

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5300-N-12]

**Capacity Building for Community
Development and Affordable Housing Grants**

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice of Funding Availability (NOFA).

SUMMARY: This NOFA announces the availability of \$34 million in Fiscal Year (FY) 2009 funding to carry out the eligible activities related to affordable housing and community development for the Section 4 capacity building program, of which at least \$5 million shall be made available for rural capacity building activities. In addition to the application requirements set forth in this document, applicants must also comply with applicable requirements established in HUD's FY2009 Notice of Funding Availability (NOFA) Policy Requirements and General Section to HUD's FY2009 NOFAs for Discretionary Programs (General Section) published on December 29, 2008 (73 FR 79548), as amended on April 16, 2009 (74 FR 17685). Applicants should take particular note that they must follow the application submission instructions contained in this NOFA and not use those in the General Section.

FOR FURTHER INFORMATION: Questions regarding program requirements should be directed to Karen E. Daly at (202) 402-5552 (this is not a toll-free number). Persons with hearing and speech impairments may access the above numbers via TTY (text telephone) by calling the Federal Information Relay Service at (800) 877-8339 (this is a toll-free number). Questions regarding the FY2009 General Section should be directed to the Office of Departmental Grants Management and Oversight at 202-708-0667 (this is not a toll-free number) or the NOFA Information Center at 1-800-HUD-8929 (toll-free). Persons with hearing or speech

impairments may access these numbers via TTY by calling the Federal Information Relay Service at 1-800-877-8339. The NOFA Information Center is open between the hours of 10:00 a.m. and 6:30 p.m. eastern time, Monday through Friday, except federal holidays.

OVERVIEW INFORMATION

A. Federal Agency Name: Department of Housing and Urban Development, Office of Community Planning and Development.

B. Funding Opportunity Title: Capacity Building for Community Development and Affordable Housing Grants.

C. Announcement Type: Initial Announcement.

D. Funding Opportunity Number: FR-5300-N-12.

E. Catalog of Federal Domestic Assistance (CFDA) Number: 14.252.

F. Dates: The application deadline date is July 31, 2009. See Section IV of the General Section, published on December 29, 2008, regarding application submission procedures and timely filing requirements.

G. Additional Overview Information: The competition is limited to the organizations identified in the Omnibus Appropriations Act, 2009 (Pub. L. 111-8, approved March 10, 2009). The eligible organizations are: Enterprise Community Partners, Inc. (formerly The Enterprise Foundation), the Local Initiatives Support Corporation (LISC), and Habitat for Humanity International.

Applicants must review applicable requirements contained in the General Section, as amended, along with the information listed in this NOFA. Application submission information is provided in Section IV of this NOFA. Approximately \$34 million is available. A 3:1 match of private resources to federal funds is required, as outlined in section 4(c) of the HUD

Demonstration Act of 1993.

FULL TEXT OF ANNOUNCEMENT

I. Funding Opportunity Description

A. Program Description. Through funding of national intermediaries, the Section 4 capacity building program enhances the capacity and ability of community development corporations (CDCs) and community housing development organizations (CHDOs) to carry out community development and affordable housing activities that benefit low-income families.

B. Authority. The capacity building program is authorized by section 4 of the HUD Demonstration Act of 1993 (Pub. L. 103-120, 107 Stat. 1148, 42 U.S.C. 9816 note), as amended, and the Omnibus Appropriations Act, 2009 (Pub. L.111-8, approved March 10, 2009).

II. Award Information

A. Available Funds. Approximately \$34 million in FY2009 funding is available to carry out the eligible activities related to affordable housing and community development for the Section 4 capacity building program, of which at least \$5 million shall be made available for rural capacity building activities.

B. Performance Period. Awards will be for a period of 48 months following the date of execution of the grant agreement.

C. Terms of Award. HUD will enter into a grant agreement with selected applicants for the performance period.

III. Eligibility Information

A. Eligible Applicants.

1. The competition is limited to the organizations identified in the Omnibus Appropriations Act, 2009 (Pub. L.111-8, approved March 10, 2009). These organizations are: Enterprise

Community Partners, Inc. (formerly The Enterprise Foundation), the Local Initiatives Support Corporation (LISC), and Habitat for Humanity International. Specifically, the only applicants eligible for this competition are the three organizations located at the following addresses:

- Enterprise Community Partners, Inc., 10227 Wincopin Circle, Suite 500, Columbia, MD 21044.

- Local Initiatives Support Corporation, 501 Seventh Avenue, 7th Floor, New York, NY 10018.

- Habitat for Humanity International, 121 Habitat Street, Americus, GA 31709.

Affiliates and local offices of these organizations and their community partners are not eligible to compete either directly or independently for capacity building grants under this notice, but rather may seek funding from the above organizations.

2. To be eligible for HUD to rate and rank your application, all applicants must also meet the threshold requirements of the General Section, including the Civil Rights threshold in Section III.C.

3. Eligible applicants may propose assistance using in-house staff, subcontractors, subrecipients, and local organizations that have the requisite experience and capabilities.

B. Match Requirement. Section 4(c) of the HUD Demonstration Act of 1993 requires that each dollar awarded must be matched by three dollars in cash or in-kind contribution obtained from private sources. To receive funding under this NOFA, each of the organizations funded under this competition will be required at the time the organization enters into a grant agreement to document its share of matching resources. The types of documentation accepted by HUD will be determined at the time that the organization enters into a grant agreement. All match funds, including in-kind contributions, shall conform to the requirements of 24 CFR 84.23.

C. Other

1. Eligible Activities and Priorities. Funds may be used to provide the following services:

- a.** Training, education, support, and advice to enhance the technical and administrative capabilities of CDCs and CHDOs, including the capacity to participate in consolidated planning, as well as in fair housing planning and continuum-of-care homeless assistance efforts that help ensure community-wide participation in assessing area needs; consulting broadly within the community; cooperatively planning for the use of available resources in a comprehensive and holistic manner; and assisting in evaluating performance under these community efforts and in linking plans with neighboring communities in order to foster regional planning;
- b.** Loans, grants, development assistance, predevelopment assistance, or other financial assistance to CDCs and CHDOs to carry out community development and affordable housing activities that benefit low-income families and persons, including the acquisition, construction, or rehabilitation of housing for low-income families and persons, and community and economic development activities that create jobs for low-income persons; and
- c.** Such other activities as may be determined by the grantees in consultation with the Secretary or his or her designee. Activities undertaken as part of, or as a result of, capacity building efforts described in this section shall support the implementation of other HUD programs, including but not limited to the Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP), Neighborhood Stabilization Program 2 (NSP 2), HOME Investment Partnerships, Housing Opportunities for Persons With AIDS (HOPWA), and homeless programs. Further, such activities shall support HUD's Strategic Plan and priorities as described in Section V.B. of the General Section.

2. DUNS Requirement. Refer to the General Section for information regarding the Data Universal Numbering System (DUNS) requirement. A DUNS number is required to receive an award from HUD. The DUNS number on the application must be the same DUNS number for the organizational entity receiving the award. For more information on the DUNS requirement, applicants may consult Section III.C.2. of the General Section.

3. Other Eligibility Requirements. All applicants requesting funding under this NOFA must be in compliance with the threshold requirements found in the General Section, including the Civil Rights threshold requirements. Applicants must also meet the additional nondiscrimination requirements found in Section III.C. of the General Section.

Successful applicants engaged in housing or housing related activities are obligated to affirmatively further fair housing, including taking reasonable steps to overcome barriers to fair housing choice in its service area. Each applicant must include a statement in the application per the instructions in Section III.C.4(b) of the General Section.

4. False Statements. An applicant's false statement in an application is grounds for denial or termination of an award and grounds for possible punishment, as provided in 18 U.S.C. 1001.

5. Environmental Review. Individual project sites to be funded by awards under this NOFA may not be known at the time the individual grant agreements are awarded and also may not be known when some of the individual subgrants are made. Therefore, in accordance with 24 CFR 50.3(h), the application and the grant agreement must provide that no commitment or expenditure of HUD or private funds to a HUD-assisted project may be made until HUD has:

- (1) completed an environmental review to the extent required under applicable regulations and
- (2) given notification of its approval, in accordance with 24 CFR 50.3(h).

IV. Application and Submission Information

A. Paper Submissions. HUD must receive paper copy applications from applicants no later than 11:59:59 p.m. on the application deadline date. See Section IV.F below for timely submission procedures. The General Section electronic application submission and receipt requirements published on December 29, 2008, at 73 FR 79555, section IV do not apply, except for paragraph IV.B.2.a and b and related instructions regarding obtaining a Dun and Bradstreet Universal Numbering System (DUNS) number, and registering with the Central Contractor Registry (CCR).

B. Content and Form of Application Submission. A complete application under this NOFA must contain the information below. All forms required for application submission can be found in the application and instruction downloads for Section 4 Capacity Building on the program website at: <http://www.hud.gov/offices/cpd/about/capacitybuilding.cfm>. Materials other than those requested in this NOFA are prohibited. Reviewers will not consider resumes, charts, letters, pages in excess of the page limit, or any other documents not specified in this NOFA.

1. Page Limitation. Narratives addressing Factors 1 through 5 are limited to no more than 30 typed pages. That is, reviewers will not review more than 30 pages for all five factors combined, except that the page limit does not include the form HUD-96010, Program Logic Model.

2. Prohibition on Materials Not Required. Materials other than what is requested in this NOFA are prohibited. Reviewers will not consider resumes, charts, letters, or any other documents attached to the application that are not specified in this NOFA.

3. Checklist for Application Submission. The following checklist is provided as a guide to help ensure that applicants submit all the required elements. The paper submission must be in the order provided below. All applicants should enter the applicant name, DUNS number, and page numbers on the narrative pages of the application. See General Section IV.B.7.

Application for Federal Assistance (form SF-424) (*Note:* Applicants must enter the legal name of their organization in box 8.a. and DUNS number in box 8.c. of the SF-424 as it appears in the Central Contractor Registration (CCR). See Section IV.B.2. of the General Section regarding CCR Registration.

Faith-Based EEO Survey (SF-424 Supplement, Survey for Ensuring Equal Opportunity for Applicants);

Narrative addressing Factors 1 through 5;

Program Outcome Logic Model (HUD-96010);

Grant Application Detailed Budget (HUD-424-CB);

Disclosure of Lobbying Activities (SF-LLL) (if applicable);

Applicant/Recipient Disclosure/Update Report (HUD-2880);

Acknowledgment of Application Receipt (HUD-2993) (applicable to paper applications only);

You Are Our Client! Grant Applicant Survey (HUD-2994-A) (Optional);

and

HUD Facsimile Transmittal (HUD-96011, Third Party Documentation Facsimile Transmittal).

C. Receipt Date and Times. The application deadline date is July 31, 2009.

D. Intergovernmental Review. Intergovernmental review is not applicable to capacity building applications.

E. Funding Restrictions. No fee or profit may be paid to any recipient or subrecipient of an award under this capacity building NOFA.

F. Other Submission Requirements.

1. Delivery and Receipt Procedures. The following procedures apply to the delivery and receipt of applications in HUD Headquarters. Please read the following instructions carefully and completely, as failure to comply with these procedures may disqualify your application.

HUD's delivery and receipt policies are:

a. Applicants sending packages by courier to the Robert C. Weaver Headquarters Building are required to use the following courier services, as these services have unescorted access to these buildings: Federal Express (FedEx), and United Parcel Service (UPS). All deliveries are done between 7:30am and 5:30pm. All deliveries enter through the HUD loading dock to ensure all packages are scanned and x-rayed.

b. HUD will not accept or consider any applications sent by facsimile.

c. Applications sent to a location or office that is not designated for receipt of the application, which results in the designated office not receiving your application in accordance with the requirements for timely submission, will cause your application to be considered late and ineligible to receive funding consideration. HUD will not be responsible for directing packages to the appropriate office. Applicants should pay close attention to these submission and timely receipt instructions as they can make a difference in whether HUD will accept your application for funding consideration. Please remember that packages sent to federal facilities are screened prior to delivery, so please allow sufficient time for your package to be delivered. If an application is received late because of the processing time required for the screening, it will not be considered for funding.

2. Proof of Timely Submission. Timely submission shall be evidenced via a delivery service receipt indicating that the application was delivered to a carrier service at least 24 hours prior to

the application deadline, and, if applicable, that through no fault of the applicant, the delivery could not be made on or before the application due date. Couriers turned away from a HUD facility due to security issues will not be considered as meeting the requirement of “no fault of the applicant,” because applicants are advised by this Notice that delivery delays can arise when using courier services, resulting in a late application submission.

3. Addresses. The applicant must submit a complete application to: Capacity Building Applications, Room 7240, Office of Policy Development and Coordination, 451 Seventh St, SW, Washington, DC 20410. When submitting your application, you must refer to the name of the program for which you are applying and include the correct room number to ensure your application is properly directed.

4. Copies of Applications. The application may be submitted with no additional copies.

G. Affirmatively Furthering Fair Housing. Consistent with the instructions in the General Section, applicants must submit a description of barriers to fair housing in their jurisdiction or service area; the programs and activities receiving funding under the NOFA that address these barriers—including, for example, training, education, support and advice that promotes fair housing planning and affirmative fair housing marketing, or through assisting organizations that will carry out community development and affordable housing activities that further fair housing through innovative housing design or construction to increase access for persons with disabilities, language assistance services to persons with limited English proficiency (on the basis of national origin), or location of new or rehabilitated housing in a manner that provides greater housing choice or mobility for persons in classes protected by the Fair Housing Act; and a description of how records will be maintained on such programs or activities and their results. *See* Section III.C. of the General Section.

V. Application Review Information

A. Criteria. The maximum number of points to be awarded for a capacity building application is 100. The minimum score for an application to be considered for funding is 75. The Section 4 capacity building program is not subject to the bonus points described in the General Section.

Points are assigned on five factors. When addressing Factors 2 through 5, applicants should discuss the activities that will be carried out during the term of the grant agreement. Submissions should provide relevant examples to support the proposal, where appropriate. Submissions should also be specific when describing the communities, populations, and organizations that they propose to serve and the specific outcomes expected as a result of the activities. Submissions should also be specific about the relationship of their plan to the goals and objectives in the HUD Strategic Plan. The plan can be viewed on the HUD website at http://www.hud.gov/utilities/intercept.cfm?/offices/cfo/reports/hud_strat_plan_2006-2011.pdf.

1. Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (10 points)

Factor 1 relates to the capacity of the applicant and its relevant organizational experience. Rating of the “applicant” or the “applicant's organization and staff” includes in-house staff and any subcontractors and subrecipients who are firmly committed to the project. In responding to Factor 1, applicants should specify the experience, knowledge, skills, and abilities of the applicant’s organization and staff, and of any persons and organizations firmly committed to the project. Please do not include the Social Security Numbers of any staff.

a. (5 points) Recent and successful experience of the applicant’s organization in building the capacity and ability of CDCs and CHDOs to develop affordable housing and community development activities.

In rating this factor, HUD will consider the extent to which the application demonstrates successful experience of the applicant, its staff, consultants and subcontractors, within the last 4 years, in providing technical and administrative expertise to build the capacity of CDCs and CHDOs, including managing multiple capacity building tasks, to multiple entities, and in more than one geographic area.

b. (5 points) Knowledgeable key personnel skilled in providing one or more of the eligible activities for the Section 4 program; a sufficient number of staff, or ability to procure qualified experts or professionals, with the knowledge, skills, and abilities to deliver the proposed level of services in the proposed service area in a timely and effective fashion; and an ability to provide capacity building in urban and rural settings.

In rating this factor, HUD will consider the extent to which the application demonstrates that the organization has an adequate number of key staff or the ability to procure individuals with the knowledge of effective capacity building approaches, knowledge of developing affordable housing and community development activities, and subject matter expertise.

2. Rating Factor 2: Need/Extent of the Problem (20 points)

Sound and extensive understanding of need for capacity building in relation to the eligible activities and priorities listed in Section III.C. of this NOFA, as demonstrated by objective information and/or data, such as information from current census data, the American Housing Survey, or other relevant data sources. Sound and extensive understanding of high-priority needs, including the foreclosure crisis, in urban and rural settings for CHDOs and CDCs, as demonstrated by objective information and/or data.

In rating this factor, HUD will evaluate the extent to which the application demonstrates an understanding of the specific needs for capacity building and supports the description of need

with reliable, program-specific, quantitative information.

3. Rating Factor 3: Soundness of Approach (40 points)

a. (19 points) A sound approach for addressing the need for eligible capacity building activities in relation to the priorities listed in Section III.C. of this NOFA that will result in positive outcomes.

In rating this factor, HUD will evaluate the extent to which the application presents and supports a detailed, feasible, and practical approach for addressing capacity building needs; including techniques, time frames, goals, and intended beneficiaries, and the likelihood that these activities will be cost-effective and will result in the ability of the organization receiving technical assistance to commence work on specific housing and community development activities by the end of the performance period.

b. (10 points) A feasible work plan for designing, organizing, managing, and carrying out the proposed capacity building activities. The work plan should be as specific as possible in describing the design, organization and management of the proposed activities.

In rating this factor, HUD will evaluate the extent to which the application demonstrates the efficiency of the design, organization, and management of the proposed activities.

c. (9 points) An effective assistance program to specific disadvantaged communities, populations, and/or organizations that previously have been underserved and have the potential to participate in the Section 4 program (such as neighborhoods identified as high risk foreclosure areas, the Neighborhood Revitalization Strategy Areas designated by HUD, Colonias, Appalachia's distressed counties, the lower Mississippi Delta region, or locally designated community development target areas).

In rating this factor, HUD will evaluate the extent to which the applicant: (1) has

identified and documented, using reliable data, specific communities, populations, or organizations that have been disadvantaged or previously underserved and (2) has developed an effective strategy for engaging the participation of those communities, populations, or organizations in the capacity building program.

d. (2 points) Applicants may receive up to a total of two points for pursuing Section 4 eligible activities that also meet HUD policy priorities as described in the General Section V.B.2.

4. Rating Factor 4: Leveraging Resources (10 points)

This factor evaluates the applicant's ability to leverage (secure) public and/or private sector resources (such as financing, supplies, or services) from sources other than Section 4 that can be added to Section 4 funds to perform eligible activities and sustain the applicant's proposed project. Applicants that achieve a leverage ratio of at least ten-to-one shall be awarded the maximum ten points. Applicants achieving a lesser ratio shall be awarded the points proportionate to their documented leverage. To document leveraging for the FY2009 NOFA, applicants should report their actual results in leveraging Section 4-assisted projects in Federal Fiscal Year 2008 (October 1, 2007 – September 30, 2008).

Applicants must note that leveraging resources are considered additional resources beyond and above the statutorily required 3:1 matching resource requirement and cannot be counted towards the statutory match requirement.

5. Rating Factor 5: Achieving Results and Program Evaluation (20 points)

a. (10 points) An effective, quantifiable evaluation plan for measuring performance using the Logic Model (form HUD-96010, "Program Outcome Logic Model") with specific outcome measures and benchmarks, and performance improvements.

In rating this factor, HUD will evaluate the extent to which the application has an

evaluation plan that includes outcomes that are specific, measurable, and appropriate in relation to the activities proposed. 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, as well as the quality of the applicant's proposed evaluation and monitoring plans. HUD's strategic framework establishes the goals and objectives for the Department. Please refer to the General Section V.B.1.

The application should, at a minimum, discuss those performance indicators that have been developed for use by HUD and the Office of Management and Budget (OMB) in evaluating the Section 4 program, using OMB's Program Assessment Rating Tool (PART). These measures include: (1) the annual number of homes renovated, preserved, or newly constructed; (2) the annual number of trainings created and provided to CDCs; (3) the long-term total development cost estimate of community development projects funded by CDCs; and (4) the efficiency measure of per-unit cost of capacity building for housing units developed or renovated.

Applicants should also outline any other short- or long-term outcomes that are indicators of their program's performance.

b. (10 points) Successful past performance in administering HUD's Section 4 capacity building program. This rating factor reflects HUD's goal to embrace high standards of ethics, management, and accountability. Applicants should include, as applicable, increases in Community Planning and Development (CPD) or affordable housing and community development program accomplishments as a result of capacity building (e.g., number of affordable housing units developed, number of trainings delivered to CDCs and CHDOs, growth

of CDC and CHDO capacity over time, efficiency or effectiveness of administration of CPD or community development programs, timeliness of use of CPD or community development program funds, and project development investment and leveraging efficiencies). Applicants should discuss how their work plan activities contributed to, or resulted in, the achievement of program goals and outcomes.

In rating this factor, HUD will evaluate the extent to which the applicant demonstrates successful past performance that was timely, cost-effective and resulted in positive outcomes in the delivery of capacity building for affordable housing and community development. HUD will also consider past performance of current Section 4 grantees, including financial and other information in HUD's files.

B. Review and Selection Process

1. Review Types. Two types of reviews will be conducted. First, HUD will review each application to determine whether it meets threshold eligibility requirements. Second, HUD will review and assign scores to applications using the Factors for Award noted under Criteria, Section V.A.

2. Ranked Order. Once rating scores are assigned, rated applications will be listed in ranked order. Applications within the fundable range (score of 75+ points) may then be funded in ranked order up to the amount requested or the remaining available funds, whichever is less. HUD reserves the right to adjust funding to meet urgent policy priorities.

3. Threshold Eligibility Requirements. All applicants must be in compliance with the threshold requirements found in the General Section and the eligibility requirements listed in Section III of this NOFA in order to be reviewed, scored, and ranked. Applications that do not meet these requirements and applications that were received after the deadline (*see* Section IV.C.

of the General Section) will be considered ineligible for funding.

VI. Award Administration Information

A. Award Notices. HUD will send written notifications to both successful and unsuccessful applicants. A notification sent to a successful applicant is not an authorization to begin performance or to incur costs.

After selection for funding, each grantee will submit to HUD a specific work and funding plan for each community it proposes to serve, showing when and how the federal funds and matching funds will be used. Applicants will be given the opportunity to amend their logic models according to the grant award, prior to entering into the grant agreement. The work plan must be sufficiently detailed for monitoring purposes and must identify the performance goals and objectives to be achieved. Within 45 days after submission of a specific work plan, HUD will approve the work plan or notify the grantee of matters that need to be addressed prior to approval. Work plans may be developed for less than the full dollar amount and term of the award, but no HUD-funded costs may be incurred for any activity until the work plan is approved by HUD. All activities are also subject to the environmental requirements in Section III.C.4.n. of this notice.

Consistent with Section III.C.2. of the General Section and 24 CFR 84.42, after selection, but prior to award, applicants selected for funding will be required to provide HUD with a written Code of Conduct. An applicant who previously submitted an application and included a copy of its code of conduct will not be required to submit another copy if the applicant is listed on <http://www.hud.gov/offices/adm/grants/codeofconduct/cconduct.cfm> and the information has not been revised.

B. Administrative and National Policy Requirements.

1. OMB Circulars and Governmentwide Regulations Applicable to Financial Assistance

Programs. Awards under this NOFA will be governed by 24 CFR part 84 (Uniform Administrative Requirements), OMB Circular A-122 (Cost Principles for Non-profit Organizations), and OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations). Copies of the OMB Circulars may be obtained from the Executive Office of the President's (EOP) Publications Office, Room 2200, New Executive Office Building, Washington, DC 20503, telephone number (202) 395-3080 (this is not a toll-free number) or (800) 877-8339 (a toll-free number for the TTY Federal Information Relay Service, for hearing- or speech impaired persons). Information also may be obtained from the OMB website at <http://www.whitehouse.gov/omb/circulars/index.html>.

2. General. See Section III.C. of the General Section regarding additional applicable requirements.

C. Reporting.

1. Grantees will be required to report to HUD, as specified in the grant agreement. Performance reports shall include reports on both performance and financial progress under work plans and shall include reports on the commitment and expenditure of private matching resources utilized through the end of the reporting period. Reports shall conform to the reporting requirements of 24 CFR part 84. As part of the required performance report to HUD, grant recipients must include a completed Program Outcome Logic Model (form HUD-96010), which identifies output and outcome achievements.

2. Additional information or increased frequency of reporting may be required by HUD at any time during the grant agreement, if HUD finds such reporting to be necessary for monitoring purposes or to comply with government-wide reporting requirements. Additional reporting

requirements may be required by the General Section in conjunction with selected HUD policy priorities selected under Rating Factor 3.d.

3. To further the consultation process and share the results of progress to date, the Secretary may require grantees to present and discuss their performance reports at annual meetings in Washington, DC, during the life of the award.

4. The performance reports must contain the information required under 24 CFR part 84, including a comparison of actual accomplishments with the objectives and performance goals of the work plans. In the work plans, each grantee will identify performance goals and objectives or policy priorities established for each community in which it proposes to work and appropriate measurements under the work plan, such as the number of housing units and facilities each CDC or CHDO produces annually during the grant period and the average cost of such units. The performance reports will also include a discussion of the reasonableness of the unit costs, the reasons for slippage if established objectives and goals are not met, and additional pertinent information.

5. A final performance report, in the form described in paragraph (d) immediately above, shall be provided to HUD by each grantee within 90 days after the completion date of the award.

6. Federal Financial Reports (SF-425) shall be submitted quarterly.

VII. Agency Contacts

For Assistance. Applicants may contact Karen E. Daly at (202) 402-5552 (this is not a toll-free number). Persons with hearing and speech impairments may access the above numbers via TTY (text telephone) by calling the Federal Information Relay Service at (800) 877-8339 (this is a toll-free number). Information may also be obtained through the HUD website at www.hud.gov.

VIII. Other Information

A. Paperwork Reduction Act. The provisions of the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520, do not apply because there are fewer than 10 respondents; only three applicants are eligible for this program.

B. Environmental Impact. A Finding of No Significant Impact with respect to the environment has been made, in accordance with the Department's regulations at 24 CFR part 50, which implements section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), in addition to other federal requirements. The Finding of No Significant Impact is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays at the Office of the Rules Docket Clerk, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 10276, Washington, DC 20410.

C. Fair Housing and Equal Opportunity. Applicants must certify that the applicant and all subgrantees shall comply with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and the Americans with Disabilities Act, and will affirmatively further fair housing.

D. Section 3 of the Housing and Urban Development Act of 1968. Applicants must certify that the applicant and all subgrantees shall comply with Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) and HUD's implementing regulations at 24 CFR part 135, which require recipients to ensure, to the greatest extent feasible, that training, employment and other economic opportunities will be directed to low and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons in the area in which the project is located.

Dated: MAY 20 2009



Nelson R. Bregón, General Deputy Assistant
Secretary for Community Planning and
Development

[FR-5300-N-12]