

written code of conduct (see 24 CFR 84.42 and 85.36(b)(3)). Consistent with regulations governing specific programs, your code of conduct must: prohibit real and apparent conflicts of interest that may arise among officers, employees, or agents; prohibit the solicitation and acceptance of gifts or gratuities by your officers, employees, and agents for their personal benefit in excess of minimal value; and, outline administrative and disciplinary actions available to remedy violations of such standards. If awarded assistance under this NOFA, you will be required, prior to entering into an 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. Failure to meet the requirement for a code of conduct will prohibit you from receiving an award of funds from HUD.

(4) *Delinquent Federal Debts.*

Consistent with the purpose and intent of 31 U.S.C. 3720B and 28 U.S.C. 3201(e), no award of federal funds shall be made to an applicant who has an outstanding delinquent federal debt until: (a) The delinquent account is paid in full; (b) a negotiated repayment schedule is established and at least one payment is received; or (c) other arrangements satisfactory to the Department of Housing and Urban Development are made prior to the deadline submission date.

(5) *Executive Order 13202,*

Preservation of Open Competition and Government Neutrality Toward Government Contractors' Labor Relations on Federal and Federally Funded Construction Contracts.

Compliance with HUD regulations at 24 CFR 5.108 implementing Executive Order 13202 is a condition of receipt of assistance under this NOFA.

Subrecipients are considered recipients of financial assistance for purposes of § 5.108.

(6) *Procurement of Recovered*

Materials. State agencies and agencies of a political subdivision of a state that are using assistance under this NOFA for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. In accordance with Section 6002, these agencies and persons must procure items designated in the guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable,

consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the quantity acquired in the preceding fiscal year exceeded \$10,000; must procure solid waste management services in a manner that maximizes energy and resource recovery; and must have established an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

(B) *Program Requirements:* In addition to meeting the requirements of this NOFA, you are subject to the regular HOME program regulations found at 24 CFR part 92, including the reporting of results in the Integrated Disbursement and Information System (IDIS). Where there is a conflict between the HOME regulations and this NOFA, the more stringent or limiting requirements shall prevail.

V. Application Selection Process

(A) *Rating.* HUD will review all applications in accordance with the requirements of this NOFA and will use the threshold criterion described below and the three selection criteria and sub-factors referenced at 24 CFR 92.453 and found at section 217(c) of NAHA. As explained below in section V.(E), two of the three selection criteria are related to the applicant's past performance in the regular HOME Program. To facilitate the competition, HUD has already determined the scores for all potential applicants for these two selection criteria, including sub-factors, based on information reported to HUD by participating jurisdictions. A summary of these scores can be found in Appendix 1 to this NOFA. The score received for the remaining selection criterion will be added to the applicant's scores for the past performance criteria in order to obtain the applicant's total score in the competition.

(B) *Ranking and Selection Procedures.* Applications that receive a total rating of 75 points or more will be eligible for selection, and HUD will place these applications and make selections in rank order.

HUD will not fund any portion of an application that is ineligible for funding under program requirements, or which does not meet the requirements of this NOFA. If funds remain after all selections have been made, these funds may be combined with deobligations of CHDO set-aside funds over the 12-month period following announcement of selections under this NOFA, and awarded to the highest-ranking unfunded, eligible application(s) in this competition.

(C) *Applicant Debriefing.* Beginning not less than 30 days after the public announcement of awards, and not longer than 120 days, HUD will, upon receiving a written request from an applicant, provide a debriefing to the requesting applicant. Materials provided during a briefing will be the applicant's final score and final evaluator comments for the third selection criterion, and the calculations for assigning scores for the two pre-scored criteria. Applicants requesting to be debriefed must send a written request to Cliff Taffet, Deputy Director, Office of Affordable Housing Programs, Department of Housing and Urban Development, Room 7168, 451 Seventh Street, SW., Washington, DC 20410-7000.

(D) *Requirements.* The following requirements apply specifically to this HOME Program competition:

(1) You, the applicant, must be eligible to apply under HOME (see Section III(B) of this NOFA).

(2) The projects undertaken with funds awarded through this NOFA must be permanent housing projects that are owned, developed or sponsored by eligible, currently certified CHDOs, and qualify as CHDO set-aside projects under the regular HOME regulations.

(3) During the affordability period applicable to the projects developed with funds provided through this NOFA, persons residing in assisted units must meet the definition of "chronically homeless" at the time they are selected as tenants.

(E) *Factors for Award Used to Evaluate Applications.* HUD will review and rate all eligible HOME competitive applications using the Threshold Criterion, Selection Criteria and the Application Submission Requirements described below. The maximum number of points for this competition is 100. No RC/EZ/EC bonus points are given.

Threshold Criterion: Narrative on chronic homelessness in your jurisdiction.

No applicant will be awarded funding without providing this narrative as part of the application! However, your response to this item will NOT be scored and will NOT count toward the 10-page limitation on responses to Selection Criterion 3 described below. Please provide a description of the extent of chronic homelessness in your jurisdiction and the main points of your strategy to end chronic homelessness by 2012, including any cooperation with other participating jurisdictions in your state to develop, coordinate and implement such a plan. Much if not all of this information may be found in the FY 2003 homeless assistance