at an amount lower than that requested.

Federal Awarding Agency Review of Risk Posed by Applicants

ACF is required to review and consider any information about the applicant that is in the Federal Awardee Performance and Integrity Information System (FAPIIS), www.fapiis.gov/, before making any award in excess of the simplified acquisition threshold over the period of performance. An applicant may review and comment on any information about itself that a federal awarding agency has previously entered into FAPIIS. ACF will consider any comments by the applicant, in addition to other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in [45 CFR § 75.205\(a\)\(2\) Federal Awarding Agency Review of Risk Posed by Applicants](#).

Non-Federal Reviewers Reference

Please refer to *Section IV.2. Required Forms, Assurances, and Certifications* of this funding opportunity for information on non-federal reviewers in the review process.

Approved but Unfunded Applications

Applications recommended for approval in the objectives review process, but not selected for award may receive funding if additional funds become available in the current Fiscal Year. For those applications determined as “approved but unfunded,” notice will be given of the determination by email.

V.3. Anticipated Announcement and Federal Award Dates

Announcement of awards and the disposition of applications will be provided to applicants at a later date. ACF staff cannot respond to requests for information regarding funding decisions prior to the official applicant notification.

VI. Federal Award Administration Information

VI.1. Federal Award Notices

Successful applicants will be notified through the issuance of a NoA that sets forth the amount of funds granted, the terms and conditions of the grant, the effective date of the grant, the budget period for which initial support will be given, the non-federal share to be provided (if applicable), and the total project period for which support is contemplated. The NoA will be signed by the Grants Officer and transmitted via email or by GrantSolutions, or the Head Start Enterprise System (HSES), whichever is relevant.

Following the finalization of funding decisions, organizations whose applications will not be funded will be notified by letter signed by the cognizant Program Office head. Any other correspondence that announces to a Principal Investigator, or a Project Director, that an application was selected is not an authorization to begin performance.

Information on allowable pre-award costs and the time period under which they may be incurred is available in *Section IV.6. Funding Restrictions*, if applicable. Project costs that are incurred prior to the receipt of the NoA are at the recipient's risk.

Recipients may translate the Federal award and other documents into another language. In the event of inconsistency between any terms and conditions of the Federal award and any translation into another language, the English language meaning will control. Where a significant portion of the recipient's employees who are working on the Federal award are not fluent in English, the recipient must provide the Federal award in English and in the language(s) with which employees are more familiar.

VI.2. Administrative and National Policy Requirements

Administrative and National Policy Requirements

Awards issued under this funding opportunity are subject to 45 CFR Part 75 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards currently in effect or implemented during the period of award, other Department regulations and policies in effect at the time of award, and applicable statutory provisions. The Code of Federal Regulations (CFR) is available at www.ecfr.gov. Unless otherwise noted in this section, administrative and national policy requirements that are applicable to discretionary grants are available at: www.acf.hhs.gov/administrative-and-national-policy-requirements.

An application funded with the release of federal funds through a grant award does not constitute or imply compliance with federal regulations. Funded organizations are responsible for ensuring that their activities comply with all applicable federal regulations.

Please review all HHS regulatory provisions for Termination at 2 CFR § 200.340.

HHS Grants Policy Statement

The HHS Grants Policy Statement (HHS GPS) is the Department of Health and Human Services' single policy guide for discretionary grants and cooperative agreements. ACF grant awards are subject to the requirements of the HHS GPS, which covers basic grants processes, standard terms and conditions, and points of contact, as well as important agency-specific requirements. The general terms and conditions in the HHS GPS will apply as indicated unless there are statutory, regulatory, or award-specific requirements to the contrary that are specified in the NoA. The HHS GPS is available at https://www.acf.hhs.gov/grants/discretionary-post-award-requirements#book_content_0.

Equal Treatment of Faith-Based Organizations

A faith-based organization that participates in this program will retain its independence from the federal government and may continue to carry out its mission consistent with religious freedom, nondiscrimination, and conscience protections in federal law, including the Free Speech and Free Exercise Clauses of the First Amendment of the U.S. Constitution, the Religious Freedom Restoration Act (42 U.S.C. 2000bb *et seq.*), the Coats-Snowe Amendment (42 U.S.C. 238n), Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1(a) and 2000e–2(e)), Americans with Disabilities Act, 42 U.S.C. 12113(d)(2), section 1553 of the Patient Protection and Affordable Care Act (42 U.S.C. 18113), the Weldon Amendment (e.g., Further Consolidated Appropriations Act, 2020, Public Law 116–94, 133 Stat. 2534, 2607, div. A, sec. 507(d) (Dec. 20, 2019)), or any related or similar federal laws or regulations. Religious accommodations may also be sought under many of these religious freedom and conscience protection laws.

Consistent with 45 CFR § 87.3(b), a faith-based organization that receives direct financial assistance from HHS may not engage in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) as part of the programs or services funded with direct financial assistance from the HHS awarding agency. Such an organization, whether faith-based or not, also shall not, in providing services funded by HHS, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice, as provided in 45 CFR § 87.3(d).

National Environmental Policy Act

The NEPA, as amended at 42 U.S.C. 4321 *et seq.*, establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, HHS requires the environmental aspects of construction grants to be reviewed and evaluated before final action on the application.

The applicability of NEPA should be determined in consultation with the Environmental Quality Program, Office of Enterprise Support Programs, Program Support Center, Assistant Secretary for Administration, which is the HHS focal point for NEPA. Please see the HHS Real Property Policy and Strategy page for more information.

The NEPA process must be completed prior to approval of an application or issuance of an

award. If, as a result of a post-award change, an ACF determines NEPA applies to an award, the NEPA process must be satisfactorily completed before drawdown of funds for the activity.

VI.3. Reporting

Performance Progress Reports:

Semi-Annually

Reporting Requirements

Recipients under this funding opportunity will be required to submit performance progress and financial reports periodically throughout the project period. Information on reporting requirements is available on the ACF website at www.acf.hhs.gov/discretionary-post-award-requirements#chapter-2.

For planning purposes, the frequency of required reporting for awards made under this funding opportunity are as follows:

Financial Reports:

Semi-Annually

CED Performance Progress Reports

Recipients under this NOFO will also be required to use the CED program-specific Performance Progress Report (PPR) to submit performance progress reports on a semi-annual basis.

Information on CED PPR reporting requirements is available on the OCS website at <https://www.acf.hhs.gov/ocs/form/ced-ppr-forms-and-instructions>.

CED PPR information collection is approved under OMB control number 0970-0386, which expires February 28, 2023. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Post-Award Facilities Requirement

It is expected that, for all facility related projects, the applicable OMB approved SF-429 forms (e.g., SF-429 Cover Page, SF-429 Attachment A – Annual General Report, SF-429 Attachment B – Acquire or Improve Request, and SF-429 Attachment C – Disposition and Encumbrance Request) will be submitted along with supporting documents **in the GrantSolutions OLDC system**.

For more information, please see [ACF Property Guidance](#), [ACF Real Property Guidance](#), and [Real Property Prior Approvals](#).

VII. HHS Award Agency Contact(s)

Program Office Contact

Gerald

Shanklin

Administration for Children and Families

Office of Community Services
OCS Operations Center
HHS-2022-ACF-OCS-EE-0081
1401 Mercantile Lane, Suite 401
Largo
MD
20774
1-855-792-6551
ocstech@reviewops.org

Office of Grants Management Contact

Tim
Chappelle
Health and Human Services
Administration for Children and Families
Office of Grants Management
HHS-2022-ACF-OCS-EE-0081
1401 Mercantile Lane, Suite 401
Largo
MD
20774
1-855-792-6551
ocstech@reviewops.org

Federal Relay Service:

Hearing-impaired and speech-impaired callers may contact the Federal Relay Service (FedRelay) at www.gsa.gov/fedrelay.

VIII. Other Information

Reference Websites

U.S. Department of Health and Human Services (HHS) www.hhs.gov/.

Administration for Children and Families (ACF) www.acf.hhs.gov/.

ACF Funding Opportunities Forecasts and NOFOs www.grants.gov/.

ACF "How To Apply For A Grant" <https://www.acf.hhs.gov/grants/how-apply-grant>.

ACF Property Guidance <https://www.acf.hhs.gov/grants/real-property-and-tangible-personal-property>

Grants.gov Accessibility Information www.grants.gov/web/grants/accessibility-compliance.html.

Code of Federal Regulations (CFR) <http://www.ecfr.gov/>.

United States Code (U.S.C.) <http://uscode.house.gov/>.

Application Checklist

Applicants may use this checklist as a guide when preparing an application package.

What to Submit	Where Found	When to Submit
SF-424A Budget Information - Non-Construction Programs / SF-424B Assurances - Non-Construction Programs and SF-424C - Budget Information Construction Programs / SF-424D - Assurances Construction Programs	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> These forms are available in the NOFO's forms package at www.Grants.gov in the Mandatory section. All forms are required for applications under this NOFO for projects that include both non-construction and construction activities.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
SF-424 - Application for Federal Assistance	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> This form is available in the NOFO's forms package at www.Grants.gov in the Mandatory section.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
SF-424C - Budget Information - Construction Programs and SF-424D - Assurances - Construction Programs	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> These forms are available in the NOFO's forms package at www.Grants.gov in the Mandatory section. Also available at http://www.grants.gov/web/grants/forms.html by using the link to "SF-424 Family." These forms are required for applications under this NOFO: Projects that include only construction activities must submit the SF-424C and SF424D, along with the SF-424 and SF-P/PSL.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>

What to Submit	Where Found	When to Submit
Unique Entity Identifier (UEI) and System for Award Management (SAM) registration.	Referenced in <i>Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)</i> in the funding opportunity. To obtain a UEI and SAM registration, go to http://www.sam.gov .	A UEI and registration at SAM.gov are required for all applicants. Active registration at SAM must be maintained throughout the application and project award period.
SF-424 Key Contact Form	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due with the application by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due with the application package or prior to the award of a grant.
SF-424A - Budget Information - Non-Construction Programs and SF-424B - Assurances - Non-Construction Programs	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . These forms are available in the NOFO's forms package at www.Grants.gov in the Mandatory section. They are required for applications that include only non-construction activities.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
SF-Project/Performance Site Location(s) (SF-P/PSL)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4</i> .

What to Submit	Where Found	When to Submit
		<i>Submission Dates and Times.</i>
SF-LLL - Disclosure of Lobbying Activities	"Disclosure Form to Report Lobbying" is referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> This form is available in the NOFO's forms package at www.Grants.gov .	If submission of this form is applicable, it is due at the time of application. If not available at the time of application, it may also be submitted prior to the award of a grant.
Table of Contents	Referenced in <i>Section IV.2. The Project Description.</i>	Submit with the application by the due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
Project Summary	Referenced in <i>Section IV.2. The Project Description.</i> The Project Summary is limited to one single-spaced page.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
Proof of Non-Profit Status	Referenced in <i>Section IV.2. The Project Description, Legal Status of Applicant Entity.</i>	Proof of non-profit status should be submitted with the application package by the application due date and time listed in the <i>Overview</i> and <i>Section IV.4.</i> of the NOFO. If it is not available at the time of application submission, it must be submitted prior to the award of a grant.

What to Submit	Where Found	When to Submit
Executive Order 12372, "Intergovernmental Review of Federal Programs," and 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities"	Applicants should go to the following URL for the official list of the jurisdictions that have elected to participate in E.O. 12372 https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf	Submission of application materials is due to SPOC by the application due date listed in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Required Governing Body Documentation	Referenced in <i>Section I</i> of the funding opportunity.	If available, submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4</i> . If not available at the time of application submission, due by the time of award.
Mandatory Grant Disclosure	Requirement, submission instructions, and mailing addresses are found in the "Mandatory Grant Disclosure" in <i>Section IV.2. Required Forms, Assurances and Certifications</i> .	If applicable, concurrent submission to the Administration for Children and Families and to the Office of the Inspector General is required.
The Project Budget and Budget Justification	Referenced in <i>Section IV.2. The Project Budget and Budget Justification</i> .	Submission is required in addition to submission of SF-424A and / or SF-424C. Submission is required with the application package by the due date in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .

What to Submit	Where Found	When to Submit
Indirect Cost Rate Agreement (IDR)	Referenced in <i>Section IV.2. The Project Budget and Budget Justification</i> . The IDR must be submitted with the application package.	If the IDR is available by the application due date, it must be submitted with the application package. If it is not available by the application due date, listed in the <i>Overview</i> and <i>Section IV.4. Submission Dates and Times</i> , it may be submitted prior to the award of a grant.
The Project Description	Referenced in <i>Section IV.2. The Project Description</i> .	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .

Appendix

Appendix A

Sample Chart of Cost per Job Created

Applicants will agree to create at least the minimum number of jobs for the amount of the requested award equal to the ratio found by dividing the requested award by \$25,000 for non-construction project or \$30,000 for construction projects. Example of cost per job created follows in the chart below.

Award Amount	Jobs for Non-Construction Projects	Jobs for Construction Projects
100,000	At least 4 jobs	At least 3 jobs
200,000	At least 8 jobs	At least 7 jobs

300,000	At least 12 jobs	At least 10 jobs
400,000	At least 16 jobs	At least 13 jobs
500,000	At least 20 jobs	At least 17 jobs
600,000	At least 24 jobs	At least 20 jobs
700,000	At least 28 jobs	At least 23 jobs
800,000	At least 32 jobs	At least 27 jobs

Appendix B Persistent Poverty Counties

State	County
AL	Barbour County
AL	Bullock County
AL	Butler County
AL	Clarke County
AL	Conecuh County
AL	Dallas County
AL	Escambia County
AL	Greene County
AL	Hale County
AL	Lowndes County
AL	Macon County
AL	Marengo County
AL	Monroe County
AL	Perry County
AL	Pickens County
AL	Pike County

AL	Sumter County
AL	Wilcox County
AK	Wade Hampton Census Area
AK	Yukon-Koyukuk Census Area
AZ	Apache County
AZ	Navajo County
AZ	Santa Cruz County
AR	Bradley County
AR	Chicot County
AR	Columbia County
AR	Crittenden County
AR	Desha County
AR	Hempstead County
AR	Jefferson County
AR	Lee County
AR	Mississippi County
AR	Monroe County
AR	Newton County
AR	Phillips County
AR	Poinsett County
AR	St. Francis County
AR	Searcy County
AR	Woodruff County
CA	Fresno County
CA	Imperial County
CA	Tulare County

CO	Alamosa County
CO	Costilla County
CO	Saguache County
FL	Alachua County
FL	Hamilton County
FL	Hardee County
FL	Madison County
GA	Atkinson County
GA	Baker County
GA	Ben Hill County
GA	Bulloch County
GA	Burke County
GA	Calhoun County
GA	Candler County
GA	Clarke County
GA	Clay County
GA	Clinch County
GA	Cook County
GA	Crisp County
GA	Decatur County
GA	Dooly County
GA	Dougherty County
GA	Early County
GA	Emanuel County
GA	Evans County
GA	Grady County

GA	Greene County
GA	Hancock County
GA	Jefferson County
GA	Johnson County
GA	Macon County
GA	Marion County
GA	Mitchell County
GA	Peach County
GA	Quitman County
GA	Randolph County
GA	Screven County
GA	Seminole County
GA	Stewart County
GA	Sumter County
GA	Talbot County
GA	Taliaferro County
GA	Tattnall County
GA	Taylor County
GA	Telfair County
GA	Terrell County
GA	Toombs County
GA	Treutlen County
GA	Turner County
GA	Ware County
GA	Warren County
GA	Washington County

GA	Wheeler County
GA	Wilcox County
ID	Madison County
IL	Alexander County
IL	Jackson County
IL	Pulaski County
KS	Riley County
KY	Adair County
KY	Bath County
KY	Bell County
KY	Breathitt County
KY	Carter County
KY	Casey County
KY	Clay County
KY	Clinton County
KY	Cumberland County
KY	Elliott County
KY	Estill County
KY	Floyd County
KY	Fulton County
KY	Harlan County
KY	Hart County
KY	Jackson County
KY	Johnson County
KY	Knott County
KY	Knox County

KY	Laurel County
KY	Lawrence County
KY	Lee County
KY	Leslie County
KY	Letcher County
KY	Lewis County
KY	Lincoln County
KY	McCreary County
KY	Magoffin County
KY	Martin County
KY	Menifee County
KY	Monroe County
KY	Morgan County
KY	Owsley County
KY	Perry County
KY	Pike County
KY	Powell County
KY	Robertson County
KY	Rockcastle County
KY	Rowan County
KY	Russell County
KY	Wayne County
KY	Whitley County
KY	Wolfe County
LA	Acadia Parish
LA	Avoyelles Parish

LA	Bienville Parish
LA	Caddo Parish
LA	Caldwell Parish
LA	Catahoula Parish
LA	Claiborne Parish
LA	Concordia Parish
LA	De Soto Parish
LA	East Carroll Parish
LA	East Feliciana Parish
LA	Evangeline Parish
LA	Franklin Parish
LA	Iberia Parish
LA	Lincoln Parish
LA	Madison Parish
LA	Morehouse Parish
LA	Natchitoches Parish
LA	Orleans Parish
LA	Ouachita Parish
LA	Pointe Coupee Parish
LA	Red River Parish
LA	Richland Parish
LA	Sabine Parish
LA	St. Helena Parish
LA	St. Landry Parish
LA	St. Mary Parish
LA	Tangipahoa Parish

LA	Tensas Parish
LA	Washington Parish
LA	Webster Parish
LA	West Carroll Parish

LA	Winn Parish
MD	Baltimore city
MI	Isabella County
MS	Adams County
MS	Amite County
MS	Attala County
MS	Benton County
MS	Bolivar County
MS	Chickasaw County
MS	Choctaw County
MS	Claiborne County
MS	Clarke County
MS	Clay County
MS	Coahoma County
MS	Copiah County
MS	Covington County
MS	Forrest County
MS	Franklin County
MS	Grenada County
MS	Holmes County
MS	Humphreys County
MS	Issaquena County

MS	Jefferson County
MS	Jefferson Davis County
MS	Kemper County
MS	Lafayette County
MS	Lauderdale County
MS	Leake County
MS	Leflore County
MS	Lowndes County
MS	Marion County
MS	Marshall County
MS	Montgomery County
MS	Noxubee County
MS	Oktibbeha County
MS	Panola County
MS	Pike County
MS	Quitman County
MS	Scott County
MS	Sharkey County
MS	Simpson County
MS	Sunflower County
MS	Tallahatchie County
MS	Tunica County
MS	Walthall County
MS	Washington County
MS	Wayne County
MS	Wilkinson County

MS	Winston County
MS	Yalobusha County
MS	Yazoo County
MO	Adair County
MO	Dunklin County
MO	Mississippi County
MO	New Madrid County
MO	Oregon County
MO	Pemiscot County
MO	Reynolds County
MO	Ripley County
MO	Shannon County
MO	Texas County
MO	Washington County
MO	Wright County
MO	St. Louis city
MT	Big Horn County
MT	Blaine County
MT	Glacier County
MT	Roosevelt County
NE	Keya Paha County
NE	Thurston County
NM	Chaves County
NM	Cibola County
NM	Dona Ana County
NM	Guadalupe County

NM	Hidalgo County
NM	Luna County
NM	McKinley County
NM	Quay County
NM	Roosevelt County
NM	San Juan County
NM	San Miguel County
NM	Socorro County
NY	Bronx County
NY	Kings County
NC	Bertie County
NC	Bladen County
NC	Columbus County
NC	Halifax County
NC	Martin County
NC	Northampton County
NC	Pitt County
NC	Robeson County
NC	Tyrrell County
NC	Washington County
ND	Benson County
ND	Rolette County
ND	Sioux County
OH	Athens County
OK	Adair County
OK	Caddo County

OK	Cherokee County
OK	Choctaw County
OK	Coal County
OK	Harmon County
OK	Hughes County
OK	McCurtain County
OK	Okfuskee County
OK	Payne County
OK	Pushmataha County
OK	Seminole County
OK	Tillman County
PA	Philadelphia County
SC	Allendale County
SC	Bamberg County
SC	Barnwell County
SC	Clarendon County
SC	Colleton County
SC	Dillon County
SC	Hampton County
SC	Jasper County
SC	Lee County
SC	Marion County
SC	Marlboro County
SC	Orangeburg County
SC	Williamsburg County
SD	Bennett County

SD	Buffalo County
SD	Charles Mix County
SD	Clay County
SD	Corson County
SD	Dewey County
SD	Jackson County
SD	Mellette County
SD	Roberts County
SD	Shannon County
SD	Todd County
SD	Ziebach County
TN	Campbell County
TN	Cocke County
TN	Fentress County
TN	Grundy County
TN	Hancock County
TN	Johnson County
TN	Lake County
TN	Scott County
TX	Brazos County
TX	Brooks County
TX	Cameron County
TX	Camp County
TX	Cochran County
TX	Crosby County
TX	Culberson County

TX	Dimmit County
TX	Duval County
TX	Edwards County
TX	El Paso County
TX	Falls County
TX	Floyd County
TX	Frio County
TX	Garza County
TX	Hall County
TX	Hidalgo County
TX	Houston County
TX	Hudspeth County
TX	Jim Wells County
TX	Kinney County
TX	Kleberg County
TX	La Salle County

TX	McCulloch County
TX	Marion County
TX	Maverick County
TX	Nacogdoches County
TX	Presidio County
TX	Real County
TX	Reeves County
TX	Robertson County
TX	San Augustine County
TX	Starr County

TX	Uvalde County
TX	Val Verde County
TX	Webb County
TX	Willacy County
TX	Zapata County
TX	Zavala County
UT	San Juan County
VA	Buchanan County
VA	Lee County
VA	Montgomery County
VA	Charlottesville city
VA	Harrisonburg city
VA	Norton city
VA	Radford city
VA	Richmond city
WA	Whitman County
WV	Braxton County
WV	Calhoun County
WV	Clay County
WV	Fayette County
WV	Gilmer County
WV	Lincoln County
WV	Logan County
WV	McDowell County
WV	Mingo County
WV	Monongalia County

WV	Roane County
WV	Summers County
WV	Webster County
WI	Menominee County