

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
[Docket No. FR-5600-N-33-C2]

**HUD's Fiscal Year (FY) 2011 NOFA for the
Performance-Based Contract Administrator (PBCA) Program
Technical Correction 2**

AGENCY: Office of the Assistant Secretary for Housing, HUD.

ACTION: Notice of Technical Correction 2.

SUMMARY: On March 9, 2012, HUD posted a NOFA for the Performance-Based Contract Administrator (PBCA) Program. On March 15, 2012, HUD posted a Technical Correction to the NOFA. This second technical correction deletes "Note 1" relating to the determination of the Basic Administrative Fee Percentage. This correction also deletes a reference to more information on general threshold requirements and corrects typographical errors in the NOFA.

DATE: The application deadline date is **not** changed by this correction. The deadline date remains **June 11, 2012**.

FOR MORE INFORMATION CONTACT: For questions concerning the NOFA or Technical Corrections, the applicant may contact Kerry Hickman at Kerry.e.hickman@hud.gov or 202-402-3885. This number is not toll-free. Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at 800-877-8339.

BACKGROUND: On March 9, 2012, HUD posted a NOFA for the Performance-Based Contract Administrator (PBCA) Program.

On March 15, 2012, HUD posted a Technical Correction to the NOFA to add an additional element to tie-breaker methodology for tied point scores on applications, correct a typo in the definition of FTE in the NOFA, change the application deadline to June 11, 2012, and correct the period of performance.

A. TECHNICAL CORRECTIONS COVERED IN THIS NOTICE.

This Notice makes two technical corrections and also corrects typographical errors.

1. The NOFA includes two notes regarding the calculation of the Basic Administrative Fee Percentage, and the differences in those two notes are creating confusion. "Note 3" is fully accurate. "Note 1" is being deleted. The note numbers are being adjusted to make a total of three notes instead of the original four.

2. The NOFA refers to General HUD Threshold Nondiscrimination and Other Requirements and in the last sentence indicates that more detailed information on threshold compliance is provided in Section V.B.1. This reference is a mistake, and is being deleted.

B. TECHNICAL CORRECTIONS:

1. The first note on the basic administrative fee percentage found in Section III.D.3., on page 13 of the PBCA NOFA is deleted and the Notes should now read as follows:

“IMPORTANT NOTES RELATED TO THE BASIC ADMINISTRATIVE FEE PERCENTAGE:

NOTE 1: Exhibit A, Section 3.1, PBT #1 Management and Occupancy Reviews has been revised to include a risk-based requirement and a separate requirement for Mark-to-Market projects. Two Exhibits have been added to the ACC:

Exhibit G: MOR Ratings for Projects with PBCA Administered HAP Contracts

Exhibit H: Mark-to-Market Projects with PBCA Administered HAP Contracts

The information for each State is available at

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rfp/sec8rfp in two documents titled “MOR Ratings for Projects” and “Mark-to-Market Projects.”

NOTE 2: The ACC defines the Basic Administrative Fee Percentage as “The percentage of the applicable annual per unit per month 2-bedroom Fair Market Rent within the State, which is used to calculate the monthly Basic Fee.” The Basic Administrative Fee Amount is “The amount that results when the Administrative Fee Percentage, approved by the United States Department of Housing and Urban Development, is multiplied by the current applicable 2-Bedroom Fair Market Rent for each Covered Unit under a Housing Assistance Payments Contract on the first day of the month during the Performance-Based Annual Contributions Contract Term.”

The annual per unit per month 2-bedroom Fair Market Rent for each Covered Unit for the Assigned Active HAP Contracts in each State is titled “Active PBCA Assigned Section 8 Contracts for NOFA” and is available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rfp/sec8rfp.

NOTE 3: To view basic administrative fee percentages proposed by applicants in the prior competition, please see http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rfp/sec8rfp.

2. The section on the General HUD Threshold Nondiscrimination and Other Requirements is found in Section III.D.1., on page 8 of the PBCA NOFA and should now read as follows:

“General HUD Threshold Nondiscrimination and Other Requirements. See Section III.C.2 through Section C.5 of the **General**

Section for threshold requirements applicable to all programs. Applicants should review those provisions that could result in the failure to receive funding, including the Dun and Bradstreet Universal Numbering System (DUNS) Number Requirement, Resolution of Outstanding Civil Rights Matters, provisions relating to Delinquent Federal Debts, and the Name Check Review. HUD will not make awards to entities that are debarred, suspended, or are on the HUD Limited Denial of Participation List. **Non-compliance with a threshold requirement will result in disqualification.**”

3. The NOFA contains several typographical errors in spelling and spacing, which are corrected as follows:

a. On page 9, third paragraph following Section a.(3), the sentence prior to the last sentence, should read:

“The name of the RLO file cannot exceed 50 characters, including spaces and underscores.”

b. On page 18, Section 3.g, second sentence, the NOFA should read:

“The name of the file cannot exceed 50 characters, including spaces and underscores.”

c. On page 19 in Section IV.C.4.a.(7)., the NOFA should read:

“(7) HUD 2993 Acknowledgement of Application Receipt. For applicants submitting paper applications only. This is not applicable to those using Grants.gov.”

d. On page 20, the last line of the second paragraph should read:

“The name of the file cannot exceed 50 characters, including spaces and underscores.”

e. On page 20, Section (8)(b), third paragraph, third sentence should read:

“The name of the file cannot exceed 50 characters, including spaces and underscores.”

f. On page 20, Section (8)(b) the last paragraph, 2nd sentence should read:

“The name of the file cannot exceed 50 characters, including spaces and underscores.”

g. On page 21, Section (8)(c), last paragraph, 2nd sentence should read:

“The name of the file cannot exceed 50 characters, including spaces and underscores.”

h. On page 26 Section V.A.2.c. , the last sentence should read:

“Applicants must complete and submit **the FTE statement** (see Appendix B of this NOFA) showing all staff and contractors who will be performing PBTs 1-6.”

i. On page 31, Section V.C. a. , 2nd sentence should read:

“Applications from ineligible entities will not be reviewed.”

j. On page 32, the first sentence of the last paragraph should read:

“For paper applications the applicant must be registered in CCR with an active registration on the deadline date and have a DUNS number.”

k. On page 33, Section d. Ranking and Selection, paragraph (1) Threshold Requirements should read:

“(1) **Threshold Requirements.** Applicants that do not meet the threshold requirements of the **General Section** or this NOFA will not receive an award of funds from HUD regardless of score or ranking.”

l. On page 33, Section d. Ranking and Selection, paragraph (4) should read:

“(4) HUD will rank applications in order by score and select the highest rated application by State. If there are multiple applications covering a state, HUD will select the highest rated application for that State and then skip all others within that State. If there is a tie score for a given State, HUD will use the tie breaker methodology identified in this NOFA.”

m. On page 33, Section d. Ranking and Selection, paragraph (6) should read:

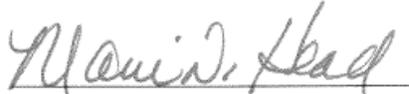
“(6) If there are funds remaining that are less than the requested level of an applicant deemed eligible for funding, HUD may offer the remaining funds to the applicant at a reduced funding amount. “

n. On page 39, Appendix B should be titled:

“**Appendix B. FTE Chart Found in the Instructions Download**”

There are no other changes to this NOFA. The deadline date of the NOFA remains **June 11, 2012.**

Dated: 4-20-12



Marie D. Head, Deputy Assistant Secretary Office of
Multifamily Housing Programs

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