

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**[Docket No. FR-5415-N-41]****Notice of Funding Availability (NOFA) for Fiscal Year 2010 Limited English Proficiency Initiative (LEPI) Program**

AGENCY: Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

ACTION: Notice of Funding Availability for HUD's Fiscal Year (FY) 2010 Limited English Proficiency Initiative (LEPI) Program.

SUMMARY: This NOFA announces the availability of \$400,000 to be awarded to non-profit organizations, including grassroots, faith-based, and other community-based organizations, to help ensure access to HUD programs, services, and activities by limited English proficient (LEP) individuals. Four (4) grantees, geographically diverse, will be awarded \$100,000 to provide assistance to locally targeted LEP individuals. HUD's FY2010 Notice of Funding Availability Policy Requirements and General Section (2010 General Section) published on www.grants.gov establishes threshold and other critical application submission requirements that affect this NOFA. Applicants for this assistance therefore, should review the FY2010 General Section and this NOFA for critical information on threshold, program, and registration requirements prior to preparing an application.

APPLICATION DEADLINE DATE: The application deadline date is **August 15, 2011**. Applications submitted through www.grants.gov must be received by Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date. Applications submitted to Grants.gov go through a validation process before they are accepted by the Grants.gov system. Please allow time for this process to ensure that you meet the timely receipt requirements. Please see the 2010 General Section for instructions for timely receipt, including actions to take if the application is rejected. The General Section contains information on using Adobe Reader, HUD's timely receipt policies, and other application information. Applicants are advised to use the most recent version of Adobe reader available on Grants.gov and compatible with Grants.gov.

FOR FURTHER INFORMATION CONTACT: Questions regarding specific program requirements should be directed to the agency contact identified in Section VII of this program NOFA. Prior to the application deadline, program staff will be available to provide general guidance, but not guidance with actually preparing the application. Questions regarding the 2010 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 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 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 Fair Housing and Equal Opportunity

B. Funding Opportunity Title: Limited English Proficiency Initiative (LEPI) Program

C. Announcement Type: Initial announcement.

D. Funding Opportunity Number: The Federal Register number for this NOFA is: FR-5415-N-41; The OMB Approval Number for this NOFA is: 2529-0051

E. Catalog of Federal Domestic Assistance (CFDA) Number(s): Limited English Proficiency Initiative Program, 14.421

F. Dates: The application deadline date is **August 15, 2011**. Applications must be received by Grants.gov by 11:59:59 p.m. eastern time on the deadline date. Please be sure to read the FY2010 General Section for electronic application submission and receipt requirements.

G. Additional Overview Content Information: Applicants interested in providing LEP assistance to local LEP communities should carefully review the FY2010 General Section and the information listed in this LEPI NOFA, including the exceptions to the General Section requirements found in this NOFA.

1. Purpose of the Program. The purpose of the LEPI NOFA is to provide direct services to LEP individuals by providing information on accessing HUD programs, services, and activities in languages native to the targeted LEP communities, in coordination with local HUD grantees.

2. Award Information. Four (4) awards of \$100,000 each will be awarded to four non-profit organizations, including, grassroots, faith-based, and other community-based organizations in geographically diverse areas or regions of the United States for a one (1) year grant period. The awards will be in the form of Cooperative Agreements. HUD expects substantial involvement in reviewing and approving work plans, results from the Service Provider, and where necessary, adjusting work plans to address results emanating from previous work products or delivery services.

3. Available Funds. A total of \$400,000 is available to ensure that HUD programs, services, and activities are made available to individuals who are limited English proficient.

4. Cost Sharing or Match. No cost sharing is required.

5. Eligible Applicants. Eligible applicants must be non-profit organizations, including, grassroots, faith-based, and other community-based organizations, that have the ability to provide training and other services directly to LEP communities, who could benefit from access to HUD programs. Applicants must be able to provide place-based services to both HUD grantees and LEP residents. Applicants will be required to locate an area that comprises a

variety of HUD grantees, and identify the communities that will most benefit from LEP assistance.

FULL TEXT OF ANNOUNCEMENT

I. Funding Opportunity Description

A. Program Description. The purpose of the LEPI NOFA is to help ensure limited English proficient (LEP) communities have access to information in their native languages on HUD programs, services, and activities. In coordination with local HUD grantees, successful applicants will develop and conduct, workshops, training sessions, and/or disseminate LEP material to the targeted LEP communities. LEP individuals are persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. Examples of groups likely to include LEP individuals who are encountered and served by HUD grantees include, but are not limited to: (1) individuals who are seeking housing assistance from a public housing agency or assisted housing provider; (2) individuals seeking assistance for lead-based paint removal or abatement; (3) individuals seeking general fair housing information or information on how to file a housing discrimination complaint, housing-related training, social services, or any other assistance from HUD grantees. HUD programs include, but are not limited to HUD's Offices of Public and Indian Housing, Community Planning and Development, Sustainable Housing and Communities, Fair Housing and Equal Opportunity, Policy Development and Research, Housing, and Healthy Homes and Lead Hazard Control. For additional information, refer to the User's Guide to HUD Programs at: <http://archives.hud.gov/funding/2009/snuserguide.pdf>. LEP communities are groups of LEP individuals sharing a common language that are located within the intended area to be served and comprise part of the community intended to be served by HUD grantees. The objectives of the LEPI NOFA are to: (1) identify and meet the needs of the targeted LEP communities; (2) improve the participation of LEP individuals in HUD programs, services, and activities beyond the 12 month grant period; and (3) enhance the dissemination and communication of HUD programs, services, and activities in languages targeted to meet the needs of local communities.

B. Authority. Funding is made available under the Consolidated Appropriations Act of 2010, Public Law 111-117, approved December 16, 2009.

II. Award Information

A. Available Funds. A total of \$400,000 in FY2010 funding for approximately four (4) awards of \$100,000 each will be available under this LEPI program NOFA.

B. Type of Assistance Instrument. Funds will be awarded as a Cooperative Agreement.

1. All funds will be administered by HUD Headquarters. LEP activities will be monitored by a Government Technical Representative (GTR) and Government Technical Monitor (GTM) at HUD Headquarters. HUD involvement is required in all aspects of planning, delivery, and follow-up. HUD anticipates substantial involvement in determining and approving the work to be performed, including review and approval of work plans, materials, modules, etc. HUD's substantial involvement may include directing recipients in the methods of addressing the core

objectives of the LEP program as described in Section III.C.I. of this NOFA. For example, HUD will review all planned activities and deliverables. HUD approval may be required to be obtained before training or services are delivered or used, and before sessions are conducted. HUD may require adjustments be made prior to acceptance of deliverables. HUD may also monitor recipient activities to ensure there is progress in meeting established performance requirements and services are well received. Additionally, HUD may monitor to ensure program activities are effective at reaching all locations covered under this award.

2. The period of performance for awards is 12 months.
3. HUD reserves the right to approve any changes to key staff identified in this proposal.

III. Eligibility Information

A. Eligible Applicants. Eligible applicants are non-profit organizations, including grassroots, faith-based, and other community-based organizations that have engaged in providing LEP services to diverse communities and communities that are served by HUD programs.

B. Cost Sharing or Matching. None.

C. Other

1. Eligible LEP Activities. LEPI funds are available to qualified applicants with the requisite knowledge, skills, and experience needed to develop and operate projects and activities targeting the identified LEP communities of the designated region or geographical area. The activities that must be undertaken in support of the objectives are identified below:

(1) Develop LEP Tools and Products – Tools and products that provide assistance to LEP communities identified as requiring access to HUD programs, services, and activities. These tools and/or products can consist of culturally and linguistically sensitive HUD program materials in the identified language(s) for local LEP communities. Tools that will help HUD grantees in institutionalizing LEP services in the targeted communities can include, but are not limited to, brochures that provide information relating to HUD specific programs, LEP training material for the staff/employees of HUD grantees, and Q&As on how to access various HUD programs and services. All LEP material must comply with Section 508 accessibility requirements; or

(2) Deliver LEP Training Sessions – Training sessions or workshops must be directed to LEP communities requiring assistance in obtaining access to HUD programs, services, and activities, or to train the employees of HUD grantees in understanding and implementing HUD's LEP Guidance (see the FY2010 General Section at Section III.C.5.c); or 5) and to develop and coordinate related training sessions, workshops, information, Q&As, etc. for LEP communities in the target languages.

2. Threshold Requirements.

All applicants must meet the threshold requirements in the FY2010 General Section, in addition to the requirements provided in this Section.

a. Minimum Score. The minimum score for an application to be considered for funding is 75 including any bonus points. Rating Factor 1 (Organizational Experience/Capacity) must have a minimum score of 20.

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

c. Conducting Business in Accordance with Core Values and Ethical Standards. To reflect core values, all applicants under this NOFA must have and maintain a written code of conduct. An applicant that 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 HUD's website at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/conduct and if the information on the website is still valid. An applicant not listed on the website must submit a copy of its code of conduct with its FY2010 application for assistance. An applicant must also include a copy of its code of conduct if the information listed on the above website has changed (e.g., the person who is listed is no longer in that position of authority, the organization has changed its legal name or merged with another organization, the address of the organization has changed, etc.).

3. Program Requirements. The following program requirements apply to the LEPI program:

a. Demonstrable experience. Qualified applicants must have demonstrable knowledge, skills, and experience in two of the following areas: working with LEP communities, working with local HUD grantees to improve service to LEP communities, have knowledge or experience with HUD programs, coordinating activities that are eligible under this NOFA, and/or communicating in languages other than English with targeted LEP communities.

b. Demand-Response system. All successful LEPI applicants must operate within the parameters of the demand-response system. Under the demand-response system, a LEP service provider is required to: (1) respond promptly to requests for assistance from the GTM or GTR; (2) identify the type and nature of the assistance needed by the LEP communities, when requested by a GTM or GTR; and (3) coordinate LEP plans and activities with HUD grantees that may have expertise on a given topic, or that are currently active in providing assistance in a jurisdictional area. LEP service providers must set aside \$5,000 of their total budget for compliance with the requirements of a demand-response system. HUD may elect to use one LEP service provider for the demand-response system. HUD will direct the applicant to release these funds if there is no demand-response system.

c. Needs assessment. See Rating Factor 2: Need/Extent of the Problem for additional requirements.

d. Materials, tools, and products. Materials, tools, and products developed under the award must be approved by HUD before dissemination or use. HUD-related training sessions/workshops must be designed so that they can be sustained and duplicated by other LEP providers. Materials must be provided in electronic format and must be made available to the GTM/GTR at least 14 business days prior to establishing a firm date for publication or delivery

to allow time for review and concurrence from the GTM and GTR on the content and quality of the materials. Materials distributed via the web must also comply with HUD's Information Quality Guidelines found at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/qualityinfo

e. Additional nondiscrimination requirements. Successful applicants must comply with the additional nondiscrimination and civil rights requirements as specified in the FY2010 General Section at Section III.C.5.

f. Environmental review. Activities under the LEPI program are categorically excluded and are not subject to environmental review under 24 CFR 50.19(b) (9) or (12).

g. Effective communication. Applicants must ensure that all notices and communication shall be provided in a manner that is effective for persons with hearing, visual, and other communications-related disabilities consistent with the American Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 (See 24 CFR Section 8.6).

h. Accessibility of facilities. All grant recipients and sub-recipients must use facilities and services that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, recipients and sub-recipients must give priority to alternative methods of product delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and its implementing regulations at 24 CFR Part 8, and Title III of the Americans with Disabilities Act of 1990. Furthermore, HUD encourages all grant recipients and sub-recipients to adopt the goals and objectives of Section 508 of the Rehabilitation Act of 1973 by ensuring that electronic and information technology is made available to persons with disabilities on a comparable basis as it is made available to persons without disabilities.

IV. Application and Submission Information

A. Addresses to Request Application Package. Applicants may download the instructions to the application found on the Grants.gov website at:

http://www.grants.gov/applicants/apply_for_grants.jsp. If you have difficulty accessing the information you may call the Grants.gov Support Desk toll free 800-518-GRANTS or email your questions to Support@Grants.gov. See the General Section, as amended, for information regarding the registration process or following the registration instructions at:

http://www.grants.gov/applicants/get_registered.jsp. If you need further assistance you can contact the Grants.gov Support Desk.

B. Content and Form of Application Submission.

1. Waiver Request. HUD requires applicants applying for assistance under this NOFA to apply electronically through Grants.gov. An applicant may request by email or in writing a waiver to the electronic submission requirement for good cause in accordance with 24 CFR 5.1005 (see Section IV.F.3 of the FY 2010 General Section for more information). Waiver requests must be submitted no later than 15 days prior to the application deadline date and should be submitted by email to Pamela.D.Walsh@hud.gov or in writing to Pamela Walsh, Office of Policy, Legislative Initiatives, and Outreach, Office of Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development, 451 7th Street SW, Room 5246, Washington, DC 20410. Written waiver requests must be postmarked no later than 15 days prior to the application deadline date. HUD will not accept a paper application without a waiver being granted. If a

waiver has been granted, the paper application must be received by HUD in room 5246 no later than 4:30 pm eastern time of the application deadline date. Paper copies of the application must be scanned by HUD. The scanning facility at HUD Headquarters closes at 5:00 pm eastern time, therefore applicants must allow adequate time for the application to be scanned through this facility. Applications not scanned in HUD's scanning facility by the 4:30 pm eastern deadline time shall be deemed ineligible. There is no grace period for paper application submissions.

2. Application Checklist. The checklist below outlines all items to be included in the application:

1. Application for Federal Assistance	Form HUDSF424 (required form)
2. Summary Statement	In addition to meeting the requirements for Rating Factors 1 and 2, you should also include a summary of the following: (1) the LEP communities intended to be served; (2) the population size of the communities needing language services(3) the language(s) spoken within the targeted LEP community; (4) the boundaries of the geographical service area where the proposed LEP program(s) and services will be provided as depicted on a map; (5) the methods of service delivery; (6) the HUD programs and services that the applicant will assist the LEP communities in accessing; and (7) the estimated time and costs of program delivery to the LEP communities throughout the duration of the one (1) year grant period. (Not to exceed two (2) pages in length, not including the map.)
3. Narrative for Rating Factor 1 a. Recent Experience and Performance b. Organizational Capacity	Narrative requirements described under Rating Factor 1 in NOFA.
4. Narrative for Rating Factor 2	Narrative requirements described under Rating Factor 2 in the NOFA.
5. Narrative for Rating Factor 3 a. Statement of Work b. Affirmatively Furthering Fair Housing (AFFH) Work Statement c. Narrative accompanying the Budget Work Plan and Budget Information d. Management e. HUD Policy Priorities and Potential Outcomes f. Capacity Building and	Narrative requirements described under Rating Factor 3 in the NOFA. Forms HUDSF424CB and HUDSF424CBW (required forms) found in the Instruction Download on Grants.gov

Knowledge Sharing g. Quality Control	
6. Narrative for Rating Factor 4 a. Commitment letters from third parties contributing funds or in-kind resources.	Narrative requirements described under Rating Factor 4 in the NOFA.
7. Narrative for Rating Factor 5 a. Outcomes b. Evaluation	Narrative described in NOFA. Program Outcome eLogic Model – Form HUD 96010 (required form) found in the Instruction Download on Grants.gov
8. Disclosure of Lobbying Activities	HUDSFLLL(if applicable)
9. Applicant-Recipient Disclosure Update Report	HUD2880 (required form)
10. Survey for Ensuring Equal Opportunity for applicants	Form HUDSF424SUPP (required form)
11. Code of Conduct	No specific form or format.
12. Acknowledgement of Applicant Receipt	Form HUD2993 (if applicable) Required only if waiver to the electronic application requirement is granted.
13. Certification of Consistency with Renewal Community/Empowerment Zone/Enterprise Community (RC/EZ/EC-II)s Strategic Plan	Form HUD2990 (if applicable for bonus points)
14. Facsimile Transmittal Form	Form HUD96011 (required form) found in the Application Download at Grants.gov

3. Page Limitation, Font Size, and Format for Naming of Files. Narratives responses to factors 1-5 in Section V of this NOFA must be formatted so that the total numbers of pages submitted are equal to no more than 50 single-sided pages of text based on 8.5 by 11 inch paper, using a standard 12 point font. Reviewers will not review more than 50 pages for all the factors combined. See the General Section for guidance on the format for the naming of the files for the narratives.

4. Prohibition on Materials Not Required. Materials other than what is requested in this NOFA are prohibited.

C. Deadline Date and Timely Receipt Requirements. Completed applications must be received in Grants.gov no later than 11:59:59 p.m. on **August 15, 2011**. Following receipt the application will go through a validation process. If the application fails the Grants.gov validation process, it will be rejected. Please see the FY2010 General Section for instructions for timely receipt, including actions to take if the application is rejected. Applicants should carefully read the section titled, “Instructions on How to Download an Application Package and Application Instructions,” in the General Section. This section contains information on HUD’s timely receipt policies and other application information. The latest version of Adobe Reader currently

available from Grants.gov is Adobe Reader 9.4. Applicants should use the latest version of Adobe Reader available from Grants.gov.

D. Intergovernmental Review. Intergovernmental review is not applicable to LEPI applications.

E. Funding Restrictions. No fee or profit may be paid to any recipient or contractor in performing services under this LEPI NOFA.

F. Other Submission Requirements. Applicants interested in applying for funding under this NOFA must submit their applications electronically via Grants.gov or request a waiver for the Limited English Proficiency Initiative (LEPI) program from HUD.

V. Application Review Information.

A. Criteria. The maximum number of points to be awarded for a LEPI application is 100 plus up to two (2) points for RC/EZ/EC-II certification for a total of 102 points. The minimum score for an application to be considered for funding is 75 with a minimum of 20 points on Factor 1. Points are assigned based on responses to the five (5) rating factors.

1. Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (30 points) (Minimum for Funding Eligibility is 20 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 sub-recipients or consultants who are firmly committed to the project. In responding to Factor 1, applicants must specify the experience, knowledge, skills, and abilities of the applicant’s organization, staff, and of any persons and organizations contractually committed to the specific LEP project. When addressing this rating factor, applicants should discuss the relevant successful experience of both their organization as a whole, and the individual staff and sub-recipients who may work under the award if the application is funded.

a. Past Experience and Performance. (15 points)

In narrative form, the applicant must indicate the organization’s recent experience (within the last 3 years) managing programs, services, and other assistance activities to LEP communities that are the same or similar to those required under this NOFA. The narrative should identify all current programs, awards, and grants, including award/grant date, amount, name of awarding/granting organization, whether the award was national or the number of localities or regions covered if not a national award, award manager name, phone and email address, and brief description of experience working with HUD programs and in coordinating efforts with HUD grantees. In addition, applicants must indicate how prior assistance to LEP communities specifically relates to the activities identified in this NOFA and their proposed Statement of Work (SOW). HUD will assess the applicant’s capacity to do the work based upon the organization’s recent and relevant experience and past performance in conducting activities and programs to LEP communities. Applicants must include results of past assistance that include: (1) the number of LEP trainees and/or individuals receiving direct assistance; (2) the number of HUD programs covered during the award/grant period; and (3) the communities reached and

languages used to provide and disseminate LEP services. Applicants will be scored based upon the extent to which they have: (1) demonstrated recent and relevant experience, including performance, in providing assistance to diverse groups and organizations for the improved implementation and delivery of services for geographically diverse LEP communities; and (2) managed programs serving LEP communities. HUD reserves the right to contact past references or the identified persons listed as referrals.

b. Organizational Capacity. (15 points)

Applicants must possess knowledgeable and experienced personnel skilled in providing the proposed activities, and indicate the number of staff currently employed, and the ability of the applicant to procure additional qualified experts or professionals with the knowledge, skills, and abilities to deliver assistance to LEP communities in the proposed service area in a timely manner. For the purposes of responding to this sub-factor, applicants must include all staff and sub-recipients or consultants, for whom a contract or agreement already exists, who will be developing products, and/or delivering training, or providing assistance to LEP communities under this NOFA. Please do not include the social security numbers of the proposed staff. Applicants must indicate the primary physical location (include zip code+4) and coverage area for personnel. The applicant must identify the names, roles and responsibilities of the proposed management and staff as well as their recent experience (within the last 3 years) managing LEP related programs and/or other federal grant awards, working with multicultural staff, and completing tasks within a client-driven environment. The applicant must clearly identify those persons that are on staff at the time of this application, and those persons who will be assigned or hired at a later date; describe each person's duties and responsibilities and their expertise (including years of experience) to perform key tasks; indicate whether the staff person is assigned to work full-time or part-time and indicate the percentage of time each person that will be working on the proposed program. In evaluating this sub-factor, HUD will assess the experience, knowledge of HUD programs, skills of personnel, and their service coverage area. The program knowledge and skills of personnel should clearly support the full range of possible HUD activities the applicant may be asked to undertake, and the locations in which they may be called upon to do so. Applicants will be rated on the following basis: (1) demonstrated staff experience and expertise in cross-cutting HUD programs, services, activities, and knowledge management; and (2) proven skills and ability in delivering technically accurate assistance where and when called upon to do so. HUD will also consider the extent to which the applicant demonstrates that the organization has a number of key staff or the ability to procure individuals with the requisite language skills.

2. Rating Factor 2: Need/Extent of the Problem (10 points)

Applicants must have a sound and extensive understanding of the need for language assistance in relation to the targeted communities being served. The applicant must complete an assessment of their proposed LEP assistance program that includes the following: (1) the LEP communities intended to be served; (2) the population size of the communities needing LEP services; (3) the language(s) spoken within the targeted LEP community; (4) the boundaries of the geographical service area where the proposed LEP program(s) and services will be provided as depicted on a map; (5) the methods of service delivery; (6) the HUD programs and services that the applicant will assist the LEP communities in accessing; (7) the local HUD grantees that the applicant will work with to coordinate training sessions and workshops; and (8) the estimated time and costs of

LEP program delivery throughout the duration of the one (1) year grant period. In addition to identifying the local HUD grantees with whom the applicant intends to coordinate, the needs assessment should include information and analysis on which its determinations are based. This information and analysis should, in part, be obtained from local HUD grantees' Language Access Plans or completed four-factor analyses conducted pursuant to HUD's LEP Guidance (see Section III.C.5.c of the FY 2010 General Section for more information) and other services, plans, or documents developed by grantees for providing assistance to limited English proficient beneficiaries. The needs assessment should identify which grantees this information was requested and obtained from, and the grantees that were not able to provide the requested information. Where the information was not provided directly by a HUD grantee, the needs assessment should describe the methodology by which the determinations of the needs assessment were made. HUD will evaluate the applicant's needs assessment in making its funding award selections. HUD will also assess the selection of the areas to be covered by the proposed work against the needs described in the response to this rating factor.

3. Rating Factor 3: Soundness of Approach (30 points)

Applicants must demonstrate a sound approach for addressing the need for language assistance in relation to the objectives listed in Section III.C.1 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 providing accurate and relevant language assistance to address the needs of geographically dispersed LEP communities; including techniques, time frames, goals, and intended beneficiaries, and the likelihood that these activities will be cost-effective and will result in assisting HUD funded grantees and their limited English proficient participants.

a. Statement of Work (SOW). (15 points)

Applicants must submit a proposed SOW that comprehensively outlines in chronological order the administrative and program activities and tasks to be performed during the grant period. This outline should also include a schedule of proposed activities, products, training sessions, and other deliverables, and the percentage of time dedicated to the project over the grant period including the work time of any sub-recipients and/or consultants. Points will be assigned based on the relevance of proposed activities to the applicant's needs assessment identified in Rating Factor 2, the consistency of proposed activities with the organizational expertise and capacity, and the consistency of the SOW and budget. Applicants should also address the overall management of the award including policies and procedures for ensuring that all LEPI program requirements are met and quality products are developed and delivered.

To obtain maximum points under this sub-factor, the applicant's SOW must clearly describe (1) the specific activities and tasks to be performed; (2) the sequence in which the tasks are to be performed, (3) the estimated completion dates; (4) the work and program deliverables to be completed within the grant period; (5) the methods of service delivery (i.e. tools, products, services, etc. dealing with various communities and delivery methods to be employed); and (6) the local HUD grantees that the applicant will work with to coordinate training sessions and workshops, and for the development of tools and products.

(1) Affirmatively Furthering Fair Housing (AFFH). Applicants must include in the SOW a description of how their proposed activities will affirmatively further fair housing. The General

Section directs applicants to discuss in their application how they will carry out their proposed activities in a manner that affirmatively furthers fair housing, unless otherwise directed in the program NOFA. Applicants must affirmatively market the proposed activities in a language that targets individuals who are limited English proficient. Examples of affirmative marketing strategies can include, but are not limited to, the following: (1) Posting of notices/signs/posters in common areas, offices, and anywhere outreach activities or fair housing seminars are to be held. The notices/signs/posters should be translated into the most common languages encountered in the identified housing market area. They should explain how to obtain the language assistance. All notices/sign/posters developed by the applicant must be cleared by HUD before dissemination. (2) Stating in outreach documents that language services are available from the applicant. Outreach documents include brochures, booklets, and other forms of media, such as video. These statements should be translated into the most common languages and could be “tagged” on the front of common documents. (3) Including notices and advertisements in local newspapers and community newsletters in languages other than English; and (4) Conducting fair housing presentations at schools, adult education learning centers, community, grassroots and faith-based organizations. Applicants should also include the expected outcomes of the proposed activities which can include, but are not limited to: (1) an increase in the number of LEP individuals participating or accessing HUD programs, contracting, or job opportunities; and (2) an increased number of LEP targeted communities having access to HUD materials and services, such as referrals to housing counseling agencies. Failure to provide an AFFH Work Statement will result in a five (5) point deduction for the sub-factor 3.a. score.

b. Budget Narrative and Forms. (15 points)

HUD will also assess the soundness of the applicant’s approach by evaluating its budget and the applicant’s proposed program costs. As part of the applicant’s response, a budget must be prepared that is: (1) reasonable, allowable, and can be allocated appropriately to achieve the goals identified in the proposed SOW; (2) related to the activities and tasks in the SOW (in terms of costs and dollar amounts); and (3) quantifiable based on the need(s) identified in Rating Factor 2. Applicants must complete a written narrative explaining the costs associated with the proposed activities, in addition to completing forms HUDSF424CB and HUDSF424CBW. Forms HUDSF424CB and HUDSF424CBW must show the total cost of the project and indicate any other sources of funding that will be used throughout the grant period. The written narrative must explain each cost identified in the SOW. The budget narrative should include a brief discussion of how the proposed program is cost effective in achieving the anticipated results of the proposed activities in the targeted area. Failure to provide a written Budget Narrative will result in 5 point deduction for the sub-factor 3.b. score.

c. Management. (5 points)

The applicant must identify key management staff responsible for overall management and administration of the LEPI award. Key management staff is defined as any individual who will have decision-making authority related to the financial or task management, performance reporting, or overall coordination of the award. The successful administration and management of a LEPI award is critical to the timeliness of assistance delivery to LEP communities, prioritization of multiple language needs, and sound financial management of the award. The narrative should present a clear and practical plan for: (1) managing programs and/or the development of products and services to LEP communities; and (2) implementing a multi-

disciplinary approach to the delivery of language services; (3) managing multicultural staff; and (4) receiving demand-response system requests and utilizing needed resources. The policies and procedures in the plan must clearly explain how the applicant will manage activities within the demand-response system, including the processes for managing the formal assistance requests for information from HUD Headquarters; assigning appropriately skilled and knowledgeable staff to develop or provide assistance across program areas; prioritizing and managing multiple assistance programs; coordinating and collaborating with other providers active in the area; managing the overall operation with a focus on delivering results; providing feedback to HUD on LEP progress and outcomes; and resolving issues or overcoming obstacles that may affect progress. In rating this factor, HUD will evaluate the comprehensiveness of the response provided, and the likely effectiveness of the approach described for each element of the plan specified above.

(1) Quality Control. (3 points)

Present a detailed plan for ensuring that all products developed or delivered under the LEPI program are accurate and of the highest quality. Applicants must present a detailed plan for ensuring only accurate program guidance is provided and only eligible beneficiaries are served. The applicant should also present a detailed plan for addressing and curing any eligibility or product quality issues that may arise. In rating this factor, HUD will review the applicant's quality control plan for thoroughness and effectiveness, and the likelihood that such procedures will ensure that the intended outcomes of the LEP assistance programs are achieved.

d. HUD Policy Priorities and Potential Outcomes. (2 points)

To the extent that the applicant addresses the HUD policy priorities of Capacity Building and Knowledge Sharing, and Expanding Cross-Cutting Policy Knowledge, the applicant may receive up to two (2) points for this sub-factor.

(1) Capacity Building and Knowledge Sharing. (1 point)

As indicated in the General Section, the applicant must describe how its organization, co-applicant(s), sub-recipients, and consultants will provide knowledge-sharing experience in program design and implementation processes that will provide long-term benefits and increase capacity. To receive one policy priority point, applicants must provide LEP tools, products, and training session materials to local HUD grantees that will increase their capacity to design and implement future LEP programs and be available for long-term use. Additionally, the applicant will need to include a description of the HUD grantees or other organizations the applicant will work with to provide service to LEP communities that will benefit from knowledge sharing on the part of the applicant. Applicants must also include outcomes that support the long-term availability of the proposed programs, such as the number of training sessions or workshops provided to targeted LEP communities, the number of LEP communities reached as a result of the proposed LEP program, and the number of LEP individuals that are accessing HUD programs and services.

(2) Expanding Cross-Cutting Policy Knowledge. (1 point)

The applicant must undertake the collection of data to show the direct impact of the proposed LEPI program and other outcomes to receive one point for the Expanding Cross-Cutting Policy Knowledge policy priority. To achieve one policy priority point, the applicant must indicate what administrative data they and/or partner organizations collect or will collect on primary and

secondary outcomes for the target area or community, the methodology for collecting the data, and the method by which the data will be made available to researchers or other HUD grantees. The expected outcomes at a minimum include an increase in the knowledge of and participation in HUD programs by targeted LEP communities. For example, an outcome could include an increase in the number of LEP individuals participating in HUD programs and services. The applicant must also identify how the data will be made available to policy researchers, local governments, universities, and other HUD grantees through such means as letters of cooperation, data-sharing agreements, contracts, Memorandum of Understanding, etc. Documentation may include any past agreements that clearly acknowledge the duration of the agreement through the anticipated period of performance under this award. All letters, agreements, Memorandum of Understandings, or contracts must also indicate that the coordinated efforts of data collection are for the improvement of providing services to LEP individuals. The agreement may also specify other primary and secondary benefits to be achieved as a result of the data sharing. Relevant administrative data would be data that helps researchers and HUD grantees better identify, understand, and serve the needs of LEP communities. The collection method and specific data elements will not be prescribed by HUD, and may be determined by the applicant, but must be stated in the agreement or addendum thereto.

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

HUD will evaluate the extent to which other funds (public or private), in-kind services, goods, etc., will be leveraged by LEPI grant funds, and the extent to which other funds are firmly committed to the project. Leveraging of resources may include funding or in-kind contributions, such as workspace, services, or equipment. In order to receive points for other public and privately committed funds under this sub-factor, the applicant must provide signed letters of firm commitment or signed agreements from the organizations and/or individuals who will provide financial or in-kind support, on the respective organization's letterhead, and evidence of financial capacity of the entity making the commitment. For all applicants, each letter of firm commitment or documents must: (1) include a commitment to provide funding or in-kind resources; (2) identify the organization and/or individual committing resources and include the timeline for use of these funds in relation to the proposed LEP services; (3) identify the sources and amounts of the leveraged resources; (4) describe how these resources will be used under your SOW; and (5) be dated no later than the posting of the NOFA and signed by the individual or an organization official legally able to make commitments for the organization on the organization's official letterhead. If the resources are in-kind or donated goods, the firm commitment letter must indicate the monetary value of those resources. HUD will distribute points accordingly. HUD will also accept commitment letters with contingency clauses that indicate the contingency is based upon the applicant actually receiving the funding from HUD.

Points Awarded	Total of Leveraged Resources
5 points	Less than \$2,000
10 points	\$2,000 or more

5. Rating Factor 5: Achieving Results and Program Evaluation (10 points)

Under this Rating Factor, HUD will assess the extent to which the applicant demonstrates how it will measure the results of the work of its organization and its performance as indicated in the budget and SOW.

a. **Outcomes. (5 points)**

For each of the eligible LEP activities under this LEPI NOFA (e.g. development of products/tools, training design and delivery), the applicant must identify at least two quantifiable outcomes by which success will be measured. An outcome is defined as the results achieved or benefits derived from the LEP assistance which supports the objectives of HUD programs. Applicants must show a demonstrable increase in the awareness and/or participation of HUD programs among LEP individuals, and meeting the identified needs of targeted LEP communities. Outcomes could include, for example, the number of persons that improved their knowledge of HUD programs as determined by pre-and post tests; the number of persons that applied for assistance either directly by placing their name on a waiting list for housing; the number of persons seeking assistance from a HUD grantee (e.g. certified housing counselor, FHAP organizations, or other services made available through HUD or local programs); the number of submitted housing discrimination complaints; and an increase in citizen participation, either through attendance at or virtual attendance at meetings or hearings related to the development of local plans and programs that require public hearings and citizen input in the decision-making process. In addition to any narrative statement, in responding to this factor for award, the applicant is expected to show in its Logic Model the specific activities to be performed and the outcomes to be achieved over the life of the award. The submission requirement for this rating factor includes HUD's eLogic Model form (HUD96010). Instructions on use of the eLogic Model form are provided in the form itself. The form is part of the Instructions download found at http://www07.grants.gov/applicants/apply_for_grants.jsp.

b. **Evaluation. (5 points)**

For each of the eligible LEP activities and policy priorities that an applicant may undertake and/or address, the applicant must describe the methods and measures that will be used to evaluate the effectiveness of the LEP assistance program and correct any identified deficiencies. While the specific LEP tasks to be undertaken by successful applicants will be identified post-award through the demand-response system, HUD has identified the broad eligible activities that encompass LEP assistance. The applicant must present a clear plan for evaluating the effectiveness of each of the possible LEP activities the applicant may undertake and for which it is expected to deliver results. Applicants must submit in their application an eLogic Model (Form HUD 96010), which provides the proposed outputs and outcomes. Applicants are also to identify the tools they will use to identify their progress in fulfilling their proposed outputs and outcomes. (See Section VI.C.1 and 2 of this NOFA for additional reporting requirements.) The form can be found in the Instruction Download at:

http://www07.grants.gov/applicants/apply_for_grants.jsp. The eLogic Model is a Microsoft Excel form in which applicants can use a drop-down list to select the responses that best fit the proposed program of activities, outputs, and outcomes. Applicants that do not have access to Excel should contact the Office of Departmental Grants Management and Oversight at 202-708-0667. Requests for assistance to obtain a workable eLogic Model must be made at least 15 days prior to the deadline.

In rating this factor, HUD will evaluate whether the outcomes identified by the applicant are both measurable and appropriately related to HUD programs and the Department's LEP goals. HUD will also assess whether the LEP evaluation methods described by the applicant will successfully measure the effectiveness of each eligible LEP activity identified. These will be included in the eLogic Model submitted by each awardee.

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 eligible applications using the Factors for Award noted under Criteria, Section V.A. above.

2. Ranked Order. Once rating scores are assigned, rated applications will be listed in ranked order. After HUD has rated and ranked the applications, applicants within the fundable range of 75 or more points, with 20 or more points for Factor 1, may be funded in ranked order under the LEPI program service area for which they applied. HUD may use staff from Headquarters and/or field offices. HUD also reserves the right to select a lower scoring applicant in ranked order to ensure geographical diversity.

3. Tie Breaking. When two or more applications have the same total overall score, the application with the higher score under Rating Factor 3 (Soundness of Approach) will be ranked higher. And if a tie remains, the application committing a greater amount of leveraged funds under Rating Factor 4 (Leveraging of Resources) will be selected.

4. Corrections to Deficient Applications. Applicants will have 14 calendar days in which to address technical deficiencies in the application. All technical deficiencies must be submitted by fax, as specified in the General Section, using Form HUD96011 (Facsimile Transmittal Form), except those applicants that were permitted a waiver to the electronic application requirements. In such cases HUD will provide instructions on how to submit cures for technical deficiencies. See Section V.B.2 of the General Section for additional information on the process to be followed for corrections to deficient applications. If HUD does not have enough fundable applications, HUD reserves the right to select an applicant to provide LEP assistance to multiple regions.

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 work. HUD will negotiate costs, timeframes, and proposed work items stated in the Statement of Work.

1. Award notices will include terms and conditions and timeframes for product delivery. Notices will also include the requirements for sub-award reporting in compliance with the requirements of the Federal Financial Assistance Accountability and Transparency Act (FFATA) also known as the Transparency Act and Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal year 2009, referred to as "Section 872."

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

B. Administrative and National Policy Requirements. After selection for funding but prior to award, applicants must submit financial and administrative information to comply with applicable requirements. These requirements are found in 24 CFR Part 84 for all organizations except states and local governments whose requirements are found in 24 CFR Part 85. Cost principles requirements are found at OMB Circular A-122 for nonprofit organizations (now located at 2 CFR Part 230) , OMB Circular A-21 for institutions of higher education (now located at 2 CFR Part 220) , OMB Circular A-87 for states and local governments (now located at 2 CFR Part 225), and at 48 CFR 31.2 for commercial organizations. See Section III.C.5.k of the FY 2010 **General Section** for requirements for Procurement of Recovered Materials.

C. Reporting. Awardees will be required to report to the GTR on, at a minimum, a quarterly basis unless otherwise specified in the grant agreement.

1. Quarterly Reporting.

LEPI awardees will be required to report to the GTR on, at a minimum, a quarterly basis unless otherwise specified in the cooperative agreement. As part of the required report to HUD, award recipients must include a completed eLogic Model (HUD96010), which identifies actual outputs and outcomes achieved and a narrative explanation of deviations from projected results to actual results achieved. Deviations can be both positive and negative deviations. Awardees must also report the following on a quarterly basis: (1) the type, number, and population size of LEP communities served; (2) the number of LEP individuals provided LEP services; (3) the language(s) spoken within the targeted LEP communities; (4) the geographical service area where the LEP program(s) and services were provided; (5) the methods of service delivery (i.e. tool, products, and services) used; (6) the HUD programs and services that the LEP program assisted the LEP communities in accessing; (7) the local HUD grantees that the applicant worked with to coordinate training sessions and workshops; and (8) the time and costs of the LEP program delivery. The final report must be provided to the GTR 15 days after the end of the one year grant period. All quarterly reports must be provided to the GTR 15 days after the end of the calendar quarter.

2. Final Reporting.

Awardees are required to submit a final report providing the following: (1) the type, number, and population size of LEP communities served; (2) the number of LEP individuals provided LEP services; (3) the language(s) spoken within the targeted LEP communities; (4) the geographical service area where the LEP program(s) and services were provided; (5) the methods of service delivery (i.e. tool, products, and services) used; (6) the HUD programs and services that the LEP program assisted the LEP communities in accessing; (7) the local HUD grantees that the applicant worked with to coordinate training sessions and workshops; and (8) the time and costs

of the LEP program delivery. The final report must be provided to the GTR 15 days after the end of the one year grant period. The grantee must also submit a revised eLogic Model (form HUD96010) that updates the output and outcome indicators.

3. Transparency Act Reporting.

a. Recipient Reporting to Meet the Requirements the Federal Financial Assistance Accountability and Transparency Act of 2006, as amended.

(1) Prime Awardee Reporting. Prime recipients of HUD financial assistance are required to report subawards made either as pass-through awards, subrecipient awards, or vendor awards in the federal governmentwide website www.fsrs.gov or its successor system.

Starting with awards made October 1, 2010, prime financial assistance awardees receiving funds directly from HUD are required to report subawards and executive compensation information both for the prime award and subawards, including awards made as pass-through awards or awards to vendors, where both the initial award is \$25,000 or greater or the cumulative award will be \$25,000 or greater if funding incrementally as directed by HUD in accordance with OMB guidance. The reporting of award and subaward information is in accordance with the requirements of Federal Financial Assistance Accountability and Transparency Act of 2006, as amended by section 6202 of Public Law 110-252, hereafter referred to as the “Transparency Act” and OMB Guidance issued to the Federal agencies on September 14, 2010 (75 FR 55669) and in OMB Policy guidance. The prime awardee will have until the end of the month plus one additional month after a subaward or pass-through award is obligated to fulfill the reporting requirement. The Transparency Act requires the creation of a public governmentwide website in which the following subaward data will be displayed:

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

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

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

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

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

(3) Subaward Executive Compensation Reporting. Prime awardees must also report in the governmentwide website the total compensation and names of the top five executives in the subawardees, pass-through or vendor organization if:

- (i) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and
- (ii) Compensation information is not readily available through reporting to the Securities Exchange Commission (SEC.)

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

b. Compliance with Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), hereafter referred to as “Section 872.” Section 872 requires the establishment of a governmentwide data system to contain information related to the integrity and performance of entities awarded federal financial assistance and making use of the information by federal officials in making awards. It is anticipated that the federal data system will be known as the Federal Awardee Performance and Integrity Information System (FAPIIS). Only federal officials and the entity will be able to view the information in the FAPIIS system. Further, each recipient of federal funds with a cumulative value greater than \$10 million and their direct (i.e., first-tier) subrecipients would be required to report to the FAPIIS system. The data collection requirements include information about certain civil judgments, criminal convictions, and outcomes of administrative proceedings that reached final disposition within the most recent 5-year period and were connected with the award or performance of a federal or state award. Recipients and first-tier subrecipients must report information at least semi annually to maintain the currency of the information. Section 872 also requires that an entity be allowed to submit comments to the data system about any information that system contains about the entity. Use of the FAPIIS system requires a DUNS number and current valid registration in the CCR for HUD awardees and first-tier subrecipients.

Prior to making a funding decision, the federal official authorized to make the award is required to determine whether the entity is qualified to receive an award, taking into consideration any information about the entity that is in the data system. OMB is in the process of issuing regulations regarding federal agency implementation of Section 872 requirements. A proposed rule was published in the Federal Register on February 18, 2010, by OMB seeking public comments no later than April 19, 2010.

HUD’s terms and conditions to its FY2010 awards will contain requirements related to meeting Section FFATA and Section 872 requirements.

3. Race and Ethnic Data Reporting.

HUD requires awardees that provide HUD program benefits to individuals or families to report data on the race and ethnicity of those receiving such benefits. Awardees that provide benefits to individuals during the period of performance, whether directly, through sub-recipients, or through contractual arrangements, must report the data using form HUD27061, Race and Ethnic Data Reporting Form. HUD will provide instructions to awardees on how the form is to be submitted.

VII. Agency Contacts

A. For Assistance. Applicants may contact Pamela Walsh, Director, Office of Policy, Legislative Initiatives, and Outreach, Office of Fair Housing and Equal Opportunity, HUD Headquarters by phone at 202-708-1145, or send an e-mail to Pamela.D.Walsh@HUD.gov. Persons with hearing and speech challenges may access the above numbers via TTY (text telephone) by calling the Federal Relay Service at 800-877-8339 (this is a toll-free number). Information may also be obtained through the HUD website on the Internet at www.hud.gov.


VIII. Other Information

A. 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 2529-0051**. 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 70 hours for the application and award administration. This includes the time for collecting, reviewing, and reporting the data. The information will be used for awardee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

B. HUD Reform Act. The provisions of the HUD Reform Act of 1989 that apply to the LEPI program are explained in Sections VIII.G-H of the FY 2010 **General Section**.

C. Environmental. This NOFA does not direct, provide for assistance, or loan and mortgage insurance for, or otherwise govern or regulate, real property acquisition, disposition, leasing, rehabilitation, alteration, demolition, or new construction, or establish, revise, or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under 24 CFR 50.19(c) (1), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Dated: 6-2-11



John D. Trasviña
Assistant Secretary for
Fair Housing and Equal Opportunity

[FR-5415-N-41]