



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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February 28, 2017

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Email: michael.deyoung@tdhca.state.tx.us*

To: Interested Parties

RE: Notice of Funding Availability (“NOFA”) for Federal Fiscal Year (“FFY”) 2017 Community Services Block Grant (“CSBG”) Discretionary Funds for Services to Native American and Migrant Seasonal Farm Worker Populations.

The Texas Department of Housing and Community Affairs (the “Department”) is pleased to announce a NOFA for FFY 2017 CSBG Discretionary Funds for services to Native American and Migrant Seasonal Farm Worker Populations. The Department is seeking organizations interested in administering projects focused on employment and education in Native American and Migrant Seasonal Farm Worker populations.

Interested applicants must meet the requirements set forth in the application and must submit a complete application through the established system described in the NOFA by Friday, March 31, 2017, 5:00 p.m. Austin local time.

The application forms contained in this packet and submission instructions are available on the Department’s web site at <http://www.tdhca.state.tx.us/community-affairs/nofas.htm>. The Department looks forward to receiving your completed application. Should you have any related questions, please contact Gavin Reid at (512) 936-7828 or gavin.reid@tdhca.state.tx.us.

Sincerely,

Michael DeYoung
Director
Community Affairs Division

MDY/gr



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I. GENERAL INSTRUCTIONS

A. Application Deadline:

All applications must be submitted before Friday, **March 31, 2017, 5:00 p.m. Austin local time.**

B. Electronic Submission:

All applications must be submitted electronically to be considered eligible applications. Applications are to be submitted through the Wufoo using the following link:

<https://tdhca.wufoo.com/forms/native-americansmigrant-seasonal-farm-worker-nofa/>

C. Application Questions

Application questions may be submitted via electronic mail to rita.garza@tdhca.state.tx.us. Answers will be provided in the order in which they are received. Please do not submit the same questions twice as you await a response.

The deadline to submit questions related to the content of the NOFA and Application is Thursday March 30, 2017, by 11:00 a.m. Austin local time. Questions related to the content of the NOFA submitted after this deadline may not be answered.

D. Eligibility Requirements:

Applications which are not materially complete will not be reviewed nor scored, but will be notified and provided an opportunity for appeal. In order for an application to be deemed eligible for review, the following minimum requirements must be met:

1. An Applicant must meet all requirements as set forth in II. General Information, C. Eligible Applicant Organizations;
2. An Applicant that is a private nonprofit must provide documentation of their status as a tax-exempt entity under Section 501(c) of the Internal Revenue Code;
3. An Applicant must provide Fiscal Accountability Documentation as set forth in III. Application Content, 4. Financial Information;
4. Neither an Applicant nor any of its current principal parties may be included in the System for Award Management (formerly Excluded Parties List System);
5. Successful Applicants will be reviewed by the Department's Executive Award Review Advisory Committee in accordance with 10 TAC Chapter 1, Subchapter C.

II. TIMELINE FOR NOFA AND APPLICATION

Date	Action
February 28, 2017	The application will be available through the TDHCA Website: http://www.tdhca.state.tx.us/community-affairs/nofas.htm
March 30, 2017 11:00 a.m. (Austin local)	Deadline to submit questions regarding the NOFA and application prior to application submission.
March 31, 2017 5:00 p.m. (Austin local)	Deadline for Applicants to submit applications in response to this NOFA for this portion of FFY 2017 CSBG State Discretionary Funds.
May 25, 2017	Department will present funding recommendations to Board.
June 1, 2017	Contract Start Date
May 31, 2018	Contract End Date

III. GENERAL INFORMATION

A. Background

The Texas Department of Housing and Community Affairs (the “Department”) has been designated as the state agency to administer the Community Services Block Grant (“CSBG”). On an annual basis, the Department receives CSBG funds from the U.S. Department of Health and Human Services (“HHS”) to ameliorate the causes of poverty within communities.

The Department is permitted to reserve up to 5% of CSBG funds for state discretionary use for which the Department’s Board has determined specific uses. This Notice of Funding Availability (“NOFA”) for services to Native American and migrant seasonal farm worker populations releases the portion of these FFY 2017 CSBG State Discretionary (“CSBG-D”) funds aimed at services for Native Americans and migrant and seasonal farm workers.

Capitalized words in this NOFA, unless otherwise defined herein, have the meaning outlined in Chapter 2306 of the Texas Government Code or in Title 10 Texas Administrative Code (“TAC”), Chapter 1 or Chapter 6.

B. Funds Available and Award Amounts

In this NOFA, the Department makes available \$300,000 of FY 2017 CSBG funds to utilize for the following discretionary projects:

Migrant and Seasonal Farm Worker Employment Assistance and Services Projects	\$200,000
Native American Education Employment Assistance and Services Projects	\$100,000

Note: each award will be limited to no more than \$100,000

In the event that the Department does not receive sufficient eligible applications to exhaust available funding, the Department in its sole discretion will reprogram the funds. With Board approval the Department may re-program prior year CSBG State Discretionary funds, or additional 2017 CSBG Discretionary funds, and distribute them under this NOFA.

For contracts providing direct assistance, persons assisted must have annual income at or below 125% of the federal poverty income guidelines issued annually by the U.S. Department of Health and Human Services.

The Contract Period for these contracts is proposed to be June 1, 2017, through May 31, 2018. The availability of FFY 2017 CSBG discretionary funds to Subrecipient organizations is dependent on the receipt and availability of funds by the State from HHS. Access to funds may be limited to the amount of 2017 CSBG discretionary funds available to the Department, Board decisions regarding its use, and the amount of funds made available may be reduced at the discretion of TDHCA's Board.

C. Eligible Applicant Organizations

Organizations eligible to apply for CSBG-D NOFA funds include: CSBG Eligible Entities, Private Nonprofit Organizations, Public Housing Authorities, Local Mental Health Authorities, Units of General Local Government, and regional Councils of Governments.

D. Ineligible Applicant Organizations

Non-governmental organizations ineligible to apply for the competitive FFY 2017 CSBG State Discretionary Funds are:

- Private Nonprofit Organizations that do not have a Certificate of Formation (or Articles of Incorporation) and Bylaws;
- Private Nonprofit Organizations that do not have an "in existence" status with the Texas Secretary of State's Office;
- Organizations that are on Debarment and Suspension—no persons on the applicant organization's governing body or employees that will receive CSBG funding are on the System for Award Management in accordance with 2 CFR Part 180; and
- For-profit entities.

The Department is not requiring that organizations submit a Certificate of Formation or proof of status. However, it is the applicant's responsibility to ensure that its information with the Texas Secretary of State's Office is correct and complete. The Department will confirm proof of status directly with the Texas Secretary of State. No administrative deficiencies will be issued for the failure to have the appropriate status. Failure to have the appropriate status will prompt the application to be terminated without further review.

Prior to contract execution, the successful applicant must provide the Department with the organization's Data Universal Numbering System (DUNS) and proof of registration with the Central Contractor Registration (CCR). If the organization is not registered, go to <https://www.sam.gov> to renew, update, or create a new registration.

IV. CSBG-D NOFA Information and Requirements

This CSBG-D NOFA is for services to Native American and migrant seasonal farm worker populations. The NOFA will provide funding for new or existing projects providing education and/or employment assistance and services focusing on the direct needs of individuals and families within the migrant and seasonal farm worker ("MSFW") population or the Native American population.

The successful applicant must ensure that participants receive case management along with the employment and/or education assistance and services.

If sufficient eligible applications that meet threshold criteria are submitted and receive recommendations from the Department's Executive Award and Review Advisory Committee ("EARAC"), it is anticipated that three contracts of \$100,000 each will be awarded. Two contracts will fund assistance to the MSFW

population and one contract will fund assistance to the Native American population. Organizations may submit applications for one or both activities; separate applications are required.

A. Requirements:

Provide education and/or employment assistance and services focusing on the direct needs of individuals and families within the MSFW population or the Native American population.

This activity must be completed throughout the 12-month contract period. The contract period is anticipated to be June 1, 2017, through May 31, 2018.

Applicants must propose to complete activities that have the following results:

1. Operation of employment projects that result in an increase in employment skills or assist persons to obtain jobs; and/or
2. Operation of education projects that result in an increase in education and or skills that will lead to an increase in income.

Persons eligible for direct assistance must have annual income at or below 125% of the federal poverty income guidelines issued annually by the U.S. Department of Health and Human Services.

V. SELECTION PROCESS

A. Eligibility Requirements

The Department will review applications to determine if they meet the following eligibility prescreening criteria. If the Department determines that any of these criteria have not been satisfied, the applicant will be sent a notice of the elimination of their application from consideration, and notified of their opportunity to appeal. The prescreening criteria are:

1. All application threshold documents must be submitted by the application deadline. Application threshold documents are all of the documents that are part of the scoring criteria, or rating factors and are identified as such on the application document.
2. Application documents must be submitted electronically to be considered eligible applications. Applications are to be submitted through the Wufoo using the following link:
<https://tdhca.wufoo.com/forms/native-americansmigrant-seasonal-farm-worker-nofa/>
3. Nonprofit organizations must have a Certificate of Formation on file with the Texas Secretary of State's (SoS) office and have an "active" status with the SoS.

B. Threshold Requirements

Applications which meet all the prescreening eligibility requirements will be reviewed for completeness of threshold requirements. Application threshold documents are all of the documents that are part of the scoring criteria or rating factors and are identified as such on the application document.

After the application receipt deadline, the Department will not consider any unsolicited information that an applicant may want to provide. If an applicant fails to complete or submit one of the threshold documents, the application will be considered incomplete and will not be considered for further review. However, the Department may opt to request additional information through the deficiency process noted below.

The Department provides an avenue for applicants who believe an error has occurred in the scoring of the application to appeal this decision to the Executive Director and to the board. The rules governing the Department's appeal process are 10 TAC §§1.7 and 1.8, including timing requirements, can be found at the Secretary of State's website at:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=1&sch=A&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=1&sch=A&rl=Y).

C. Deficiency Notices

The Department may issue a deficiency notice to clarify threshold items in an application. Applicants will have three (3) business days from the date of issuance of the deficiency notice to provide the requested information. Deficiency notices will be e-mailed to the applicant's chief executive and the person specified as the "person to contact with CSBG application questions" in the applicant information form. If the applicant does not provide the requested information within the 3-day time period, the applicant will be sent a notice indicating the reduced score or eliminating it from consideration.

D. Scoring

Applications received from eligible organizations with no threshold deficiencies will be reviewed and scored by the Department. The Department will utilize a standard scoring instrument to evaluate, score, and rank each application. The scoring instrument will award points based on the applicant's response to the requested information in the NOFA packet. **Applications with a score below 50% of the maximum points available will not be considered for funding.**

Applicants proposing to provide services and direct client assistance to MSFW and Native American populations are expected to utilize a significant portion of the CSBG discretionary funds to provide direct client assistance to these populations. Consideration in scoring will be given to projects utilizing a higher percentage of the CSBG discretionary funds for direct client assistance. Applicants will be provided a scoring notice, and provided an opportunity to appeal.

VI. STATE AND FEDERAL REQUIREMENTS

Subrecipients shall comply with all provisions of the Federal and State laws and regulations including but not limited to:

- Public Law 105-285, Title II - Community Services Block Grant Program, Subtitle B Community Services Block Grant Program of the Community Services Block Grant Act, Chapter 106 of the Community Services Block Grant Act (42 U.S.C. §9901 *et seq.*), as amended by the "Community Services Block Grant Amendments of 1994" (P.L. 103-252) and the Coats Human Services Reauthorization Act of 1998 (P.L. 105-285);
- Chapter 2306 of the Texas Government Code;
- Title 10 Texas Administrative Code, Part 1, Chapters 1 and 2;
- Title 10 Texas Administrative Code, Part 1, Chapter 6, Subchapters A and B;
- 2 CFR Part 200, as applicable; and
- Texas Uniform Grant Management Standards.

Subrecipients shall also comply with the Drug-Free Workplace Act of 1988, the Pro-Children Act of 1994, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794), the Americans with

Disabilities Act of 1990 (ADA), as amended (42 U.S.C. 12101 et seq.) and Executive Order 13166 of August 11, 2000 related to Limited English Proficiency.

Subrecipients shall practice non-discrimination and provide equal opportunity in compliance with federal law in keeping with the President's Executive Order 11246 of September 24, 1965 and ensure that a person shall not be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in the administration of or in connection with any program or activity funded in whole or in part with funds made available under this contract, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief.

Subrecipients shall comply with political activity prohibitions and shall not utilize CSBG funds to influence the outcome of any election, or the passage or defeat of any legislative measure or to directly or indirectly hire employees or in any other way fund or support candidates for the legislative, executive, or judicial branches of government of subrecipient, the State of Texas, or the government of the United States. Subrecipients shall comply with 45 C.F.R. §87.2 and ensure that CSBG funds are not to be used for sectarian or inherently religious activities such as worship, religious instruction or proselytization, and must be for the benefit of persons regardless of religious affiliation.

Subrecipients shall comply with Chapter 2264 of the Texas Government Code and will not knowingly employ an undocumented worker, where "undocumented worker" means an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under law to be employed in that manner in the United States.

The Department will not subcontract with an organization that includes proposed financial participation by a person who, during the five year period preceding the date of this contract, has been convicted of violating a federal law in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina, or any other disaster occurring after September 24, 2005; or assessed a penalty in a federal, civil or administrative enforcement action in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina, or any other disaster occurring after September 24, 2005.

The Department will not subcontract with an organization where neither it nor its current principle parties are included in the System for Award Management (SAM) maintained by the General Services Administration (GSA). Subrecipient also certifies that it will not award any funds provided by this contract to any party that is debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549. Subrecipient agrees that prior to entering into any agreement with a potential subcontractor that the verification process to comply with this requirement will be accomplished by checking the database at <https://www.sam.gov/portal/public/SAM/>.

VII. APPLICATION CONTENT

All pages of the application, excluding the audit, must be numbered. Each application must contain the items listed below in the following order:

1. Table of Contents – must include page numbers.
2. Attachment A – Applicant Information Form – Form must be placed on the top of the application.
3. Attachment B – Application Questions – Complete the NOFA Application Questions document. Applications that do not include a completed document with responses to NOFA Questions will be deemed ineligible.

Please use the following format to provide any information which is requested in response to questions in the Application Questions document:

- Minimum 11 font
 - Standard 8½ “ x 11” paper with 1” margins
 - Provide brief descriptions of requested information.
4. Attachment C – Financial Information – All applications must include documentation of fiscal accountability, even if this information has been previously submitted to the Department.
 - A. All applications must include a completed Audit Certification Form, found on the Department’s website at <http://www.tdhca.state.tx.us/pmcomp/forms.htm>.
 - B. Organizations that are subject to single audit requirement must submit one copy of the organization’s most recent Single Audit report.
 - C. Organizations not subject to the single audit requirement must submit a third-party audit prepared by a Certified Public Accountant, including any notes to the audit.
 5. Attachment D – Uniform Previous Participation Form for Single Family and Community Affairs.
 6. Attachment E – Certifications Regarding Legal Actions, Debarment & Compliance with Laws.
 7. Attachment F – Private Nonprofit Organization’s Tax-Exempt Status Documentation and Evidence of Good Standing with the Texas Secretary of State.
 - A. Existing Internal Revenue Service (IRS) ruling – All private nonprofit organizations must document their status as a tax-exempt entity under Section 501(c) of the Internal Revenue Code. The Department prefers that the ruling be on IRS letterhead which is legible and signed by the IRS District Director. Expired advanced rulings from the IRS are not acceptable.
 - B. Documentation of local nonprofit affiliate of a state or national nonprofit can be submitted if the organization is a subsidiary of a parent organization. Provide a copy of the page listing the affiliate organization in the documents filed with the IRS by the parent organization.
 - C. Documentation of the certificate of Good Standing from the Texas Secretary of State.
 8. Attachment G – Applicant Certifications

The certification must be signed by the organization’s Executive Director. If such cannot be attested, then attach a document explaining why.
 9. Attachment H – CSBG Budget Worksheets:

- A. The proposed budget for CSBG is to be submitted utilizing the Attachment J form. There are several tabs within the spreadsheet to complete. Complete the budget based on the estimated funds available noted in Section III. B.
- B. The Department strongly encourages applicants to budget no more than **20%** of the CSBG funds for **administrative costs** (overhead and staff costs related to administrative staff not involved in the direct delivery of services).
- C. The CSBG does not have limitations on the amount of funds utilized for the provision of direct services or for the costs of staff assigned to provide the direct services.

VIII. APPLICATION REVIEW PROCESS

1. Eligibility Prescreening Review

The Department will review project applications to determine if they meet the following eligibility threshold requirements. If the Department determines any of these criteria are not met, the application will be eliminated from the competition and an opportunity to appeal provided. Such determination can occur due to:

- a. Submitting an application after the application deadline.
- b. Failing to submit any of the completed *threshold documents*, which include:
 - Attachment A: Applicant Information Form
 - Attachment B: Application Questions
 - Attachment C: Financial Information and Audit Certification Form
 - Attachment D: Uniform Previous Participation Information
 - Attachment E: Certifications Regarding Legal Actions, Debarment & Compliance with Laws
 - Attachment F: Private Nonprofit Organization's Tax-Exempt Status Documentation
 - Attachment G: Applicant Certifications
 - Attachment H: CSBG Budget Worksheets

2. Scoring of Applications

Applications will be scored based on the response to the NOFA Application Questions and submission of requested documents. The NOFA Application Questions are designed to evaluate the applicant's capacity in the following areas:

- Part 1: Organizational Capacity
- Part 2: Financial Information
- Part 3: Efficiency
- Part 4: Experience
- Part 5: Proposed Employment and Education Services and Activities
- Part 6: Prior Performance

The Department will consider and evaluate prior monitoring and/or audit issues during its application review. Factors to be considered in the review of each application will include, but not be limited to:

- Eligibility Requirements set forth in Sections I and II;
- Compliance with NOFA instructions;
- Submission of requested information;
- Response to NOFA Application Questions Part 1 – Part 6;

- Capacity to effectively administer federal funds and to ensure compliance with regulations;
- Ability to demonstrate staff and organizational capacity to deliver the proposed services; and,
- Ability to demonstrate positive past performance with Department or other federally funded programs, including the results of Department monitoring reviews, timeliness of submission of reports, results of the last fiscal audit, and other information deemed relevant to performance.

3. Evaluative Review and Deficiencies

Applications that meet all eligibility requirements (including a minimum self-score score of 800) will be reviewed for completeness and scored using a standard review instrument using the scoring structure found in the NOFA Application Questions. If all applicants self score below the minimum point threshold, the Department reserves the right to review the top scoring entity and if, in the Department's judgment, they can appropriately administer the CSBG-D, may recommend an award to its Governing Board.

After the application receipt deadline, the Department will not consider any unsolicited information that an applicant may want to provide. After the Department receives an application, however, the Department may contact the applicant to clarify items in its application or issue a deficiency notice.

Applicants may be issued a deficiency notice detailing any of the required application information that is unclear or that may have been omitted in error. Applicants will have three business days from the date of issuance of the deficiency notice to provide the Department with the requested information. If not provided in that time period, the applicant will be sent a notice of its elimination from the competition. **Deficiency notices will not be issued for failure to submit threshold documents or for the submission of substantially incomplete threshold documents. If an applicant fails to complete or submit one of the threshold documents, the application may be considered incomplete and may not be considered for further review.**

4. Appeals Process

Applicants may appeal the results of the Department's review and selection process if they believe an error has occurred. Appeals must be submitted in writing by following the procedures stated in the Texas Administrative Rule Title 10, Part 1, Chapter 1, Subchapter A, §§1.7 and 1.8.

IX. APPENDICES

Federal and State Requirements:

- A. CSBG Act Coats Human Services Reauthorization Act of 1998, available at <http://www.tdhca.state.tx.us/community-affairs/csbg/guidance.htm>
- B. Texas Administrative Code - 10 TAC Chapter 1, Administration, available at [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=10&pt=1&ch=1](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=10&pt=1&ch=1)
- C. Texas Administrative Code - 10 TAC Chapter 2, Enforcement, available at [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=10&pt=1&ch=2](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=10&pt=1&ch=2)
- D. Texas Administrative Code - 10 TAC Chapter 6, Subchapter A, General Provisions, available at [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=6&sch=A&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=6&sch=A&rl=Y)
- E. Texas Administrative Code - 10 TAC Chapter 6, Subchapter B, CSBG, available at [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=6&sch=B&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=6&sch=B&rl=Y)

X. LIST OF ATTACHMENTS

Ensure all application documents are submitted. Attachments are posted separately on the TDHCA website as fillable MS Word forms and Excel documents:

<http://www.tdhca.state.tx.us/community-affairs/nofas.htm>

Threshold Documents:

If any of the *Threshold Documents* are missing from the Application submission, the entire Application may be eliminated from consideration.

- Attachment A: Applicant Information Form
- Attachment B: Application Questions
- Attachment C: Financial Information and Audit Certification Form
- Attachment D: Uniform Previous Participation Information
- Attachment E: Certifications Regarding Legal Actions, Debarment & Compliance with Laws
- Attachment F: Private Nonprofit Organization's Tax-Exempt Status Documentation and Evidence of Good Standing with the Texas Secretary of State
- Attachment G: Applicant Certifications
- Attachment H: CSBG Budget Worksheets