

income, and d. sustaining of housing over time.

Part IX. Review Process and Evaluation Criteria

Applications will be reviewed by representatives from DOL and HUD in a comprehensive review process. First, representatives at DOL and HUD will separately score DOL and HUD sections, respectively, to determine a score for each agency's section. Next, an interdepartmental team will review the Collaborative Approach and will score this section jointly, according to the criteria set forth in this SGA. The scores from the agency-specific and the reviews of the Collaborative section will be totaled, and the applications will be ranked by score from highest to lowest nationally. In order to ensure maximum geographic diversity in the awards, the federal departments reserve the right to make selections out of rank order to provide for geographic distribution of funds.

The maximum total score for any applicant under this SGA is 100 points. These points are divided between the HUD and DOL sections and the Collaboration section. The HUD and DOL sections are worth a total of 70 points. Within these 100 points, HUD's portion is worth 35 points and the DOL section is worth 35 points. If an application is deficient in either the HUD or DOL section, the entire application will be disqualified. Deficiency is defined as scoring below 40 percent of the allotted points for either agency's section.

DOL Cooperative Agreement applications will be reviewed for compliance with the requirements of this notice. DOL's panel results are advisory in nature and not binding on the DOL Grant Officer. DOL may elect to award Cooperative Agreements with or without discussion with the offeror. In situations without discussions, an award will be based on the offeror's signature on the SF-424, which constitutes a binding offer. The DOL Grant Officer may consider any information that is available and will make final award decisions based on

what is most advantageous to the government, considering such factors as:

- Panel findings;
- Geographic distribution of the competitive applications;
- Assuring a variety of program designs; and
- Availability of funds

Part X. Administrative Provisions

A. Administrative Standards and Provisions

Grantees are strongly encouraged to read these regulations before submitting a proposal. The Cooperative Agreements awarded under this SGA shall be subject to the following as applicable:

- 29 CFR Part 95—Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, and With Commercial Organizations, Foreign Governments, Organizations Under the Jurisdiction of Foreign Governments, and International Organizations;
- 29 CFR Part 96—Audit Requirements for Grants, Contracts, and Other Agreements;
- 29 CFR Part 97—Uniform Administrative Requirement for Grants and Cooperative Agreements to State and Local Governments.

B. Allowable Costs

Determinations of allowable costs shall be made in accordance with the following applicable federal cost principles:

- State and Local Government—OMB Circular A-87
- Nonprofit Organizations—OMB Circular A-122
- Profit-Making Commercial Firms—48 CFR part 31

Profit will not be considered an allowable cost in any case.

C. Cooperative Agreement Assurances

As a condition of the award, the applicant must certify that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- 29 CFR Part 31—Nondiscrimination in Federally-assisted programs of the Department of Labor, effectuation of Title VI of the Civil Rights Act of 1964;

- 29 CFR Part 32—Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Assistance (Implementing section 504 of the Rehabilitation Act, 29 U.S.C. 794);

- 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et. seq.*); and

- 29 CFR Part 37—Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998 (WIA), (Implementing Section 188 of the Workforce Investment Act, 29 U.S.C. 2938).

The applicant must include assurances and certifications that it will comply with these laws in its Cooperative Agreement application. The assurances and certifications are attached as Appendices A, B.

Signed at Washington, DC this 11th day of July, 2003.

Lawrence J. Kuss,
DOL Grant Officer.

Signed at Washington, DC this 11th day of July, 2003.

Roy A. Bernardi,
Assistant Secretary for Community Planning and Development, U.S. Department of Housing and Urban Development.

Appendix A. DOL forms/certifications

- Application for Federal Assistance, Form SF 424
- Budget Information Sheet, Form SF 424A
- Assurances and Certifications Signature Page
- Survey on Ensuring Equal Opportunity

Appendix B. HUD forms/certifications

- HUD-424
- Applicant Certification
- Consolidated Plan Certification
- Certification of Consistency with the Continuum of Care
- Special Projects Certifications-Discharge Policy and Mainstream Programs
- Disclosure of Lobbying Activities (only complete this form if applicant organization engages in lobbying activities)
- Applicant/Recipient Disclosure/Update Report

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