



U.S. Department of Housing and Urban Development

Lead Hazard Control and Healthy Homes

Lead Hazard Reduction Grant Program - Modification

FR-6600-N-13

06/27/2023

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Program Office:

Lead Hazard Control and Healthy Homes

Funding Opportunity Title:

Lead Hazard Reduction Grant Program - Modification

Funding Opportunity Number:

FR-6600-N-13

Assistance Listing Number:

14.905

Due Date for Applications:

06/27/2023

Summary

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

HUD's Strategic Goals

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

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

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

Overview

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

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

For Further Information Regarding this NOFO: Please direct questions regarding the specific requirements of this NOFO to the office contact identified in Section VII.

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

OMB Approval Number(s):
2539-0015

I. FUNDING OPPORTUNITY DESCRIPTION.

A. Program Description.

- **Purpose**

The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there is Healthy Homes Supplemental funding available that is intended to enhance the lead based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Program funds will be awarded to applicants through this NOFO to accomplish the following objectives:

a. (Targeted Units) Target lead hazard control efforts in housing units where children less than 6 years of age are at greatest risk of lead poisoning (pre-1960, and, especially, pre-1940 construction), which has historically included children in low-income and minority neighborhoods, to reduce the likelihood of elevated blood lead levels in these children.

b. (Cost Effectiveness) Utilize cost-effective lead hazard control methods and approaches that ensures the long-term safety of the building occupants.

c. (Capacity) Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities. Another core element for capacity includes the development of comprehensive, community-based approaches to integrating this grant program within other local initiatives through public and private partnerships that address housing related health and safety hazards and/or serve low income families with children under the age of six (6).

d. (Affirmative Marketing) Establish and implement a detailed process of monitoring and ensuring that units made lead-safe are affirmatively marketed, and priority given, to families with children under age 6 years for not less than three years.

e. (Data Collection) Gather pre- and post-treatment data that supports and validates lead hazard control investments. Program data collected should support the evaluation of grant program activities and outcomes.

f. (Targeted Outreach and Education) Conducting targeted outreach, affirmative marketing, education or outreach programs on lead hazard control and lead poisoning prevention designed to increase the ability of the applicant to deliver the specified lead hazard control services through this program; including educating owners of eligible rental properties, tenants, and others on the benefits and expectations of participating in this program provided by "Title X" of the Residential Lead-Based Paint Hazard Reduction Act of 1992.

- **Changes from Previous NOFO.**

Changes from the previous NOFO posted April 26 are as follows:

- **Funds not awarded in [Round 1 of this NOFO](#) are being made available in this modification Round 2.**
- **Funds from FY 2023 appropriations are being made available in Round 2.**
- **The previously available funding in Round 2 of \$403,764,572.84 has been increased to \$711,764,572.84 with 160 awards estimated to be awarded under Round 2. Healthy Homes Supplemental funding has been increased from approximately \$9,889,860.20 to \$27,889,860.20. No funds are available for the High Impact Neighborhoods category of grants, so that category does not appear in this Round.**
- **Certain provisions under the Build America, Buy America Act (Public Law No. 117-58, §§ 70901-52) apply to this amended Round 2. See section VI.B.10 and Appendix A of this NOFO, and the implementing guidance available on HUD's dedicated webpage for details.**
- **Changes from FY 2021 NOFO.**
- If you received Lead Hazard Reduction grant funding in 2020 or 2021, or in Round 1 in 2022, you are not eligible to apply under this program.
- This NOFO uses a 48-month project period and budget period, which is changed from the previous 42-month project period and budget period.
- Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, section 223, Justice40 Initiative, applies to this grant program. The initiative sets an Administration “goal that 40 percent of the overall benefits [of covered programs] flow to disadvantaged communities.” Your application must specify the percentage of the census tracts within its target area that are disadvantaged communities, as per Office of Management and Budget guidance. See section V.A, Rating Factor Two, Justification of Applicant Need.
- Using, for Rating Factor Two and elsewhere, the Center for Disease Control and Prevention’s (CDC’s) current blood lead reference value (BLRV) for children under age 6 of 3.5 micrograms per deciliter as part of identifying jurisdictions with the highest need, in contrast to the previous NOFO’s use of CDC’s previous BLRV of 5.0 micrograms per deciliter.

- The teletype (TTY) number that may be used by individuals who are deaf or hard of hearing, or who have speech disabilities, to reach telephone numbers mentioned in this NOFO has been changed from the Federal Relay Service's 800 TTY number, for which the service has expired, to the Federal Communication Commission's TTY service number, 711.

- **Definitions.**

a. Standard Definitions

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

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

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

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

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

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

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

- *Curable Deficiencies* may be corrected by the applicant with timely action. To be curable the deficiency must:

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

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

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

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

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

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

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

1. Grants;
2. Cooperative agreements (which does not include a cooperative research and development agreement pursuant to the Federal Technology Transfer Act of 1986, as amended (15 U.S.C. 3710a)).
3. Loans;
4. Loan guarantees;
5. Subsidies;
6. Insurance;
7. Food commodities;
8. Direct appropriations;
9. Assessed and voluntary contributions; and
10. Any other financial assistance transaction that authorizes the non-Federal entity's expenditure of Federal funds.
11. Federal financial assistance does not include amounts received as reimbursement for services rendered to individuals as described in section [200.502\(h\)](#) and (i). ([2 CFR 200.1](#))

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

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

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

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

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

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

Promise Zones (PZs) are high poverty communities where the federal government partners with local leaders to increase economic activity, improve educational opportunities, leverage private investment, reduce violent crime, enhance public health and address other priorities identified by the community. See Promise Zones.

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

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

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

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

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

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

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

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

- Program Definitions.

Program definitions are provided in Appendix D.

B. Authority.

The Lead-Based-Paint Hazard Reduction (LHR) Grant Program - Modification is authorized by Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992) (42 U.S.C. 4852) and funding is provided by the Consolidated Appropriations Act, 2023 (Public Law 117-328, enacted December 29, 2022), the Consolidated Appropriations Act, 2022 (Public Law 117-103, enacted March 15, 2022), and the Consolidated Appropriations Act, 2021 (Public Law 116-260, enacted December 27, 2020).

The Healthy Homes Supplemental funding is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that

affect occupant health. The Healthy Homes Supplemental activities are authorized by Section 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-2) and funding is provided by the Consolidated Appropriations Act, 2023 (Public Law 117-328, enacted December 29, 2022) and the Consolidated Appropriations Act, 2022 (Public Law 117-103, enacted March 15, 2022).

II. Award Information.

A. Available Funds

Funding of approximately **\$711,764,572** is available through this NOFO.

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

Approximately \$27,889,860.20 of the amount above is available for the Healthy Homes Supplemental funding and is available only to applicants who are awarded a LHR grant and only for work in homes for which lead hazard control work (not just lead hazard evaluation work) is being done under the grant.

B. Number of Awards.

HUD expects to make approximately 160 awards from the funds available under this NOFO.

For information on the methodology used to make award determinations under this NOFO, please see Section V.B Review and Selection Process below.

Funding will be set aside for applicants that have never received an award under the Lead Hazard Reduction grant program or whose grant period of performance ended 2 or more years ago. If there are an insufficient number of eligible applicants to use this set-aside, the funding will be made available to other eligible grant applicants. If there are more eligible applicants for this set-aside than can be funded using the set aside, the highest rated applicants will be awarded a grant under this set aside, and the remaining eligible applicants will be evaluated along with the remaining group of eligible applicants.

C. Minimum/Maximum Award Information

For the purposes of application under this NOFO; you should consider the minimum and maximum funding amounts below as you develop your program approach and budget for consideration.

The following is a breakdown of estimated total funding available for Lead-Based Paint Hazard Reduction

- Highest Lead-Based Paint Abatement Needs: approximately \$155,728,338.98
- Other Jurisdictions: approximately \$528,146,373.66
- Healthy Homes Supplemental funding: approximately \$27,889,860.20
- Total \$711,764,572.84

1. The minimum award for any applicant to request under this NOFO is \$1,000,000. The maximum award amounts for the Lead-Based Paint Hazard Reduction grant program will be divided into the following categories:
2. Areas with the Highest Lead-Based Paint Abatement needs with at least 3,500 pre-1940 occupied rental housing units = minimum award of \$1,000,000; maximum award of \$8,000,000.
3. Other Jurisdictions = minimum award of \$1,000,000; maximum award of \$5,000,000.
4. Jurisdictions that have never received a Lead-Based Paint Hazard Control (LBPHC) or Lead Hazard Reduction Demonstration (LHRD) grant or whose grant period of performance ended two (2) or more years ago = minimum award of \$1,000,000; maximum award of \$4,000,000.

Healthy Homes Funding

The maximum award amount for the Healthy Homes Supplemental funding will be divided into the following categories:

1. Highest Lead-Based Paint Abatement Needs jurisdictions, and other jurisdictions (but see below) = \$700,000
2. Jurisdictions that have never received an LBPHC or LHRD grant or whose grant period of performance ended two (2) or more years before the due date for applications for this NOFO = \$400,000

Please Note: As described in section III.C.3.a, below, in the event you request an amount over the maximum award, on line 18a of the SF-424, the application will not pass threshold and will not be reviewed.

Estimated Total Funding:

\$711,764,572

Minimum Award Amount:

\$1,000,000

Per Project Period

Maximum Award Amount:

\$8,000,000

Per Project Period

D. Period of Performance

Estimated Project Start Date:

09/05/2023

Estimated Project End Date:

09/07/2027

Length of Project Periods:

48-month project period and budget period

Length of Periods Explanation of Other:

N/A

E. Type of Funding Instrument.

Funding Instrument Type:

G (Grant)

F. Supplementation

HUD is providing grantees with an option to request Healthy Homes Supplemental funding. The Healthy Homes Supplemental funding request is an additional amount distinct from the requested federal lead hazard control grant award amount for this program and must be treated as such. A separate SF 424 must be filled out and attached to the grant application package in the grants.gov system to receive these funds in addition to the required narrative and budget documents as detailed in the rating factors below.

The Healthy Homes Supplemental request must also be clearly indicated in your abstract. It is your responsibility to include the additional SF 424 requesting the Healthy Homes Supplement amount as a separate additional award and to clearly define in the abstract and the narrative submitted the exact dollar amount requested for both the Lead Based Paint Hazard Reduction Grant award and any total amount of Healthy Homes Supplement requested to ensure that the breakdown of the total request is accurately reflected on any such awarded application. Please Note: As described in section III.C.3.a, below, in the event you request an amount over the maximum award, on line 18a of the SF 424, the application will not pass threshold and will not be reviewed.

III. Eligibility Information.

A. Eligible Applicants.

00 (State governments)

01 (County governments)

02 (City or township governments)

04 (Special district governments)

07 (Native American tribal governments (Federally recognized))

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

Additional Information on Eligibility

Only cities, counties/parishes, and other units of local government, and certain States and Native American Tribes (those that have an U.S. Environmental Protection Agency- (EPA) authorized lead abatement certification program on the submission deadline) are eligible applicants.

Multiple entities may apply as a consortium, including nonprofit co-applicants, provided an eligible entity is the principal (lead) applicant responsible for ensuring compliance with NOFO requirements, and each entity must meet the Resolution of Civil Rights Matters threshold requirement.

If your department or agency does not report directly or through a direct chain of command to your jurisdiction's chief executive officer (governor, county executive, mayor, etc.), you must identify the specific statute(s) (e.g., 1 MyState Revised Code 2345) establishing it as a part of the

government, and either attach the relevant wording, or include the specific freely accessible web address(es) in the application.

An applicant with at least 3,500 pre-1940 occupied rental housing units (either alone or through a consortium) may apply under the Highest Lead-Based Paint Abatement Needs grants category for up to \$8,000,000.

An applicant that would be a first-time grantee or whose previous lead hazard control grant ended two (2) or more years before the deadline may request up to \$4,000,000. An applicant whose previous grant ended less than two (2) years ago may request up to \$5,000,000 (Other Jurisdictions). An applicant requesting funding under the Highest Lead-Based Paint Abatement Needs category that does not meet the applicable criteria will be put into the general applicant's pool and the requested amount lowered to the maximum for the category under which they are assigned, i.e., \$4,000,000 or \$5,000,000, as above, if the requested funding exceeded the applicable maximum. An applicant that is eligible for a grant under the Areas with the Highest Lead-Based Paint Abatement Needs grant category may choose to apply under the Other Jurisdictions category instead.

2020 and 2021 Lead Hazard Reduction grant awardees and 2022 Round 1 Lead Hazard Reduction grant awardees are not eligible to compete for, or receive, awards made under this announcement.

B. Ineligible Applicants.

The following are not eligible entities for this competition and applications will not be reviewed:

1. Individuals.
2. 2020 and 2021 Lead Hazard Reduction grant awardees and 2022 Round 1 Lead Reduction grant awardees.
3. Foreign entities.
4. Sole proprietorship organizations.

C. Cost Sharing or Matching.

This Program requires cost sharing or matching as described below.

Match is required for this program by statute 42 U.S.C. 4852(h). Generally, Federal sources are not allowed to be used as cost share or match unless otherwise permitted by a program's authorizing statute (for example, HUD's Community Development Block Grants program). The chart below describes the match percentage requirement, minimum percentage of Federal funds for lead hazard control activities, and maximum administrative cost (as a percentage of federal funds). **The minimum match requirement applies to the federal lead hazard control requested amount for applicants for each of the lead hazard reduction funding categories and excludes the requested Healthy Homes (HH) Supplemental funding amount.**

Match and Cost Requirements Table.

Program	Minimum Match (of federal request)	Minimum Lead Hazard Control Costs	Maximum Administrative Costs
Lead Based Paint Hazard Reduction	10 percent (excluding HH Supplemental funds)	65 percent (excluding HH Supplemental funds)	10 percent (excluding HH supplemental funds)

Matching Funds Evaluation.

Applicants must include the Matching Contribution Table below and should have the corresponding information on the commitment as on the form HUD-424 CBW and the SF-424 application documents submitted under this opportunity. The SF-424 and the match table will constitute the applicants' commitment to fund the match requirement. The applicant is responsible for all match commitments, including those from donors, discounts and property owners, should those contributions not materialize. The table should indicate the source, proposed eligible uses, and amounts of match committed on the SF-424 and Form HUD_424_CBW. Add additional rows to the table, as needed, for each match.

Source of Allowable Match	Purpose of the Match	Amount

Shared costs or matching funds and contributions must not be paid by another Federal award, except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs.

NOTE: Community Development Block Grant (CDBG) funds may be used as match to satisfy the matching resource requirements, provided they are specifically designated for the activities and costs allowed in this NOFO. Proposed matching commitments that are not eligible, such as, funding sources that are federal (e.g., HOME or Weatherization Assistance Program funds) or that are not committed for allowable uses (e.g., rehabilitation, code compliance) will not be counted towards satisfying the match requirements of the programs in this NOFO, although the funds may be used for the units being treated under this grant.

Evidence of match commitment. You must provide documentation of all match indicated on the SF-424 and the Form HUD_424_CBW by letters of firm commitment, such as Memoranda

of Understanding or other signed agreements from those entities identified as partners in the application with your submission to this NOFO. All letters of commitment, including those provided by your organization, **MUST** clearly identify the dollar amount or value, the source(s) of the funds, and the proposed uses of matching funds being committed. Commitments for match to be supplied by your organization must be supported by a letter signed by the authorized official whose signature appears on the SF-424 detailing sources and uses of the committed match. The commitment documentation must mention this NOFO and have been signed on or after the date this NOFO was published. You must show that matching contributions will be used specifically for allowable program costs and come from allowable non-federal sources. Both the source of the funds and use of the funds must comply with the requirements of this NOFO. The Department will track and monitor all match commitments according to Office of Management and Budget (OMB) and program requirements.

Permissible Match Contributions. Examples of eligible sources that are permissible as match contributions include:

- Documentation of Contributions from Property Owners. Homeowners or landlords (owners) may contribute match dollars. You must provide detailed documentation of the cost to be paid by the homeowner or landlord. Only owner contributions for eligible activities will count as match. Owner contributions must be supported and verified by a third party: for example, materials or labor that the owner paid for or provided must be substantiated via receipts/records. You must document and verify all owner-provided labor through a third party, and this labor must be valued at market rates.
- The value of in-kind donated items, such as paint and other materials or equipment that are used for lead-based paint hazard control, must be established at market rates.
- For services or products provided at a discounted rate and used an eligible use under the grant, the discounted part of the fee or price is the eligible match, not the entire value of the services or products. For example: if a supply company provides a product to the contractor at a lower rate, the difference in the cost of the product the supplier would typically charge, and the discounted rate is a match if otherwise eligible. You must document that the vendors that provide discounts are knowingly providing support for this federal award.
- Third Party In-Kind Contributions. See 2 CFR 200.306 for additional information on third party in-kind contributions.

D. Threshold Eligibility Requirements.

Applicants who fail to meet any of the following threshold eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated.

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

- a. Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that have not been resolved to HUD's

satisfaction before or on the application deadline date are ineligible for funding. Such matters include:

1. Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;
 2. Status as a defendant in a Fair Housing Act lawsuit filed by the United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
 3. Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
 4. Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or the Americans with Disabilities Act; or
 5. Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.
- b. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:
1. Current compliance with a voluntary compliance agreement signed by all the parties;
 2. Current compliance with a HUD-approved conciliation agreement signed by all the parties;
 3. Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
 4. Current compliance with a consent order or consent decree;
 5. Current compliance with a final judicial ruling or administrative ruling or decision; or
 6. Dismissal of charges.

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

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

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

- a. **Request Funding Amount.** You must clearly document the requested federal funding amount on line 18a of the SF-424 (Application for Federal Assistance), and the Form HUD_424_CBW (HUD Detailed Budget Worksheet including Total Budget).
- b. **Applications Not in Scope with Program Purpose.** Applications submitted to conduct activities other than lead-hazard control evaluation and remediation and, if Healthy Homes Supplement funding is also being requested, evaluation and control of housing-related health and safety hazards, will not be reviewed.
- c. **Duplicate Application.** Only one application will be accepted from any given state, tribal or local government under this NOFO. Title X requires that each award be made to "A State or unit of local government" (42 U.S.C. § 4852(b)) or, by extension based on an EPA determination, to a federally recognized tribe that is authorized by that Agency to administer its lead activities certification program, rather than to an individual agency of such a government, so that only one award may be made to an eligible government. If more than one application is received from a state, tribal or local government, whether from the same or a different government agency, the most recent application that was received by [Grants.gov](https://www.grants.gov) that meets the timely receipt requirements will be considered for review and funding, and the other applications will not be reviewed.
- d. **Match Requirement.** If the application does not include documentation that details the minimum ten percent (10%) matching requirement as described in the Cost Sharing or Matching section, above, it will not be reviewed.
- e. **Required Documents.** If the application does not contain each of the required application documents as indicated in Section IV, below, it will not be reviewed.
- f. **Jurisdiction Identification.** If the applicant does not clearly identify in the application the jurisdiction in which it intends to utilize these program resources, the application will not be reviewed. State applicants may list more than one city, town or borough, or other comparable local jurisdiction terminology (e.g., parish if appropriate), as the focus of their jurisdiction.

E. Statutory and Regulatory Requirements Affecting Eligibility.

Eligibility Requirements for Applicants of HUD's Grants Programs

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

- Active Prime and Sub Recipient registration with SAM.gov
- Outstanding Delinquent Federal Debts

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

F. Program-Specific Requirements.

1. **Allowable Costs and Activities.** This section applies to allowable costs and activities funded under this NOFO. Allowable costs are determined in accordance with the cost principles in 2 CFR part 200, subpart E - Cost Principles. Costs and activities outlined in sections 2) below are not considered administrative costs and, therefore, do not count as part of the ten percent (10%) administrative cost cap of this program.
** For more information on Allowable Costs, please see Policy Guidance 2015-01 Clarification of Costs for Lead Based Paint Hazard Reduction Programs. Available at https://www.hud.gov/sites/documents/201501_COST_CATEGORIES.pdf
2. For the purposes of application under this NOFO, you should consider the minimum and maximum funding amounts below as you develop your program approach and budget for consideration See Section II.C, above.

Healthy Homes Supplemental funding is exclusively for direct costs associated with the identification and remediation of the housing related health and safety hazards identified in each individual eligible unit. A complete Healthy Homes Assessment of each individual unit results in a report and scope of work. The Assessment prioritizes hazards found and corresponds with priorities based on the community needs identified while reflective of a maximum amount per unit. Those costs allowable with the Healthy Homes Supplemental funding include costs for completing an assessment to identify housing hazards that affect health, development of scopes of work of the identified hazards, and conducting remediation of identified and documented health and safety hazards that are individualized for each of the housing units selected to receive this funding where lead hazard control activities are being completed. Eligible costs also include reevaluation of the completed work, reporting, and notification to occupants and owners, if different, of the nature and results of the remediation. There are additional limitations for the use of this funding; See Policy Guidance PG 2018-01, Revision of the Purpose and Use of Healthy Homes Supplemental Funding, at <https://www.hud.gov/program offices/healthy homes/lbp/pg> for additional information.

a. Administrative Costs. You can utilize up to ten percent (10%) of the federal award for payments of reasonable grant administrative costs related to planning and executing the project, preparation/submission of HUD reports, etc. Administrative costs must be reflected under each appropriate line items (e.g., salaries, fringe, supplies, on the Form HUD_424_CBW) and a detailed cost element breakdown in the budget narrative must be provided. The ten percent (10%) administrative cost cap for this program must include any indirect cost rates placed in the

HUD share budget columns, as well as the sum of the budget line items that have inherent administrative costs per OLHCHH Policy Guidance 2015-01, plus any administrative costs of sub recipient organizations (also detailed by budget line item and budget narrative). There are two categories of administrative costs: direct administrative costs and indirect costs. For the purposes of this grant, all direct administrative costs and all indirect costs count towards the ten percent (10%) administrative cost limit.

i.) Direct Administrative Costs.

Direct administrative costs are the reasonable, necessary, allocable, and otherwise allowable costs of general management, oversight, and coordination of the grant (i.e., program administration). Such costs include, but are not necessarily limited to, expenditures for: Salaries, wages, fringe benefits, and related costs of the recipient's staff engaged in program administration that can be specifically identified with the grant. (See OLHCHH Policy Guidance 2012-01 (www.hud.gov/sites/documents/PGI_2012-01.PDF))

ii). Indirect Costs, if applicable. Indirect facilities and administrative (F&A) costs are, by nature, administrative and represent the expenses of doing business that are not readily identified exclusively with a specific grant, contract, project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs. 2 CFR 200, subpart E Cost Principles, establishes the federal requirements for the determination of allowable and unallowable direct and indirect (F&A) costs, and is available at [Code of Conduct](#). Indirect (F&A) costs may only be charged to an OLHCHH grant program under a cost allocation plan or an indirect cost rate agreement or in accordance with the requirements of 2 CFR 200.414(f), on the de minimis rate.

iii). Lead Hazard Control Direct Costs. Lead Hazard Control direct costs are defined specifically as the performance of lead-based paint identification and remediation activities. Awardees must expend at least sixty-five percent (65%) of grant funds on direct lead-based paint hazard control remediation and related activities in the home and this must be documented when preparing the program budget. (See OLHCHH Policy Guidance 2012-01 (www.hud.gov/sites/documents/PGI_2012-01.PDF); see Attachment 2.)

iv). Other Allowable Costs. Costs for the activities below are allowable costs but should not be counted as direct costs toward the minimum sixty-five (65%) requirement:

- Targeted Outreach, Education, and Training. Conducting targeted outreach, affirmative marketing, education or outreach programs on lead hazard control and lead poisoning prevention that will result in increased lead hazard control activities or that are designed to increase the ability of the program to deliver lead hazard control services, including educating owners of rental properties, tenants, and others on the Residential Lead-Based Paint Hazard Reduction Act, Lead Disclosure Rule, Lead Safe Housing Rule (24 CFR part 35, subparts A, and B-R, respectively), the EPA Renovation, Repair and Painting (RRP) Rule (40 CFR 745, especially subpart E), and applicable provisions of the Fair Housing Act, especially as it pertains to familial status (e.g., families with children) and disability discrimination, providing meaningful access to these program benefits and information to Limited English Proficient (LEP) individuals through language assistance strategies and services, in accordance with Title VI of the Civil Rights Act of 1964 and

the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons published on January 22, 2007 in the Federal Register (72 FR 2732), and providing training on lead-safe maintenance and renovation practices and management. Upon request, this also would include making all materials available in alternative formats to persons with disabilities (e.g., Braille, audio, and large type) pursuant to 24 CFR 8.6(b) and Titles II and III of the Americans with Disabilities Act, as applicable.

- The registry of lead-safe units that must be developed and provided to families as part of the outreach program.
- Purchasing or leasing items having a per-unit cost under \$5,000.
- Supporting data collection, analysis, and evaluation of grant program activities. This includes compiling and delivering such data as may be required by HUD.
- Evaluating the effectiveness of hazard remediation conducted under this grant to assess how healthy homes interventions affect the health of the population being served relative to the population at large.
- Securing liability insurance for housing-related environmental health and safety hazard evaluation and control activities. This is considered either an indirect cost or an administrative cost, depending on the relationship of the insurance applicable for this grant to the applicant's overall insurance policy portfolio
- Occupant Blood Testing. Conducting pre-hazard control blood lead testing of persons residing in or frequently visiting units enrolled for or undergoing lead hazard control work.
- Research and Studies. Participating in technical studies, or developing information systems to enhance the delivery, analysis, or conduct of lead hazard control activities; or to facilitate targeting and consolidating resources to further childhood lead poisoning prevention efforts. For this program, we do not expect research that could affect human subjects to be conducted.

This program requires a certification of Consistency with the Consolidated Plan under 24 CFR 91.2. This certification means the proposed activities in the application are consistent with the jurisdiction's strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the Consolidated Plan.

Program Requirements and Prohibitions

- a. Blood Lead Testing. The applicant should request testing of each child under the age of six years who resides in a housing unit under contract to receive lead hazard control work, or document that a child has been tested for blood lead levels within the six months preceding the lead hazard control work, unless it is documented that the child's parent or legal guardian chooses not to have the child tested. You must refer any child with an elevated blood lead level for appropriate medical follow-up with his or her health care provider or local health department. See also, the [CDC Response to Advisory Committee on Childhood Lead Poisoning Prevention Recommendations in Low Level Lead Exposure Harms Children: A Renewed Call of Primary Prevention](#) (2012) and the [Advisory Committee's recommendations report](#).
- b. Code of Conduct. If you are awarded a grant, you must be prepared to submit a copy of your Organization's Code of Conduct and describe the methods you will use to ensure

that all officers, employees, and agents of their organization are aware of your Code of Conduct, prior to entering into a grant agreement with HUD.

- c. **Public Private Partnerships.** You must work to further collaboration and coordination with public private partnerships to assist in meeting your program goals. HUD encourages collaboration and coordination with other agencies and partners to identify and eliminate lead-based paint and housing-related health and safety hazards. You are encouraged to enter into formal arrangements with partners, such as childhood lead poisoning prevention programs, health agencies, community development agencies, public housing agencies (noting, however, that lead hazard control funds may not be used for evaluating or controlling lead-based paint hazards in public housing but may be used in housing choice voucher units), weatherization assistance agencies, fair housing organizations, code enforcement agencies, state Medicaid agencies, community-based non-profit organizations, and faith-based or other community-based organizations. These formal arrangements may be in the form of a contract, a Memorandum of Understanding (MOU), a Memorandum of Agreement (MOA), or other comparable documentation of agreement. Such relationships must be established prior to the execution of an award or be contingent upon award, becoming effective within 60 days after award. In particular, your workplan to be developed after award must include implementing a mechanism for providing rapid response (i.e., several business days) to requests from a public housing agency participating in the HUD housing choice voucher program (see Policy Guidance PG 2017-05, [Income Verification Guidance](#)) or the OLHCHH's upcoming Lead Risk Assessment Demonstration grant program under the 2022 or later OLHCHH appropriations (see section I.B of this NOFO), at the time of initial assistance for a particular target housing unit. Agreements for goods and services to be paid for the award must be eligible and must be procured through a competitive process as defined in 2 CFR sections 200.317 and 200.326 as applicable.
- d. **Compliance with HUD Regulations and Guidelines.** You must conduct lead hazard evaluation and control work in compliance with HUD's Title X, the current HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (current HUD Guidelines, applicable OLHCHH Program Policies, and applicable federal, state, and local regulations and guidance, including, but not limited to the EPA's Renovation, Repair, and Painting (RRP) Rule (found within 40 CFR part 745; see <https://www.epa.gov/lead/renovation-repair-and-painting-program-resources>).
- e. **Prohibited Practices.** Grantees are not permitted to engage in practices prohibited under HUD's Lead Safe Housing Rule at 24 CFR 35.140, EPA's RRP Rule at 40 CFR 745.83(a)(3), or EPA's lead abatement rule at 40 CFR 745.227(e)(6).
- f. **Compliance with Section 504 of the Rehabilitation Act.** Facilities where program participants come for assistance (e.g., for intake and enrollment in the program), training or education, must be held in facilities that are accessible to persons with disabilities in accordance with Section 504 of the Rehabilitation Act and its implementing regulations at 24 CFR Part 8, and with Titles II and III of the Americans with Disabilities Act, as applicable.
- g. **Compliance with Title VI of the Civil Rights Act of 1964 and Limited English Proficiency.** You must take steps to ensure meaningful access for persons with Limited English Proficiency (LEP). As an aid to grantees, HUD published the Final Guidance to

Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (LEP Guidance) in the Federal Register on January 22, 2007 (72 FR 2732). The LEP guidance and additional LEP information is available [here](#). Grantees must take steps to ensure meaningful access for persons with LEP when program participants come for assistance, training or education, or when grantees conduct outreach activities.

- h. Consolidated Plans. You must submit Form_HUD2991. (By submitting Form_HUD2991, you certify that the work will be conducted in accordance with your and other jurisdictions' Consolidated Plans for areas where the project will be carried out. You must also submit, as an attachment, the current lead-based paint element from your approved Consolidated Plan or a web site address where the Consolidated Plan is located and provide page number). Be sure to verify that the web address is active, and available without cost. If the jurisdiction does not have a currently approved Consolidated Plan, but is otherwise eligible for this grant program, you must include the jurisdiction's abbreviated Consolidated Plan that includes a lead-based paint hazard control strategy developed in accordance with 24 CFR 91.235. (An Indian tribe applying for a grant for which the target area for projects under the grant will be located on a reservation of the tribe need not submit a Consolidated or abbreviated Consolidated Plan. (24 CFR 583.155(c)). If a non-tribal jurisdiction does not include such a strategy, it is ineligible to participate in the grant.
- i. Continued Availability of Lead-Safe Housing to Low-Income Families with children under 6 years of age. Units in which lead hazards have been controlled under this program must be occupied by or continue to be available to low-income residents with children under 6 years of age for a minimum of three years as required by Title X, Section 1011. You must describe previous efforts, whether on your own or in partnership with others, such as the organizations listed in paragraph c, above, if applicable, to maintain a publicly accessible registry (listing) of low-income units made lead-safe because of previous activities. You must also describe the plans you have on your own or in partnership with others, for continuing an existing registry or establishing a new registry, and procedures for monitoring and affirmatively marketing these units to low-income families with children less than six years of age. Your approach must include the entire period of performance, the process, persons responsible and actions that will occur when violations are noted.
- j. Control/Elimination Strategies. All lead-based paint hazards identified in housing units and in common areas of multifamily housing enrolled in this grant program must be controlled or eliminated by either of the following strategies or a combination of the two methods below within 10 days or less:
 - 1. Interim Controls. Interim controls of lead-based paint hazards including paint-lead hazards, dust-lead hazards, and soil-lead hazards, as defined by EPA at 40 CFR §§ 745.65 and 745.227, shall be conducted in accordance with the current HUD Guidelines, and shall be completed by conducting and passing clearance, including visual inspection and, on applicable interior and patio surfaces, dust-lead sampling and analysis demonstrating residual dust lead below the lower of EPA's or HUD's dust lead hazard standards or clearance levels

2. Abatement means any set of measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the EPA. Abatement includes the removal of lead-based paint and lead contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead painted surfaces or fixtures, and the removal or covering of lead contaminated soil; and all preparation, cleanup, disposal, and post-abatement clearance testing activities associated with such measures; however, for clearances under this NOFO on applicable interior and patio surfaces, dust-lead sampling and analysis shall demonstrate residual dust lead below the lower of EPA's or HUD's dust lead hazard standards or clearance levels (40 CFR 745.227, or 24 CFR 35.1320 and 35.1340).
- k. Cooperation with Related Research and Evaluation. Grantees must cooperate fully with any research or evaluation sponsored by HUD or another government agency associated with this grant program, including preservation of project data and records and compiling requested information in formats provided by the researchers, evaluators, or HUD. This may include the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in the original proposal. Participant data must be subject to the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA and the Privacy Rule can be found at www.hhs.gov/ocr/privacy/. For the program in this NOFO, HUD does not expect research to be conducted that could affect human subjects.
- l. Data Collection. You must collect, maintain, and provide to HUD the data necessary to document and evaluate grant program outputs and outcomes, including pre- and post-lead hazard control sampling and clinical management follow-up.
- m. Economic Opportunities for Low- and Very Low-Income Persons (Section 3). Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) is applicable to grants funded under this lead hazard control and healthy homes grant program NOFO (see 24 CFR 75.3(a)(2)(i)). All grantees under this NOFO that conduct any lead hazard reduction project exceeding \$100,000 are required to comply with Section 3 for those projects. The lead hazard reduction project is the residential dwelling(s) that are under common ownership, management, and financing. If you plan to hire any new employees or award contracts to carry out the project(s), you must comply with the Section 3 requirements found at 24 CFR part 75, subpart C. If a project will also have housing and community development financial assistance, you must also comply with 24 CFR part 75, subpart D. For projects for which you are required to comply with Section 3, any contractor, subcontractor or sub-grantee must also comply with the Section 3 requirements for any new training, hiring or sub-contracting opportunities provided under those contracts. Applicants for this grant program must plan to recruit and collect the level of detailed information to report out to the federal government the success of their efforts to meet these goals annually. For more information about Section 3, see HUD's Section 3 website, https://www.hud.gov/program_offices/field_policy_mgt/section3, particularly its Frequently Asked Questions document, which discusses lead hazard control and healthy homes grants, and HUD's Section 3 regulations (24 CFR Part 75), <https://www.ecfr.gov/current/title-24/subtitle-A/part-75>.
- n. Required Grantee Training. If you are awarded a grant under this NOFO, you will be required to attend at a minimum of two trainings per year of award. These training will consist of a onetime OLHCHH New Grantee Orientation (within the DC area, if travel-

related COVID-19 pandemic business disruptions have decreased by that time, or remotely if not) and an annual Program Manager School (either in person or remotely, similarly). You are required to send a minimum of two key staff from each active award to each required training, as applicable. If your grant agreement is not signed prior to the New Grantee Orientation, you will be reimbursed for any reasonable costs you incur to attend the New Grantee Orientation that are allowable in accordance with 2 CFR part 200, especially 2 CFR 200.458 and 2 CFR 200.474. HUD reserves the right to disallow costs that are not reasonable, allowable and allocable in accordance with OMB Cost Principles, 2 CFR part 200, subpart E.

- o. Institutional Review Board (IRB). For the program in this NOFO, HUD does not expect research that could affect human subjects to be conducted. However, if such research is conducted, it shall be conducted in accordance with 24 CFR part 60, Protection of Human Subjects, which invokes the Department of Health and Human Services' Common Rule at 45 CFR part 46, subpart A.
- p. Lead-Based Paint and Lead-Based Paint Hazard Identification. A complete lead-based paint inspection and lead hazard risk assessment, evaluating each housing unit, common area, exterior surface, and bare soil (and not a sample of any of them), including either separate reports or a combined report is required for all properties enrolled under this program. **Presumption of the presence of lead-based paint or lead-based paint hazards is not permitted.** Paint inspections and risk assessments must follow the procedures as defined in paragraph d, above, the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, and as defined by the policies of the Lead Hazard Reduction Grant Program. Refer to Policy Guidance 2013-01 the OLHCHH website, posted at [PGI 2013-01](#) for additional requirements.
- q. Notification Requirements. A copy of EPA's Renovate Right brochure (available in English and Spanish; see the EPA RRP homepage below) must be provided to the owner of the unit and to an adult occupant of the unit (whether or not RRP work will be conducted). All lead-based paint testing results, summaries of lead-based paint hazard control treatments, and clearances must be provided to the owner of the unit, together with a notice describing the owner's legal duty to disclose the results to tenants and buyers (see 24 CFR 35.88 of the Lead Disclosure Rule). Grantees must ensure that this information is provided in a manner that is effective for persons with disabilities (24 CFR 8.6) and, also that persons with limited English proficiency (LEP) will have meaningful access to it (see Executive Order 13166). Grant files must contain verifiable evidence of providing lead hazard evaluation and control reports to owners and tenants, such as a signed and dated receipt. You must also describe how you will provide owners with lead hazard evaluation and control information generated by activities under this grant, so that the owner can comply with the Lead Disclosure Rule (24 CFR part 35, subpart A, or the equivalent 40 CFR part 745, subpart F), the Lead Safe Housing Rule (24 CFR part 35, subparts B-R), and the EPA's Renovation, Repair, and Painting (RRP) Rule (see 40 CFR part 745 and <http://www2.epa.gov/lead/renovation-repair-and-painting-program>).
- r. Priority Treatment for Elevated Blood Lead Cases. The grantee shall develop and implement, in its workplan and policies, written procedures for an expedited process (including expedited intake, evaluation, procurement, and hazard control work) for treating housing of children under the age of six years who have an elevated blood lead level. The norm for completing lead hazard control work in such units and the common

areas that service them shall be within 50 days after the program receives the referral, with the environmental investigation to be completed within 15 days (whether the whole investigation or the increment from a risk assessment conducted within the past 12 months) and the lead hazard control work within 30 days of receiving the environmental investigation report. The grantee shall negotiate with the local housing authority(ies) with Housing Choice Voucher units in the grantee's target area for this grant, a Memorandum of Understanding (or Agreement, etc.) to ensure tenants in Housing Choice Voucher target units who report a child with an elevated blood lead are protected from losing their assistance, and the unit does not lose its voucher eligibility status. See also, the CDC Response to Advisory Committee on Childhood Lead Poisoning Prevention Recommendations in Low Level Lead Exposure Harms Children: A Renewed Call of Primary Prevention (2012) at https://www.cdc.gov/nceh/lead/ACCLPP/CDC_Response_Lead_Exposure_Recs.pdf.

- s. Procurement Requirements. All goods and services must be procured through a competitive process. Recipients must follow federal procurement requirements as defined in 2 CFR 200.317 through 200.326, as applicable. The designation of an entity as a subrecipient or contractor must follow program policies and 2 CFR 200.330.
- t. Temporary Relocation. HUD expects that the lead hazard control work and temporary relocation will take 10 days or less. Assisting with reasonable costs of temporary relocation for those persons required to vacate housing while participating in this voluntary maintenance program for lead hazard reduction is an eligible activity of the program described in this NOFO. Occupants who enroll in the programs described in this NOFO must be treated fairly and equitably, in particular, regarding removing participation barriers created by relocation requirements if housing must be vacated while lead hazard reduction measures are being conducted. Such tenant-occupants may be entitled to receive temporary relocation assistance where applicable if relocation is required in excess of 15 days to complete the lead hazard control work pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. §§ 4601-4655, as described in regulations at 49 CFR 24.2(a)(9)(ii)(D)) and the corresponding Appendix A to Part 24. (These regulations can be accessed from the Government Publishing Office website at [49 CFR Part 24](#)).
- u. Owner-occupants temporarily relocating while hazard reduction measures are conducted pursuant to a program described in this NOFO may receive assistance but are not entitled to URA relocation assistance for relocation based on needs assessment completed at enrollment and based on the discretion of the program policy and procedures approved by the Government Technical Representative (GTR) for this grant. When tenant occupants with physical disabilities are temporarily relocated, they must be offered housing that is compliant with Section 504 of the Rehabilitation Act. For additional information on relocation requirements, see the HUD Handbook 1378 (Real Estate Acquisition and Relocation Policy and Guidance). All relocation assistance is expected to support the approved occupant protection plan received and approved by the program manager for each unit under this award.
- v. Occupant protection plan. The grantee shall ensure that an occupant protection plan is written and implemented for each housing unit in which hazard reduction work will be conducted. For lead hazard control work, the plan shall conform to the HUD Guidelines chapter 8, Resident Protection and Worksite Preparation.

- w. Testing, sampling, and laboratory analysis. All testing, sampling and laboratory analysis for lead must comply with Title X, Section 1011, and conform to the current HUD Guidelines, the EPA lead-based paint and lead-based paint hazard standards and clearance levels at 40 CFR part 745, OLHCHH Program Policy 2017-01(https://www.hud.gov/program/offices/healthy_homes/lbp/pg), and federal, state, or tribal regulations developed as part of the appropriate contractor certification program, whichever is most protective of children. Paint chip sampling alone is not a cost effective or practical method for grantees to use alone in the identification of all lead hazards for the purposes of this grant. It is expected that an XRF will be utilized to complete each Lead Inspection / Risk Assessment in combination with dust wipes, paint sampling, and soil sampling as applicable. Paint chip sampling in accordance with the HUD Guidelines chapters 5 and 7 (https://www.hud.gov/sites/documents/CH05_12-13-12.PDF and <https://www.hud.gov/sites/documents/LBPH09.pdf>) may be used in certain cases. All laboratory analyses conducted on paint chips, soil and/or dust samples must be performed by an environmental laboratory recognized by EPA under the National Lead Laboratory Accreditation Program pursuant to the Toxic Substances Control Act (15 U.S.C. 2685) (See the list of laboratories at <https://www.epa.gov/lead/national-lead-laboratory-accreditation-program-list>).
- x. Trained and Certified Professionals. Funded activities must be conducted by firms certified or licensed for, and persons certified for, the activities according to 24 CFR part 35, subparts B-R (possessing certification as risk assessors, inspectors, abatement supervisors, abatement workers, or sampling technicians (clearance inspections); or certified renovator (for workers and supervisors performing non-abatement work after clearance of all lead hazard control scopes of work), as applicable to each unit. Any lead hazard control activities conducted under this grant program requires a certified or licensed lead abatement firm, a certified lead abatement supervisor, and certified lead abatement workers to complete all scopes of work whether interim or abatement is identified in the scope of work for any unit. Each certified person must work for an appropriately certified or licensed firm, e.g., a certified risk assessment, certified inspection, licensed abatement as applicable. All abatement firms, workers and supervisors must hold an RRP license if any interim control work is conducted as a result of this award alone or in combination with abatement methods. Please NOTE: EPA RRP certification alone is NOT sufficient for completion of interim control work under this program based on the intent of the program being to remove and reduce lead-based paint hazards specifically.
- y. This program requires a certification of Consistency with the Consolidated Plan under 24 CFR 91.2. This certification means the proposed activities in the application are consistent with the jurisdiction's strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the Consolidated Plan. The Consolidated Plan also includes the jurisdiction's certification to affirmatively further fair housing. For competitive programs, a certification of consistency of the application with the approved consolidated plan for the jurisdiction may be required, whether the applicant is the jurisdiction or another applicant. If you fail to provide the certification, and you do not cure the omission as a curable deficiency, HUD will not fund the application.

aa. Waste Disposal. You must handle waste disposal according to the requirements of the appropriate local, state, and federal regulatory agencies, and the HUD Guidelines. The HUD Guidelines are available here

https://www.hud.gov/program_offices/healthy_homes/lbp/hudguidelines

bb. Worker Protection Procedures. You must observe the procedures for worker protection established in the current HUD Guidelines, as well as the requirements of the Occupational Health and Safety Administration (OSHA) (in particular, 29 CFR 1910.1025, Lead, and/or 29 CFR 1926.62, Lead Exposure in Construction, as applicable), or the state or local occupational safety and health regulations, whichever are most protective.

cc. Written Policies and Procedures. You will be required to develop written policy and procedures during the first 60 days. The policies and procedures must describe how your program will handle items such as, but not limited to, procurements (contracting), unit eligibility, unit selection and prioritization, all phases of lead hazard evaluation and control, including risk assessments, inspections, development of specifications for contractor bids, pre-hazard control blood lead testing, financing, temporary relocation and clearance examinations, unit monitoring and sub recipient monitoring. You, and your subcontractors, sub-grantees, sub-recipients, and their contractors at all tiers must adhere to these policies and procedures.

G. Criteria for Beneficiaries.

Funds must only be used under this grant program to provide assistance for pre-1978, privately owned housing that is not federally assisted and that meets the following criteria:

- For rental housing, at least fifty percent (50%) of the units must be occupied by or made available to families with incomes at or below fifty percent (50%) of the area median income level and the remaining units must be occupied or made available to families with incomes at or below eighty percent (80%) of the area median income level, and in all cases the landlord must give priority in renting units assisted under this section, for not less than three years (3) following the completion of lead abatement activities, to families with a child under the age of six years (6), except that buildings with five (5) or more units may have twenty percent (20%) of the units occupied by families with incomes above eighty percent (80%) of area median income level; or
- For housing owned by owner-occupants, all units assisted with grants under this section must be the principal residence of families with income at or below eighty percent (80%) of the area median income level, and not less than ninety percent (90%) of the units assisted with grants must be occupied by a child under the age of six years or must be units where a child under the age of six years (6) spends a significant amount of time visiting. See Policy Guidance PG 2014-01, Eligibility of Units for Assistance, at https://www.hud.gov/sites/documents/2014-01_UNIT_ELIGIBILITY.pdf for additional information. The income requirements above are considered on a program-wide basis (cumulatively), not a project-by-project basis.

Procedures for determining if a family is income-eligible are found in Policy Guidance PG 2017-05, [Income Verification Guidance](#).

IV. Application and Submission Information.

A. Obtaining an Application Package.

Instructions for Applicants.

You must download both the Application Instructions and the Application Package from Grants.gov. You must verify that the Assistance Listing Number and Assistance Listing Description on the first page of the Application Package, and the Funding Opportunity Title and the Funding Opportunity Number match the Program and NOFO to which you are applying.

The Application Package contains the portable document forms (PDFs) available on Grants.gov, such as the SF-424 Family. The Instruction Download contains official copies of the NOFO and forms necessary for a complete application. The Instruction Download may include Microsoft Word files, Microsoft Excel files, and additional documents.

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

Name:

Yolanda Brown

Email:

Yolanda.A.Brown@hud.gov

HUD Organization:

OLHCHH

Street:

451 7th Street SW Room 8236

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

Yolanda Brown can also be reached by phone at 202-903-9576. The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service's teletype service at 711.

B. Content and Form of Application Submission.

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

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

1. Content.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Application for Federal Assistance (SF-424)	Review section IV.G. of this NOFO for detailed submission requirements.	
Applicant and Recipient Assurances and Certifications (HUD 424-B)	Review section IV.G. of this NOFO for detailed submission requirements.	
Applicant/Recipient Disclosure/Update Report (HUD 2880)	Review section IV.G. of this NOFO for detailed submission requirements	
Disclosure of Lobbying Activities (SF-LLL)	Review section IV.G. of this NOFO for detailed submission requirements.	Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement.
Certification Regarding Lobbying (Lobbying Form)	Review section IV.G.	

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	of this NOFO for detailed submission requirements.	
Form HUD-424 CBW Detailed Budget Worksheet	Must submit with your application	Amounts on HUD-424 CBW must be consistent with the requested and matched amounts on lines 18b-f of the SF-424; Application for federal assistance. As with the SF-424, if you are requesting Healthy Homes Supplement funds you will need to include a SF-424-CBW for the application as a whole, a separate 424-CBW for the request for federal funds for lead hazard control only (excluding the Homes Supplement funds requested) and a separate SF-424-CBW for Healthy Homes Supplement funds requested only.

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

2. Format and Form.

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

15 Pages maximum length of narratives

Other

Double spaced 12-point (minimum) Times New Roman font on letter sized paper (8 1/2 x 11 inches) with at least 1-inch margins on all sides

A. 2-page abstract (project summary) must contain the information detailed below (abstracts are not evaluated with your application, but they provide required documentation of threshold elements regarding target area, confirmation of Healthy Homes Supplement amount requests (if such a request is being made), and a plain language (see <https://www.plainlanguage.gov/guidelines/>) introduction to your proposed program):

1. Applicant Table. Please include this table at the beginning of your abstract.

Type of applicant	New Current Recent/Prior	
Type of jurisdiction	$\geq 3,500$ occupied housing units (large, urban jurisdiction)	$< 3,500$ occupied rental housing units
List Complete Target Area		
Total Federal Amount Requested	\$ _____	
Lead Funding. LBPHC / LHRD Requested	\$ _____	
Healthy Homes Supplemental Request	\$ _____	
Match Commitment	\$ _____	
Total Lead-Safe Units Proposed		
Total Healthy Homes Interventions Proposed		

2. A general summary of your target area, why funding is needed, partners you intend to work with, and the lead hazard control and healthy homes work you intend to undertake.

B. The narrative responses to Rating Factors 1 to 3, below, are limited to:

1. A **maximum of fifteen (15) pages** (excluding appendices, budget forms/narrative, and worksheets)
2. Double Spaced
3. Letter sized paper, 8-½ x 11 inches
4. 12-point (minimum) Times New Roman font
5. At least 1-inch margins on all sides

NOTE: Any information submitted in response to the Rating Factors beyond the page limit will not be reviewed.

C. Appendices and Attachments:

1. Budget Narrative. Your application must include a budget narrative separate from the rating factor narrative that details the eligible cost amounts and items for each budget line proposed. The narrative must provide details on administrative costs, which are a maximum of ten percent (10%) of the federal requested amount excluding the Healthy Homes Supplement request amount, details on staffing costs, details on which costs are included in the minimum sixty-five percent (65%) lead hazard control cost requirement, and, if applicable, details on how you will budget your Healthy Homes Supplemental

request amount. See section IV.F, Funding restrictions, below, regarding restrictions on the use of funds, and, especially, section IV.F.6, on the use of Healthy Homes Supplemental funds.

2. Consolidated Plan Lead-Based Paint Element. You must provide a copy of your jurisdiction's Lead-Based Paint Element or the link to the website identifying where the Lead-Based Paint Element can be found, from its Consolidated Plan or abbreviated Consolidated Plan (as applicable; see section III.C.5.g, above).
3. Résumés for key staff or position descriptions for vacant positions.
4. Supporting match documentation (Letters of Commitment)
5. Target area census tracts table (you must fill this in with information about each census tract that is within your target area, as described in section V.A.1, regarding Rating Factor Two, using the template spreadsheet in Appendix F)

Material provided in the appendices must support Rating Factor narrative information and will not be used in lieu of information provided in the fifteen (15) page limited response to the Rating Factors. You are strongly urged to submit only information that is required and/or requested in the NOFO or relevant to a specific narrative response. All attachments must identify the related Rating Factor in the page footer by providing the related Rating Factor number and the page number of the attachment (e.g., Factor 1 Attachment, page 1).

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

1. SAM Registration Requirement.

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

2. UEI Requirement.

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

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

3. Requirement to Register with Grants.gov.

Anyone planning to submit applications on behalf of an organization must register at grants.gov and be approved by the E-Biz POC in SAM to submit applications for the organization. Registration for SAM and grants.gov is a multi-step process and can take four (4) weeks or longer to complete if data issues arise. Applicants without a valid registration cannot apply through grants.gov. Complete registration instructions and guidance are provided on grants.gov.

D. Application Submission Dates and Times.

Application Due Date Explanation

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

06/27/2023

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

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

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

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

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

Grants.gov Customer Support. Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html>. Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to support@grants.gov. The customer support center is open 24 hours a day, seven days per week, except Federal holidays. The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service's teletype service at (800)-877-8339.

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

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

- Review the Status column, to view more detailed submission information, click the Details link in the Actions column.
- To download the submitted application, click the Download link in the Actions column.

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

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

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

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

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

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

1. Amending or resubmitting an application.

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

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

2. Grace Period for Grants.gov Submissions.

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

3. Late Applications.

An application received after the NOFO deadline date that does not meet the Grace Period requirements will be marked late and will not be reviewed by HUD for funding consideration. Improper or expired registration and password issues are not sufficient cause to allow HUD to accept applications after the deadline date.

4. Corrections to Deficient Applications.

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

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

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

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

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

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

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

E. Intergovernmental Review.

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

F. Funding Restrictions.

1. **Administrative Costs.** Administrative costs, as defined above, may not exceed ten percent (10%) of the grant award, excluding the Healthy Homes Supplemental funds. Administrative costs are determined based on the nature of the activity being performed

and, therefore, may be found in both the direct and indirect cost categories. OLHCHH considers all costs included in your negotiated indirect cost rate as “administrative costs”.

2. **Lead Hazard Control Costs.** This NOFO requires awardees to expend not less than sixty-five percent (65%) of the federal award on direct lead hazard control activities, as outlined in Section III.C, above. The federal award amount for lead program activities alone is used to determine the minimum percent of expenditure and does not include the requested Healthy Homes Supplemental funds.
3. **Ineligible Costs and Activities.** You may not use grant funds for any of the following activities:
 - a. Purchase of real property.
 - b. Purchase or lease of equipment having a per-unit cost in excess of \$5,000, except for the purchase or lease of up to two (2) X-ray fluorescence analyzers to be used exclusively by the grant program.
 - c. Chelation or other medical treatment costs, including case management, related to children with elevated blood lead levels (EBLs). Non-federal funds used to cover these costs may not be counted as part of the matching contribution.
 - d. Lead hazard evaluation or control activities in public housing, project-based Section 8 housing, housing for the elderly, housing for persons with disabilities, or any 0-bedroom dwelling or housing built after 1977. However, elderly, disabled or 0-bedroom dwellings are eligible for grant funds if a child who is less than six years of age resides or is expected to reside in such housing.
 - e. Complete or gut rehabilitation, demolition of housing units or detached buildings.
 - f. Lead hazard evaluation or control activities in housing covered by a pending or final HUD, EPA, and/or Department of Justice (DOJ) settlement agreement, consent decree, court order or other similar action regarding violation of the Lead Disclosure Rule (24 CFR part 35, Subpart A, or the equivalent 40 CFR part 745, subpart F), or by HUD or DOJ regarding the Lead Safe Housing Rule (24 CFR part 35, subparts B–R).
 - g. Activities that do not comply with the Coastal Barrier Resources Act (16 U.S.C. § 3501).
 - h. Lead-hazard control or rehabilitation of a building or manufactured home that is located in an area identified by the Federal Emergency Management Agency (FEMA) under the Flood Disaster Protection Act of 1973 (42 U.S.C. §§ 4001– 4128) as having special flood hazards unless:
 - The community in which the area is situated is participating in the National Flood Insurance Program in accordance with the applicable regulations (44 CFR parts 59–79), or less than a year has passed since FEMA notification regarding these hazards; and
 - Where the community is participating in the National Flood Insurance Program, flood insurance on the property is obtained in accordance with section 102(a) of the Flood Disaster Protection Act (42 U.S.C. § 4012a(a)). You are responsible

for assuring that flood insurance is obtained and maintained for the appropriate amount and term.

4. Replacing Existing Resources. Funds received under the grant programs covered under this NOFO must not be used to replace existing community resources dedicated to any on-going project.

5. Healthy Homes Supplemental Funds. Healthy Homes Supplemental funds may not be used to pay for salary or fringe benefits, indirect costs, administrative costs, or outreach costs. Refer to Policy Guidance 2018-01 for additional detail.

6. Radon Testing. If you receive Healthy Homes Supplemental funding you must conduct radon testing and, if elevated radon levels are detected, mitigation in all units that are recruited into your LHR program if your target area is located within EPA radon zones 1 or 2 (a spreadsheet with radon zone designation by county is available at on EPA's website: <https://www.epa.gov/radon/epa-maps-radon-zones-and-supporting-documents-state>. If your target area is in zone 3 you are encouraged to test for radon in all units because, although radon levels are generally lower than in zones 1 and 2, some housing units in zone 3 (see below) have radon levels at or above the EPA action level (4 picocuries per liter (pCi/L)) (EPA. A Citizen's Guide to Radon, page 6. EPA402/K-12/002. https://www.epa.gov/sites/default/files/2016-12/documents/2016_a_citizens_guide_to_radon.pdf). If testing identifies a radon level at or above 4 picocuries per liter of air (4 pCi/L), mitigation must be conducted by a professional that is credentialed by the National Radon Proficiency Program (NRPP) or the National Radon Proficiency Program NRSB and licensed/certified in the state in which the work is being conducted, if required by the state.

- Testing must be conducted by a professional who is currently credentialed by the NRPP or the NRSB and licensed/certified in the state in which the work is being conducted if the state has this requirement. Radon testing and mitigation must be conducted according to the current AARST/ANSI consensus standards for the specific housing type <https://standards.aarst.org/>. The EPA estimates that about 1 in 15 homes (~ 7%) in the U.S. have elevated radon levels. This ranges from about 20% of homes in EPA highest risk radon zone (Zone 1) to about 2% of homes in the lowest risk zone (Zone 3).
- The EPA's radon zone map for the U.S. and a spreadsheet with radon zone designation by county is available at on EPA's website: <https://www.epa.gov/radon/find-information-about-local-radon-zones-and-state-contact-information> Many states have also developed radon maps for their states which use more data than was available for the development of the EPA map in the early 1990's.
- The average cost of professional radon testing is about \$140 for a single-family home, with an average mitigation cost of \$1,500 for a single-family home.

7. Pre-award Costs. Pre-award costs are not eligible for reimbursement. All costs reimbursed must be incurred within the established period of performance, not before. Any expenses for application preparation or coordination are the responsibility of the applicant in full.

Indirect Cost Rate.

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

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

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

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

Statutory or regulatory restrictions Apply – ONLY if a statute or regulation imposes restrictions that are different from the indirect cost rate requirements in 2 CFR 200.

G. Other Submission Requirements.

Application, Assurances, Certifications and Disclosures.

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

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

Assurances.

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

Applicant Disclosure Report form 2880.

Required for each applicant applying for assistance within the jurisdiction of HUD to any housing project subject to Section 102(d). Assistance is provided directly by HUD to any person or entity, but not to subrecipients. It includes assistance for the acquisition, rehabilitation, operation conversion, modernization, renovation, or demolition of any property containing five or more dwelling units that is to be used primarily for residential purposes. It includes assistance to independent group residences, board and care facilities, group homes and transitional housing but does not include primarily nonresidential facilities such as intermediate care facilities, nursing homes and hospitals. It also includes any change requested by a recipient in the amount of assistance previously provided, except changes resulting from annual adjustments in Section 8

rents under Section 8(c)(2)(A) of the United States Housing Act of 1937 ([42 U.S.C. 1437f](#)). [See HUD Reform Act regulation for additional information.](#)

V. Application Review Information.

A. Review Criteria.

1. Rating Factors.

HUD will consider whether your application is clear, concise and well organized. Each rating factor is reviewed independently. Be sure your response for each rating factor does not include information that belongs with another rating factor.

Summary of Applicant Scoring, point distribution	
Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience	40 points
Rating Factor 2: Justification of Applicant Need	30 points
Rating Factor 3: Budget Proposal	30 points (including 2 points for Section 3)
Preference Points	2 points
Total Points Possible	102 points

When determining score for the narrative responses, reviewers will utilize the following scale to apply % of points available consistently for each applicant reviewed.

Qualitative Rating	Rating level explanation	%
Outstanding	Answer is thorough and provides high confidence that the criteria are surpassed, or that the applicant will likely surpass the performance criteria covered by the question within the time and cost established. There were no weaknesses noted. The description gives confidence of high probability of success.	100 %
Excellent	No significant weakness noted. Weaknesses or concerns can be corrected with just a moderate amount of effort. In general, the answer gives confidence that the applicant will likely meet the performance criteria covered by the question with the time and cost established.	75 %
Good	Answer provided generally meets the standards required, but has information weaknesses, or design or concept flaws that, while correctable, will likely require considerable effort. The applicant may not have fully answered the question. The answer is mediocre, and therefore, gives concern whether the applicant will meet the performance criteria covered by the question within the time and cost established.	50 %

Fair	Answer is vague or has substantial programmatic weaknesses that would require substantial efforts to correct. There is a low likelihood that the applicant will meet the performance criteria covered by the question within the time and cost established.	25 %
Poor or Non-Responsive	Applicant did not address question or answer shows a lack of understanding of requirements and/or concepts. Poor design concept and no or very little confidence that the applicant will meet the performance criteria covered by the question within the time and cost established. Success regarding this element is very unlikely.	0 %

Rating Factor One

Maximum Points: 40

For this NOFO, the three categories of funding for applicants to apply for are:

Sub-category A: Large, urban jurisdictions that have had an LBPHC or LHRD grant:

1. Applicants that do not have current funding

Sub-category B: Other state and local jurisdictions that have had an LBPHC or LHRD grant

1. Applicants that do not have current funding

Sub-category C: Jurisdictions that will be considered new:

1. Applicants that have never had a LBPHC or LHRD grant
2. Applicants for which the last LBPHC or LHRD grant period of performance ended two (2) or more years before the application submission deadline for this program.

To assist applicants in responding to the appropriate sections of this rating factor; a table is provided to guide applicants based on the sub-category of applicant described above:

Subfactor Title and Points Possible by applicant sub-category for Rating Factor 1

Subfactor	Sub-Category A Points Possible	Sub-Category B Points Possible	Sub-Category C Points Possible
a. Performance History	NA	NA	NA
b. Program Administration and Oversight	21	21	21
c. Sub-recipient and Sub-grantee	7	7	7
d. Partnerships	7	7	7
e. Contractor Capacity and Public Private Partnerships	5	5	5

Provide a narrative response for each prompt within the sub-category that best fits your

organizational type. These responses are to be included in the fifteen (15) page limit:

a. Performance History: (Sub-Category A and B only)

HUD will consider numerous factors of your prior performance, performance against benchmarks, and other relevant information, to evaluate capacity and relevant organization experience. If you have a current LBPHC or LHRD grant at the time of application, and your grant's performance is below seventy-five percent (75%) of any of the performance benchmarks as documented in the Healthy Homes Grants Management System (HHGMS) on the submission deadline, or the grant is in a High Risk Status at the time of application deadline, or if you had a previous LBPHC or LHRD grant for which the period of performance ended in calendar years 2020 or 2021 with the grant on High Risk Status: Your narrative must describe the structural and operational reforms you have made to address those issues (not merely, e.g., replacing the program manager and/or other staff).

b. Program Administration and Oversight: (All applicants)

1. Describe how you will administer this program, including how you will address oversight and financial management and provide examples of current financial reports.
2. Describe how funding will flow from you to those who will perform work under you in this program, as well whether and, if so, how you will ensure that acceptable work is conducted, and acceptable products were provided before you pay invoices and before you submit invoices to HUD.
3. If awarded a grant, you are committing to working in the described target area and shall develop a work plan for which the recruitment, evaluation and control elements are provided proportionately to the need in each.
4. You must describe the safeguards in place to avoid co-mingling of funds whether funded by HUD, or other agencies. Current Lead-Based Paint Hazard Control grantees must describe their plans to implement lead hazard control activities under this NOFO with other ongoing Lead-Based Paint Hazard Control grant program funds.
5. Describe the procedures and electronic management systems you will use to ensure proper program oversight and monitoring, and if you will conduct it, targeted monitoring, of all sub-recipients and contractors to ensure conformity to the terms, conditions and specifications of contracts or other formal agreements.
6. Your key personnel must include at minimum a Project Director (PD), Program Manager (PM), and Fiscal Officer (FO). Describe the roles and responsibilities of each key personnel and include their resumes up to three (3) pages in length. Key personnel must not work on another LBPHC, LHRD, or LHR grant unless such other grant has reached the end of its period of performance.
7. The Program Manager must commit seventy-five percent (75%) of his/her time to the program and obtain lead abatement supervisor and lead inspector risk assessor certifications within sixty days (60) of hire. A candidate may be approved conditionally, based on acquiring the certification within sixty days (60) and working with a mentor that has the responsibility of reviewing and approving unit documents. The Government Technical Representative (GTR) for this grant will determine the candidate's readiness before final approval of the candidate. In addition, if the Program Manager oversees or

completes onsite unit monitoring, then a lead safe work practices class is also expected to be completed. If you have not yet hired a Program Manager, you must attach the job announcement, as well as a letter of commitment for the intent to hire from the leadership of your agency. Additional **Program Manager** details for this NOFO are provided in Appendix C.

c. Sub recipient and Sub grantee: (All applicants)

1. You must list and describe sub-recipients, sub-contractor organizations, partners or consultants at all tiers that will provide critical services and activities as part of program. Also, include qualifications and experience in initiating and implementing related environmental, health, or housing programs.
2. List the respective roles and responsibilities of key personnel; their qualifications, experience, and the percentages of time to be committed. Include the UEI number and Legal Business Name of all partnering organizations.

d. Partnerships (All Applicants)

1. Demonstrate your organizational experience or most recent lead hazard control grant achievements; a measurable outcome by collaborating with public private partnerships in the community you served such as, Women Infants, and Children (WIC), Health Department, Housing Authorities, Code Enforcement, Community Development, etc. Indicate what enduring enhancements or expansion of the local infrastructure or program services, reach or policy resulted from your activities. HUD strongly encourages the collaboration with the Historic Black Colleges and Universities (HBCUs) and Hispanic Serving Institutions (HSIs) (20 U.S.C. § 1101a(5)) as partners.
2. Engaging with External Agencies: Describe your involvement in coordination among critical agencies, including participation in the state-wide or jurisdiction-wide strategic plan to eliminate childhood lead poisoning as a major health problem.
3. Involving Grass-roots Organizations. Describe how grassroots community-based nonprofit organizations, including faith-based organizations, will be involved in your grant program's activities. These activities may include outreach, community education, marketing, program sustainability activities and lead-based paint inspections/risk assessments and lead hazard control work.

e. Contractor Capacity and Public Private Partnerships (All applicants)

1. Describe the quality and number of lead abatement contractors; Lead Abatement Supervisor and Lead Abatement Worker (LAS/LAW) capacity to support unit production in a competitive contracting environment. Include activities that will be taken to recruit and retain additional contractor firms and workers to serve the program production benchmarks.
2. What resources will be used to implement capacity building in the intensive reduction of lead hazards during and after the start of the grant?

Maximum Points: 0

Rating Factor Two: Justification of Applicant Need

Maximum Points: 30

Target Area Need

It is the intent of the program to ensure lead hazard reduction applicants serve community residents with highest lead needs, per Title X criteria. In order to effectively leverage grant resources, each applicant must identify one or more high need target areas in its jurisdiction for proposed lead hazard evaluation and control activities. The target area(s) must be clearly specified, and may include more than one city, town, borough, or comparable local jurisdiction within the applicant's jurisdiction.

Points for Rating Factor Two will be determined according to the need for lead hazard control outlined in the description of the targeted area.

In addition to the Title X criteria above, Executive Order 14008, [Tackling the Climate Crisis at Home and Abroad](#), section 223, Justice40 Initiative, applies to this grant program. The Justice40 Initiative (J40) sets an Administration "goal that 40 percent of the overall benefits [of covered programs] flow to disadvantaged communities. The recommendations shall focus on investments in the areas of ... affordable and sustainable housing; training and workforce development; the remediation and reduction of legacy pollution; ..."

As part of implementing J40, OMB issued its [Memorandum 21-28, Interim Implementation Guidance for the Justice40 Initiative](#), which identified, in its Appendix A, HUD's Lead Hazard Reduction and Healthy Homes Grants as J40 pilots that are "to maximize the benefits that are directed to disadvantaged communities." OMB's interim guidance lists 13 factors that may be included in determining if a community is disadvantaged; among these are factors regarding environmental or climate indicators and socioeconomic indicators. The Council on Environmental Quality has developed a [Climate and Economic Justice Screening Tool](#) that identifies, for each census tract in the U.S., whether that small-population area (averaging 4,400 people, and 1700 housing units, nationally) is a disadvantaged community according to the OMB guidance.

As part of your application, you must identify the Census tracts that will constitute the target area for your grant using the target area selection tool linked from Appendix F of this NOFO; instructions on using the tool are in that appendix.

If you wish to be awarded points for the rating subfactor on disadvantaged communities, then, as shown in Scoring for Table 1A: Target Area Data, or Table 1B: High Priority Target Area Data, as applicable, you must set a percentage of disadvantaged communities in your target area that is

at least three-quarters of the 40 percent Justice40 criterion, i.e., 30 percent, for which you will receive 1 point. For meeting the Justice40 criterion of 40%, you will receive 3 points; for exceeding the criterion with 50%, 4 points, and exceeding the criterion with 60%, 5 points. As described above, you must identify your target area communities' census tracts target area using the selection tool link from Appendix F.

As part of reporting on your grant's implementation, you will be identifying the census tract in which each of the homes you treated (evaluated and made lead safe (and, if applicable, healthy)) is located. This will enable you and HUD to monitor if you are meeting your application's minimum percentage of housing units benefitted being within one of your target area's disadvantaged community census tracts.

The prevalence of elevated blood lead levels reported should be significantly higher in the target area than the state average.

1. Housing Stock and Blood Lead Data - Quantitative Data (27 Points)

Using one of the tables 1A or 1B below, all applicants must provide the following data for designated target area(s)

- Total # of Occupied Pre-1978 Housing Stock for both Rental and Owner Occupied
- Total # of Occupied Housing Stock
- Number of Children under six years (6) of age;
- Total Population;
- Numbers of census tracts, and disadvantaged community census tracts in target area

Table 1A: Target Area Data (Other Jurisdictions and Never-Before-Grantee Applicants Only)
All Other Jurisdiction and Never-Before-Grantee Applicants must complete Table 1A: Target Area Data. To obtain percentages for Table 1A, divide the Target Area Data by the Comparison Data. Points will be applied based on the following scale for each resulted target data category. If the applicant's jurisdiction, such as a county includes another jurisdiction that will not be a part of the target area (e.g., the county's health department works only in the suburbs because the city's health department works within the city limits), reduce the numbers of units, children, and families to reflect that exclusion, and calculate the percentages accordingly. For all information provided, sources of data, including website addresses, must be included in the second part of the table; data without a valid source will be considered not to have been provided. The applicant is responsible for expending funds proportionately within the total jurisdiction in which the funds are being requested and for which points will be awarded.

Table 1A: Target Area Data					
Maximum Points	Target Area Data	Target Area Results	Comparison Data	Comparison Data Results	Justification of need percentage
10 points	# of Pre-1978 Housing Units	#	Total Housing Units (ALL)	#	%

10 points	# of Children under six (6) years of age	#	Total Population (ALL AGES)	#	%
5 points	# of Disadvantaged communities census tracts in target areas	#	# of Census tracts in target area	#	%

Data Sources, including Website Addresses, for Table 1A:

	# of Pre-1978 Housing Units	
	# of Children under six (6) years of age	
	# of Census tracts and disadvantaged communities census tracts in target area	Climate and Economic Justice Screening Tool (https://screeningtool.geoplatform.gov/)

Scoring for Table 1A: Target Area Data

# of Housing Units (Points)	
10	>10%
5	<=5%
0	No data provided or <=5%
# of Children (Points)	
10	>10%
5	>5%
0	No data provided or <=5%
% of Disadvantaged communities' census tracts in target area (Points)	
5	>=60%
4	>=50%

3	>=40%
1	>=30%
0	<30% or No data provided

Table 1B: High Priority Target Area Data (Highest Lead-Based Paint Abatement Needs Applicants Only)

All applicants for Highest Lead-Based Paint Abatement Needs category grant must complete Table B. If the applicant's jurisdiction, such as a county includes another jurisdiction that will not be a part of the target area (e.g., the county's health department works only in the suburbs because the city's health department works within the city limits), reduce the numbers of units, children and families to reflect that exclusion, and calculate the percentages accordingly. For all information provided, sources of data, including website addresses, must be included in the second part of the table; data without a valid source will be considered not to have been provided. The applicant is responsible for expending funds proportionately within the total jurisdiction in which the funds are being requested and for which points will be awarded.

Table 1B: High Property Target Area Data					
Maximum Points	Target Area Data	Target Area Results	Comparison Data	Comparison Data Results	Justification of need percentage
10 points	# of Pre-1940 Housing Units	#	Total Housing Units (ALL)	#	%
10 points	# of Children under six (6) years of age	#	Total Population (ALL AGES)	#	%
5 points	# of Disadvantaged communities census tracts in target area	#	# of Census tracts in target area	#	%
Data Sources, including Website Addresses, for Table 1B:					
	# of Pre-1940 Housing Units				
	# of Children under six (6) years of age				
	# of Census tracts and disadvantaged communities census tracts in target area	Climate and Economic Justice Screening Tool (https://screeningtool.geoplatform.gov/)			

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Scoring for Table 1B: High Priority Target Area

# of Housing Units (Points)	
10	>10%
5	>5%
0	<=5%
<u>Ineligible</u>	No data provided
# of Children (Points)	
10	>10%
5	>5%
0	<=5%
% of Disadvantaged communities' Census Tracts in target area (Points)	
5	>=60%
4	>=50%
3	>=40%
1	>=30%
0	<30% or No data provided

Table 1C: Elevated Blood Lead Level Prevalence

All applicants must complete table 1C, Elevated Blood Lead Level Prevalence. The table is to show the number and percentage of children under age six (6) in the applicant's jurisdiction tested for their blood lead level and having a confirmed elevated blood lead level; and the number and percentage of children under age six (6) in the target area having a confirmed elevated blood lead level.

- In the first data row, all applicants must show the percentage of children under age 6 in their jurisdiction tested for confirmed Elevated Blood Lead Level (EBLL), using the jurisdiction's definition, and the data from which that percentage is calculated.
- As described in the data sources portion of table 1C, if the state uses an EBLL threshold of 3.5 µg/dL, the applicant must use the CDC National Childhood Blood Lead Surveillance Data website's National Surveillance Data table, or, if the state uses another EBLL threshold, the applicant must specify the threshold and provide the data source, including website address.
- Applicants for other grant categories need not complete the second data row.

- In the third data row, all applicants must show the percentage of children under age six (6) in the target area with a confirmed EBLL ($\geq 3.5 \mu\text{g/dL}$), and the data from which that percentage is calculated.

If the applicant's jurisdiction, such as a county includes another jurisdiction that will not be a part of the target area (e.g., the county's health department works only in the suburbs because the city's health department works within the city limits), reduce the numbers of children in the various blocks to reflect that exclusion, and calculate the percentages accordingly. For all information provided, sources of data, including website addresses, must be included in the second part of the table; data without a valid source will be considered not to have been provided. The applicant is responsible for expending funds proportionately within the total jurisdiction in which the funds are being requested and for which points will be awarded.

Using table 1C below, all applicants must provide the following data for your jurisdiction and your proposed target area:

For all information provided, sources of data, including website addresses, must be included in the second part of the table; data without a valid source will be considered not to have been provided.

a. Provide the total number of children in your jurisdiction (city, county, or reservation) under the age of six (6), and the number of children in your jurisdiction under the age of six (6) who were tested for confirmed elevated blood lead levels per the definition used by your jurisdiction (whether federal, state, tribal, or local), in the most recent year (a calendar year or the end of a twelve (12)-month period) in 2015-2019 for which data are available for both measures.

b. Provide the total number of children under the age of six (6) in the proposed target area, and the number of children under the age of six (6) in the proposed target area with a blood lead level of $3.5 \mu\text{g/dL}$ or above in the proposed target area(s), in the most recent year (a calendar year or the end of a twelve (12)-month period) in the 2015-2019 for which data are available for both measures.

Table 1C					
Maximum Points	Data year	Jurisdiction name	Number of children under age six (6) in jurisdiction	Number of children under age six (6) in jurisdiction tested for confirmed EBLL	Percentage of children under age six (6) in jurisdiction tested for confirmed EBLL
1 point	#		#	#	%
Maximum Points	Data year	Number of children under age six (6) in jurisdiction	Number of children under age six (6) in jurisdiction with a confirmed EBLL	Percentage of children under age six (6) in jurisdiction with a confirmed EBLL	Percentage of children under age six (6) in state with a confirmed EBLL

0 points	#	#	#	%	%
Maximum Points	Data year	Target area name	Number of children under age six (6) in target area	Number of children under age six (6) in target area with a confirmed EBLL ($\geq 3.5 \mu\text{g/dL}$)	Percentage of children under age six (6) in target area with a confirmed EBLL ($\geq 3.5 \mu\text{g/dL}$)
1 point	#		#	#	%

Data Sources, including Website Addresses, for Table 1B:

	Number of children under age six (6) in jurisdiction	
	Number of children under age six (6) in jurisdiction tested for confirmed EBLL	
	<u>Number of children under age six (6) in jurisdiction with a confirmed EBLL</u>	
	Percentage of children under age six (6) in state with a confirmed EBLL	If the state uses an EBL threshold for children < six (6) years of $3.5 \mu\text{g/dL}$, use www.cdc.gov/nceh/lead/data/national.htm , the CDC National Childhood Blood Lead Surveillance Data website, especially the National Surveillance Data table, www.cdc.gov/nceh/lead/docs/CBLS-National-Table-Update-042619.xlsx , using the most recent year's data. If no data are shown for the state, use the most recent national percentage (for 2018), 3.0% of tested children < six (6) years with BLL $\geq 3.5 \mu\text{g/dL}$. If the state uses another EBL threshold, specify the threshold and provide the data source, including website address.
	Number of children	

	under age six (6) in target area	
	Number of children under age six (6) in target area with a confirmed EBLL ($\geq 3.5 \mu\text{g/dL}$)	

Scoring for Table 1C: Blood Lead Levels

% of children under age six (6) in jurisdiction tested for confirmed EBLL	
$\geq 23\%$	1 point
$\geq 20\%$	0.75 point
$\geq 17\%$	0.5 point
$\geq 11\%$	0.25 point
$< 11\%$	0 point
% of children under age six (6) in target area with a confirmed EBLL ($\geq 3.5 \mu\text{g/dL}$)	
$> 5\%$	
$\geq 2.6\%$	1 point
$\geq 2.1\%$	0.75 point
$\geq 1.8\%$	0.5 point
$\geq 0.8\%$	0.25 point
$< 0.8\%$	0 point

2. Target Area Need - Narrative Responses (3 points)

After completing the requested tables in Section One, all applicants must answer the following questions in narrative form and provide the data source for each.

1. Describe the defined Elevated Blood Lead Level (EBLL) and blood lead testing requirements for your jurisdiction (city, county, or state). (1 point)
2. Provide a link and brief description of the city or state's Case Management Plan. (1 point)
3. Provide a brief explanation of how you will use the data to select and prioritize housing units for lead hazard control work under the grant. (1 point)

An applicant that has never had an LHC grant may have applied previously, so it may not be a new applicant.

Rating Factor Three

Maximum Points: 30

Budget Estimate of Costs

You must thoroughly estimate all applicable costs, including direct, indirect, and administrative expenses, and present them in a clear and coherent format. **Note that HUD is not required to approve or fund all proposed activities if awarded.** In completing your estimations, you must document and justify all budget categories and costs and all major tasks of your organization, sub-recipients, major sub-contractors, joint venture participants, or others contributing resources to the project.

Budget Planning Documentation (Required Attachments) (10 Points)

1. A separate budget must be submitted using the HUD_424_CBW: HUD Detailed Budget Worksheet for yourself and for each partner that would receive more than ten percent (10%) of the federal budget request, for the lead hazard control activities.
2. Similarly, if you are applying for Healthy Homes' Supplemental funding, you must submit a HUD_424_CBW: HUD Detailed Budget Worksheet for yourself and for each partner that would receive more than ten percent (10%) of the Healthy Homes Supplemental funding, for the healthy homes activities.
3. HUD 424 CBW: The Primary Budget must include the following specific information in the appropriate columns when attached:
 - a. Plan for using high level of funding:
 1. If you have had a previous LBPHC, LHRD, or LHR grant, describe your plan for using the increased amount of funding if awarded a grant under this NOFO compared to how funding was used under the previous grant. A particular emphasis on how you would use your funds to produce at least proportionately greater numbers of:
 - Housing units made lead safe,
 - Individuals trained in lead-safe work practices and certified in EPA or State (as applicable) lead certification disciplines, and
 - Members of the target area community educated in residential lead safety.
 2. If you have not had a previous LBPHC, LHRD, or LHR grant:
 - a. Describe your plan for using and managing the large amount of funding, with particular emphasis on how you would use your funds to produce large numbers of housing units made lead safe and individuals trained, as defined above for applicants that have had a grant.
 - b. Describe your plan to ensure proper use of funds if awarded a grant under this NOFO with a high level of funding, considering, especially, the criteria of 2 CFR 200.302, Financial Management, and other regulatory sections cited there, and applicable state and local laws, regulations, and policies on funding controls.

- c. You must identify the number of units and average expected cost in your budget documents. You will be evaluated on the extent to which resources are appropriate for the scope of the proposed project.
- d. You must provide clear details on administrative costs (maximum ten percent (10%) of grant, excluding Healthy Homes Supplemental funds), staffing costs and details on which costs are included and not included in the direct lead hazard control minimum cost requirement.
- e. You must clearly identify the funding or cash equivalent amounts being provided as matching resources. These descriptions must include: the amounts and sources and use of any contributions being received and must be detailed and supported by letters of commitment.
- f. Applicants must include all amounts they detailed in response to Section III.B, Cost Sharing or Matching, above, regarding the minimum match requirement.

Additional Match (3 points)

If you provide any additional match beyond the minimum ten percent (10%) statutory requirement your application will receive additional points during the review process. Additional match must be provided using the same methods in Section III.B, Cost Sharing or Matching, above, identifying the additional contributions from State, local, government, and private (e.g., philanthropies, nongovernmental organizations, community development corporations, for-profit firms, landlords).

The following table describes the points available for additional match: In awarding points, fractional percentages will be rounded down to whole number percentages, and will not be rounded up (e.g., a Lead-Based Paint Hazard Control application providing 13.99% match resources will be treated as 13% and receive 1 points).

Match Resources Point Table

Match Resources as Percentage of Requested Federal Amount	Points Awarded
10 Percent	0
11 to 14 percent	1
15 percent	2
Over 15 percent	3

Budget Justification Narrative (Required Attachments): (10 points)

All cost proposed must be reasonable, allowable, allocable and necessary to the project per the requirements of 2 CFR 200 Subpart E- Cost Principles.

You must submit the budget narrative justification attachment associated with each budget HUD 424 CBW that includes all budgeted costs as part of the Total Budget (Federal Share and

Matching) that correspond to that HUD 424 Budget including those submitted for partners and Healthy Homes funds.

1. Submit a separate narrative justification for yourself and for each partner that is submitting a separate HUD 424 CBW Detailed Budget Worksheet to comply with the requirement for those that would receive 10 percent or more of the federal award amount for lead hazard control activities. Each and every HUD 424 CBW submitted must be accompanied by a detailed budget justification that describes what you are expecting to accept as invoices under each line item total. Each expense must be unique, reasonable and eligible under the requirements and limitations of this award as described above either by summary or reference.
2. Similarly, if you are applying for Healthy Homes Supplemental funding, a separate narrative justification must be submitted for yourself and each partner that would receive 10 percent (10%) or more of the Healthy Homes Supplement funding, for healthy homes activities. Please refer to the OLHCHH Policy Guidance PG 2017-5; the Healthy Homes Supplemental Funds (<https://www.hud.gov/program offices/healthy homes/lbp/pg>); to identify what cost are eligible to include.

The Budget narrative document should include all the following details:

1. Detail or denote administrative costs, indirect costs, staffing costs and details on which costs are included and not included in the direct lead hazard control minimum cost requirement for each category/line items.
2. Detail or denote the funding or cash equivalent amounts being provided as matching resources for both resources which are statutorily required and those resources above the statutory minimum.
3. Detail, with examples, that the activities of all staff included for HUD-funded share or match are providing an eligible, unique, and reasonable contribution to the OLHCHH award.
4. Justify the allocation of funds among successfully completed tasks, units within your organization, and your partners, in support of the scope of the proposed project. Your narrative should show enough detail by line and category that provides transparency and linkage between production of successfully treated housing units, whether for lead or both lead and healthy homes, and payments associated with activities that resulted in those units being treated, from the outreach stage through recruitment, enrollment, evaluation and control, and clearance for re occupancy. (For lead, clearance is as described in section III, above; for healthy homes, this may be quantitative or qualitative, as appropriate for the intervention, as you should detail in your narrative). A **Sample Budget Narrative** for this NOFO is provided in Appendix B.

Answer the following questions by including a narrative response within the fifteen (15)-page maximum:

Fiscal Oversight and Financing Strategy Narrative (included in fifteen (15)-page maximum): **(3 points)**

1. Discuss your lead hazard control financing strategy (i.e., the type of assistance - grants, deferred/forgivable loans, etc.), including verification of income eligibility requirements,

terms, conditions, dollar limits, amounts available for lead hazard control work in the various categories of housing (e.g., single-family, multi-family, vacant, owner or tenant-occupied).

2. Identify who is responsible and their technical program expertise for establishing, administering and overseeing the fiscal aspect of the program which may include bidding, procurement, and contracting the unit work.
3. Describe the role of other fiscal resources such as private sector financing and matching, if any, including from rental property owners.
4. Describe how the recapture of grant or loan funds to owners of housing units treated under this program will occur if recipients fail to comply with any terms and conditions of the financing arrangement (e.g., failure to comply with fair housing and civil rights requirements, affordability, affirmative marketing and providing priority to renting units to families with a child under the age of six (6) years for a period of three (3) years, sale of property requirements).
5. Describe how you will keep costs per housing unit under tight control, so that the maximum number of children and families will have their health and safety protected as an outcome of your work.

Section 3 Strategy (2 Points):

1. Describe your strategy for hiring local low-income residents, providing training opportunities and awarding contracts to local Section 3 businesses.
2. Applicants should:
 - a) outline their plan to notify residents and contractors about jobs and contracts that may become available
 - b) notify potential contractors about the requirements of Section 3;
 - c) hire community residents and award contracts to local businesses; and
 - d) assist in obtaining compliance among contractors and subcontractors.

Sustainability of Fiscal Resources (2 Points):

1. Describe in detail your plan for sustaining your lead hazard control accomplishments in additional housing units within and/or outside of your target area after the end of the period of performance of this grant, preferably including letters of commitment explicitly for that period.
2. If you are applying for Healthy Homes Supplemental funding, describe in detail your plan for sustaining your healthy homes accomplishments in additional housing units within and/or outside of your target area after the end of the period of performance of this grant, preferably including letters of commitment explicitly for that period.

2. Other Factors.

Section 3.

In accordance with HUD's Section 3 regulations at 24 CFR 75.7, your application will receive up to 2 points based the quality of Section 3 plans.*

* The inclusion of Section 3 points will be determined “as appropriate for the specific NOFO.” HUD anticipates that program offices/areas will include scoring for Section 3 plans where relevant and exclude Section 3 scoring where the nature of the grant being awarded is incompatible with Section 3 endeavors. If points are included, the applicable program office/area will be responsible for determining how the “quality of Section 3 plans” will be evaluated.

Preference Points

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

This program does not offer points for Environmental Justice

HBCU.

This program does not offer HCBU preference points.

Promise Zones

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

B. Review and Selection Process.

1. Past Performance

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

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

Timely use of funds received from HUD;

Timely submission and quality of reports submitted to HUD;

Meeting program requirements;

Meeting performance targets as established in the grant agreement;

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

Timely completion of activities and receipt and expenditure of promised matching or leveraged funds;

The number of persons served or targeted for assistance;

HUD may reduce scores based on the past performance review, as specified under V.A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review

results in an adverse finding related to integrity of performance, HUD reserves the right to take any of the remedies provided in Section III E., Statutory and Regulatory Requirements Affecting Eligibility, "[Pre-selection Review of Performance](#)".

2. Assessing Applicant Risk.

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

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

In addition to the performance review described in previous sections; each grant program must have a framework for evaluating the degree of risks posed by applicants before they receive Federal awards. As a result of the risk evaluation an applicant may be awarded with special conditions applied to the award that correspond to the degree of risk assessed or the applicant may be determined ineligible due to the operational risk it has historically posed to HUD, OLHCHH or other federal agencies as applicable. Possible risk indicators that could impact the risk evaluation determination could include the following elements of the described approach for use of funds:

1. Size of potential subaward
2. Size and diversity of federal award portfolio of entity applying
3. Impact of subaward on operations
4. Past federal award experience of applicant with OLHCHH with HUD or other Federal Agencies
5. Past federal award experience of applicant of Key staff
6. Extent of other oversight (audits, monitoring)

Minimum Score. Applications scoring seventy-five (75) points or more will be eligible to receive an award. Applications will be scored and ranked, based on the total number of points allocated for each of the rating factors described in Section V.A of this NOFO. The maximum number of points to be awarded is 102.

VI. Award Administration Information.

A. Award Notices.

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

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

HUD may impose specific conditions on an award as provided under 2 CFR 200.208:

- Based on HUD's review of the applicant's risk under 2 CFR 200.206;
- When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- When the applicant or recipient fails to meet expected performance goals contained in a federal award; or
- When the applicant or recipient is not otherwise responsible.

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

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

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

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

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

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

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

Successful applicants will receive a letter from the Office of Lead Hazard Control and Healthy Homes providing details regarding the effective start date of the grant agreement and any conditions, additional data and information to be submitted to execute the grant. They will then participate in negotiations to determine the specific terms of the grant agreement, budget, work plan, benchmarks, or other requirements. If HUD is not able to successfully conclude negotiations with a selected applicant within a period determined by HUD, an award will not be made.

If you accept the terms and conditions of the grant agreement, you must return a signed grant agreement by the date specified. Instructions on how to have the grant agreement account entered into HUD's Electronic Line of Credit Control System (eLOCCS) payment system will be provided. In accordance with 2 CFR part 200, subpart F—Audit Requirements, if you expend \$750,000 in federal funds in a single year, you must follow the requirements of the Single Audit Act and must submit your completed audit-reporting package along with the Data Collection Form (SF-SAC) to the Single Audit Clearinghouse. The address can be obtained from its website. The SF-SAC can be downloaded from: [Single Audit Clearinghouse](#).

NOTE: HUD reserves the right to delay execution of the grant award based on performance of current awards. Delays will be considered and assessed based on the following criteria:

1. Period of Performance Extension Status at the time of a currently funded grant
2. High Risk Status placement on a currently funded grant during the application review period
3. Unresolved monitoring or HUD Office of Inspector General Audit or Investigation findings regarding a currently funded grant

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

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

1. Unless otherwise specified, these non-discrimination and equal opportunity authorities and other requirements apply to all NOFOs. Please read the following requirements carefully as the requirements are different among HUD's programs.
 - Compliance with Fair Housing and Civil Rights Laws, Which Encompass the Fair Housing Act and Related Authorities (see cf. 24 CFR 5.105(a)).
 - Affirmatively Furthering Fair Housing (Click Here).
 - Economic Opportunities for Low-and Very Low-income Persons (Section 3). See 24 CFR part 75.
 - Improving Access to Services for Persons with Limited English Proficiency (LEP) See

https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency.

- Accessible Technology. See

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

2. Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business.
3. Participation in HUD-Sponsored Program Evaluation.
4. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
5. Drug-Free Workplace.
6. Safeguarding Resident/Client Files.
7. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) (Transparency Act), as amended.
8. Accessibility for Persons with Disabilities. See https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_overview
9. Conducting Business in Accordance with Ethical Standards/Code of Conduct.
10. Buy American Build American

Environmental Review

Compliance with 24 CFR part 50 or 58 procedures is explained below:

Environmental Requirements for this NOFO are provided in Appendix E

12. Davis-Bacon Wage Rates. The Davis-Bacon Act (40 U.S.C. § 3141–3144, 3146, and 3147) (DBA) requires that federal contractors and subcontractors must pay the laborers and mechanics performing under contracts of over \$2,000, no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. In general, grants under this NOFO’s grant programs are not subject to DBA. However, if you use these grant funds in conjunction with other federal programs, DBA requirements apply to that work to the extent required under the other federal programs. <https://www.dol.gov/agencies/whd/government-contracts/construction>. For example, work performed under this NOFO’s grants as well as the Department of Energy’s Weatherization Assistance Program in multifamily buildings with 5 or more units to be weatherized with funding under § 40551 of the Infrastructure Investment and Jobs Act (P.L. 117-58 (Bipartisan Infrastructure Law)) is subject to payment of prevailing wages determined under the DBA. Grantees conducting such work should contact the Government Technical Representative (GTR) for this grant for more information.

13. Compliance with Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417) (“Section 872”). Section 872 requires the establishment of a government wide data system - the Federal Awardee Performance and Integrity Information System (FAPIS) - to contain information related to the integrity and performance of entities awarded federal financial assistance and making use of the information by federal officials in making awards. Grantees must follow OMB guidance regarding federal agency implementation of Section 872 requirements for grants, at 2 CFR Subtitle A, Chapter I, and Part 25 (75 FR 55671-76, September 14, 2010).

Prohibition on Surveillance

2 CFR 200.216 Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment

Remedies for Noncompliance

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

Lead Based Paint Requirements.

When providing housing assistance funding for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

Discrepancies between the NOFO on [Grants.gov](https://www.grants.gov) and other Documents

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

Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participation

In accordance with HUD Secretary Fudge's April 12, 2022, memorandum, *Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participating in HUD Programs*, you must not exclude a person's housing unit or property from enrollment in this grant program, nor exclude a person from participating in a program, service, or activity under this grant program, based on arrest records only. You must ensure that any reliance on a person's conviction history is based on records and evidence showing that it will actually promote safety. You must also ensure that no person is excluded for criminal history without taking into account mitigating circumstances, such as the length of the time since the offense, the nature and severity of the offense, and evidence of rehabilitation. Before excluding an individual because of a criminal record, you should offer that individual the opportunity to provide evidence of mitigating circumstances or that the record is inaccurate.

C. Reporting.

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

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

Appendix XII to Part 200 Award Terms and Conditions for Recipient Integrity and Performance Matters.

FOIA Reporting. HUD makes frequently requested materials, including information on the highest-scoring funding grant applications available on its [Freedom of Information Act \(FOIA\) website](#). To avoid disclosure of personally identifiable information (45 CFR 75.2; PII), proprietary information, business confidential information, or other content that should not be disclosed to the public, HUD will only post applications redacted pursuant to FOIA. Those recipients who receive the highest score in each competition must provide a redacted version of their applications within 30 days of notification from HUD that they submitted the highest-scoring application. If multiple applicants receive the same score, all of them will be asked to submit redacted applications. When submitting a redacted version, recipients may black out information that would be considered trade secrets and commercial or financial information and the information is privileged or confidential, as provided in 5 U.S.C. §552(b)(4), should the information be disclosed to the public. HUD will take the recipient's proposed redactions under advisement when determining what information should be released to the public.

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

You must comply with reporting requirements of subpart E (Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. § 1701u (Economic Opportunities for Low- and Very Low-Income Persons in Connection with Assisted Projects)) and the HUD regulations at 24 CFR 75 for projects for which Section 3 applies (see, within section IV.F, Program Requirements and Prohibitions).

You must collect demographic data throughout the performance period through an appropriate method that allows for annual reporting and filing of the Form HUD-27061, Race and Ethnic Data Reporting Form (<https://www.hud.gov/sites/dfiles/OCHCO/documents/27061.pdf>), and file that reporting form annually.

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

4. Program-Specific Reporting Requirements

If you execute a grant under this NOFO, reports must comply with the specific program reporting requirements as described below.

-If you purchase X-ray fluorescence (XRF) analyzers in excess of \$5,000 a piece, you must complete and submit to OLHCHH the General Services Administration's annual Tangible Personal Property Report. This report has five components: cover sheet (SF-428), Annual Report (SF-428-A), the Final (Award Closeout) Report (SF-428-B), the Disposition Report/Request (SF-428-C), and, if needed, the Supplemental Sheet (SF-428-S); these forms can be accessed through https://www.gsa.gov/reference/forms?search_keyword=tangible. Generally, the average estimated time to complete each of these components is 0.5 hours; it is likely to be less for this grant program.

-Transparency Act Reporting. You must report on funding and expenditures for yourself and sub recipients to meet the requirements of the Federal Funding Accountability and Transparency Act of 2006.

D. Debriefing.

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

VII. Agency Contact(s).

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

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

Name:

Yolanda Brown

Phone:

202-903-9576

Email:

Yolanda.A.Brown@hud.gov

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

VIII. Other Information.

1. National Environmental Policy Act.

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFO in accordance with HUD regulations at 24 CFR part 50, which implement section

102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

The FONSI is available for inspection at HUD's Funding Opportunities web page.

HUD's Office of Lead Hazard Control and Healthy Homes administers this program, which is aligned with HUD's Fiscal Year 2022 – 2026 Strategic Plan (<https://www.hud.gov/sites/dfiles/CFO/documents/FY2022-2026HUDStrategicPlan.pdf>) and supports HUD's activities pursuing environmental justice (https://www.hud.gov/climate/environmental_justice). The Strategic Plan includes a Strategic Objective to Strengthen Environmental Justice, specifically, to reduce exposure to health risks, environmental hazards, and substandard housing, especially for low-income households and communities of color. HUD's environmental justice efforts include eliminating health risks caused by environmental injustices.

2. Web Resources.

- [**Affirmatively Furthering Fair Housing**](#)
- [**Code of Conduct list**](#)
- [**Assistance Listing \(formerly CFDA\)**](#)
- [**Unique Entity Identifier**](#)
- [**Equal Participation of Faith-Based Organizations**](#)
- [**Federal Awardee Performance and Integrity Information System**](#)
- [**FFATA Subaward Reporting System**](#)
- [**Grants.gov**](#)
- [**HBCUs**](#)
- [**Healthy Homes Strategic Plan**](#)
- [**Healthy Housing Reference Manual**](#)
- [**HUD's Strategic Plan**](#)
- [**HUD Grants**](#)
- [**Limited English Proficiency**](#)
- [**NOFO Webcasts**](#)
- [**Procurement of Recovered Materials**](#)
- [**Promise Zones**](#)
- [**Section 3 Business Registry**](#)
- [**State Point of Contact List**](#)
- [**System for Award Management \(SAM\)**](#)
- [**Uniform Relocation Assistance and Real Property Acquisition Act of 1970 \(URA\)**](#)
- [**USA Spending**](#)

3. Program Relevant Web Resources

APPENDIX

1. Appendix A: Build America, Buy America (BABA).

The Build America, Buy America Act (BABA), enacted as part of the Infrastructure Investment and Jobs Act on November 15, 2021, established a domestic content procurement preference, also referred to as the Buy American Preference (the “BAP”). Awards under this NOFO, as reposted and revised, are governed by BABA. The BAP applies to Awards provided to Non-Federal Entities for infrastructure projects, unless the agency has waived the application of the BAP. When applicable, the BAP requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects be produced in the United States. The definition of “Non-Federal Entities” is provided in OMB Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Owners subject to the requirements of BABA and the BAP may be subject to a waiver of general applicability published by HUD and/or may request a waiver of the application of the BAP pursuant to guidance published by the Office of Management and Budget (OMB) or HUD. On February 15, 2023, HUD published a Phased Implementation Waiver^[1] that sets forth the below implementation schedule for the BAP for Lead Hazard Reduction and Healthy Homes Production Grants, unless further waived or modified by HUD:

BAP Compliance Element	Compliance Effective Date for Obligations by HUD on or after:
Iron and Steel	February 22, 2023
Non-ferrous metals, lumber, composite building materials, and plastic and polymer-based pipe and tube.	August 23, 2024
All other construction materials	August 23, 2024
Manufactured products	August 23, 2024

Additional guidance and technical assistance regarding BABA may be provided to grantees and addressed in the grant agreement process. Notwithstanding, as expressed in [Executive Order 14005](#), *Ensuring the Future Is Made in All of America by All of America’s Workers* (86 FR 7475), it is the policy of the executive branch to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States.

Guidance regarding HUD’s implementation of BABA and any future waivers of the BAP can be found at https://www.hud.gov/program_offices/general_counsel/BABA.

1. HUD. Public Interest Phased Implementation Waiver for FY2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance, February 15, 2023. 88 FR 10533.