

EPA or other government agency and associated with this grant program, including preservation of project data and records and compiling requested information in formats provided by the researchers, evaluators, or HUD. This may also include the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in your original proposal. Participant data shall be subject to Privacy Act protection.

(b) If your program includes conducting research involving human subjects in a manner which requires Institutional Review Board (IRB) approval and periodic monitoring, address how you will obtain such approval and your monitoring plan (before you can receive funds from HUD for activities that require IRB approval, you must provide an assurance that your study has been reviewed and approved by an IRB and evidence of your organization's institutional assurance). Describe how you will provide informed consent (e.g., from the subjects, their parents, or their guardians, as applicable) to help ensure their understanding of, and consent to, the elements of informed consent, such as the purposes, benefits, and risks of the research. Describe how this information will be provided and how the consent will be collected. For example, describe your use of "plain language" forms, flyers, and verbal scripts, and how you plan to work with families with limited English proficiency or primary languages other than English, and with families including persons with disabilities.

(P) *Data collection.* You will be required to collect and maintain the data necessary to document the various lead hazard control methods used and the cost of these methods.

(Q) *Section 3 Employment Opportunities.* Please see Section V(E) of the General Section of the SuperNOFA. The requirements of Section 3 of the Housing and Urban Development Act of 1968 are applicable to this program.

(R) *Replacing Existing Resources.* Funds received under this grant program shall not be used to replace existing community resources dedicated to any ongoing project.

(S) *Certifications and Assurances.* You must include the certifications and assurances listed in Section I of the General Section of the SuperNOFA with your application.

(T) *Davis-Bacon Act.* The Davis-Bacon Act does not apply to this program. However, if you use grant funds in conjunction with other federal programs in which Davis-Bacon prevailing wage

rates apply, then Davis-Bacon provisions would apply to the extent required under the other federal programs.

(U) *Conducting Business in Accordance with HUD Core Values and Ethical Standards.* If awarded assistance under this NOFA, you will be required, prior to entering into a new or modified grant agreement with HUD, 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 Section V(B) of the General Section of the SuperNOFA for information about conducting business in accordance with HUD's core values and ethical standards).

(V) *Ensuring the Participation of Small Businesses, Small Disadvantaged Businesses, and Women-Owned Businesses.* HUD is committed to ensuring that small businesses, small disadvantaged businesses, and women-owned businesses participate fully in HUD's direct contracting and in contracting opportunities generated by HUD grant funds. Too often, these businesses still experience difficulty accessing information and successfully bidding on federal contracts. HUD regulations at 24 CFR 85.36(e) require recipients of assistance (grantees and sub-grantees) to take all necessary affirmative steps in contracting for purchase of goods or services to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps shall include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance of the Small Business Administration (SBA), and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (e)(2)(i) through (v) above.

(W) *Proposed Exceptions to HUD Requirements.* Proposed methods that differ from HUD's Lead Safe Housing Rule will be considered on their merits through a separate HUD review and approval process after the grant award is made and a specific justification has been presented. HUD may consult with experts from both the public and private sectors. HUD will not approve methods that, in HUD's opinion, involve a lowering of standards that have the potential to adversely affect the health of residents, contractors or workers, or the environment.

## VI. Application Selection Process

(A) *Rating and Ranking.* Please see Section VI (B) of the General Section of the SuperNOFA. Only those applications that meet the threshold review requirements will be rated and ranked. HUD intends to fund the highest ranked applications within the limits of funding. In addition, the work plan and budget submitted in response to this NOFA will be evaluated as part of the rating and ranking process.

(1) *Adjustments to Funding.* See Section VI (F) of the General Section of the SuperNOFA for additional information.

(a) HUD reserves the right to fund an amount different than the full amount requested in your application to ensure the fair distribution of funds and ensure that the purposes or requirements of this program are met.

(b) HUD will not fund any portion of your application that is not eligible for funding under specific program statutory or regulatory requirements or does not meet the requirements of this NOFA. Only the eligible portions of your application may be funded.

(B) *Factors for Award Used to Evaluate and Rate Applications.* The factors for rating and ranking applicants, and maximum points for each factor, are stated below. Each applicant shall submit a detailed work plan and strategy that demonstrates adequate capacity. Applications will be evaluated based on the criteria below. The maximum number of points to be awarded will be 100.

(1) HUD is encouraging applicants to undertake specific activities that will assist the Department in implementing its policy priorities. HUD's Strategic Goals and Policy Priorities are outlined in Section II of the General Section of the SuperNOFA. Activities that promote economic opportunities for low-income persons support HUD's policy priority for: *Improving the Quality of Life in Our Nation's Communities.* An applicant will be awarded one point under Rating Factor 3 (A) (3): *Economic*