

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5600-N-40]

### Notice of Funding Availability (NOFA) for Fiscal Year (FY) 2012 Transformation Initiative: Sustainable Construction in Indian Country Small Grant Program

**AGENCY:** Office of the Assistant Secretary for Policy Development and Research, HUD.

**ACTION:** Notice of Funding Availability (NOFA) for Fiscal Year (FY) 2012 Transformation Initiative: Sustainable Construction in Indian Country Small Grant Program.

**SUMMARY:** This NOFA announces the availability of funding of approximately \$400,000 for the Transformation Initiative: Sustainable Construction in Indian Country Small Grant Program. This NOFA is governed by the information and instructions found in HUD's Fiscal Year 2012 Notice of Funding Availability (NOFA) Policy Requirements and **General Section** that HUD posted to [www.Grants.gov](http://www.Grants.gov) on September 19, 2011.

**APPLICATION DEADLINE DATE:** Applications must be received by [Grants.gov](http://Grants.gov) no later than 11:59:59 p.m. eastern time on the application deadline date. The application deadline date is **March 25, 2013**. Applicants need to be aware that following receipt, applications go through a validation process in which the application may be accepted or rejected. Please allow time for this process to ensure that you meet the timely receipt requirements. Please see the 2012 **General Section** for HUD's timely receipt and grace period policies.

**FOR FURTHER INFORMATION CONTACT:** Questions regarding specific program requirements should be directed to the agency contact identified in Section VII of this program NOFA. Questions regarding the **General Section** should be directed to the Grants Management and Oversight Division at (202) 708-0667 (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at (800) 877-8339.

#### OVERVIEW INFORMATION

**A. Federal Agency Name:** Department of Housing and Urban Development, Office of Policy Development and Research, Affordable Housing Research and Technology Division.

**B. Funding Opportunity Title:** Transformation Initiative: Sustainable Construction in Indian Country Small Grant Program.

**C. Announcement Type:** Initial announcement.

**D. Funding Opportunity Number:** FR-5600-N-40; OMB Approval Number is 2528-0274.

**E. Catalog of Federal Domestic Assistance (CFDA) Number:** The CFDA Number for this program is 14.525.

**F. Dates:** The application deadline is **March 25, 2013**. **Applications must be received by Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date.** Applicants need to be aware that following receipt, applications go through a validation process in which the application may be accepted or rejected. Please allow time for this process to ensure that you meet the timely receipt requirements. Please see the 2012 **General Section** for instructions for timely receipt, including actions to take if the application is rejected.

## **G. Additional Overview Content Information**

**1. Purpose of the Program.** The purpose of this effort is to further the use of sustainable construction practices in Indian Country.

**2. Award Information.** This program is authorized under the Department of Housing and Urban Development Appropriations Act, 2012, Transformation Initiative Fund (Public Law 112-55), approved on November 18, 2011. The maximum grant performance period is 24 months. An award can range from a minimum of \$50,000 to a maximum of \$100,000, depending on the scope and merit of the proposed effort. Awards under this NOFA will be made in the form of a Cooperative Agreement. A Cooperative Agreement means that HUD will have substantial involvement during the performance of the effort that may include, but will not be limited to: Review and suggestion of amendments to the effort, including objectives, work plan, and deliverables.

**3. Eligible Applicants.** Tribes and tribal organizations, nonprofit organizations, foundations, think tanks, consortia, institutions of higher education accredited by a national or regional accrediting agency and recognized by the U.S. Department of Education, and other entities that will sponsor a researcher, expert(s) or analyst(s). HUD will not directly fund individual researchers.

## **FULL TEXT OF ANNOUNCEMENT**

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

HUD invites applicants to submit proposals for funding that encourages the use of sustainable construction practices in Native American housing. Proposals should take into account the multiple geographic, economic and cultural aspects of Native American residential design and construction. HUD seeks applications in four broad areas: demonstration, technical assistance, curriculum development/training, and information dissemination related to sustainable construction in the Native Community. Activities performed under the Sustainable Construction in Indian Country Small Grant Program should document the impact of one or more innovative approaches to sustainable construction in Indian Country, identify a set of lessons learned, and then develop, deploy or distribute a tool highlighting those lessons. This tool should support learning without the need for instructors, facilitators or other external assistance. The training media may include, but are not limited to, a blog, DVD, publication, and video. Media of this type is expected to be maintained by the grantee until the end of the agreement.

## A. Background

HUD's objective in issuing this NOFA is to identify and promote the use of sustainable construction practices in tribal housing. The Fiscal Year 2010 budget provided funding for "a demonstration of sustainable building practices on Native American lands." This NOFA continues the line of funding begun in 2010.

The Sustainable Construction in Indian Country initiative is a partnership between the Office of Policy Development and Research (PD&R) and the Office of Native American Programs (ONAP). The initiative seeks to promote and support sustainable construction in Native communities. This has been done through demonstration, training and dissemination of best practices and program results.

While every community has a different interpretation of sustainability HUD Secretary Shaun Donovan said "for HUD, sustainability means tying the quality and location of housing to broader opportunities, like access to good jobs, quality schools, and safe streets. It means helping communities that face common problems start sharing solutions. It means being a partner to sustainable development, not a barrier".

Sustainable construction means design and building for the needs of the persons who will use the facilities – current and future – including persons with disabilities who may require accessible or adaptable features in order to enter and fully utilize the facilities. Environmental responsibility includes, among other things, incorporation of environmental justice principles and practices. As such, eligible activities under this NOFA include building Tribal capacity for implementation of Executive Order 12,898 in environmental reviews.

While many organizations are working to build the capacity of native stakeholders to successfully conduct sustainable construction on tribal lands, a general adoption of sustainable construction practices has yet to occur. What are the impediments that Native communities face in incorporating sustainable approaches to development? What is preventing wide spread adoption of these building practices in Indian Country? The Sustainable Construction in Indian Country initiative set out to explore these impediments and identify solutions.

In September 2011, PD&R hosted a series of focus groups during ONAP's Greener Homes Summit to examine impediments to the adoption of sustainable construction practices by the Tribes or Tribal entities. Working from a wide variety of impediments identified by focus groups, four impediments to sustainable construction ranked most important<sup>1</sup>:

- Building codes
- Costs/funding
- Capacity building
- Planning

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<sup>1</sup> (Draft) Impediments to Sustainable Construction in Indian Country: White Paper (2012).  
[http://www.huduser.org/portal/publications/pdf/na\\_Impediments\\_SCinIC\\_Draft\\_Report.pdf](http://www.huduser.org/portal/publications/pdf/na_Impediments_SCinIC_Draft_Report.pdf)

### **(1) Building codes**

Communities develop building codes to protect health and safety, but also to show commitment to particular issues. Minnesota and Washington States, for instance, require compliance with green building codes or standards. As a sovereign nation, Tribes possess the power to adopt existing green building codes (and/or standards) or to create their own. Such a building code is not overly-strict nor does it pose undue cost burdens that would inhibit desired development and growth.

### **(2) Costs/Funding**

Sustainable construction is perceived as more expensive, but this is not always true. Some sustainable construction technologies require more expensive upfront costs; however, the energy and potential health savings and more durable housing can offset the higher costs or lead to savings later. Some sustainable construction technologies do not incur additional costs. Education can change perspectives; and, life cycle assessments and benefit analyses can provide tools to determine the technologies that provide the greatest return on investment.

### **(3) Capacity Building**

Tribal housing authorities may have difficulty building and/or maintaining capacity for a variety of reasons. New elections in tribal council or decreased Federal budget funds can lead to enormous changes in staffing. Some smaller tribes may not have the staffing on a regular basis to carry out the housing development their community needs to keep pace with housing need. Repeated training, onsite training, and partnerships with other organizations are ways to build lasting organizational capacity.

### **(4) Planning**

Sometimes tribes find themselves planning projects simply because Federal funds are suddenly available. This can lead to a mismatch in community need and available resources—land, staff time, housing, funds, etc. Long-term master planning, on the other hand, can help rebalance that mismatch, and support a tribe's overall goals, such as creating a cohesive "place" with increased opportunity for all residents, increasing healthier housing, supporting economic development, and moving toward energy self-sufficiency. Planning is a process to think through potential problems so that actual development can flow more smoothly, and thus avoid costly delays.

## **B. Goals of HUD's Program**

Activities performed under the Sustainable Construction in Indian Country Small Grant Program should be innovative and result in substantive contributions to existing knowledge on sustainable construction practices in Indian Country. Preference will be given to proposals aimed at addressing current challenges that Native American communities face in light of the current housing, energy, and economic conditions. Activities performed under the Sustainable Construction in Indian Country Small Grant Program should document the impact of one or more innovative approaches to sustainable construction in Indian Country, identify a set of lessons learned, and then develop, deploy or distribute a tool highlighting those lessons. This tool should support learning without the need for instructors, facilitators or other external

assistance. The training media may include, but are not limited to, a blog, DVD, publication, and video.

### **C. Authority**

HUD's authority for making funding available under this NOFA is the U.S. Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112-55, approved Nov. 18, 2011).. This program is sanctioned by HUD's authority under the Transformation Initiative Fund. It is being implemented through this NOFA and the policies governing its operation are contained herein.

## **II. Award Information**

In FY 2012, approximately \$400,000 was made available for the Office of Policy Development and Research's (PD&R) Sustainable Construction in Indian Country Small Grant program. HUD anticipates that approximately 4 to 8 awards will be made ranging from \$50,000 to a maximum of \$100,000 per award. The maximum grant performance period for an award under this program is 24 months. Awards under this NOFA will be made in the form of Cooperative Agreements. A Cooperative Agreement means that HUD will have substantial involvement during the performance of the effort and may include, but will not be limited to:

1. Review, negotiation, and suggestion of amendments to the effort, including project objectives, the work plan, budget, and deliverables.
2. Review and provision of preliminary deliverables in response to quarterly progress reports.
3. Review and provision of final deliverables.

## **III. Eligibility Information**

**A. Eligible Applicants.** Tribes and tribal organizations, nonprofit organizations, foundations, think tanks, consortia, institutions of higher education accredited by a national or regional accrediting agency recognized by the U.S. Department of Education, and other entities that will sponsor a researcher, expert(s) or analyst(s). HUD will not directly fund individual researchers.

**B. Cost Sharing or Matching.** Cost sharing or matching is not required.

### **C. Other**

**1. Eligible Activities.** Grant funds awarded under this NOFA must be used to develop, deploy, or disseminate innovative approaches of sustainable construction methods or practices that are suitable for Indian Country.

**2. Eligible Costs.** Eligible costs include but are not limited to: salaries, travel expenses and per diem, training materials, and approved overhead expenses. Equipment costs shall not exceed 10% of the requested amount. The following expenses are not eligible costs: computer hardware, meals, and construction costs.

**3. Threshold Requirements Applicable to All Applicants.** All applicants must comply with the threshold requirements as defined in the **General Section** and the requirements listed below. **Applications that do not meet these requirements will be considered ineligible for funding and will not be eligible to receive an award:**

- a. The applicant must meet the eligibility requirement as defined in Section III. A.
- b. The applicant may not request more funding than the grant maximum allocated as outlined in Section II and not less funding than the grant minimum.
- c. Applications must receive a **minimum score of 75 points** to be considered for funding.
- d. The applicant (represented as the official organization) must have a DUNS number and an active registration at the System for Award Management (SAM) to receive HUD grant funds (see the **General Section**); and
- e. To meet timely receipt requirements electronic applications must be received by Grants.gov no later than 11:59:59 p.m. Eastern Time by the application deadline date. **See the General Section regarding timely receipt and grace period policies.**

**4. Other Requirements.** All applicants must comply with the nondiscrimination and other requirements as defined in the **General Section** and the requirements listed below.

**a. Compliance with Civil Rights Laws.**

(1) Applicants and their sub recipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; (2) if the applicant's state or local government has passed a law or laws proscribing discrimination in housing based on sexual orientation or gender identity, or a law or laws proscribing discrimination based on lawful source of income, the applicant and any proposed subrecipients must comply with those laws;

**b. Affirmatively Furthering Fair Housing Requirements.** Under Section 808(e)(5) of the Fair Housing Act (42 U.S.C. 3608(e)(5)), HUD has a statutory duty to affirmatively further fair housing. HUD requires the same of its funding recipients. Applicants under this NOFA are not required to submit an affirmatively furthering fair housing plan for their proposed activities. However, applicants are encouraged to review the Consolidated Plans and Analyses of Impediments to Fair Housing Choice (for example, HUD's regulations at 24 CFR 91.225 (a)) in the jurisdiction in which their activities will take place in order to take into account impediments to fair housing choice in their proposed effort.

**c. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)." Executive Order 13166 seeks to improve access to federally assisted programs and activities for individuals who, as a result of national origin, are limited in their English proficiency. Applicants obtaining federal financial assistance from HUD shall take reasonable steps to ensure meaningful access to their programs and activities to LEP individuals. As an aid to recipients, HUD published *Final Guidance to Federal Financial Assistance Recipients: Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (LEP Guidance) in the Federal Register on January 22, 2007 (72 FR 2732). For assistance and information regarding LEP obligations, go to [http://www.justice.gov/crt/lep/guidance/HUD\\_guidance\\_Jan07.pdf](http://www.justice.gov/crt/lep/guidance/HUD_guidance_Jan07.pdf) . For more information on**

LEP, please visit <http://www.hud.gov/offices/fheo/promotingfh/lep.cfm>.

**d. Accessible Technology.** Section 508 of the Rehabilitation Act requires HUD and other federal departments and agencies to ensure, when developing, procuring, maintaining, or using electronic and information technology (EIT), that the EIT allow, regardless of the type of medium, persons with disabilities to access and use information and data on a comparable basis as is made available to and used by persons without disabilities. Section 508's coverage includes, but is not limited to, computers (hardware, software, word processing, email, and Internet sites), facsimile machines, copiers, and telephones. Among other things, Section 508 requires that, unless an undue burden would result to the federal department or agency, EIT must allow individuals with disabilities who are federal employees or members of the public seeking information or services to have access to and use of information and data on a comparable basis as made available to employees and members of the public who are not disabled. Where an undue burden exists to the federal department or agency, alternative means may be used to allow a disabled individual use of the information and data. Section 508 does not require that information services be provided at any location other than one at which the information services are generally provided. HUD encourages its funding recipients to adopt the goals and objectives of Section 508 by ensuring, whenever EIT is used, procured, or developed, that persons with disabilities have access to and use of the information and data made available through the EIT on a basis comparable as is made available to and used by persons without disabilities. This does not affect recipients' required compliance with Section 504 of the Rehabilitation Act and, where applicable, the Americans with Disabilities Act. Applicants and recipients seeking further information on accessible technology should go to <http://www.section508.gov/>.

**e. Conducting Business in Accordance with Core Values and Ethical Standards/Code of Conduct.** If awarded assistance under this NOFA, prior to entering into a cooperative agreement with HUD, you will be required to submit a copy of your code of conduct and describe the methods you will use to ensure that all officers, employees, and agents of your organization are aware of your code of conduct. See the FY 2012 **General Section** for information about conducting business in accordance with HUD's core values and ethical standards.

**f. If selected for an award, the official applicant shall be a tribe and tribal organization, nonprofit organization, foundation, think tank, consortia, institution of higher education accredited by a national or regional accrediting agency recognized by the U.S. Department of Education, and other organizational entities that will sponsor a researcher, expert or analyst.** The applicant entity will be required to enter into a Cooperative Agreement with HUD that provides for payment by HUD to the applicant organization as the grantee. The grantee will be expected to either directly hire the researcher as salaried staff or enter into a consultant or subcontractor arrangement. Payments to the researcher (or researchers) are to be made by the grantee organization to the approved researcher(s) as subrecipient(s). All threshold requirements applicable to the grantee will tier down to subrecipients, including all certifications for compliance. However, subrecipients at the present time do not have to be registered in SAM, but merely have to have a DUNS number so that the grantee can comply with the subrecipient reporting requirements of the Transparency Act (See Section VI. C.2 Transparency Act Reporting).

## IV. Application Instruction and Submission Information

### A. Instruction to Download Application Package.

Applications can be downloaded from the web at:

[http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp). All applications must be submitted electronically. The information required to submit an application is contained in the program section of this Notice and the FY2012 **General Section**. See the FY2012 **General Section** for specific procedures concerning the electronic application submission and timely receipt requirements. Grants.gov provides customer support information on its website at <http://www.grants.gov/contactus/contactus.jsp>. Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling 800-518-GRANTS (this is a toll-free number), or by sending an email to [support@grants.gov](mailto:support@grants.gov). The Grants.gov Help Desk can be reached twenty-four hours per day, seven days per week, except federal holidays. HUD recommends calling the Help Desk rather than emailing, because determining the basis for the problem may take some conversation with the Grants.gov Support Customer Service Representative. See the FY2012 **General Section** for information regarding the registration process or ask for registration information from the Grants.gov Support Desk.

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

**1. Application Content.** Applications must consist of the following elements: a table of contents; an executive summary; a narrative for the rating factors; a budget; budget narrative; and additional forms. Before submitting your application, please read the General Section regarding use of Adobe Reader, file naming conventions, and other information to help you avoid problems.

**a. SF424 Application for Federal Assistance.** (Please remove special characters add spaces from form names. You can create spaces by using underscores). Please remember the following:

- (1) The name of the official applicant for this program. Please make sure that the name of the organizational applicant in box 8a is the organization's legal name and that the organization's DUNS number and address are listed on this form (not the researcher's information). When entering the zip code, be sure to enter the 9 digit zip code.
- (2) Include the name, title, address, telephone number, facsimile number, and e-mail address of the designated contact person. This is the contact at the organization **who will receive all pertinent information from HUD regarding this application; therefore, please ensure the accuracy of the information; this person must have knowledge of the content of the application submitted under this program. Please be sure the email account will accept messages from HUD.gov.**
- (3) The total grant amount requested for the total performance period of the grant.
- (4) The organizational applicant's Employer Identification/Tax ID.
- (5) The DUNS Number associated to the applicant's legal name identified in Box 8a of the SF\_424 form.
- (6) The Catalog of Federal Domestic Assistance Number for the program is 14.525.
- (7) The signature of the Authorized Organization Representative (AOR), who by virtue of submitting an application via **Grants.gov**, has been authenticated by the credential provider and

approved by the organizational applicant's eBusiness Point of Contact to submit applications on behalf of the organization. If the AOR has not been granted approval to submit the application, the application will be rejected by the Grants.gov system. The AOR must be able to make a legally binding agreement for the sponsoring organizational entity.

**b. Table of Contents.**

**c. Executive Summary (One page or less).** The Executive Summary should, at a minimum, include a summary of the proposed effort project that addresses the following information:

- (1) Overview of the proposed effort (including title).
- (2) The specific objective being targeted.
- (3) Issues needing to be addressed and problems to be resolved.
- (4) The anticipated impact of the effort.
- (5) How the organization meets the eligibility criteria for the Small Grant program.
- (6) Each identified organization's point-of-contact, postal service and e-mail address, telephone number, and facsimile number.

**d. Narrative Statement Addressing the Rating Factors.** HUD will use the narrative response to the "Rating Factors" to evaluate, rate, and rank applications. This step in the process has five rating factors that need to be addressed: (1) capacity of the applicant and relevant experience to conduct the proposed effort; (2) need for proposed effort; (3) soundness of approach; (4) leveraging resources; and (5) broader impacts. The narrative statement is the main source of information when rating and ranking applications. Therefore, it is very important that the grantee becomes fully familiar with the rating factors for the program. The narrative should be numbered in accordance with each factor and sub-factor. Make sure to address each factor and sub-factor and provide sufficient information about every element. The application narrative must not exceed fifteen (15) pages in length (excluding forms, assurances, budget narrative, table of contents, and executive summary), and must be submitted and formatted to fit an 8 ½ by 11-inch paper, double-spaced, with one-inch margins (for the top, bottom, left, and right sides of the document) in standard Times New Roman 12-point font. Each page must be numbered with the name of the program and applicant visible on each page. The double-spacing requirement applies to the narrative section of the application (excluding references and bibliographies). Submitting pages in excess of the page limit will not disqualify an application; however, HUD will not consider the information on any additional page. This exclusion may result in a lower score or failure to meet a threshold requirement. **Please do not attach responses to each factor separately. Follow the instructions on the use of zipped files, file extensions, and file names in the General Section. File names should not contain spaces, dashes, or special characters. Failure to follow the file name requirements can result in the application being rejected by the Grants.gov system. Please be sure to open and review the attached narrative response to ensure that you have attached the final version of what you want to submit and all the rating factors have been addressed in the document.**

**e. Budget.** The budget submission must include the following:

- (1) HUD\_424\_CB Grant\_Application\_Detailed\_Budget. This budget form shows the total budget by year (12 month period) and by line item for the program activities to be carried out with the proposed HUD grant. Make sure that the amount shown on the SF\_424, HUD\_424\_CB

and budget narrative are consistent and the budget totals are correct. Remember to check addition in totaling the categories on the HUD\_424\_CB form so that all items are included in the total. Please be sure that the budget matches the information contained in the SF\_424. The budget form must be fully completed. If there is inconsistency between any required forms and/or budget narrative, the HUD\_424\_CB will be used. If this correction puts an application under the minimum amount or over the cooperative agreement maximum amount (see Section II.C.2), the grantee will not be able to correct the amount requested and the application will be disqualified. If an application is selected for award, the grantee may be required to provide greater specificity to the budget during grant agreement negotiations.

(2) Budget Narrative. A narrative must be submitted that explains how the applicant arrived at the cost estimate for each line item. The proposed cost should be reasonable (e.g., propose local prevailing salaries for similar applicants, or transcription services providers, etc.) for the work to be performed and consistent with rates established for the level of expertise required to perform the work proposed. The grantee must pay close attention to accurately estimating costs, determining the necessity for and reasonableness of costs proposed; and correctly computing all budget items and totals.

(3) Indirect costs. Indirect costs, if applicable, are allowable based on an established approved indirect cost rate. **Applicants must have on file, and submit to HUD if selected for award, a copy of their approved indirect cost rate agreement.** Applicants that are selected for funding but do not have an approved indirect cost rate agreement established by the cognizant federal agency, will be required to establish a rate. In such cases, HUD will issue an award with a provisional rate and assist applicants with the process of establishing a final rate.

**f. Appendix.** The appendix section of an application may include resumés and two letters of recommendation. This section will not count against the page limit.

**g. Forms.** All forms listed below must be placed in an appendix section of the application. The following forms are needed for submission:

(1) SF\_424\_Supplement\_Survey\_on\_Ensuring\_Equal\_Opportunities\_for\_Applicants (Faith\_Based\_EEO\_Survey (SF\_424\_SUPP)).

(2) SF\_LLL\_Disclosure\_of\_Lobbying\_Activities, if applicable.

(3) HUD\_Applicant\_Recipient\_Disclosure\_Report), if applicable.

(4) HUD\_2993\_Acknowledgement\_of\_Applicant\_Receipt. Applicants are not required to include this form for electronic applications, as they can track their application on line by going to [www.grants.gov](http://www.grants.gov) and clicking on “Track My Application”. Applicants that have requested a waiver and are approved for the submission of a paper application can use this form to obtain a receipt.

(5) HUD\_96011\_Third\_Party\_Documentation\_Facsimile\_Transmittal (Facsimile\_Transmittal\_Form on Grants.gov). This form must be used as the cover page to transmit third party documents and other information. Applicants are advised to download the application package and complete the SF\_424, which will pre-populate the transmittal cover page. The transmittal cover page will contain a unique identifier embedded in the page that will help HUD associate your faxed materials to your application. Please do not use your own fax sheet. HUD will not read any faxes that are sent without the HUD\_96011 fax transmittal cover page as the first page of the transmittal. (See the General Section for detailed directions). **Note: In order for the application to be transmitted you must complete this form even if you are**

**not faxing any documents. In the section of the form titled “Name of Document Transmitting,” enter the words “Nothing faxed with this application.” Complete the remaining highlighted fields and enter the number “1” in the section of the form titled “How many pages (including cover) are being faxed?” It is important that you read the General Section for other specifics.**

**2. Certifications and Assurances.** Please read the **General Section** for detailed information on all Certifications and Assurances. When submitting attachment files, please pay close attention to the requirements for naming the attachment files. Attachment file names cannot have spaces or dashes or special characters or be longer than 50 characters in length. Failure to follow these directions will result in a “VirusDetect” error message and your application being rejected by the Grants.gov system.

### **C. Receipt Dates and Times.**

A complete application must be received by Grants.gov no later than 11:59:59 p.m. eastern time by the application deadline date **March 25, 2013**. 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 2012 **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 AND APPLICATION PACKAGE AND APPLICATION INSTRUCTIONS” in the 2012 **General Section**. This section contains information on using Adobe Reader, HUD’s timely receipt policies, and other application information. Applicants should be aware that the latest version of Adobe Reader being used by Grants.gov is Adobe Reader 9.4. Adobe Reader 9.0 is compatible with Adobe Professional versions 8.0 and higher.

### **D. Intergovernmental Review.**

This program is excluded from the Intergovernmental Review process covered by Executive Order 12372 “Intergovernmental Review of Federal Programs”.

### **E. Funding Restrictions.**

1. Grant funds awarded under this NOFA may not be used to pay for activities outside the scope of this NOFA
2. Funding will only be provided to entities who meet the standards for eligible applicants outlined in Section III. A.
3. Grant funds awarded under this NOFA may not be used to pay for computer hardware, meals, and/or construction costs.
4. Honorariums cannot be charged against grants under this program.
5. Fee or profit will not be paid for work done under this NOFA.
6. Applicants must comply with the Delinquent Federal Debt Requirement as defined in the **General Section**.
7. Award funds may not be used specifically for dissertation support internationally oriented for effort, or construction projects.

### **F. Other Submission Requirements.**

## 1. Application and Timely Receipt Instructions

Applications under this NOFA must be received electronically through the federal website **Grants.gov** unless a waiver of this requirement is granted in accordance with the instructions below. Applicants are required to submit applications electronically via the website [http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp) . See the **General Section** for additional information on the electronic process requirements and how to request a waiver from the requirement if necessary. Applicants requesting a waiver must submit their requests in writing no later than 15 days prior to the application deadline date. The letter must be addressed to Erika C. Poethig, Acting Assistant Secretary for Policy Development and Research and be submitted via e-mail or fax to:

Mike Blanford  
Affordable Housing Research and Technology Division  
Office of Policy Development and Research  
E-mail: Michael.D.Blanford@hud.gov  
Fax: (202) 708-5873

Paper applications will not be accepted from applicants that have not been granted a waiver. If an applicant is granted a waiver, the approval notice will provide instructions for submission. **All applications in paper format must have received a waiver to the electronic application requirement and the application must be received by HUD no later than 3:59:59 p.m. Eastern Standard Time by the application deadline date.** Applicants that receive a waiver to submit a paper application are not exempt from the requirement to have a DUNS number and active registration in SAM.

## V. Application Review Information:

### A. Criteria

1. **Rating Factor 1: Capacity to do the Effort (20 Points).** In reviewing this factor, HUD will determine the extent to which the applicant demonstrates that the key personnel have the qualifications to conduct the work. The applicant must clearly address the following:
  - a. Describe the recent skills and expertise of each key staff person involved in the proposed project. Skills and expertise developed within the last 5 years will be considered recent.
  - b. Describe the relevant knowledge, past employment and experience that each key person possesses to undertake the proposed effort. Knowledge and experience will be judged in terms of relevance to the proposed effort. Knowledge and experience developed within the last five (5) years in related technical fields will be considered relevant.
  - c. Provide a detailed list of the preliminary steps that were taken to identify the proposed topic.
  - d. Describe the ability of the organization to manage the project and identify the methods used to track the project's progress in the form of quarterly reports that will meet all HUD reporting requirements.
  - e. Describe skills and experience of the organization working with Tribes and Alaskan Native Villages. Experience of the organization within the last 5 years will be considered recent.

**2. Rating Factor 2: Need for the Effort (20 Points).** This factor addresses the extent to which there is a need for HUD to fund the proposed effort. In reviewing this factor, HUD will determine the extent to which the applicant’s proposal clearly addresses the following:

- a. Describe the need for funding the proposed effort.
- b. Describe the significance of the work, including its relationship to past effort and proposed use in the future. Reviewers will consider the clarity and how compelling a case the applicant makes for this project in the context of the existing literature, similar projects, data and information gathered, and knowledge base for the proposed project.
- c. Discuss the results the proposed effort is expected to produce, including the broader impact expected, practical implications, and explain why the information will be generally accepted by relevant stakeholders in other Tribes.

**3. Rating Factor 3: Soundness of Approach (30 Points).** This factor addresses the relationship between the need proposed in Factor 2, the quality and effectiveness of the proposed effort, and methodology and actions regarding HUD’s policy priorities. This factor will be evaluated based on the extent to which the proposed work plan demonstrates the following:

a. **(20 Points) Quality of Effort.**

(1) Clearly state the objectives of the proposed effort and how it relates to the statement of need described in Factor 2;

(2) Describe in detail the proposed project as it relates to stated objectives described above;

(3) Describe and explain how the methodology will be used to complete the proposed effort;

(4) Describe and explain how the project and methodology proposed are most appropriate and will produce information that will successfully promote sustainable construction in Indian Country;

(5) Identify potential obstacles in completing the effort, including challenges of collecting reliable information and discuss how these challenges will be addressed. If the product deliverable is dependent on any information or data sources that are not readily attainable and require obtaining permission to access them, please outline the alternatives that will be utilized to complete the work should access to the information or data sources not be obtained; and

(6) Describe the quality assurance mechanisms that will be integrated into the proposed effort design to ensure the validity and quality of the results.

b. **(10 Points) Specific Activities.** The proposal must include a schedule of deliverables that describes specific tasks and activities involved in the proposed project. All major tasks should be covered, including those involving data management and analysis, as well as research dissemination and knowledge sharing. Tasks must be presented in a logical sequence of steps and phases.

(1) Indicate the sequence in which these tasks will be performed and benchmarks achieved;

(2) The sequence and duration of this effort should be presented in quarterly (3 month) intervals for the entire life of the grant (use of a milestone chart to present this information is preferred);

(3) Describe the plan that will be used to manage and analyze the information and data; and

(4) Identify the key individuals responsible for carrying out each of the specific tasks or activities outlined in the schedule.

**4. Rating Factor 4: Leveraging Resources (10 Points)**

This factor addresses your ability to increase the overall effectiveness of the proposed effort by securing other resources that can be combined with HUD's funding or by structuring the project in a cost-effective manner, such as integrating the project into an existing effort that will be concurrent with your proposed effort. Contributed resources must be shown to be specifically dedicated to and integrated into supporting the activities of this grant program. Applicants should make sure that their submittal regarding monetary leveraging is identified and is internally consistent in all required documents, i.e., forms SF\_424, HUD\_424CBW (budget) and the signed documentation

- a. **In-Kind Contributions.** Resources may include funding or in-kind contributions (such as direct labor, specialized facilities or equipment) allocated to the purpose(s) of the proposed project. Applicants should be aware that federal sources are generally not allowed to be used for monetary leverage unless otherwise permitted by that specific federal program's authorizing statute. HUD will consider the significance of the leveraging in the context of the amount of federal funds being requested.
- b. **Documentation of Firm Commitments.** Leveraging from partner organizations must be documented with letters of firm commitment, memoranda of understanding, and/or agreements to participate. Letters that only indicate support of the proposed effort are not sufficient and will not result in the award of points. For each leveraged resource, the applicant must include a written document that verifies the firm commitment and includes the following:
  - a. The organization's name;
  - b. The proposed level of commitment (with estimated monetary value if an in-kind contribution);
  - c. The organization's responsibilities as they relate to specific activities or tasks proposed; and
  - d. The signature of an official of the organization legally able to make commitments on behalf of the organization.

**Resources will not be counted for which there is no commitment letter, memorandum of understanding/agreement, or quantified level of commitment, and/or when the letter, memorandum of understanding or agreement does not address ALL OF THE REQUIREMENTS OUTLINED ABOVE.**

- c. **New vs. Existing resources.** Newly contributed resources, devoted to supporting proposed effort activities will be fully credited. Resources included from previous work, previous data bases, or other concurrent work that is not federally funded and which would be completed regardless of this proposed effort, will be valued at no more than 25% of their documented cost.

In scoring this factor, HUD will award:

- (1) **Ten (10) points** to an applicant that provides leveraged resources in their application, that represent 20 percent or more of the amount requested under this program;
- (2) **Six (6) points** to an applicant that provides leveraged resources in their application, that represent 15 to less than 20 percent of the amount requested under this program;

(3) **Two (2) points** to an applicant that provides leveraged resources in their application, that represent 10 to less than 15 percent of the amount requested under this program;

(4) **Zero (0) points** to an applicant that provides leveraged resources in their application, that are less than 10 percent of the amount requested under this program and/or that do not include both internal and external leveraging resources.

**5. Rating Factor 5: Broader Impact (20 Points).** This factor addresses the broader impact that the proposed effort will have. In reviewing responses under this rating factor HUD will assess the degree to which the responses indicate potential for a successful project that will achieve program objectives:

- a. Describe how the project will advance sustainable construction in Indian Country while promoting, teaching, training, and learning;
- b. Explain how the project may provide greater housing choices in Indian Country;
- c. Explain the extent to which the effort will enhance the infrastructure for further study and education or information sharing, such as networks, and partnerships;
- d. Explain how the proposed project advances affordable housing goals and reduces operating costs for housing to preserve affordability over time; and,
- e. Describe how the results of the proposed project will result in permanent changes to the construction processes in the community, without additional support.

## **B. Review and Selection Process.**

**1. Application Selection Process.** Two types of reviews will be conducted:

- a. A threshold review to determine an applicant's basic eligibility; and
  - b. A technical review for all applications that pass the threshold review, to rate and rank the application based on the "Rating Factors" listed in Section V.A.
- Only those applications that pass the threshold review will receive a technical review and be rated and ranked.

**2. Corrections to Deficient Applications.** The **General Section** provides the procedures for correcting deficient applications.

**3. Rating and Ranking.** Awards will be made in rank order, within the limits of funding availability for the program. In order to be funded, **an application must receive a minimum score of 75 points** out of a possible 100 for Factors 1 through 5. The **RC\_EZ\_EC\_II** communities' two bonus points described in the **General Section** do not apply to this NOFA.

- a. HUD will fund applications until all available program funds are awarded.
- b. If two or more applications in the funding range have the same number of points, the application with the higher points for Factor 5, shall be selected. If there is still a tie, the application with the higher points for Factor 4, shall be selected. If there is still a tie, the application with the higher points for Factors 1, then 2 and then 3 shall be selected until the tie is broken. HUD reserves the right to make selections out of rank order to provide for geographic distribution of grantees.
- c. Partial Funding. In the selection process, HUD reserves the right to offer partial funding to any or all applicants. If you are offered a reduced grant amount, you will have a maximum of 14

calendar days to accept such a reduced award. If you fail to respond within the 14-day limit, you shall be considered to have declined the award.

d. Remaining Funds. See the **General Section** for HUD's procedures if funds remain after all selections have been made.

### **C. Anticipated Announcement and Award Dates**

Announcements of awards are anticipated on or before end of Fiscal Year 2013.

## **VI. Award Administration Information**

### **A. Award Notices**

After all selections have been made, HUD will notify all selected applicants in writing. HUD may require selected applicants to participate in additional negotiations before receiving an award. If negotiations cannot be successfully completed, HUD may offer an award of funds to the next applicant on the selection listing. For further discussion on this matter, please refer to the **General Section**.

### **B. Administrative and National Policy Requirements.** Refer to the **General Section**.

**1. Debriefing.** The **General Section** provides the procedures for requesting a debriefing. All requests for debriefings must be made in writing and submitted within 30 days of receipt of rejection to Mike Blanford, Affordable Housing Research and Technology Division, Office of Policy Development and Research, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 8134, Washington, DC 20410-6000. Applicants may also write to Mr. Blanford via e-mail at [Michael.D.Blanford@hud.gov](mailto:Michael.D.Blanford@hud.gov).

**2. Environmental Requirements.** The provision of assistance under this program is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to compliance actions for related environmental authorities under 24 CFR 50.19(b)(1) and (b)(9).

**3. Administrative.** Grants awarded under this NOFA will be governed by the provisions of 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations), Office of Management and Budget (OMB) Circular A-21 codified at 2 CFR part 220 (Cost Principles for Educational Institutions), OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments), OMB Circular A-122 (Cost Principles for Non-Profit Organizations), and OMB Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments). Applicants can access the OMB circulars at the White House Web site at: <http://www.whitehouse.gov/omb/circulars/index.html>.

### **C. Reporting**

1. All applicants that receive grant funds under this program NOFA are required to submit a quarterly progress report that describes the progress of the effort and the likelihood that it will be

completed on time and a financial status report (using the form SF-425). Reports must be submitted electronically to HUD.

At the end of the grant performance period, grantees must submit two copies and a CD-ROM containing an electronic copy of the paper documenting the effort finding in its final version and a final report which consists of a final financial report. These copies must be submitted to HUD.

## 2. 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](http://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:

- (a) Name of entity receiving award;
- (b) Amount of award;
- (c) Funding agency;
- (d) North American Industry Classification System (NAICS) code for contracts/CFDA program for financial assistance awards;
- (e) Program source;
- (f) Award title descriptive of the purpose of the funding action;
- (g) Location of the entity (including Congressional district);
- (h) Place of Performance (including Congressional district);
- (i) Unique identifier of the entity and its parent; and
- (j) 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:

- (a) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and
  - (b) 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:
- (a) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and
  - (b) 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 from reporting any awards made to an individual, and any sub-awards 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.

3. **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.”**
4. Section 872 requires the establishment of a governmentwide data system – the Federal Awardee Performance and Integrity Information System (FAPIIS) - 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. OMB is in the process of issuing regulations regarding federal agency implementation of section 872 requirements. A technical correction to this General Section may be issued when such regulations are promulgated. HUD anticipates that the terms and conditions to its FY2012 awards will contain requirements related to meeting FFATA and Section 872 requirements.

## **VII. Agency Contacts**

Applicants may contact Mike Blanford, Affordable Housing Research and Technology Division, Office of Policy Development and Research, at (202) 402-5728. Persons with speech or hearing impairments may call the Federal Relay Service TTY at 800-877-8339. Except for the “800” number, these telephone numbers are not toll-free. Individuals may also reach Mr. Blanford via e-mail at Michael.D.Blanford@hud.gov.

## **VIII. Other Information:**

- A. **Proprietary Information.** Because it is the intent of this program to accelerate the use of the information provided, any information or effort results, which the grantee proposes to remain proprietary, must be discussed in their application. Since it is important that the information received be made available, such request for retention of proprietary information will be considered during the review process.

**B. Paperwork Reduction Act.** The information collection requirements contained in this document has been approved by the OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2528-0274. 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 42** hours per annum per respondent for the application and grant administration. This includes the time for collecting, reviewing, and reporting the data for the application, quarterly reports, and final report. The information will be used for grantee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

**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: January 29, 2013

*for* Jean Liu Pao  
Erika C. Poethig, Deputy Assistant Secretary  
Office of Policy Development

[FR-5600-N-40]