

**DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT**

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**LEAD-BASED PAINT HAZARD  
CONTROL GRANT PROGRAM**

**LEAD HAZARD REDUCTION  
DEMONSTRATION GRANT  
PROGRAM**

**OPERATION LEAD ELIMINATION  
ACTION PROGRAM**

# **Lead-Based Paint Hazard Control Grant Program, Lead Hazard Reduction Demonstration Grant Program, and Operation Lead Elimination Action Program**

## **Overview Information**

A. *Federal Agency Name:* Department of Housing and Urban Development, Office of Healthy Homes and Lead Hazard Control.

B. *Funding Opportunity Title:* Lead-Based Paint Hazard Control Program and Lead Hazard Reduction Demonstration Program and Operation Lead Elimination Action Program (LEAP).

C. *Announcement Type:* Initial announcement.

D. *Funding Opportunity Number:* FR-5030-N-13; OMB Approval Number 2539-0015.

E. *Catalog of Federal Domestic Assistance (CFDA) Number(s):* 14.900 Lead-Based Paint Hazard Control in Privately Owned Housing and 14.905 Lead Hazard Reduction Demonstration Program, and 14.903 Operation Lead Elimination Action Program.

F. *Dates:* Applications must be received and validated by Grants.gov no later than 11:59:59 p.m. Eastern Time on June 7, 2006. See the General Section for specific instructions regarding application submission.

G. *Optional, Additional Overview Content Information:*

1. Purpose of the Program.

a. The purpose of the Lead-Based Paint Hazard Control Program is to assist states, Native American Tribes and local governments in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately owned housing for rental or owner-occupants.

b. The purpose of the Lead Hazard Reduction Demonstration Program is the same as the Lead Hazard Control, but the Lead Hazard Reduction Demonstration Program is targeted for urban jurisdictions with the highest lead-based paint hazard control needs.

c. The purpose of the Operation Lead Elimination Action Program (LEAP) is to provide grants to private sector and nonprofit organizations to leverage funds for addressing lead hazards in privately owned housing units and eliminating lead poisoning as a major public health threat to young children.

2. Available Funds. Approximately \$159,136,036 million (Lead Hazard Control Program, Lead Hazard Reduction Program and Lead Elimination Action Program (LEAP)).

3. Eligible Applicants.

a. To be eligible to apply for funding under the Lead-Based Paint Hazard

Control Program, the applicant must be a state, Native American Tribe, city, county, or other unit of local government. Multiple units of a local government (or multiple local governments) may apply as a consortium; however, you must identify a lead applicant that will be responsible for ensuring compliance with all requirements specified in this NOFA. State government and Native American tribal applicants must have an EPA approved State Program for certification of lead-based paint contractors, inspectors, and risk assessors in accordance with 40 CFR part 745 in effect on the application deadline date to be eligible to apply for Lead-Based Paint Hazard Control Program funds.

b. To be eligible to apply for the Lead Hazard Reduction Demonstration Program, the applicant must be a city, county, or other unit of local government. States and Indian Tribes may apply on behalf of units of local government within their jurisdiction, if the local government designates the state or the Indian Tribe as their applicant. Multiple units of a local government (or multiple local governments) may apply as part of a consortium; however, you must identify a prime applicant that will be responsible for ensuring compliance with all requirements specified in this NOFA. State government and Native American tribal applicants must have an EPA approved State Program for certification of lead-based paint contractors, inspectors, and risk assessors in accordance with 40 CFR part 745 in effect on the application deadline date to be eligible to apply for Lead Hazard Reduction Demonstration Grant funds.

c. To be eligible to apply for funding under the Operation Lead Elimination Action Program (LEAP), the applicant must be a non-profit or for-profit entity or firm. For-profit institutions are not allowed to earn a fee. Colleges and Universities are also eligible to apply. National and local groups are encouraged to apply. States, cities, counties and units of local government and their departments are not eligible.

4. Match. See NOFA Criteria by Grant Program Chart in Section III. Eligibility Information.

## **Full Text of Announcement**

### **Section I. Funding Opportunity Description**

#### *A. Program Description*

The Lead-Based Paint Hazard Control Program and the Lead Hazard Reduction Demonstration Program are 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, Pub. L. 102-550). HUD's authority for making funding available under this NOFA for the Lead-Based Paint Hazard Control Program, and the Lead Hazard Reduction Demonstration Program is the Transportation, Treasury, and Housing and Urban Development, the Judiciary, the District of Columbia, Independent Agencies Appropriations Act, 2006 (Pub. L. 109-115; approved November 30, 2005). The Lead-Based Paint Hazard Control Grant Program assists states, Native American Tribes and local governments in undertaking programs for the identification and control of lead-based paint hazards in eligible privately owned rental and owner-occupied housing units. The Lead Hazard Reduction Demonstration Program has the same goal as Lead Hazard Control Program, but is targeted for urban jurisdictions with the highest lead-based paint hazard control needs. The purpose of the Operation Lead Elimination Action Program (LEAP) is to provide grants to private sector and nonprofit organizations to leverage funds for addressing lead hazards in privately owned housing units and eliminating lead poisoning as a major public health threat to young children. Refer to the HUD Web site <http://www.hud.gov/offices/lead/lhc/index.cfm> for instructions on downloading the table, "Eligibility of HUD Assisted Housing," that lists the HUD-associated housing programs that meet the definition of eligible housing under this NOFA. HUD is interested in promoting lead hazard control approaches that result in the reduction of elevated blood lead levels in children for the maximum number of low-income families with children under six years of age, for the longest period of time, and that demonstrate techniques which are cost-effective, efficient, and replicable elsewhere. For purposes of this NOFA, "children under six years of age" are defined as children up to six years of age. Refer to the HUD Web site <http://www.hud.gov/offices/lead/lhc/index.cfm>, for instructions on how to obtain copies of Title X, HUD's Lead-Safe Housing Regulation, and the companion interpretive guidance publication. If you are a hearing-or speech-impaired person, you may reach the telephone number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

Because lead-based paint is a national problem, these funds will be awarded to programs that will fulfill the following objectives:

1. Maximize the combination of children less than six years of age protected from lead poisoning and housing units where lead-hazards are controlled;

2. Target the reduction of elevated blood lead levels in children for the maximum number of low-income families with children less than six years of age, for the longest period of time;

3. Stimulate lower-cost and cost-effective methods and approaches to lead hazard control work that can be replicated;

4. Build local capacity to safely and effectively address lead hazards during lead hazard control, renovation, remodeling, and maintenance activities by integrating lead safe work practices into housing maintenance, repair, weatherization, rehabilitation and other programs that will continue beyond the grant period;

5. Affirmatively further fair housing and environmental justice;

6. Develop a comprehensive community approach to address lead hazards in housing by mobilizing public and private resources, involving cooperation among all levels of government, the private sector, and grassroots community-based nonprofit organizations, including faith-based organizations, to develop cost-effective methods for identifying and controlling lead-based paint hazards;

7. Establish a public registry (listing) of lead-safe housing or inclusion of the lead-safe status of properties in a publicly accessible address-based property information system to be affirmatively marketed to families with young children; and

8. To the greatest extent feasible, promote job training, employment, and other economic opportunities for low-income and minority residents and businesses that are owned by and/or employ minorities and low-income persons as defined in 24 CFR 135.5 (see 59 FR 33881, June 30, 1994).

#### *B. Changes in the FY 2006 Competitive NOFA*

1. The Lead-Based Paint Hazard Control Program, Lead Hazard Reduction Demonstration Program, and Operation LEAP are included in this *single* NOFA.

2. The Competitive Performance-Based Renewal category, under the Lead Hazard Control Grant Program, is not offered in this NOFA.

3. Direct lead hazard control activities are detailed below at Section 3 C 1.

4. Number of pages for the rating factor responses has been increased from 15 to 20 pages.

5. Funding requests greater than the maximum amount for the grant program will be deemed ineligible and not reviewed.

## **Section II. Award Information**

### *A. Funding Available*

From current and past years' funding, approximately \$84,911,331 will be available for the Lead-Based Paint Hazard Control Program, approximately \$59,615,180 will be available for the Lead-Based Paint Hazard Reduction Grant Program, and approximately \$14,609,525 will be available for Operation Lead Elimination Action Program (LEAP).

1. Approximately 32 to approximately 40 grants will be awarded to applicants for the Lead-Based Paint Hazard Control Program. In addition, HUD will award a grant for \$3,000,000 in fiscal year 2005 funds to the City of Charleston, 823 Meeting Street, Charleston, SC 29403, to resolve a funding error under the fiscal year 2004 Lead-Based Paint Hazard Control Program NOFA, in accordance with Sec. VI.A.3 of the fiscal year 2004 General Section. Approximately 10 to approximately 12 grants will be awarded to applicants for the Lead Hazard Reduction Demonstration Program, and approximately 4 to approximately 6 grants will be awarded to applicants for Operation LEAP. Grant award amounts for the Lead-Based Paint Hazard Control Program shall be from approximately \$1 million up to a maximum of \$3 million per grant, for the Lead Hazard Reduction Demonstration Program, from approximately \$1 million up to a maximum of \$4 million, and for Operation Lead Elimination Action Program (LEAP) a maximum of \$2 million per grant. Applications for amounts larger than the applicable maximum amount for a program will be deemed ineligible and will not be reviewed.

2. The project duration shall be up to 36 months for all grant recipients. Period of performance extensions for delays due to exceptional conditions beyond the grantee's control will be considered by HUD in accordance with 24 CFR 84.25(e)(2) or 85.30(d)(2), as applicable, and the OHHLHC Program Guide. Such extensions, when granted,

are one time only, and for no longer than a period of one year from the original period of performance end date.

### *B. Contracts or Other Formal Arrangements*

1. If selected for funding, grantees are required to maintain a contract administration system to ensure sub-grantee and contractor conformance with the terms, conditions, and specifications of contracts. Grantees must enter into written contracts or agreements with sub-grantees and contractors, which identify specific services to be provided such as staffing requirements, time periods for the performance of work, project budget, and total amount of compensation to be provided; methods and documentation requirements for obtaining reimbursement of expenses; record keeping and reporting requirements; requirements placed upon the sub-grantee or contractor to comply with applicable federal laws, regulations, circulars, and Executive Orders; and provisions providing the grantee with access to financial and other documents and files for the purpose of monitoring sub-grantee or contractor performance and compliance with the local contract or agreement, and applicable Federal laws, regulations, circulars and Executive orders.

2. All applicants are encouraged to enter into formal arrangements with grassroots community-based nonprofit organizations, including faith-based organizations, or other community-based organizations, particularly if such organizations will be reimbursed for eligible activities under this NOFA. (This does not apply to Native American Tribes.) These formal arrangements could be a contract, a Memorandum of Understanding (MOU), a Memorandum of Agreement (MOA), or a letter of commitment. Such relationships should be established prior to the actual execution of an award or within 120 days of the effective start date of the grant agreement.

## **Section III. Eligibility Information**

See the General Section for additional eligibility requirements applicable to HUD Programs.

### *A. Eligible Applicants*

See chart below that describes eligible applicants, required match, and an amount for direct activities required for each of the three programs.

## NOFA CRITERIA BY GRANT PROGRAM CHART

Programs	Eligible applicants	Percent of HUD Award		
		Match	Direct lead hazard control costs	Administrative and other allowable costs
Lead Hazard Control Program (LHC).	State, Native American Tribe, city, county, or other unit of local government. Multiple units of a local government (or multiple local governments) may apply as part of a consortium.	Minimum 10%	Minimum 65%	Administrative Maximum 10%. Balance may be used for Other Allowable Costs.
Lead Hazard Reduction Demonstration.	City, county, or other unit of local government. Multiple units of a local government (or multiple local governments) may apply as part of a consortium.	Minimum 25%	Minimum 90%	Administrative Maximum 10%. Balance may be used for Other Allowable Costs.
Operation Lead Elimination Action Program.	For-profit entity or firm. (not to earn a fee); Non-profit entities; Colleges and Universities; and National and Local Groups.	No match requirement.	Minimum 65%	Administrative Maximum 10%. Balance may be used for Other Allowable Costs.

1. Fiscal Year 2005 awardees of any of the three competitive programs detailed in this NOFA, including the Lead-Based Paint Hazard Control, Lead Hazard Reduction Demonstration and Operation LEAP, are not eligible to apply for any of these three programs during this competitive NOFA cycle.

2. Applicants may submit only one application for each of the three competitive programs covered by this NOFA.

#### B. Cost Sharing or Matching

This section applies to all three grant programs.

See NOFA Criteria by Grant Program Chart above. If an applicant does not include the minimum 10 percent for lead hazard control or 25 percent for Lead Hazard Reduction Demonstration match requirements in the application, it will be considered ineligible for an award. Matching and/or leverage contributions may be in the form of cash including private sector funding, or in-kind (non-cash) contributions or a combination of these sources. With the exception of Community Development Block Grant (CDBG) funds, or other programs that only allow their funds to be considered local funds and therefore eligible to be used as matching funds, federal funds may not be used to satisfy any statutorily required matching requirement, as applicable. Federal funds may be used, however, for contributions above the statutory (10 and 25 percent match) requirement. Program match shall be limited to contributions, which would be eligible for payment from grant funds, and may be in the form of cash, including private sector funding, or in-kind (non-cash) contributions or a combination of these sources. The applicant must submit a letter of commitment for the match from each organization other than itself that

is providing a match, whether cash and/or in-kind. The letter must indicate the amount and source of match, and detail how the matching funds will be specifically dedicated to and integrated into supporting the proposed grant program. The signature of the authorized official on the Form SF-424 commits matching or other contributed resources of the applicant organization. A separate letter from the applicant organization is not required.

#### C. Other

1. Eligible Costs and Activities. This section applies to all three grant programs unless otherwise specified.

All lead hazard control activities funded under the Lead-Based Paint Hazard Control Program, the Lead Hazard Reduction Demonstration Program and Operation LEAP must be conducted in compliance with the applicable requirements of HUD's Lead-Safe Housing Regulation, 24 CFR part 35, and the companion Interpretive Guidance publication. Activities must also comply with any additional requirements in effect under a state or Tribal Lead-Based Paint Training and Certification Program that has been authorized by the EPA pursuant to 40 CFR 745.320. There are, in general, four categories of eligible costs under each competitive grant program included in this NOFA, including: direct costs for lead-based paint hazard identification and control activities, other direct costs, indirect costs, and administrative costs.

a. Description of Direct Lead-Based Paint Hazard Identification and Control Activities. Direct costs are defined as the allocable portion of allowable costs incurred directly for the purposes of the grant. Direct costs for lead hazard control activities consist of lead dust, soil and paint-chip testing and associated laboratory costs, the purchase

or lease of a maximum of two X-ray fluorescence analyzers used by the grant program (if not otherwise available) and necessary maintenance during the grant period, combined lead paint inspection and risk assessments, interim controls, abatement of lead-based paint or lead-based paint hazards (but see section C.1(a)(6) for abatement limitations), occupant protection and temporary relocation of occupants when lead hazard control intervention work supported by this program is conducted in a unit, and clearance examinations. Direct costs for lead-based paint hazard identification and control activities do not include blood lead testing of residents or workers, housing rehabilitation beyond what is specifically required to carry out effective lead hazard control, and training, community education and outreach, applied research, purchase of supplies or equipment, or administrative costs without which the hazard control could not be completed and maintained.

(1) Performing lead dust, soil and paint-chip testing, combined lead-based paint inspections and risk assessments, and engineering and architectural activities that are required for, and in direct support of, interim control and lead hazard abatement work, of eligible housing units constructed prior to 1978 to determine the presence of lead-based paint and/or lead hazards from paint, dust, or soil through the use of acceptable testing procedures.

(2) All laboratory analysis in support of required testing and evaluation under this NOFA must be conducted by a laboratory recognized for the analysis by the EPA National Lead Laboratory Accreditation Program (NLLAP).

(3) All lead-based paint testing results, summaries of lead-based paintwork, 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. Files must contain verifiable evidence, such as a signed and dated receipt. Refer to 24 CFR 35.125 of the Lead Safe Housing Regulation.

(4) All lead-based paint hazards identified in a housing unit or common area 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.

(5) Interim Controls. According to the HUD Guidelines, interim controls of lead-based paint hazards including lead-contaminated dust and soil in housing must include specialized cleaning techniques to address lead dust.

(6) Lead-Based Paint Hazard Abatement. Abatement is regarded as complete abatement of all lead-based paint or lead-based paint hazards and is only authorized in states or localities that require complete abatement by law. HUD does not consider abatement of all lead hazards to be cost effective in most circumstances; therefore, a grantee must make a special request in writing prior to conducting complete abatement of lead hazards. Abatement of lead-contaminated soil should be limited to areas with bare soil in the immediate vicinity of the structure (*i.e.*, the drip line or foundation of the unit being treated, and children's play areas).

(7) Undertaking minimal housing rehabilitation activities that are specifically required to carry out effective hazard control, and without which the hazard control could not be completed and maintained. These grant funds may be used for lead hazard control work done in conjunction with other housing rehabilitation programs, to the extent practicable. HUD encourages integration of this grant program with housing rehabilitation, maintenance, weatherization, and other energy conservation activities.

(8) Carrying out temporary relocation of families and individuals during the period in which hazard control is conducted and until the time the affected unit receives clearance for re-occupancy. If families or individuals are temporarily relocated in a project which utilizes Community Development Block Grant funds, the guidance and requirements of 24 CFR 570.606(b)(2)(i)(D)(1)–(3) must be met. HUD recommends you review these regulations when preparing your proposal.

(9) Conducting clearance dust-wipe testing and laboratory analysis.

b. Description of Eligible Other Direct Costs.

(1) Purchasing or leasing supplies having a per-unit cost under \$5,000 (except for the purchase or lease of up to two X-ray fluorescence analyzers used by the grant program).

(2) Performing blood lead testing and air sampling to protect the health of the hazard control workers, supervisors, and contractors.

(3) Conducting targeted community awareness, affirmative marketing, education or outreach programs on lead hazard control and lead poisoning prevention 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-Safe Housing Rule, and applicable provisions of the Fair Housing Act especially as it pertains to familial status (*e.g.*, families with children) and disability discrimination, offering educational materials in languages that are common in the community other than English, consistent with HUD's published LEP Recipient Guidance, 68 FR 70968, 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).

(4) Supporting data collection, analysis, and evaluation of grant program activities. This includes compiling and delivering such data as may be required by HUD. This activity is an item under other direct costs.

(5) Preparing a final report at the conclusion of grant activities.

(6) Conducting required pre-hazard control blood lead testing of children under six years of age residing in or frequently visiting units undergoing lead hazard control work.

(7) Providing resources to build capacity for lead-safe housing and lead hazard control, including free delivery of HUD-approved lead-safe work practices training courses for housing rehabilitation contractors, rehabilitation workers, homeowners, renters, painters, remodelers, maintenance staff, and others conducting renovation, rehabilitation, maintenance or other work in private housing; free delivery of lead sampling technician training, lead-based paint worker or contractor certification training; and subsidies for licensing or certification fees to low-income persons seeking credentials as lead-based paint workers or contractors or lead sampling technicians.

(8) Conducting planning, coordination, and training activities to comply with HUD's Lead-Safe Housing

Regulation (24 CFR part 35, subparts B–R). These activities should support the expansion of a workforce properly trained in lead-safe work practices which is available to conduct interim controls on HUD-assisted housing covered by these regulations.

(9) Conducting outreach and related activities that are directly tied to a matching and/or leveraging strategy, and that will result in increased lead hazard control activities in low-income privately owned or owner-occupied housing with lead-based paint hazards. If applicants propose outreach and/or related activities, keep in mind that these activities must be tied to a leveraging strategy. Therefore, you must describe when and what this activity will match and/or leverage, and how it will be used to address a lead hazard.

(10) Lead hazard control activities tied directly to a matching and/or leveraging strategy and conducted in low- and very low-income eligible privately owned owner-occupied or investor-owned rental units. All units must be occupied by a family with a child under the age of six, except rental properties must be occupied by a family with a child under the age of six, or preference provided to a low- and very low-income family with a child under age six and the rents must be affordable for a minimum of 3 years after completion of the final lead clearance.

(11) Participating in applied research, 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.

c. For reference to the Administrative Cost requirements, please see <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

d. For reference to the Indirect Cost requirements, please see <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

2. *Eligibility of HUD-Assisted Housing.* The table "Eligibility of HUD-Assisted Housing," posted at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>, lists the housing units that may participate under each of the three competitive programs detailed in this NOFA. Only those HUD-assisted units on the list are eligible to participate and receive Lead-Based Paint Hazard Control Grant, Lead Hazard Reduction Demonstration Grant and Operation LEAP funds.

3. *Threshold Requirements.* As an eligible applicant, you must meet all of the threshold requirements in Section III.C of the General Section as well as

any specific threshold requirements listed in this subsection. Applications will not be funded if they do not meet the threshold requirements.

a. Applicants under the Lead-Based Paint Hazard Control Program are required to match 10 percent of the funds requested with other funds or resources, while a 25 percent match is required for the Lead Hazard Reduction Demonstration Grant Program. There is no match requirement for Operation LEAP.

b. Applicants under the Lead Hazard Reduction Demonstration Program must have at least 3,500 pre-1940 occupied rental housing units in order to apply under the Lead Hazard Reduction Demonstration Program. Failure to provide the number of pre-1940 occupied rental units referenced in the Factor 2 Table (Form HUD 96013) will result in the application not being rated or ranked. Multiple local governments may apply as part of a consortium in an effort to meet the required number (3,500) of occupied rental units; however, you must identify a prime applicant that will be responsible for ensuring compliance with all requirements under this NOFA. No minimum requirement for the number of pre-1940 occupied units for Lead Hazard Control and Operation LEAP.

c. All applicants under the Lead Hazard Reduction Demonstration Program must provide the actual number of children with documented elevated blood lead levels residing within the jurisdiction(s) where the lead hazard control work will be conducted for the 2002, 2003 and 2004 complete calendar years and identify the source of the data. Failure to provide these data will result in the application not being rated or ranked.

d. EPA Authorization. If you are a state government or Native American Tribal government, you must have an EPA-authorized Lead-Based Paint Training and Certification Program in effect on the application deadline date to be eligible to apply for Lead Based Paint Hazard Control Grant funds. The approval date in the **Federal Register** notice published by the EPA will be used in determining the Training and Certification status of the applicant state or Native American Tribal government. If you do not have an EPA authorized program, the application will not be rated or ranked.

e. DUNS Requirement. You will need a Dun and Bradstreet Universal Data Numbering System (DUNS) number in order to register and submit your electronic application through <http://www.grants.gov>. Refer to the General Section for more information.

f. Consolidated Plans. (This requirement does not apply to Native American Tribes.) You must submit, as an appendix, the current lead-based paint element from the approved Consolidated Plan or the jurisdiction(s) where the lead hazard control will be conducted. In lieu of submitting a hard copy of the lead-based paint element from the current consolidated plan(s), you may substitute a Web site address. The Web site must contain the lead-based paint element of the current Consolidated Plan(s). If the jurisdiction does not have a currently approved Consolidated Plan, but it is otherwise eligible for this grant program, you must include the jurisdiction's abbreviated Consolidated Plan, which includes a lead-based paint hazard control strategy developed in accordance with 24 CFR 91.235.

g. An applicant requesting a funding amount greater than the maximum grant award amount will be deemed ineligible and not reviewed.

4. *Environmental Requirements.* a. Recipients of lead-based paint hazard control grants and lead hazard reduction demonstration grants must comply with 24 CFR part 58, Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities and must carry out environmental review responsibilities as a responsible entity under part 58.

b. Properties assisted with Operation LEAP funds under the Department of Housing and Urban Development Appropriations Act, 2006, are covered by the provisions of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994, which are implemented by HUD regulations at 24 CFR part 58. Under part 58, a responsible entity, usually the unit of general local government, must assume the environmental review responsibilities for activities funded under Operation LEAP. Under 24 CFR 58.11, if a responsible entity or the recipient objects to the responsible entity performing the environmental review for Operation LEAP activities, HUD may designate another responsible entity to perform the review or may perform the environmental review itself under the provisions of 24 CFR part 50.

c. For all grants under this NOFA, recipients and other participants in the project are prohibited from undertaking, or committing or expending HUD or non-HUD funds (including HUD leveraged or match funds) on a project or activities under this NOFA (other than activities listed in 24 CFR 58.34, 58.35(b) or 58.22(f)) until the responsible entity completes an environmental review and the applicant

submits and HUD approves a Request for the Release of Funds and the responsible entity's environmental certification (both on form HUD 7015.15) or, in the case of Operation LEAP grants where HUD has determined to perform the environmental review under part 50, HUD has completed the review and notified the grantee of its approval. The results of the environmental reviews may require that proposed activities be modified or proposed sites rejected. For part 58 procedures, see <http://www.hud.gov/offices/cpd/energyenviron/environment/index.cfm>. For assistance, contact Karen Choi, the Office of Healthy Homes and Lead Hazard Control Environmental Officer at (213) 534-2458 (this is not a toll-free-number) or the HUD Environmental Review Officer in the HUD Field Office serving your area. If you are a hearing- or speech-impaired person, you may reach the telephone number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339. Recipients of a grant under these funded programs will be given additional guidance in these environmental responsibilities.

5. *Administrative and Other Requirements.* If awarded, the applicant must comply with the requirements below and maintain appropriate documentation to demonstrate compliance with the requirements specified below. The requirements apply to all grant programs unless otherwise specified.

a. Lead-Based Paint Hazard Reduction Act (Title X of the Housing and Community Development Act of 1992), Section 1011 of Title X. Section 217 of Public Law 104-134 (the Omnibus Consolidated Rescissions and Appropriations Act of 1996, 110 Stat. 1321, approved April 26, 1996) amended Section 1011(a) of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X) to read as follows:

Section 1011. Grants for Lead-Based Paint Hazard Reduction in Target Housing

“(a) General Authority. The Secretary is authorized to provide grants to eligible applicants to evaluate and reduce lead-based paint hazards in housing that is not federally assisted housing, federally owned housing, or public housing, in accordance with the provisions of this section. Grants shall only be made under this section to provide assistance for housing that meets the following criteria—

(1) For grants made to assist rental housing, at least 50 percent of the units must be occupied by or made available

to families with incomes at or below 50 percent of the area median income level and the remaining units shall be occupied or made available to families with incomes at or below 80 percent of the area median income level, and in all cases the landlord shall give priority in renting units assisted under this section, for not less than 3 years following the completion of lead abatement activities, to families with a child under the age of six years, except that buildings with five or more units may have 20 percent of the units occupied by families with incomes above 80 percent of area median income level;

(2) For grants made to assist housing owned by owner-occupants, all units assisted with grants under this section shall be the principal residence of families with income at or below 80 percent of the area median income level, and not less than 90 percent of the units assisted with grants under this section shall be occupied by a child under the age of six years or shall be units where a child under the age of six years spends a significant amount of time visiting  
\* \* \*

(1) **Certified and Trained Performers.** Funded activities must be conducted by persons qualified for the activities according to 24 CFR part 35, subparts B–R (possessing certification as abatement contractors, risk assessors, inspectors, abatement workers, or sampling technicians, or others having been trained in a HUD-approved course in lead-safe work practices).

(2) Lead hazard evaluation and control work must be conducted in compliance with HUD's Lead Safe Housing Rule, 24 CFR part 35, the HUD Guidelines, and applicable federal, state and local regulations and guidance.

6. **Prohibited Practices.** You must not engage in the following prohibited practices:

- a. Open flame burning or torching;
- b. Machine sanding or grinding without a high-efficiency particulate air (HEPA) exhaust control;
- c. Uncontained hydroblasting or high-pressure wash;
- d. Abrasive blasting or sandblasting without HEPA exhaust control;
- e. Heat guns operating above 1,100 degrees Fahrenheit;
- f. Chemical paint strippers containing methylene chloride or other volatile hazardous chemicals in a poorly ventilated space; and
- g. Dry scraping or dry sanding, except scraping in conjunction with heat guns or around electrical outlets or when treating no more than two square feet in any one interior room or space, or totaling no more than 20 square feet on exterior surfaces.

7. **Written Policies and Procedures.** You must have clearly established, written policies and procedures for eligibility, program marketing, unit selection, expediting work on homes occupied by children with elevated blood lead levels, and all phases of lead hazard control, including risk assessment, inspection, development of specifications, pre-hazard control blood lead testing, financing, temporary relocation and clearance testing. Grantees, subcontractors, sub-grantees, sub-recipients, and their contractors must adhere to these policies and procedures.

8. **Continued Availability of Lead-Safe Housing to Low-Income Families.** Units in which lead hazards have been controlled under this program shall be occupied by or continue to be available to low-income residents as required by Title X (Section 1011). You must maintain a publicly available registry (listing) of units in which lead hazards have been controlled and ensure that these units are affirmatively marketed to agencies and families as suitable housing for families with children less than six years of age. The grantee must also provide the owner with the lead hazard evaluation and control information generated by activities under this grant, so that the owner can comply with his/her disclosure requirements under 24 CFR part 35, Subpart A.

9. **Testing.** In developing your application budget, include costs for lead paint inspection, risk assessment, and clearance testing for each dwelling that will receive lead hazard control, as follows:

- a. **General.** All testing and sampling shall comply with the Lead Safe Housing and conform to the current HUD Guidelines, the EPA lead hazard standards at 40 CFR part 745, and federal, state, or tribal regulations developed as part of the appropriate contractor certification program, whichever is more stringent. It is particularly important to provide this full cycle of testing for lead hazard control, including interim controls.
- b. **Lead-Based Paint and Lead-Based Paint Hazard Identification.** A combined lead-based paint inspection and risk assessment is required.
- c. **Clearance Testing.** If rehabilitation is conducted in conjunction with lead hazard control, clearance may be conducted either after the lead hazard control work is completed, and again after any subsequent rehabilitation work is completed, or after all of the lead hazard control and rehabilitation work is completed. Clearance shall be

successfully completed before re-occupancy.

10. **Blood lead testing.** Each child under six years of age should be tested for lead poisoning within the six months preceding the lead hazard control work. Any child with an elevated blood lead level must be referred for appropriate medical follow-up. The standards for such testing are described in the Centers for Disease Control and Prevention (CDC) publications *Preventing Lead Poisoning in Young Children* (1991), and *Screening Young Children for Lead Poisoning: Guidance for State and Local Public Health Officials* (1997).

11. **Cooperation With Related Research and Evaluation.** You shall cooperate fully with any research or evaluation sponsored by HUD, CDC, EPA or other government agency and 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 also may include the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in your original proposal. Participant data shall 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 <http://www.hhs.gov/ocr/hipaa>.

12. **Data collection.** You will be required to collect, maintain, and provide to HUD the data necessary to document and evaluate grant program outputs and outcomes.

13. **Financial Control.** Financial control systems shall be established including methods and procedures to ensure that only grant eligible expenses are charged to the grant as reimbursable expenses or project match; that appropriate documentation of time worked on and charged to the grant is maintained; and that no more than 10 percent of grant funds are used for administrative costs and that indirect cost allocation plans are updated annually.

14. **Section 3 Employment Opportunities.** Please refer to Section III.C of the General Section. The requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) are applicable to this program. This sub-factor will be evaluated on the extent to which an applicant describes how it proposes to:

- a. Provide opportunities to train and employ lower-income residents of the project area; and
- b. Award substantial contracts to persons residing in the project area.

Applicants that demonstrate their responsiveness to the section 3 requirement may receive up to 2 rating points. Annual submission of Form HUD-60002 is required.

Regulations regarding the provision of Section 3 of the Housing and Urban Development Act of 1968 can be located at 24 CFR part 135.

15. *Replacing Existing Resources.* Funds received under the grant programs covered under this NOFA shall not be used to replace existing community resources dedicated to any ongoing project.

16. *Certifications and Assurances.* By signing the SF-424, you are agreeing to the certifications and assurances listed in the General Section and this NOFA.

17. *Code of Conduct.* If awarded assistance, you will be required, prior to entering into a grant agreement with HUD, to submit a copy of your Code of Conduct and describe the methods you will use to ensure that all officers, employees, and agents of your organization are aware of your Code of Conduct. Refer to the General Section for information about conducting business in accordance with HUD's core values and ethical standards.

18. *Lead-Safe Work Practice Training Activities.* Applicants under the Lead-Based Paint Hazard Control Grant Program are encouraged to provide resources to promote the expansion of a workforce properly trained in lead-safe work practices and which is available to conduct interim controls and/or lead hazard abatement as well as follow lead-safe work practices while performing work on HUD assisted housing units and to safely repair, rehabilitate, and maintain other privately owned residential property. The effort is permissible under the Lead Hazard Reduction Demonstration Program, when funded as part of the 10 percent remaining after direct lead hazard control activities are funded under this program.

19. *Coordination Among Critical Agencies.* If awarded assistance under the Lead-Based Paint Hazard Control or Lead Hazard Reduction Demonstration programs, applicants shall participate in the state-wide or jurisdiction-wide strategic plan to eliminate childhood lead poisoning as a major public health problem by 2010, or assist in the development of one plan in states or localities that do not have such a plan. The CDC strategic elimination plans for state and local childhood lead poisoning prevention programs can be downloaded from <http://www.cdc.gov/nceh/lead/Strategic%20Elim%20Plans/strategicplans.htm>.

Additionally, if awarded lead hazard control and lead hazard demonstration funds, applicants shall enter into or extend existing collaborative agreements or arrangements with childhood lead poisoning prevention programs among health agencies, housing agencies, community development agencies, and code enforcement agencies (or equivalent) for their target area(s) local jurisdiction(s), and, for state or tribal applicants, with their state or tribal health agencies, housing agencies, development agencies, and code enforcement agencies (or equivalent). Agreements or arrangements must describe how the health department and the housing and/or development agency have or will consider enrolling housing units (or multifamily buildings) in which one or more children under age 6 years have elevated blood lead levels, with priority to housing where repeated and/or severe cases of childhood lead poisoning have occurred. (Because of the presence of a variety of priorities, it is not a requirement that units with lead-poisoned children be enrolled, but the process for giving such units high priority should be described and implemented.) HUD encourages Operation LEAP applicants to enter into such agreements.

20. *Work Plan.* Upon award, a work plan shall be developed and consist of the measurable quarterly performance goals and specific time-phased objectives established for each of the major activities and tasks required to implement the program. These major activities and tasks are outlined in the Quarterly Progress Reporting System (Form HUD-96006) and include: Program Management and Capacity Building including data collection and program evaluation; Community Education, Outreach and Training; and Lead Hazard Activities including testing, interventions conducted, and temporary relocation.

a. Describe how lead hazard units, especially those known to house elevated blood lead levels of children under six years of age, will be identified, selected, prioritized, and considered for treatment under this grant and/or other programs of the grantee or grantee's team members. An elevated blood lead level is defined as an excessive absorption of lead that is a confirmed concentration of ten (10) micrograms of lead per deciliter of whole blood.

You must demonstrate how you consider housing units identified by local health and child welfare agencies where incidences of childhood lead poisoning have occurred, particularly those where multiple poisonings have

been reported, for enrollment into lead hazard control treatment programs, as well as demonstrate the use of other sources of information on high priority housing;

b. Your work plan should address your jurisdiction's Consolidated Plan goals for pursuing community planning and development and housing programs relative to lead and other housing-related issues that affect the health of residents. The work plan must include a detailed strategy to:

(1) Obtain data from state or local health departments or from families themselves (either directly, for example, through service organizations that families distribute their information) on the addresses of housing units in which children have been identified as lead poisoned, as required by 24 CFR 91.100(a)(2); and

(2) Continue or enter into collaborative agreements or arrangements with applicable state or local health and child welfare agencies, community development organizations, and housing agencies and/or other housing organizations to team with HUD Lead Hazard Control, Lead Hazard Reduction Demonstration, and LEAP grantees to identify and address childhood lead poisoning in the jurisdiction collaboratively, and describe the methods for coordinating among these agencies.

(3) Demonstrate specific steps and/or actions that will be taken to ensure that other resources in the community are utilized to increase funding, to locate and provide training, and to link with other local programs engaged in lead hazard control activities;

(4) Describe how the project will be managed, and the timeline for staffing the program, establishing a lead-based paint contractor pool, and obtaining HUD approval for the Request for the Release of Funds (HUD Form 7015.15);

(5) Describe how assistance and funding will flow from you to the actual performers of the hazard reduction work;

(6) Describe the selection process for sub-grantees, sub-contractors, or sub-recipients;

(7) Describe the financing mechanism used to support lead hazard control work in units (name of administering agency, eligibility requirements, type of financing (grant, forgivable or deferred loans, private sector financing, etc.)), any owner matching requirement, and the terms, conditions, and amounts of assistance available, include affordability terms and forgiveness and recapture of funds provisions;

(8) Perform combined lead-based paint inspection and risk assessment

testing procedures using the HUD Guidelines, applicable sections of the Lead Safe Housing Regulations and EPA standards to identify lead hazards and to conduct clearance testing.

(9) Describe the process for developing work specifications and bids on properties selected for lead hazard control work;

(10) The specific intervention methods and clearance procedures to be conducted for units enrolled and treated;

(11) The number of rental-occupied, vacant, and owner-occupied units, including the number of single-family and multifamily units, proposed for interim controls and hazard abatement;

(12) The occupant protection and relocation plan that will be carried out for residents required to be out of their homes during hazard control activities;

(13) The education, outreach, and training activities to be undertaken by the program;

(14) The overall outcomes for community education, outreach, and training activities, including the number of events and the number of individuals to receive education, outreach, and training.

(15) The blood lead testing and other health measures to be undertaken to protect children under six years of age and other occupants of units undergoing lead hazard control work; and

(16) The evaluation process used to measure program performance, with particular attention given to program performance in the five key areas evaluated by OHHLHC on a quarterly basis (NOFA Rating Factor 5 response): Number of units inspected and risk assessed; number of units cleared of lead hazards; the amount of grant funds disbursed through the Line of Credit Control System (LOCCS); the number of persons reached through outreach and education efforts; and the number of persons trained in lead hazard control courses. For Operation LEAP, only the quarterly assessment will include one additional performance measure which is the amount of leverage.

(17) The grantee's accounting, finance, and internal audit procedures.

(a) Procedures for obtaining funding through government resources, match, leverage, and other contributed resources,

(b) Procedures for the procurement process and the reimbursement process of vendors, contractors, and sub-grantees

(18) Quarterly performance benchmarks. The benchmarks for a 36-month grant are on the Work Plan Development Worksheet with Minimum Benchmark Standards for 36 Months—

Form HUD-96008, (You can download Form HUD-96008 at <http://www.hudclips.org/subnonhud/html/forms.htm>. and can also find it on the HUD OHHLHC Web site at: <http://www.hud.gov/offices/lead/lhc/index.cfm>).

The development of your work plan should include and reflect the benchmark standards. All applicants are required to complete the Factor 3 Table—Soundness of Approach, and the Work Plan Development Worksheet with Minimum Benchmark Standards for 36 Months—Form HUD-96008.

21. *Detailed budget.* A detailed budget submission which identifies the total budget (federal share and matching and/or leverage contribution) identified on Form HUD-424 CBW with supporting narrative and cost justifications for all budget categories of your grant request. You must provide a separate estimate for the overall grant management element (Administrative Costs), which is more fully defined in Section IV.E of this NOFA. All applicants must provide a detailed budget for any subcontractors, sub-grantees, or sub-recipients receiving greater than 10 percent of the federal budget request. In the event of a discrepancy between grant amounts requested in various sections of the application, the amount you indicate on the Form SF-424 will govern as the correct value.

22. *Institutional Review Board (IRB).* Indicate if your program includes conducting research involving human subjects in a manner which requires IRB approval and periodic monitoring under 24 CFR part 60, which incorporates the Department of Health and Human Service's regulations, at 45 CFR part 46. For additional information on what constitutes human subjects, research or how to obtain an institutional assurance, see the Department of Health and Human Services, Office of Human Research Protection (OHRP) Web site at <http://www.hhs.gov/ohrp>.

#### **Section IV. Application and Submission Procedures**

##### **A. Address To Request Application Package**

See the General Section for specific procedures concerning the electronic application submission requirements.

Guidebook and Further Information: If you have difficulty accessing the information, you may call the help desk help line at (800) 518-GRANTS or e-mailing [support@grants.gov](mailto:support@grants.gov). If you are hearing impaired you may reach the numbers above through (800) HUD-2209 (TTY) (these are toll-free numbers).

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

Applicants eligible to apply under this NOFA are to follow the submission requirements described in Section IV.C.1.a. below:

###### **1. Applicant Information.**

a. *Application Format.* The application narrative response to the Rating Factors from new and eligible prior grantees is limited to a maximum of 20 pages (excluding appendices and worksheets) of size 8½" x 11" using a 12-point (minimum) font with not less than ¾" margins on all sides. Materials provided in the appendices should directly apply to the specific rating factor narrative. Applicants are strongly urged not to submit information that is not required and/or requested by the NOFA or does not directly apply to a specific narrative response. The narrative rating responses should be submitted as a single Microsoft Word document file. All attachments must identify the related factor in the footer by providing the rating factor and the page number (e.g., Factor 1 Attachment, pg. 1), and should be submitted as a single zip file, attachment to the electronic application.

b. *Application Checklist (Voluntary).* Your application must contain all of the required information noted in this NOFA and the General Section. These items include the standard forms, and the certifications and assurances listed in the General Section that are applicable to this NOFA. The forms required for application submission and instructions can be found in the application at <http://www.grants.gov>. The "Checklist and Submission Table of Contents" below includes a list of the required items needed for submitting a complete application and receiving consideration for funding. Inclusion of this "Checklist and Submission Table of Contents" with your proposal is recommended but not required.

##### **Checklist and Submission Table of Contents**

- Application Checklist (Paper copy applications only).
- Applicant Abstract (limited to a maximum of 2 pages).
- Rating Factor Response (limited to a maximum of 20 narrative pages plus the following forms).
  1. Capacity of the Applicant and Relevant Organizational Experience—Form HUD-96012.
  2. Needs/Extent of the Problem—Form HUD-96013.
  3. Soundness of Approach (Work Plan/Budget)—Form HUD-96014;
  4. Leveraging and Matching Resources—Form HUD-96015

5. Achieving Results and Program Evaluation—Logic Model—Form HUD-96010

- Materials to be submitted in response to rating factors (does not count towards 20-page limit).

Application for Federal Assistance—Form SF-424.

Survey on Ensuring Equal Opportunity for Applicants—Form SF-424 Supplement.

Grant Application Detailed Budget Worksheet—HUD-424 CBW, Total Budget (Federal Share and Matching) with Supporting Narrative and Cost Justification.

Disclosure and Update Report—Form HUD-2880.0

Certification of Consistency with the RC/EZ/EC—II Strategic Plan—Form HUD-2990.

Certification of Consistency with the Consolidated Plan—Form HUD-2991.

Disclosure of Lobbying Activities (if applicable)—Form SF-LLL.

Development Worksheet with Minimum Benchmark Standards (36 Months) Form HUD-96008.

Facsimile Transmittal (for electronic applications)—Form HUD-96011.

Questionnaire for HUD's Initiative on Removal of Regulatory Barriers, including the required information (if applicable)—Form HUD-27300, including required documentation or URL references—

You Are Our Client Survey—Form HUD-2994-A (optional).

- Threshold Requirements.

Only those applications that meet the threshold review requirements will be rated and ranked. Threshold requirements are identified below:

a. Lead-Based Paint Element in Consolidated Plan.

b. 10 Percent (Lead Hazard Control Program) or 25 Percent (Lead Hazard Reduction Demonstration Program) Matching Contribution and no match requirement for Operation LEAP.

c. Funding request no greater than the maximum amount for the grant program.

- Material in support of the Rating Factors (20 page limit).

Budget Narrative.

Match, Leverage, and other sources of contributed resources. Submit an itemized breakout of your required matching contribution, including:

a. Letters or other evidence of commitment from donors; and

b. The amounts and sources of contributed resources, including donated in-kind services.

c. Applicant Contributors. Provide contracts, Memoranda of Understanding or Agreement, letters of commitment or other documentation describing the

proposed roles of agencies, local broad-based task forces, participating grassroots community-based nonprofit organizations, including faith-based organizations, local businesses, and others working with the program.

d. Consolidated Plan Element. (This requirement does not apply to Native American Tribes). You must submit as an appendix a current lead-based paint element from your current approved Consolidated Plan or the jurisdiction(s) where the lead hazard control work will be conducted. In lieu of submitting a hard copy of the lead-based paint element from your current consolidated plan, you may substitute a Web-site address. The Web-site must link directly to the lead-based paint element of a current Consolidated Plan. If your jurisdiction does not have a currently approved Consolidated Plan, but it is otherwise eligible for this grant program, you must also include your jurisdiction's abbreviated Consolidated Plan, which includes a lead-based paint hazard control strategy in accordance with 24 CFR 91.235. You should include the discussion of any lead-based paint issues in your jurisdiction's Analysis of Impediments, particularly as it addresses your target areas.

#### C. Submission Dates and Times

Application Submission Dates: The application deadline date is June 7, 2006. Refer to the General Section for timely submission requirements.

#### D. Intergovernmental Review

Not required.

#### E. Funding Restrictions

1. Ineligible Activities. You may not use grant funds for any of the following ineligible activities:

a. Purchase of real property.

b. Purchase or lease of supplies having a per-unit cost in excess of \$5,000, except for the purchase and lease of up to two X-ray fluorescence analyzers used by the grant program;

c. Chelation or other medical treatment costs related to children with Elevated Blood Lead levels (EBLs). Non-federal funds used to cover these costs may be counted as part of the required matching contribution.

d. Lead hazard control activities in publicly owned housing, or project-based Section 8 housing (this housing stock is not eligible under Section 1011 of the Lead-Based Paint Hazard Reduction Act).

e. Activities that do not comply with the Coastal Barrier Resources Act (16 U.S.C. 3501).

f. 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:

(1) 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

(2) 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.

(3) Please see <http://www.hud.gov/offices/adm/grants/fundsavail.cfm> for reference to the Administrative Cost requirements.

(4) Please see <http://www.hud.gov/offices/adm/grants/fundsavail.cfm> for reference to the Indirect Cost requirements.

#### F. Other Submission Requirements

Applicants are required to submit applications electronically via the Web site <http://www.grants.gov>. See section IV.F of the General Section for additional information on the electronic process and how to request a waiver from the requirement if necessary.

### Section V. Application Review Information

#### A. Criteria

The following section applies to all applicants unless otherwise specified.

1. Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (Up to 20 Points Maximum for All Applicants)

a. *Capacity of the Applicant (10 points)*. This rating factor addresses your organizational capacity necessary to successfully implement the proposed activities in an efficient manner. All applicants must respond to this Rating Factor, including completing the Factor 1 Table. The technical merit or threshold compliance of the applicant will be rated unless otherwise specified. The "applicant" includes the applicant organization as a whole, the applicant staff, including key personnel responsible for implementing the program, grassroots community-based nonprofit organizations, including faith-

based organizations, sub-contractors, consultants, sub-recipients, and members of consortia that are firmly committed to your program.

Applicants are to list by name and/or position title all key personnel, whether currently vacant or contingent upon an award, including the percentage of time to be dedicated to the proposed program. Key personnel should include, at a minimum, one Project Director and one Program Manager. The applicant must describe the relevant knowledge and experience of the Project Director and Program Manager, and any additional key personnel, who will carry out program activities, including the time commitment of each to the proposed program. The applicant must describe the proposed roles and responsibilities of each key personnel, including any/all relevant current or previous experience in the planning and management of large, complex and interdisciplinary programs involving housing rehabilitation or lead hazard control, childhood lead poisoning prevention, or similar work. The day-to-day program manager must be experienced in the management of housing rehabilitation or lead hazard control, childhood lead poisoning prevention, or similar work involving project management, and must be dedicated to the proposed program for a minimum of 75 percent of the time. If awarded two or three grants under this NOFA, HUD grantees will negotiate 100 percent of total time spent on the grants. Additional program staff experience, roles, responsibilities and time commitment must also be described.

Similarly, applicants must list and describe sub-grantees and sub-contractor organizations that will provide services and carry out critical activities for the proposed grant program, including their capacity, as demonstrated by experience in initiating and implementing related environmental, health, or housing projects. List key personnel from each sub-grantee or sub-contractor organization who will provide services, their respective roles and responsibilities on the proposed program and the time to be dedicated to the proposed program.

The applicant must demonstrate that it has sufficient personnel or will have the capability to retain qualified experts or professionals, and be prepared to perform lead-based paint hazard evaluation, lead-based paint hazard control intervention work, and other proposed activities within 120 days of the effective date of the grant award. HUD reserves the right to terminate the grant if sufficient personnel or qualified

experts are not retained within this 120-day period. Résumés (for up to three key personnel) or position descriptions for those key personnel to be hired, and organizational charts for the grant program must be submitted. Factor 1 Table—Key Personnel and Partners, must be completed and submitted.

*b. Relevant Organization Experience (10 points).*

(1) New Applicants. In rating this factor, HUD will consider a new applicant's recent, relevant, and demonstrated experience in undertaking eligible program activities.

Organizational capacity should be demonstrated in a table that describes prior experience in initiating and implementing lead hazard control efforts and/or related environmental, health or housing projects or programs. Applicants must indicate how this prior experience will be used in carrying out the proposed comprehensive Lead-Based Paint Hazard Control, Lead Hazard Reduction Demonstration and Operation LEAP Grant Programs.

The applicant should include, as an appendix item to this rating factor, 1–2-page résumé of up to three key personnel responsible for the grant (*e.g.*, project director, program manager, etc.). Include a table that lists the relevant and most recent experience in initiating and implementing lead hazard control efforts and/or related environmental, health or housing projects or programs and/or grants awarded (which may also include philanthropic/foundation awards for LEAP applicants) that you currently manage or have previously managed within the past three years (*e.g.*, Lead Hazard Control, CDBG Housing Rehabilitation, Childhood Lead Poisoning Prevention Program, Healthy Homes Demonstration, Weatherization, Operation LEAP, etc.), an organizational chart for the overall organization and the project/grant program, and include the following details for each project:

- Federal/state/local/private agency providing the project;
- Title of the project; and
- Name of the Project Director and Program Manager.
- Dollar amount of the project;
- Deliverables planned;
- Deliverables and accomplishments achieved;
- Start and end date of the project;
- Whether or not the project was completed on time;
- Discussion of any significant obstacles and how they were resolved.

HUD's evaluation process will consider an applicant's past performance record as reported to HUD in effectively organizing and managing its grant operations, in meeting

performance and work plan benchmarks and goals, and in managing funds, including its ability to account for funds appropriately, the timely use of funds received either from HUD or other federal, state or local programs, and meeting performance milestones. HUD may also use other information relating to these items from sources at hand, including public sources such as newspapers, Inspector General or Government Accountability Office Reports or Findings, hotline complaints, or other sources of information that possess merit.

(2) Current or previous grantee under any of this NOFA's programs. HUD will evaluate the applicant's quarterly performance reports for the last four (4) quarters as of the most recent reporting year. Based on the overall performance rating of the last 4 reporting quarters under the OHHLHC Quarterly Progress Reporting System, up to a maximum of 10 points will be awarded based on the combination of green, yellow, or red performance ratings.

**2. Rating Factor 2: Need/Extent of the Problem (20 Points Maximum for Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Programs, and 10 Points Maximum for Operation LEAP)**

This factor refers to whether or not the community where eligible lead hazard control activities will be conducted has significant lead-based paint hazards to be addressed and an urgent need for HUD funding to address the problem in your identified target area(s). Each applicant will be evaluated and scored in this rating factor based on documented need as evidenced by thorough, credible, and applicable data and information. The applicant is to complete the Factor 2 Table—Need/Extent of the Problem.

Multiple tables (one per target area) are permissible. Provide the number of children less than 6 years of age in the target and jurisdiction area(s). The data submitted to HUD may be verified using data available from the Census, HUD user, other data available to HUD and/or in cooperation with the CDC. Points will be awarded in this rating factor based on the information documenting the number of children with an elevated blood lead level, the number of pre-1978 housing units (use pre-1980 data, if pre-1978 data are unavailable), and the number and percentage of families with incomes at or below 80% of the Area Medium Income as determined by HUD within your jurisdiction and/or target areas.

a. Points will be awarded based on the documented number of children with an

EBL entered in the Rating Factor 2 table. Documented Number of Children with an Elevated Blood Lead (EBL) (*10 Points Maximum for Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Programs, and 3 Points Maximum for Operation LEAP*). Provide the actual number of children documented as having an elevated blood lead (EBL) residing within the jurisdiction where the lead hazard control work will be conducted for the most recent complete calendar year and identify the source of the data. HUD will accept data for the most recent of the following calendar years: 2003, 2004, and 2005. States must report the number in the city, county, or other area where funds will actually be used. Consortia of local governments must report the number in the cities or counties making up the consortium. Operation LEAP applicants must report the EBL data from the designated targeted areas. For the purposes of this application, the "documented number of children" with an EBL is based on the CDC level of concern. A child under six years of age with a blood lead level test result equal to or greater than 10 micrograms of lead per deciliter of blood, based on a test that was performed by a medical health care provider, is considered to have an EBL. The actual number of children with an EBL (not an estimate) must be included in this application in order to receive points for this sub-factor. Do not send the children's names or addresses or other identifiers. Failure to provide this number in the application means that no points will be awarded for this sub-factor. For you to receive maximum points for this rating factor, there must be a direct and substantial relationship between your proposed lead hazard control activities, Consolidated Plan's lead element, and the documented community needs. Since an objective of the program is to prevent at-risk children from being poisoned, specific attention must be paid to documenting the identified need as it applies to any selected targeted area(s). Applicants shall complete the Factor 2 Table.

b. Points will be awarded based on the documented housing market data relevant to the specified target area(s) entered in the Rating Factor 2 table. (*5 Points for Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Programs, and 3 Points Maximum for Operation LEAP*). Points will be awarded for the number of pre-1940 housing units in the applicant's jurisdiction(s) according to the table, "Points Awarded for Number of Pre-1940 Occupied Rental Housing Units in Target Area," that can be downloaded

from <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. Housing Age for the following sub-categories: Pre-1940, 1940–1949, 1950–1959, 1960–1969, 1970–1979 and 1980 or newer (Census information includes 1970–1979 category). The table shows the number of points awarded based on the number of pre-1940 housing units in the grant target area(s).

c. Points will be awarded based on the documented percentage of very-low (income less than 50 percent of the area median) and low- (income less than 80 percent of the area median) income families, as determined by HUD and entered in the Rating Factor 2 table (*5 Points Maximum for Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Programs and 4 Points Maximum for Operation LEAP*). "Points Awarded for Number of Very Low and Low-Income Percentages of Families in Target Area" can be downloaded from <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. The table shows the number of points awarded based on the number of very low and low-income percentages of families in target area(s).

### 3. Rating Factor 3: Soundness of Approach (40 Points Maximum for All Applicants)

Applicants for these grant programs shall complete the Rating Factor 3 Table Soundness of Approach. All Applicants: Based on analysis of internal historical data, lead hazard control grant programs average approximately 1 unit for every \$8,000 of grant and matching/leveraged dollars spent. It is, therefore, anticipated that all programs under this NOFA will meet or exceed this standard. If your particular work plan will exceed this unit per grant and match or leverage threshold, you will be expected to justify and explain the cost per unit ratio. This factor addresses the quantity, quality and cost-effectiveness of your proposed work plan. The work plan should include specific, measurable, and time-phased objectives for each major program activity and should reflect benchmark performance standards for unit production, expenditures, obtaining match/leverage funds, community outreach and education, skills training, and other activities including accounting for program activities. These benchmark standards as well as policy guidance on developing work plans are available at the HUD Web site: <http://www.hud.gov/offices/lead/grantfrm/hudgrantee.cfm>. This policy guidance provides a sample format and outline for developing a Work Plan.

Applicants for Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Programs should describe the proposed activities and provide HUD with measurable outcome results to be achieved with the requested funds. Measurable outcome results should be stated in terms relevant to the purpose of the program funds as a direct result of the work performed within the performance period of the grant (*e.g.*, estimated number of units to be made lead-safe, estimated number of children living in units made lead-safe, estimated number of persons to be trained to perform lead hazard control activities, estimated number of educational programs to be presented and/or the number of persons to be served by such programs, and the basis for these estimates). Each proposed activity must be eligible in accordance with the requirements of this NOFA and meet statutory requirements for assistance to low- and very low-income persons.

Applicants for the Operation Lead Elimination Action Program (LEAP) should describe in detail their approach for leveraging private sector resources. LEAP is intended to leverage significant private sector resources that will then be used to address lead hazards in privately owned housing occupied by low- and moderate-income families with children less than 6 years of age. Keeping in mind that HUD's Lead-Based Paint Hazard Control grants average approximately 1 unit for every \$8,000 of grant and matching dollars spent, therefore, a LEAP program should meet or exceed this performance using private resources. HUD expects that the leveraged funds in comparison to the HUD funds would be substantially greater (for example, a grant applicant is proposing to use \$4 million in private sector resources with \$2 million in LEAP funds (a 2:1 ratio)). The number of units the applicant would expect to control by these resources would be approximately 500 units. Your application should indicate in Rating Factor 4—Leveraging—the extent of funding you commit to leverage. Your application should include in this Rating Factor 3 your approach for obtaining the leveraged funding and your approach to controlling lead-based paint hazards in housing using the HUD and leveraged funds.

a. *Lead Hazard Control Work Plan Strategy (20 Points all Applicants)*: Describe the overall work plan goals and time-phased strategy to complete work within the 36-month period of performance (Form HUD-96008). Describe the methods, schedule and milestones that will be used to identify

and control lead-based paint hazards and to achieve the desired project outcomes. Include summary information about the estimated numbers of clients to be contacted, units and families enrolled, units to receive risk assessments and inspections, units to receive lead hazard control work, individuals or groups to be trained, and individuals and groups to be reached through education and/or outreach activities.

Additionally, provide responses to the following: Program Management. Describe the overall approach to implement the proposed program. Describe how the program will be organized, managed and staffed.

(1) Program Administration and Financial Management. Describe the approach and method to successfully administer the proposed program.

(a) Include details about staff and project oversight/monitoring, contract administration (to ensure sub-grantees and contractors conform to the terms, conditions and specifications of contracts or other formal agreements), and how assistance and funding will flow from the grantee to those who will perform work under the proposed program.

(b) Explain how your proposed technical approach addresses local conditions and needs, *e.g.*, especially maximizing the number of children protected from lead hazards.

(c) Discuss the lead hazard control financing strategy, including financing eligibility requirements, terms, conditions, dollar limits, amounts available for lead hazard control work in the various categories (explain) of housing intended for intervention (*e.g.*, single-family, multi-family, vacant, owner- or tenant-occupied), and who is responsible for establishing, administering and overseeing this aspect of the program. Describe how recapture of grants or loan funds to owners of assisted units will occur when recipients fail to comply with any terms and conditions of the financing arrangement (*e.g.*, failure to comply with affordability, affirmatively marketing and providing priority to renting units to families with children under six years of age, sale of property, etc.). Explain the assistance instrument (*e.g.*, grants, deferred loans and/or forgivable loans and the basis and schedule for forgiveness), and the role of other resources such as private sector financing and matching requirements, if any, from rental property owners. Identify the process and those responsible for coordination and payment between the program and contractors performing the work.

(2) Program Start-Up. Describe program start-up activities during the first 120 days of the grant.

(a) Provide information about internal and external capacity-building steps necessary to ensure a smooth and timely start-up phase. Provide detailed information about hiring staff, training staff or other organizations to provide the knowledge and skills required to address lead hazard control, including establishment of a qualified contractor pool, and lead poisoning prevention actions that are essential for successfully implementing your program (*e.g.*, education, testing, housing interventions).

(b) Include a description of how sub-grantees, sub-contractors or sub-recipients are selected to carry out intended activities. If these entities have already committed to the program, provide a detailed description of previous or existing goals, accomplishments and outcomes relative to such collaborative agreements or arrangements with and among these agencies. If these collaborative agreements or arrangements have not yet been entered into, provide a detailed description to address plans and strategies to do so.

(c) Describe your proposed involvement of grassroots community-based nonprofit organizations, including faith-based organizations, in the proposed activities including the development of consortia. These activities may include outreach, community education, marketing, inspection, and housing evaluations and interventions.

(d) Explain the environmental review and Request for Release of Funds process, and who is responsible, to obtain the required HUD approval for intended lead hazard control work on eligible, enrolled units. Include a description of the steps to be taken, and who will be responsible, to comply with applicable environmental reviews for individual projects.

(3) Outreach, Recruitment and Unit Enrollment. Describe the methods and strategies, including the individuals and/or sub-grantees, sub-recipients or contractors responsible for marketing and outreach to intended target area(s) and/or residents, including recruitment and enrollment activities to supply the program with sufficient numbers of eligible clients within an established timeframe.

(a) Describe how you will identify, select, prioritize and enroll eligible housing units in which you will undertake lead hazard control interventions, especially those known to house EBL children. Include the number

of eligible privately owned housing units, including the number of owner-occupied, rental, vacant, single and/or multi-family units to be enrolled.

(b) Discuss the eligibility criteria for unit selection, who will identify and how the program will identify units that meet these criteria.

(c) Describe measures you will perform to sustain recruitment. The staff is responsible for both monitoring recruitment status and implementing the measures identified to sustain recruitment.

(d) Discuss possible recruitment problems, impediments that you anticipate to recruitment, probability of dropouts and plans to over-recruit to compensate for dropouts.

(e) Explain how you will obtain data from state or local health departments on the addresses of housing units in which children have been identified as lead poisoned. Explain how referrals of eligible units will be obtained from childhood lead poisoning prevention programs, other health care or housing agencies or health providers that serve children.

(f) Discuss how referrals from the Section 8, Housing Choice Voucher program and other agencies that provide housing assistance to low-income households with children, including CDBG, HOME Investment Partnerships Program-funded housing programs, Weatherization or other sources, will be received and processed.

(g) Describe how you will obtain information in order to document the occupants of units assisted, meet the Title X income and family composition requirements by identifying key staff who will certify as to the eligibility of each unit assisted, based on the determination of income, and when required, the presence of a child or children under six years of age.

(h) Discuss the degree to which your proposed program focuses on eligible privately owned housing units occupied or to be occupied by low-income families with children under six years of age. Include in this discussion, details on how you will consider, prioritize and treat units known to house one or more lead poisoned children.

(i) Describe your planned approach to control lead hazards in vacant and/or occupied units before children are poisoned.

(j) Indicate how you intend to respond to the needs of EBL children housed in units located outside of the target area(s).

(k) Address the issue of patient confidentiality per the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as

it relates to the release of addresses of units where children have been poisoned by lead-based paint hazards within your jurisdiction(s). Provide thorough details of all security measures to be taken to ensure that the privacy of patient information obtained for the purposes of public health services conducted through the lead hazard control program will be safeguarded.

b. *Technical Approach/Lead Hazard Control Intervention (10 Points for all Applicants)*. Applicants shall describe the technical approach and associated costs for testing enrolled units, blood-lead testing of children in enrolled units, lead hazard control methods and strategies, occupant protection and temporary relocation.

Describe who will perform the process of conducting combined lead-based paint inspections and risk assessments in eligible privately owned housing to confirm the presence of lead-based paint hazards in enrolled units to receive lead hazard control work. Explain how you will ensure that all information regarding lead hazard control work, lead-based paint test results, etc. are provided to property owners, including the provision of a statement describing the owner's legal obligation to disclose the results to tenants (before initial leasing, or before lease renewal with changes) and buyers (prior to sale) per the requirements of 24 CFR part 35, subpart A. Disclosure of other identified housing-related health or safety hazards to the owner of the unit, for purposes of remediation, is encouraged but not required. Describe your testing methods, schedule, and costs for combined lead-based paint inspections and risk assessments and clearance examinations. If you propose to use a more restrictive standard than the HUD/EPA thresholds (e.g., less than 0.5 percent or 1.0 milligrams/square centimeter for lead in paint, or less than 40, 250, 400 micrograms/square foot for lead in dust on floors, sills and troughs, respectively, or less than 400 parts per million (ppm) in bare soil in children's play areas and 1200 ppm for bare soil in the rest of the yard) identify the standard(s) that will be used. All testing shall be performed in accordance with applicable regulations.

(1) Describe the methods, measures and cost for performing blood lead testing in children less than six years of age.

(a) Describe strategies to increase blood lead testing of children within the target area(s).

(b) Explain who will be responsible for ensuring and how you will ensure that all children less than six years of age who occupy units to be assisted

with lead hazard control work receive blood lead testing within six months of commencement of work on the unit.

(c) Identify the individual responsible for and measures to ensure that children identified with an elevated blood-lead level are referred to appropriate medical care and how patient confidentiality, privacy and the security of medical information is protected as required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

(2) Describe the lead hazard control methods and strategies you will undertake and the number of single family and multi-family units that you will treat for each method selected (e.g., interim controls and/or hazard abatement), including the estimated cost for each strategy per unit type and the basis for those estimates. Applicants should assume that interim controls are the preferred approach for their strategies and project unit output targets accordingly.

(a) Discuss efforts to incorporate cost-effective lead hazard control methods.

(b) If applicants maintain that approaches other than interim controls are necessary, a justification is necessary. For example, abatement might be justified in an area where significant amounts of low-income housing stock are highly distressed or where lead hazard control work is being combined with rehabilitation. Where highly distressed housing stock exists, applicants should explain why options for households to move to lead-safe housing are not viable.

(c) Complete abatement in all lead-based painted surfaces in all units is generally not an accepted strategy. In cases where only a few surfaces have identified lead-based paint hazards and abatement is cost-effective, the applicant must provide a detailed rationale for selecting complete abatement as a strategy.

(3) Indicate the individual or entity responsible for, and describe the process for developing the work specifications and the lead hazard control contractor bid and selection process (i.e., the contracting) on properties selected for lead hazard control work. Explain the management process to ensure the cost-effectiveness of intended lead hazard control methods. Explain the coordination of germane activities among lead hazard control, rehabilitation, weatherization, and other contractors performing work other than lead hazard control.

(4) Describe your plan and the individual(s) responsible for occupant protection and the temporary relocation (Information on Relocation Guidelines will appear on the Web site) of

occupants of units selected to receive lead hazard control work. Describe strategies to avoid overnight relocation in small-scale projects consistent with applicable subsections of HUD's Lead Safe Housing Regulations. Your plan should address the use of safe houses and other temporary housing arrangements, storage of household goods, stipends, incentives, etc.

(5) Describe who will ensure and how the applicant will ensure that contractors, property owners and maintenance personnel performing interim controls and lead hazard abatement work are properly trained and/or certified, and how work will be monitored and supervised to ensure that contractors perform work of reasonable quality in compliance with work specifications and applicable federal regulations.

(6) Provide a realistic schedule for completing key program activities and outputs, by quarter, so that all activities and outputs can be completed before or within the grant period of performance. Key production activities include unit enrollment, lead-based paint inspection and risk assessments, completion and clearance of units.

(7) Describe the estimated elapsed timeframe for treating a typical unit that will receive lead hazard control work, from referral and intake to completion and clearance. Estimate the amount of time required to treat a typical unit to receive lead hazard control work. Explain how the program will accommodate emergency referrals (e.g., units occupied by a child under six years of age with an EBL).

(8) Describe the workflow and production control methods. Provide guidelines and/or flowcharts that demonstrate the agency and team member responsibilities for each step in the unit production process (from intake and enrollment to completion and clearance of units). Describe how coordination and hand-offs from individuals or agencies to and from each step in the unit production process will be carried out. Discuss how the actual production status of units, from intake and enrollment to completion and clearance, will be monitored, and how and when impediments to production will be identified and remedied.

(9) Explain how the proposed program will integrate and stage proposed lead hazard control activities with rehabilitation (or weatherization, Healthy Homes Demonstration, etc.). Identify the individuals and agencies to coordinate these efforts and the number of units anticipated to be blended from these other programs and resources.

*c. Economic Opportunity (Up to 7 maximum points for all applicants).* Describe the individual or agency responsible for the promotion, recruitment, and provision of training in lead-safe work practices and other lead certification disciplines (e.g., supervisor, worker, risk assessor, inspector, etc.) to individuals and contractors in housing related trades, such as painters, remodelers, renovators, maintenance personnel, rehabilitation specialists, and others. Also, describe the methods you will employ to promote, recruit and provide the training.

(1) *Section 3 Requirement (2 of 7 points).* Detail the means to be used to provide appropriate economic opportunities to residents and businesses of the target area, in compliance with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and HUD's implementing rules at 24 CFR part 135. Describe how you will accomplish said Section 3 requirements by identifying the number of individuals to receive such training per discipline, the schedule for delivering said training opportunities for low and very low-income persons living within the applicant's jurisdiction, and how trained individuals will be linked to employment opportunities with businesses owned by low and very low-income persons living within the grantee's jurisdiction.

(2) *Lead Hazard Control Outreach and Coordination (5 of 7 points).*

(a) *Coordination on Health Programs.*

(i) Describe your involvement in coordination among critical agencies, including participation in the CDC state-wide or jurisdiction-wide strategic plan to eliminate childhood lead poisoning by 2010.

(ii) Describe your involvement in collaborative agreements or arrangements with childhood lead poisoning prevention programs among health agencies, housing agencies, community development agencies, and code enforcement agencies (or equivalent) for the target jurisdiction, as applicable. Applicants shall include a description of their previous or existing goals, accomplishments, and outcomes relative to such collaborative agreements or arrangements with and among these agencies. If these collaborative agreements or arrangements have not yet been entered into, a detailed description to address plans and strategies to do so shall be provided.

(iii) Describe the learning opportunities to be made available to community members, including

families, workers, small businesses and others, to help develop a strategic community health education model that identifies lead-related health hazards and their solutions, and educates community members and affects wider efforts in the applicant's targeted area. Applicants shall discuss the opportunity-to-learn approaches to educate children, parents, workers, business people, and other community members about lead poisoning prevention and lead hazard control. Include how the proposed educational program will continue to meet the needs of those children already living in units to receive lead hazard control work.

(b) *Lead Hazard Control Outreach and Community Private Sector Involvement.*

(i) Applicants are encouraged to solicit participation of grassroots community-based and private sector organizations, including faith-based organizations to accomplish outreach and community involvement activities intended to build long-term capacity to sustain accomplishments in the target area.

(ii) Describe the role of grassroots community-based nonprofit organizations, including faith-based organizations, in specific program activities (e.g., hazard evaluation and control, monitoring, awareness, education and outreach within the community).

(c) *Proposed Methods of Communication and Outreach.*

(i) Describe how the applicant will ensure that outreach and related education commitments by sub-grantees and/or sub-contractors will be honored and executed.

(ii) Identify the individuals and/or entities responsible for community education and the delivery methods. Include a brief description of the proposed curriculum or subjects to be communicated, and the groups to be targeted to receive said education.

(iii) Explain how the intended education program(s) will be culturally sensitive, targeted, and linguistically appropriate. Identify the means available to supply the educational materials in other languages (identify all that apply) common to the community.

(iv) Include the estimated number of individuals to receive the intended education and the estimated number of events to be delivered.

(d) *Affirmatively Furthering Fair Housing.*

(i) Describe strategies and methodologies that affirmatively further fair housing and increase access to lead-safe housing for all segments of the population: homeowners, owners of rental properties, and tenants.

(ii) Identify who will ensure and how the applicant will ensure that the program will continue to affirmatively market and match treated units with low-income families with children less than six years of age in the future.

(iii) Explain how this outreach strategy will avoid housing discrimination against families with young children, and how families will have adequate, lead-safe housing choices in the future. This strategy could include plans to develop and implement a registry of lead-safe housing that is available to the public, or to incorporate the inclusion of the lead-safe status of properties in another publicly accessible address-based property information system. The strategy could also include affirmatively marketing your services to those populations least likely to apply and who may not be served by any of the organizations working with you or the grantee team.

*d. HUD's Departmental Policy Priorities and Consolidated Plan (6 Points for all applicants; each policy priority is 1 point, except Removal of Regulatory Barriers (#4) is 2 rating points—HUD Form 27300 is required to receive point (s)).* Indicate if, and describe how, you will address any of HUD's departmental policy priorities (see General Section for more detailed explanation of HUD's policy priorities). Applicants shall also provide evidence of the priority that the community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice has placed on addressing the needs described.

The policy priorities that are applicable to this NOFA, and which the applicant should address, are: (1) Improving our Nation's Communities (focus on distressed communities); (2) Providing Full and Equal Access to Grassroots Community-based Nonprofit Organizations, including Faith-based Organizations in HUD Program Implementation; (3) Participation of Minority-Serving Institutions in HUD Programs; (4) Removal of Regulatory Barriers to Affordable Housing; and (5) Promoting Energy Efficiency and Energy Star. HUD expects the applicants to implement Energy Star building techniques and utilize Energy Star appliances whenever activities of the grant afford the opportunity. (For information on Energy Star Programs and Appliances, see <http://www.epa.gov/epahome/athome.htm>).

(1) Describe how the proposed program would contribute to satisfying the stated needs in the Consolidated Plan or Indian Housing Plan, and

eliminate impediments identified in the Analysis of Impediments (AI).

(2) Describe how your strategy will provide long-term benefits to families with children less than six years of age.

e. *Data Collection and other Program Support Activities (2 points for all applicants).*

(1) Identify and discuss the specific methods you will use (in addition to HUD reporting requirements) to document activities, progress, program effectiveness, and how changes necessary to improve performance will be identified and implemented. Explain who is responsible and how you will collect, document and report on information collected.

(2) Describe how databases, including Web sites, computer, paper or other formats, will incorporate the provisions of the Privacy Act of 1974, such that the addresses of enrolled, treated and/or cleared housing units shall not include personal information that could identify any child affected.

(3) Provide a detailed description of any proposed participation in research activities, studies, or development of information systems designed to enhance the delivery, analysis, or conduct of lead hazard control activities, or that will facilitate the targeting and pooling of resources to further childhood lead poisoning prevention efforts. If you are proposing to participate in research activities, describe the objectives, methodology, and impact of the proposed research activities.

4. Rating Factor 4: Matching and Leveraging Resources (10 Points Maximum for Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Program, and 20 Points Maximum for Operation LEAP)

This rating factor applies to all programs unless otherwise specified. This factor addresses your ability to obtain other community and private sector funds that can be combined with HUD's program resources to achieve program objectives. In evaluating this factor, HUD will primarily consider the amount of match and/or leveraged funding you commit to provide (in relation to the amount of HUD funding you request). In evaluating this factor, HUD will consider the extent to which you have established working relationships with other entities to get additional funds or commitments to increase the effectiveness of the proposed program activities. Describe how you will obtain information in order to document the occupants of units assisted to meet Title X income and family composition requirements.

Identify the key staff who will certify as to the eligibility of each unit assisted under the grant based on the determination of income, and when required, the presence of a child under six years of age. Funds may include cash or in-kind contributions of services, equipment, or supplies allocated to the proposed program. Funds may be provided by governmental entities, public, or private organizations, and other entities teaming with you. Matching and other contribution arrangements (other funds not meant for direct eligible activities under this program) with rental property owners may have the benefits of increasing the efficiency of public lead hazard identification and control expenditures and creating a financial stake for rental property owners in the quality of lead hazard control work. Contractual or other formal relationships with grassroots community-based nonprofit organizations, including faith-based organizations, are a requirement for state and local government applicants. Documentation of relationships with grassroots community-based nonprofit organizations, including faith-based organizations, must be provided in this application in the form of either signed agreements or commitment letters from organization officials who have the authority to commit the organization. This requirement does not apply to Native American Tribe applicants. You also may team with other program funding recipients to coordinate the use of funds in your target area(s).

a. *Strategy and Approach (5 points Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Program, and 15 points maximum for Operation LEAP).*

(1) Describe the proposed strategy for leveraging (e.g., private sector for Operation LEAP and public and private for Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Program) resources including:

- (a) Target audiences/constituencies;
- (b) Use of contractors/subgrantees/team organizations and their method of selection;
- (c) Methods of outreach/promotion;
- (d) Types of leveraging to be employed;
- (e) Proposed use and distribution of funds/resources leveraged;
- (f) Overall project management and coordination; and
- (g) Proposed schedule of activities within the 36-month period of performance;

b. *Matching and/or Leveraging Contributions (5 maximum points for all*

*applicants).* Points based on the documented leverage funding will be awarded based on the charts below.

(1) Matching and leveraged funds must be shown to be specifically dedicated to and integrated into supporting activities. Refer to Section III.B, Cost Sharing or Matching Requirements for additional information. Project match and/or leverage shall be limited to contributions which would be eligible for payment from grant funds, and may be in the form of cash, including private sector funding, or in-kind (non-cash) contributions or a combination of these resources. Leverage may be in the form of cash from private sector funding or other resources or in the form of non-cash contributions or a combination of these resources. You may not include any federal funds as part of the match, unless those funds are specifically permitted by statute to be used as matching funds, such as CDBG funds. Other funds from the private sector or other sources committed to the program that exceed the required match, if any, will provide points for this rating factor. Contributions (match funds or other contributed resources) above any statutory minimum match may include funds from other federally funded programs, and/or state, local, charity, nonprofit or for-profit entities. The signature of the authorized official on the Form SF-424 commits matching or other contributed resources of the applicant organization.

Staff in-kind contributions should be given a monetary value based on the local market value of the staff skills; you are responsible for tracking the number of labor hours provided in the match for each labor category. If you do not provide letters from contributors specifying details and the amount of the actual contributions, those contributions will not be counted. Contributions required of rental property owners may be included as part of your match. You should document and provide the amount of the match and/or leverage from each funding source.

Applicants will not receive full points under this rating factor if they do not submit evidence of a firm commitment and the appropriate use of match and/or leveraged resources under the grant program. Such evidence must be provided in the form of letters of firm commitment, memoranda of understanding, or other signed agreements to participate from those entities identified as team members in your application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the

organization's name, the proposed level of commitment, and the responsibilities as they relate to your proposed program. The commitment must be signed by an official of the organization legally able to make commitments on behalf of the organization and should be submitted at the time of the application submission. Describe the role of grassroots community-based nonprofit organizations, including faith-based organizations, in specific program activities, such as hazard evaluation and control; monitoring; and awareness, education, and outreach within the community. Describe how you will ensure that commitments to sub-grantees specified in your proposal will be honored and executed, contingent upon an award from HUD.

The applicant is encouraged to employ creativity and initiative in achieving the objectives of the program. Some examples of possible strategies/approaches include the following:

(a) Enlisting the support and resource commitment of financial institutions, foundations, private industry, the general public, property owners, and others to make residential housing lead-safe and eliminate lead poisoning as a public health threat to children;

(b) Soliciting the support of national building materials providers, building component manufacturers, and housing-related national retail outlets to donate money and/or materials to lead hazard control programs in housing and health departments, landlords and owner-occupants to eliminate lead-based paint hazards in privately owned low-income dwellings. For example, a window, wallboard, or paint manufacturer/retailer could donate or coordinate the donation and distribution of windows, wallboard, or paint to lead-based paint hazard control and/or lead hazard control elements of rehabilitation projects throughout the country. This strategy could also include the distribution of discount coupons for purchases of paint or other materials from national suppliers for lead-based paint hazard control projects;

(c) Forming teams with banks or other mortgage or financial institutions willing to provide no- or low-interest home improvement loans to finance lead hazard control activities and abatement measures among low-income recipients who would not otherwise be served. By participating, banks could fulfill a major element of their responsibilities under the Community Reinvestment Act;

(d) Forming teams to facilitate the coordination and distribution of donated building materials, such as windows, trim molding, or paint, etc. to

local projects involved in lead hazard control programs;

(e) Identifying and facilitating the availability and use of temporary relocation facilities for families who need to move out of their dwellings while lead hazard control work is being undertaken. For example, hotel chains, colleges, and other lead-safe sites could be contacted to make housing available for the temporary relocation of families during lead hazard control;

(f) Working with landlords, tenant groups and others to form consortia or otherwise engage landlords and owner-occupants to enroll their eligible housing units in local lead hazard control or rehabilitation programs. The applicant should obtain commitments from landlords to provide matching resources for work to be done on their units. For example, the lead hazard control program could offer landlords grant funds for replacement windows if the landlords contribute the cost of additional repairs (such as basic system upgrades, or other rehabilitation work including painting and maintenance) that is associated with lead hazard control. To encourage such commitments, efforts should be made to educate landlords about the primary benefits (effect on children's health) and supplementary benefits that can result from lead hazard reduction work such as improving an apartment's physical condition and marketability;

(g) Expanding dust testing and clearance testing, especially in high-risk communities;

(h) Promoting homebuilder, remodeler, or contractor associations to coordinate efforts to reduce lead hazards by contributing technical assistance, training, presentations and materials and/or labor to lead hazard control efforts;

(i) Encouraging landscaping firms, nurseries, and landscape architects to contribute lead-safe soil, mulch, and other forms of vegetation cover and shrubbery designed to mitigate lead contamination of soil around the exterior/perimeter and play areas of affected housing units;

(j) Working with health, housing, and community development organizations or other entities to conduct lead poisoning prevention activities, including efforts to plan, participate in, and/or facilitate strategic planning to eliminate lead poisoning as a public health threat to young children by 2010. As part of this effort, the applicant should describe the process for considering enrolling housing units (or multi-family buildings) in which one or more children under age 6 years have EBLs, with priority to housing where

repeated and/or severe cases of childhood lead poisoning have occurred. (Because of the presence of a variety of priorities, it is not a requirement that units with lead-poisoned children be enrolled, but the process for giving such units high priority should be described and implemented.);

(k) Working with grassroots nonprofit community organizations, including faith-based or other community-based organizations, that are committed to improving the quality of life of young children in high risk housing; and

(l) Providing training for significant numbers of trades people to implement lead-safe work practices, such as window replacement and weatherization work

#### OPERATION LEAP APPLICANTS

Documented leverage above requested HUD amount (percent)	Points awarded
≤50 .....	0
>50–≤100 .....	1
>100–≤150 .....	2
>150–≤200 .....	3
>200–≤300 .....	4
>300 .....	5

#### LEAD HAZARD CONTROL APPLICANTS

Documented match and other contributions of the requested HUD amount (percent)	Points awarded
10 .....	0
>10–≤20 .....	1
>20–≤30 .....	2
>30–≤40 .....	3
>40–≤50 .....	4
>50 .....	5

#### LEAD HAZARD REDUCTION DEMONSTRATION APPLICANTS

Documented match and other contributions of the requested HUD amount (percent)	Points awarded
25 .....	0
>25–≤30 .....	1
>30–≤35 .....	2
>35–≤40 .....	3
>40–≤50 .....	4
>50 .....	5

#### 5. Rating Factor 5: Achieving Results and Program Evaluation (10 Points Maximum for All Applicants)

This rating factor reflects HUD's goal to embrace high standards of ethics, management, and accountability.

a. Describe in detail your needs and service activities, identify the outputs

and short-term, intermediate-term and long-term outcomes (5 points).

(1) State clearly the project activities including specific goals ("benchmarks") of each activity and how you will achieve those goals.

(2) Describe how you will measure the results. Provide your goals, inputs, activities, outcomes and performance benchmarks (goals) for the entire grant period. In the narrative, explain how you will document and track your goals, program activities, and schedules. Identify the procedures you will follow to make adjustments to your work plan to improve performance if benchmarks are not met within established timeframes.

b. *Logic Model (5 points).*

(1) Applicants must complete and return the Form HUD-96010. Information about developing a Logic Model is available at: <http://www.hud.gov/offices/admin/grants/fundsavail.cfm>. HUD is moving to a standardized "Master" Logic Model from which you can select needs, activities, and outcomes appropriate to your program. See the General Section for detailed information on use of the "Master" Logic Model. HUD is requiring grantees to use program-specific questions to self-evaluate the management and performance of their program. Training on HUD's logic model and the reporting requirements for addressing the Management questions will be provided via satellite broadcast. In evaluating Rating Factor 5, HUD will consider how you have described the benefits and outcome measures of your program. HUD will also consider the evaluation plan, to ensure the project is on schedule and within budget. For FY2006, HUD is considering a new concept for the Logic Model. The new concept is a Return on Investment statement. HUD will be publishing a separate notice on the ROI concept.

(2) Performance indicators should be objectively quantifiable and should measure actual achievements against anticipated achievements. Step 1. The planning component of the logic model should identify the problem or need and develop a plan. Step 2. The intervention

component of the logic model should identify the kinds of services, activities, and outputs projected. Step 3. The impact component of the logic model should identify the projected outcomes. Step 4. The accountability (phase one) component of the logic model should include data sources, measurement, and reporting tools. Step 5. The accountability (phase two) component of the logic model should include the evaluation methodology or the evaluation process. As a planning tool, the logic model can provide the statement of need and also provide the rationale for the proposed service or activity. For goals or benchmarks, the logic model can provide a set of quantifiable goals including timeframes. These goals allow you, the applicant, and HUD to monitor and assess your progress in achieving your program work plan. The process for the achievement of outcome goals should include identifying the expected outcome and the estimated number needed to achieve the goal or the expected outcome in terms of the community impact or changes in economic and social status. The following describes what are measurement-reporting tools. Some examples are survey instruments; attendance log; case report; pre-post tests; or waiting lists. Describe where data are maintained, for example, central databases; individual case records; specialized access databases, tax assessor databases; and local precinct. Also, identify the location where the database is maintained, updated, etc., for example, on-site, subcontractor, or specify (e.g., identify what the other is).

#### 6. Bonus Points (2 Rating Points for All Programs)

This NOFA provides for the award of two bonus points for eligible activities/projects that the applicant proposes to locate in federally designated Empowerment Zones (EZs), Renewal Communities (RCs), or Enterprise Communities designated by United States Department of Agriculture (USDA) in round II (EC-IIs) and that are certified to be consistent with the area's

strategic plan or RC Tax Incentive Utilization Plan (TIUP). Discuss whether any of the proposed activities will occur in any of these areas and how they will benefit the residents of those zones or communities. Applicants must submit a completed Certification of Consistency with the RC/EZ/EC-II Strategic Plan—Form HUD-2990, and also meet the requirements listed in the General Section for a possible award of two bonus points.

#### B. Reviews and Selection Process

##### 1. Rating and Ranking. Please Refer to the General Section

a. Only those applications that meet the threshold review requirements will be rated and ranked. HUD intends to fund the highest ranked applications in each category receiving a minimum score of 75 within the limits of funding.

b. Remaining Funds. Refer to the General Section for HUD's procedures if funds remain after all selections have been made within a category.

c. The scoring criteria to be used to award the maximum points for this NOFA are how fully and thoroughly the applicant answers each item listed in each rating factor. Criteria may be obtained at <http://www.hud.gov/offices/lead/index.cfm>.

##### 2. Factors for Award Used To Rate and Rank Applications

a. Implementing HUD's Strategic Framework and Demonstrating Results. HUD is committed to ensuring that programs result in the achievement of HUD's strategic mission. To support this effort, grant applications submitted for HUD programs will be rated on how well they tie proposed outcomes to HUD's policy priorities and Annual Goals and Objectives, and the quality of proposed Evaluation and Monitoring Plans.

b. The maximum number of points to be awarded is 102. This maximum includes two bonus points as described in the General Section.

c. The factors for rating and ranking eligible grantees under all categories, and the maximum points for each factor are stated below:

Rating factors	Maximum points	
	LHC * & LHRD **	LEAP ***
1. Capacity of the Applicant and Relevant Organizational Experience .....	20	20
2. Need/Extent of the Problem .....	20	10
3. Soundness of Approach .....	40	40
4. Matching and Leveraging Resources .....	10	20
5. Achieving Results and Program Evaluation .....	10	10
Empowerment Zone, Renewal Zones and Enterprise Community (II), Bonus Points .....	2	2

Rating factors	Maximum points	
	LHC * & LHRD **	LEAP ***
Total .....	102	102

\* Lead-Based Paint Hazard Control.

\*\* Lead Hazard Reduction Demonstration.

\*\*\* Operation Lead Elimination Action Program.

## Section VI. Award Administration Information: Refer to the General Section for Additional Details on Award Administration

### A. Award Notices

1. Successful applicants will receive a letter from the Office of Healthy Homes and Lead Hazard Control Grant Officer indicating that they have been selected for an award. This letter will provide additional details regarding the effective start date of the grant and any additional data and information to be submitted to execute a grant agreement. This letter is not an authorization to begin work or incur costs under the grant. A fully executed grant agreement is the authorizing document. Unsuccessful applicants will also be notified that their application was not selected for an award and will be afforded an opportunity to request a debriefing on the unsuccessful application according to the procedures outlined in the General Section.

2. Negotiation. Refer to the General Section for additional details.

3. Adjustments to Funding. Refer to the General Section for additional details.

### B. Administrative and National Policy Requirements

Refer to the General Section for additional details regarding the Administrative and National Policy Requirements applicable to HUD Programs.

1. *Flood Disaster Protection Act.* Under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001–4128), you may not use these grant funds for 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) as having special flood hazards unless:

a. 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

b. 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.

2. *National Historic Preservation Act.* The National Historic Preservation Act of 1966 (16 U.S.C. 470) and the regulations at 36 CFR part 800 apply to the lead-hazard control or rehabilitation activities that are undertaken pursuant to this NOFA.

3. *Waste Disposal.* You must handle waste disposal according to the requirements of the appropriate local, state, and federal regulatory agencies. You must handle disposal of wastes from hazard control activities that contain lead-based paint, but are not classified as hazardous in accordance with state or local law or the HUD Guidelines for the Evaluation and Control of Lead-Based Hazards in Housing (HUD Guidelines). The Guidelines are available from the HUD Web site at: <http://www.hud.gov/offices/lead/guidelines/hudguidelines/index.cfm>.

4. *Worker Protection Procedures.* You must observe the procedures for worker protection established in the HUD Guidelines, as well as the requirements of the Occupational Health and Safety Administration (OSHA) (29 CFR 1926.62, Lead Exposure in Construction), or the state or local occupational safety and health regulations, whichever are most protective. If other applicable requirements contain more stringent requirements than the HUD Guidelines, the more rigorous standards shall be followed.

5. *Davis-Bacon Act.* The Davis-Bacon Act does not apply to these programs. However, if you use grant funds in conjunction with other federal programs in which Davis-Bacon prevailing wage rates apply, then Davis-Bacon provisions will apply to the extent required under the other federal programs.

6. *Procurement of Recovered Materials.* See the General Section for information concerning this requirement.

7. *Executive Order 13202.* Refer to the General Section.

### C. Reporting

Successful applicants will be required to submit quarterly, annual, and final program and financial reports according to the requirements of the Office of Healthy Homes and Lead Hazard Control. Your quarterly, annual and final report must include a completed Logic Model form HUD–96010, *approved and incorporated into your award agreement*, showing specific outputs and outcome results against those proposed and accepted as part of your approved grant agreement. For specific reporting requirements, see policy guidance: <http://www.hud.gov/offices/lead/index.cfm>. Specific guidance and additional details will be provided to successful applicants.

### Section VII. Agency Contact(s)

For Further Information and Technical Assistance: You may contact Jonnette Hawkins, Director, Program Management and Assurance Division, Office of Healthy Homes and Lead Hazard Control, 451 Seventh Street, SW., Washington, DC 20410–3000, telephone (202) 755–1785, extension 7593 (this is not a toll-free number) facsimile (202) 755–1000, e-mail: [Jonnette\\_G.\\_Hawkins@hud.gov](mailto:Jonnette_G._Hawkins@hud.gov) (use underscores). For grants administrative questions, you may contact Ms. Curtissa L. Coleman, Office of Healthy Homes and Lead Hazard Control; telephone (202) 755–1785, extension 7580 (this is not a toll-free number) or via e-mail at [Curtissa\\_L.\\_Coleman@hud.gov](mailto:Curtissa_L._Coleman@hud.gov). If you are a hearing-or speech-impaired person, you may reach the above telephone number via TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

### Section VIII. Other Information

For additional general, technical, and grant program information pertaining to the Office of Healthy Homes and Lead Hazard Control, visit: <http://www.hud.gov/offices/lead>.

### Section IX. Paperwork Reduction Act

The information collection requirements contained in this document have been approved by the

Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520) and assigned OMB control number 2539–0015. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to a collection of information unless the collection displays a

currently valid OMB control number. Public reporting burden for the collection of information is estimated to average 80 hours per application and 16 hours per annum per respondent for the application and grant administration. This includes the time for collecting, reviewing, and reporting the data for the application, semi-annual reports, and

final report. The information will be used for grantee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

**BILLING CODE 4210-01-P**