

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF FINANCIAL ASSISTANCE**

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June 8, 2018

MEMORANDUM FOR: All Potential Applicants

FROM: Lisa Bates, Deputy Director
Division of Financial Assistance

**SUBJECT: Emergency Solutions Grant Program,
Balance of State Allocation
Notice of Funding Availability**

The Department of Housing and Community Development (HCD) is pleased to announce the availability of approximately \$5 million in new federal funds for the Emergency Solutions Grant (ESG) Program. Funding for this NOFA is made available pursuant to Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act, [42 U.S.C. 11371 et seq.](#)

A complete original application and one USB flash drive of the hardcopy application with signatures must be received by HCD no later than **5:00 p.m. Pacific Standard Time on Tuesday, August 7, 2018**, delivered by a mail carrier service that provides date stamp verification of delivery, such as the U.S. Postal Service, UPS, FedEx, or other carrier services. Personal deliveries will not be accepted. No facsimiles, late applications, incomplete applications, application revisions, electronically submitted, or walk-in application packages will be accepted. Applications must be mailed to the following address:

Department of Housing and Community Development
Division of Financial Assistance, NOFA Unit
Emergency Solutions Grants Program
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833

Any applications received after 5:00 p.m. Pacific Standard Time on Tuesday, August 7, 2018, will not be accepted.

The ESG application form and federal guidelines are posted on the [ESG website](#). To receive ESG NOFA FAQs, Homelessness Prevention Programs, notice on the workshops, and other program information and updates, please [subscribe](#) to the ESG listserv. For questions, or assistance, please contact a NOFA Representative:

- Janette Schaake, (916) 263-2331, Janette.Schaake@hcd.ca.gov; or
- Connie Mallavia, (916) 263-2711, Connie.Mallavia@hcd.ca.gov.

Attachment

Federal Emergency Solutions Grants Program

Balance of State Allocation

2018 Notice of Funding Availability



**State of California
Governor Edmund G. Brown Jr.**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Ben Metcalf, Director
Department of Housing and Community Development**

Department of Housing and Community Development
Division of Financial Assistance, NOFA Unit,
Emergency Solutions Grants Program
2020 W. El Camino Avenue, Suite 500, Sacramento, CA 95833
ESG Program Email: ESG@hcd.ca.gov

June 2018

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I. Overview

A. Notice of Funding Availability (NOFA)

The Department of Housing and Community Development (Department) receives funding from the United States Department of Housing and Urban Development (HUD) for the Emergency Solutions Grants (ESG) Program. Approximately \$5 million in new federal funds, as well as additional disencumbered funds that may become available later this year, will be allocated to eligible Continuum of Care (CoC) service areas listed in [Appendix A](#).

The ESG Program provides funding for the following objectives:

- engage homeless individuals and families living on the street;
- improve the quality of Emergency Shelters (ES) for homeless individuals and families by helping to operate these shelters and by providing essential services to shelter residents;
- rapidly re-house homeless individuals and families;
- prevent families/individuals from becoming homeless.

The funds are distributed in two separate funding pools: the CoC allocation and the Balance of State (BoS) allocation. Funding in the BoS allocation is made available based on recommendations from a CoC in two ways:

1. Through [regional competitions](#) within three geographic regions (Northern Region, Bay Area Region, Central and Imperial Valley Region) pursuant to [25 CCR 8404 \(a\) \(3\)](#); and
2. Through a [noncompetitive process](#) for rapid rehousing (RR) activities.



This NOFA outlines application requirements and timelines for CoCs and their recommended applicants for the BoS allocation. Please see the following authorizing legislation section for citations to the applicable program regulations. CoCs are responsible for recommending applicants to HCD for funds available under this NOFA. Recommended applicants can access funds noncompetitively for RR and can submit applications to HCD for the regional competition.

All references to the “state” are references to the State of California. All references to the Department of Housing and Community Development are hereafter referenced as HCD or the Department. All references to ESG funding hereafter reference federal ESG funds administered by the Department, unless otherwise noted.

B. Tentative Program Timeline

| | |
|------------------------------|--|
| June 8, 2018 | ESG NOFA and application for the BoS allocation released |
| June 20, 2018 | ESG application and NOFA webinar |
| August 7, 2018 | Application deadline |
| October/November 2018 | Department announces BoS awards |

C. What is new in the NOFA

- For 2018, HCD will disperse only federal ESG funds through this NOFA.

D. Authorizing legislation

Federal funding under this NOFA is made available pursuant to Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act, [42 U.S.C. 11371 et seq.](#) This NOFA should be read in conjunction with the following regulations that establish state and federal ESG requirements. Relevant legal authority includes, but is not limited to, the following:

- [Code of Federal Regulations \(CFR\), Title 24, Part 576](#);
- [California Code of Regulations \(CCR\), Title 25, Division 1, Chapter 7, Subchapter 20](#);
- Homeless Definition Final Rule: The Interim Rule, published in the Federal Register on December 5, 2011, cited above, provides the homeless definition that applies to the ESG Program.

If state or federal statutes or regulations, or other laws governing ESG (or its funding) are modified by Congress, HUD, the State Legislature, or HCD prior to completion of work to be done pursuant to awards made in connection with this NOFA, the changes may become effective immediately and apply to funded activities.

In administering federal ESG funds under this NOFA, if there is a conflict between the state and federal regulations, the federal regulations shall prevail. In addition, HCD reserves the right, at its sole discretion, to suspend or amend the provisions of this NOFA. If such an action occurs, HCD will notify interested parties. Awards made under this NOFA are also contingent upon HCD receiving an award letter from HUD for 2018 and earlier years' disencumbered funds.

E. Role of Continuum of Care in the BoS allocation

CoCs play an integral role in recommending homeless provider applicants who compete for funds within their local competition. Applications shall only be considered if recommended by the CoC where the activity is proposed. CoCs are required to submit the CoC recommendation package located with the ESG Application on [ESG's website](#). A maximum of two applications may be recommended from each CoC for the regional competition, and two applications for the noncompetitive funding.

In making these recommendations, the CoC must follow a fair and open process that meets the requirements of [25 CCR 8404](#). In addition, CoCs must submit a letter of recommendation that certifies the provider selection process was compliant with the requirements of [25 CCR 8404, 8408, & 8409](#). Among other things, CoCs are responsible for ensuring that the grantee will:

- provide eligible sources of matching funds;
- operate consistently with system-wide written standards, adopted by the CoC for the proposed eligible activity;
- enter data into the applicable community-wide Homeless Management Information System (HMIS) operated by the CoC; and,
- use the CoC's Coordinated Entry System (CES) in a manner that prioritizes access to people with the most severe needs and otherwise promotes consistency with [Core Practices](#).

II. BoS noncompetitive funding

A. Overview

CoCs are responsible for recommending up to two homeless service providers for noncompetitive RR funds for a minimum of 40 percent up to a maximum of 50 percent of ESG funds in their BoS formula allocation listed in [Appendix A](#). In making this recommendation, CoCs shall use a process that meets the following requirements:

1. Is a fair and open competition that avoids conflicts of interest in project selection, implementation, and the administration of funds;
2. Considers selection criteria reasonably consistent with the criteria identified in the BoS regional competition;
3. Complies with the core practice requirements in [25 CCR 8409](#);
4. Incorporates the performance standards set forth in the Department's Annual Action Plan;
5. Complies with federal and applicable state ESG regulations;
6. Considers any other practices promoted or required by HUD; and
7. Ensures the funded homeless service provider(s) maintain documentation of satisfactory match pursuant to the requirements of [24 CFR 576.201](#).

Note: [25 CCR 8408](#) prohibits subpopulation targeting with ESG funds in homelessness prevention (HP) and RR programs except when documentation of both of the following is provided to the Department prior to the award of funds for these activities:

1. Evidence of an unmet need for these activities for the subpopulation proposed for targeting; and
2. Evidence of existing funding in the CoC service area for programs that address the needs of the excluded populations for these activities.

The following requirements regarding the BoS activities are in the Department's Annual Action Plan. The Annual Action Plan is required by HUD pursuant to 24 CFR Part 91 and governs the distribution and use of ESG funds allocated by HUD to states and local governments. CoCs must adhere to these requirements as part of their provider recommendation process.

B. Amounts available for administrative activities

Recommended local government service providers may request up to \$200 of federal ESG funds to pay for direct administrative costs¹.

C. Eligible activities

Pursuant to state ESG regulations, Section 8408, all activities permitted under the federal ESG regulations shall be eligible except for renovation, conversion, or major rehabilitation activities under [24 CFR 576.102](#). Minor repairs to an ESG-funded ES that do not qualify as renovation, conversion, or major rehabilitation are an eligible use of state ESG funds.

The following additional limitations apply:

Homeless Management Information System (HMIS)

ESG funds may be used for HMIS activities associated with contributing data derived from ESG funded programs. As defined in state regulations, HMIS includes the use of a comparable database as permitted by HUD. In no event can costs exceed 10 percent of the total amount requested per application. HMIS activities must comply with HUD's standards on participation, data collection, and reporting. See 24 CFR 576.107 for a complete list of eligible HMIS costs.

RR assistance and 10 percent set-asides: Street Outreach and HP

ESG funds may be used to provide housing relocation and stabilization services and short or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing.

A minimum of 40 percent and up to a maximum of 50 percent of a CoC's BoS formula allocation may be accessed noncompetitively for RR. In addition, applicants may request up to a total of 10 percent per application for street outreach (SO) and ten percent per application for HP without having to apply separately. The SO and/or HP activity may be subcontracted to another eligible provider or may be provided directly by the applicant.

¹ [24 CFR 576.108; 25 CCR 8404 \(b\)](#)

RR activities must meet all of the HUD requirements specified at 24 CFR 576.104, 24 CFR 576.105, 24 CFR 576.106, including requirements for:

- eligible program participants;
- eligible costs, including financial assistance costs and services costs;
- maximum amounts and periods of assistance;
- use with other subsidies;
- limitations on maximum rent levels;
- rental assistance agreement with owner;
- lease agreement between owner and participant; and,
- condition of housing where assistance is provided.

Note: Rental assistance payments provided as part of an RR or HP activity under [24 CFR 576.106](#) typically cannot exceed HUD's Fair Market Rent (FMR) as provided under [24 CFR Part 888](#). Assistance must also comply with HUD's standard for rent reasonableness as established under [24 CFR 982.507](#). Requests for exceptions to FMR can be made to HUD through HCD. Contact your HCD Representative in the Grants Management Unit for further assistance.

In addition to federal requirements, pursuant to [25 CCR 8408](#), no subpopulation targeting will be permitted in RR activities unless documentation of the following is provided to HCD prior to the award of funds for these activities:

1. Evidence of an unmet need for these activities for the subpopulation proposed for targeting; and
2. Evidence of existing funding in the CoC service area for programs that address the needs of the excluded populations for these activities.

D. Terms of Assistance

Minimum and maximum grant limits

No individual application minimum and maximum grant amounts will be established by the state for the noncompetitive RR set-aside. The CoC shall determine the amounts of each individual application.

Maximum number of applications, contracts, and subcontracts

1. Under the noncompetitive allocation, no more than two applications shall be recommended by the CoC and submitted to the Department. The Department will award no more than two noncompetitive allocation contracts per CoC service area.
2. There are two types of subcontracting permitted under ESG.
 - I. Subcontracting for services provided to the funded program. Procuring services related to carrying out the funded program is permissible. Examples: *security, supportive services, food services. Federal procurement rules may apply.*

- II. Applications that contain multiple ESG-eligible activities as permitted under the Annual Plan or NOFA may subcontract with separate providers for those activities. For example, RR programs that request funds for both RR and HMIS may subcontract to a different entity for their HMIS.

Contracting with, or in any way assigning the ESG grant or grant funds in part or whole to another provider for any activity or activities that is/are not approved in writing by the Department as part of the ESG funded program, is strictly prohibited.

The following table summarizes eligible ESG activities under the noncompetitive RR set-aside.

| ACTIVITY | ALLOWABLE ESG AMOUNTS AND PERCENTAGES PER APPLICATION UNDER NONCOMPETITIVE RR SET-ASIDE (unless otherwise noted) |
|--|---|
| Up to two applications may be submitted | |
| Rapid Rehousing | Noncompetitive set-aside: Per allocation, CoC must elect a minimum of 40 percent and a maximum of 50 percent of their BoS formula allocation. |
| Street Outreach | Up to a maximum of 10 percent of a total application request when requested in combination with RR. The SO activity may be subcontracted to another eligible provider or may be provided directly by the applicant. |
| Homelessness Prevention | Up to a maximum of 10 percent of a total application request when requested in combination with RR. The HP activity may be subcontracted to another eligible provider or may be provided directly by the applicant. |
| HMIS | Up to a maximum of 10 percent per application. The HMIS activity may be subcontracted to another eligible provider or may be provided directly by the applicant. |
| Grant Administration | Local government service providers may request up to \$200 per application for Grant Administration. |

Note: Applicants are urged to consult the relevant state and federal regulations for full requirements associated with each activity.

III. BoS regional competitive requirements

A. Amounts available for administrative activities

Recommended local government service providers may request up to \$200 of ESG funds.

B. Eligible activities

The following activities are eligible under the BoS regional competition. All applicants must obtain a recommendation from their CoC. CoCs are responsible for recommending a maximum of two providers in the regional competition.

1. Pursuant to state ESG Regulation 25 CCR 8408, all activities permitted under the federal ESG regulations shall be eligible except for renovation, conversion, or major rehabilitation activities under 24 CFR 576.102. Minor repairs to an ESG funded ES that do not qualify as renovation, conversion, or major rehabilitation are an eligible use of state ESG funds.
2. The following additional limitations apply:

Homeless Management Information System (HMIS)

ESG funds may be used for HMIS activities associated with contributing data derived from ESG funded programs. As defined in state regulations, HMIS includes the use of a comparable database as permitted by HUD. HMIS activities must comply with HUD's standards on participation, data collection, and reporting. See federal regulations for a complete list of eligible HMIS costs.

Rapid Re-Housing Assistance and 10 Percent Set-Asides: Street Outreach and Homelessness Prevention

ESG funds may be used to provide housing relocation and stabilization services and short or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing.

RR may be requested as a stand-alone activity or applicants may request up to ten percent per RR application for SO and ten percent per RR application for HP without having to apply separately. The SO and/or HP activity may be subcontracted to another eligible provider or may be provided directly by the applicant. Stand-alone SO applications are also permitted. Stand-alone HP applications are not permitted.

RR activities must meet all of the HUD requirements specified at [24 CFR 576.104](#) including requirements for:

- eligible program participants;
- eligible costs, including financial assistance costs and services costs;
- maximum amounts and periods of assistance;
- use with other subsidies;
- limitations on maximum rent levels;
- rental assistance agreement with owner;
- lease agreement between owner and participant; and,
- condition of housing where assistance is provided.

Note: Rental assistance payments provided as part of an RR or HP activity under [24 CFR 576.106](#) typically cannot exceed HUD's FMR as provided under [24 CFR Part 888](#); and must comply with HUD's standard for rent reasonableness as established under [24 CFR 982.507](#). Request for exceptions to FMR can be made to HUD through HCD. Contact your HCD Representative in the Grants Management Unit for further assistance.

In addition to federal requirements, pursuant to [25 CCR 8408](#), no subpopulation targeting will be permitted in RR activities unless documentation of the following is provided to HCD prior to the award of funds for these activities:

1. Evidence of an unmet need for these activities for the subpopulation proposed for targeting; and
2. Evidence of existing funding in the CoC service area for programs that address the needs of the excluded populations for these activities.

Emergency Shelter

ESG funds may be used to cover the cost of providing essential services and shelter operations, as defined in federal regulations, to homeless individuals and families in an ES. An ES is any facility where the primary purpose is to provide a temporary shelter for general or specific populations experiencing homelessness and that does not require occupants to sign leases or occupancy agreements. Hotel or motel vouchers may only be used as ES if there is no other appropriate ES available for a homeless individual or family. State and federal ESG regulations do not impose a maximum length of stay on ES activities; however, consistent with the State's Core Practices in 25 CCR 8409 (b), programs should seek to help participants quickly identify barriers to obtaining and maintaining housing, and quickly resolve their housing crisis before focusing on providing other non-related housing services.

Federal regulations prohibit involuntary family separation for children under the age of 18. ESG-funded ES activities must operate for the full term of the ESG grant contract and must comply with all requirements of [24 CFR 576.101](#), which address maintenance of effort requirements to ensure ESG funds are not replacing local government funds during the immediately preceding 12-month period, prior to the ESG contract taking effect.

Day shelters: A day shelter must meet the criteria in the ES definition to compete as an ES. The primary purpose of a day shelter must be to provide temporary shelter for persons experiencing homelessness. Facilities such as multi-purpose centers or stand-alone soup kitchens do **not** qualify as an ES. Day shelters must target people who are sleeping on the streets, living in places not designed for human habitation, or in an ES. Clients experiencing such homelessness must be permitted to stay at the day shelter during all hours it is open for shelter.

Street Outreach

ESG funds may be used for SO activities that include the costs of providing essential services necessary to reach out to unsheltered homeless people, connect these individuals with ES, housing or critical services, and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access ES, housing or an appropriate health facility.

Eligible activities include engagement, case management, emergency health and mental health services, transportation, and services for special populations, as defined in the federal regulations. ESG-funded SO activities must operate for at least as long as the term of the ESG grant, and must comply with the requirements at [24 CFR 576.101](#), which address's maintenance of effort requirements to ensure ESG funds are not replacing local government funds during the immediately preceding 12-month period, prior to the ESG contract taking effect

While SO is an eligible stand-alone activity, it may also be proposed in conjunction with RR or ES. SO is included with RR or ES to facilitate reaching and prioritizing persons experiencing homelessness, who are unsheltered and living in places not designed for human habitation for services, consistent with the Core Practices in 25 CCR 8409.

Homelessness Prevention

HP activities are not eligible as a stand-alone activity, but may be proposed in conjunction with ES (for example, to facilitate shelter diversion) or with RR activities (for example, to facilitate preventing homelessness of a previously assisted individual or family experiencing instability after RR assistance has ended).

ESG funds can provide housing relocation and stabilization services and short or medium term rental assistance to individuals or families "at risk of homelessness," as defined in [24 CFR 576.2](#), but only to the extent of helping the individuals or families regain housing stability.

In addition to federal requirements, pursuant to [25 CCR 8408](#), no subpopulation targeting will be permitted in HP activities unless documentation of the following is provided to HCD prior to the award of funds for these activities:

1. Evidence of an unmet need for these activities for the subpopulation proposed for targeting; and
2. Evidence of existing funding in the CoC service area for programs that address the needs of the excluded populations for these activities.

C. Terms of assistance

Minimum and maximum grant limits

Each application submitted must be for a minimum of \$75,000 and a maximum of \$200,000. These amounts include amounts requested for all eligible activities, including HMIS, and indirect costs.

Maximum number of applications, contracts, and subcontracts

- a. Under the competitive allocation, no more than two applications may be recommended by the CoC and submitted to the Department. The Department will award no more than two contracts per CoC service area.

- b. Only two types of subcontracting are permitted under ESG.
- a) Subcontracting for services provided to the funded program. Procuring services related to carrying out the funded program is permissible.
Examples: *security, supportive services, food services. Federal procurement rules may apply.*
 - b) Applications that contain multiple ESG-eligible activities as permitted under the annual plan or NOFA may subcontract with separate providers for those activities. For example, RR programs that request funds for both RR and HMIS may subcontract with a different entity for their HMIS.

Contracting with, or in any way assigning the ESG grant or grant funds in part or whole to another provider for any activity or activities that is/are not approved in writing by HCD as part of the ESG funded program is strictly prohibited.

The following table summarizes the eligible ESG activities under the regional competition.

| ACTIVITY | ALLOWABLE ESG AMOUNTS AND PERCENTAGES PER APPLICATION UNDER THE REGIONAL COMPETITION (unless otherwise noted) |
|--|---|
| Up to two applications may be submitted | |
| Rapid Rehousing | <u>Regional competition</u> : \$75,000 minimum, \$200,000 maximum per application. |
| Emergency Shelter | \$75,000 minimum, \$200,000 maximum per application. |
| Street Outreach | \$75,000 minimum, \$200,000 maximum per application as a stand-alone activity, or up to a maximum of 10 percent of a total application (not to exceed \$20,000) when requested in addition to RR or ES. The SO activity may be subcontracted to another eligible provider or may be provided directly by the applicant. |
| Homelessness Prevention | Up to a maximum of 10 percent of a total application request (not to exceed \$20,000) when requested in combination with RR or ES. The HP activity may be subcontracted to another eligible provider or may be provided directly by the applicant. No stand-alone HP applications are permitted. |
| HMIS | Up to a maximum of 10 percent per application (not to exceed \$20,000). The HMIS activity may be subcontracted to another eligible provider or may be provided directly by the applicant. |
| Grant Administration | Local government service providers may request up to \$200 per application. |

Note: Applicants are urged to consult the relevant state and federal regulations for full requirements associated with each activity.

D. Regional competition application requirements

Continuum of Care application recommendations

Applications shall only be considered if recommended by the CoC where the activity is proposed. CoCs are required to submit the CoC recommendation package located with the ESG application on [ESG's website](#). A maximum of two applications may be recommended from each CoC for the regional competition.

Recommended applications may not include funding requests of less than \$75,000 or more than \$200,000. In recommending applicants through the regional competition, the CoC must follow a procurement process consistent with [25 CCR 8404 \(a\) \(4\)](#) including, but not limited to, the following:

1. Conducting a fair and open competition that avoids conflicts of interest in project selection, implementation, and the administration of funds; considering state application eligibility and rating criteria as described in the “application threshold requirements”, “application submittal requirements”, and the “rating criteria” sections.
2. Selecting an eligible activity or activities to be offered consistent with core practices as described in [25 CCR 8408 and 8409](#). In order to document that the provider selection process meets ESG requirements, the CoC must submit the following;
 - a. A letter or other documentation that describes the provider selection process and certifies that their process meets the requirements of [25 CCR 8404, 8408, and 8409](#).
 - b. The applicant-ranking list that shows for each application recommended for funding: (a) the applicant name and address, (b) project name and address, (c) proposed activities and any proposed subpopulation targeting, if any, with ESG funds, (d) city(ies) and county(ies) where proposed activities will be provided, and (e) dollar amounts recommended for funding by activity.
 - c. For each application not recommended for funding: (a) the applicant name and address, (b) project name and address, (c) proposed activities and any proposed subpopulation targeting, if any, with ESG funds, (d) city(ies) and county(ies) where the activities were proposed, and (e) dollar amounts requested by activity.

Application threshold requirements

An application must meet the following threshold requirements to be eligible for rating and ranking.

1. The application was complete and received by the deadline;
2. The applicant is eligible as described in Section III.
3. The CoC recommends the applicant from the service area where the activity is proposed, as documented by the certification of approval from the CoC. The CoC can recommend no more than two applications.

4. The application includes a funding request of at least \$75,000 but not more than \$200,000.
5. Proposed activities are eligible pursuant to Section II.
6. Applicant has site control documented for any application proposing ES activity.
7. The application includes a certification of written standards for the proposed activities adopted by the CoC, as described in Section V.
8. The application includes a completed authorizing resolution (AR) approved by the applicant's governing board. The AR designates a person or persons responsible for, and authorized to execute, all documents related to the application of ESG funds and submittal of funds requests. Please see the instructions for completing the governing board AR, located with the sample AR on the ESG website. In completing the AR, failure to include required elements as demonstrated in the sample resolution provided, or errors in completing the AR, will require execution of a corrected AR and may delay execution of HCD's Standard Agreement for ESG funds.
9. For private non-profit organizations proposing ES activities, the application includes a Certification of Local Approval completed and signed by the city or county where the activity is located, as required by [24 CFR 576.202 \(a\) \(2\)](#).
10. For applications from private nonprofit-organizations, the application contains the organization's current bylaws and Articles of Incorporation.
11. Applicants have identified dollar-for-dollar match for the federal ESG funding with funds from other public or private sources as required by [24 CFR 576.201](#). An application may be deemed ineligible if the application does not meet threshold requirements, if the application is incomplete, or if HCD cannot determine compliance with threshold requirements. HCD may request clarification of unclear or ambiguous statements made in the application and other supporting documents if this information will not affect the competitive scoring of the application. HCD may request documentation necessary for compliance with state or federal requirements; and may request that an applicant revise application documents as necessary to establish compliance as long as such revisions do not affect the competitive scoring of the application.

E. Rating criteria ([25 CCR 8407](#))

All applications meeting the threshold requirements will be rated based on the following criteria.

| <u>Factor</u> | <u>Criteria</u> | <u>Max Points</u> |
|---------------------------------|---|--------------------------|
| Applicant Experience | Length of experience implementing the proposed eligible activity or activity similar to the proposed activity. | 20 |
| | <p>For applicants who have received ESG funding in at least one of the past three years, (2015, or 2016, 2017), a maximum of 20 points will be deducted for the following:</p> <ul style="list-style-type: none"> • HCD has terminated or disencumbered ESG grant funding; • The applicant has unresolved monitoring findings in ESG that pose a substantial risk to HCD; or • The applicant has not submitted annual reports in a timely manner for ESG grants. | -20 |
| Program Design | <p>Quality of the proposed program in delivering eligible activities to participants consistent with the CoC’s written standards and Core Practices.</p> <p>In making determinations under this rating factor, HCD may examine such things as CoC written standards for the proposed activity; provider guidelines governing activity operations; program rules for clients; the reasonableness of program staffing patterns and the activity budget relative to program design, target population, and local conditions.</p> | 20 |
| Need for Funds | <p>Need for funds is based on whether the application activity and subpopulation targeting, if any, meets a high need for the community as identified by the CoC, in a manner that is consistent with Core Practices.</p> <p>Need is supported by data and analysis provided by the CoC, including, but not limited to, HMIS data and data from the most recent point-in-time count of homeless persons published by HUD.</p> | 10 |
| Impact and Effectiveness | <p>Scoring for the performance outcomes in the impact and effectiveness-rating factor will be evaluated using data from HMIS for federal fiscal year 2017, or for those projects not in operation during this entire time, the most recent 12-month period. For data coming from victim service providers, data from a HUD-compliant comparable database may be used.</p> <p><u>Project-level performance data</u></p> | 30 |

| <u>Factor</u> | <u>Criteria</u> | <u>Max Points</u> |
|------------------------|---|--------------------------|
| | <p>The project level measures are as follows:</p> <p>1) Average length of project participation for individual leavers (HMIS Program Manual 2017),</p> <p>2) Leavers exiting to permanent housing. Scores assigned will be based on relative success rate. For project-level performance metrics, programs of the same activity type (i.e. SO, ES, RR) will only be compared against programs of that same activity-type.</p> <p><u>System-Level Performance Data</u> Reports submitted by the CoC must be consistent with HUD's May 2015 System Performance Measures. Data for Measures 1, 2, 3, 5 and 7 must be submitted to HCD. Scoring will be based solely on the degree to which the CoC produces the information. The results of the data collected in these reports will not be scored for the 2018 NOFA funding round.</p> | |
| Cost Efficiency | <p>Using HMIS and expenditure data for federal fiscal year 2016 October 1, 2016 – September 30, 2017, or, for those programs not in operation during this entire time, the most recent 12-month period. Applications will be evaluated based on the average cost per exit to permanent housing based on the total program expenditures for the proposed activity and the number of exits to permanent housing (HMIS Program Manual 2017).</p> <p>For data coming from victim service providers, data from a HUD-compliant comparable database may be used</p> <p>HCD may require additional documentation to verify the accuracy of the information provided by the applicant. Applicant shall provide such documentation upon the request of HCD.</p> | 10 |
| TOTAL | | 90 |

Application Selection

Applications will be ranked based on their score as follows:

1. Within each regional allocation, applications will be ranked in descending order and awarded the amount requested in the application or a revised amount if necessary to conform to funding limits in the NOFA. In the event of a tie between applicants within a regional allocation, funds will be awarded to the applicant who scored the most points in the Impact and Effectiveness-rating factor.
2. When there are insufficient funds to fully fund the next highest ranked application, this application may be partially funded if the approved activities can be adequately

performed with the remaining ESG allocation [25 CCR 8407 \(b\)\(3\)](#).

Applicants are advised that, if funded, their application will be incorporated by reference into the Standard Agreement. HCD will carefully examine the applicant's records at the time of grant monitoring to determine the accuracy of statements made in their application. If it is determined that an applicant falsified any certification or application information, HCD reserves the right to require reimbursement of the full amount of the ESG award, and to prohibit further participation in the ESG program. HCD may also impose any other actions permitted under [24 CFR 576.501 \(c\)](#).

Appeals

Time is of the essence in awarding federal ESG funds. Any funding delays could result in the loss of all ESG funding received by HCD. Therefore, *HCD's funding decisions are final and are not subject to appeal.*

IV. Eligible applicants

To provide ESG eligible activities within a CoC service area as listed in Appendix A, applicants must be either private non-profit organizations or units of general-purpose local governments. In addition, all applicants must have a Dun and Bradstreet Universal Numbering System (DUNS) number. Applicants must list their DUNS number in the ESG application.

Private non-profit organization, as defined in [24 CFR 576.2](#), is an organization that: 1) is a secular or religious organization described in Section 501(c) of the Internal Revenue Code of 1986 and is exempt from taxation under subtitle A of the Codes; 2) has an accounting system; 3) has a voluntary board; 4) practices nondiscrimination in the provision of assistance; and 5) does not include a governmental organization, such as a public housing agency or housing finance agency.

Faith-based organizations receiving ESG funds, like all organizations receiving HUD funds, must serve all eligible program participants without regard to religion.

Units of general-purpose local governments, as defined in [24 CFR 576.2](#), are any city, county, town, township, parish, village, or other general purpose political subdivision of a state. Units of general-purpose local governments applying for ESG funding for ES and/or SO activities must not replace funds the local government provided for these activities during the immediate preceding 12-month period, except in situations of severe financial deficit as determined by HUD.

V. Eligible Costs

Grantees and their recommended sub grantees must follow all the Office of Management and Budget (OMB) Cost Principles and general accounting principles. The OMB requirements are listed in [2 CFR Part 200](#). Costs charged to the ESG program must be allowable, allocable and reasonable.

Shifting costs between awards to overcome funding deficiencies is not allowed.

Allowable costs must conform to any limitations or exclusion set forth in the federal cost principles and the ESG award. In addition, allowable costs must comply with the policies and procedures afforded all activities within the grantee or sub grantee organization and must be accorded consistent treatment (whether as an indirect or direct cost). Finally, allowable costs must comply with the Generally Acceptable Accounting Principles (GAAP) and the costs must be adequately documented.

Allocable costs are those treated consistently with other costs incurred for the same purpose in like circumstances, and these costs must meet the requirements listed in 2 CFR Part 200.405.

Reasonable costs do not exceed, in nature or amount, costs that would be incurred by a prudent person under the circumstances prevailing at the time a decision was made to incur the cost.

Eligible costs may be direct or indirect. They must be incurred for the same purpose in like circumstances and must be treated consistently as either direct or indirect costs.

Direct costs are those costs that can be identified specifically with a particular final cost objective (such as the ESG award) and can be directly assigned to an activity relatively easily with a high degree of accuracy.

Indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective or activity.

The Department will reimburse grantees for indirect costs at a “de minimus rate” based on the Modified Total Direct Cost (MTDC), unless the grantee has a federally authorized indirect cost rate agreement. If the grantee has a federally authorized indirect cost rate agreement, the Department will reimburse grantees for indirect costs at the authorized rate. If an applicant is requesting an indirect cost rate higher than ten percent based on a federally authorized indirect cost rate agreement, that agreement must be submitted with their application.

Grantees that will seek reimbursement for any indirect costs must comply with all OMB requirements including 2 CFR 200.403 and Part 200 Appendix 4. Grantee’s records must include evidence of the MTDC calculations, indirect cost limits, and supporting documentation for actual direct cost billing.

VI. Implementation requirements

A. Core practices

Use of coordinated entry: Unless exempted by federal rules, all ESG funded activities shall utilize a CES established by the CoC in a manner that promotes the following:

1. Comprehensive and coordinated access to assistance regardless of where an individual or family is located in the CoC service area. Local systems should be easy to navigate and have protocols in place to ensure immediate access to assistance for people who are experiencing homelessness or are most at-risk;

2. Prioritized access to assistance for people with the most urgent and severe needs, including, but not limited to, survivors of domestic violence. ESG-funded activities shall seek to prioritize people who:
 - are unsheltered and living in places not designed for human habitation
 - have experienced the longest amount of time homeless
 - have multiple and severe services needs that inhibit their ability to quickly identify and secure housing on their own
 - for HP activities, are at greatest risk of becoming Literally Homeless² without an intervention and are at greatest risk of experiencing a longer time in ES or on the street should they become homeless

Housing First practices: All ESG assisted projects shall operate in a manner consistent with Housing First practices as reflected in the Core Practices section of the state ESG regulations at 25 CCR 8409, and the CoC written standards and progressive engagement and assistance practices, including the following:

1. Ensuring low-barrier, easily accessible assistance to all people, including, but not limited to, people with no income or income history and people with active substance abuse or mental health issues;
2. Helping participants quickly identify and resolve barriers to obtaining and maintaining housing;
3. Quickly resolving a participant's housing crisis before focusing on other non-housing related services;
4. Allowing participants to choose the services and housing that meets their needs, within practical and funding limitations; and
5. Connecting participants to appropriate support services available in the community that foster long-term housing stability.

Progressive Engagement: Offering financial assistance and supportive services in a manner that offers a minimum amount of assistance initially, adding more assistance over time if needed to quickly resolve the participant's housing crisis by either ending homelessness, avoiding an immediate return to becoming Literally Homeless, or avoiding the imminent risk of becoming homeless. The type, duration, and amount of assistance offered shall be based on an individual assessment of the household, and the availability of other resources or support systems to resolve their housing crisis and stabilize them in housing.

RR and HP terms of assistance: RR activities funded within the same CoC service area shall follow the same program requirements for type, duration, and amount of assistance provided, unless the CoC provides sufficient written justification for any differences and these are approved by HCD. HP activities funded within the same CoC service area shall follow the same program requirements for type, duration, and amount of assistance provided, unless sufficient written justification for any differences is provided by the CoC and HCD approves such justification in writing.

² The Homeless Definition and Eligibility for SHP, SPC, and ESG, "[Homeless Definition](#)"

B. Written standards

Funded activities must operate consistently with written standards currently adopted by the CoC and applicable to all similar activities. In general, written standards address such things as policies and procedures for evaluating eligibility, targeting and prioritizing services, length and terms of assistance, coordination among services, and participation in HMIS. Applicants should consult the federal regulations for what should be addressed in written standards for each activity.

In addition, state regulations require that written standards reflect Core Practices in [25 CCR 8409](#), including:

1. Protocols for use of coordinated entry to promote comprehensive and coordinated access to assistance and prioritized access to assistance for people with the most urgent and severe need;
2. Use Housing First and progressive engagement practices; and
3. Consistent program requirements governing decisions around type, duration, and amount of assistance provided if multiple RR or HP programs are operated within the same service area.

C. Match

Grantees must make matching contributions in an amount that equals the amount of federal ESG funds awarded. HCD may request documentation as part of program monitoring in order to determine the sources and amounts used to meet the federal ESG matching requirement.

Matching contributions may be obtained from any source, including any federal source other than the ESG program, as well as state, local, and private sources. However, the following requirements apply to matching contributions from a federal source of funds:

1. Laws governing any funds to be used as matching contributions do not prohibit those funds from being used to match ESG funds.
2. If ESG funds are used to satisfy the matching requirements of another federal program, then funding from that program may not be used to satisfy the matching requirements as described in 24 CFR 576.201.

VII. Contract expenditure and obligation requirements

All of the grantee's ESG funds must be expended for eligible activity costs within 24 months after the date HUD signs the grant agreement with HCD.

Grantees may request an advance of 30 days working capital or \$5,000, whichever is greater, after the Standard Agreement with HCD is fully executed. Otherwise, all funding requests are on a reimbursement-only basis.

All eligible costs incurred after the date of the award letter issued to the grantee by HCD are reimbursable. Grantees shall not expend any funds requiring reimbursement prior to the award letter. In addition, no funds shall be expended until any required environmental review process has been completed, if required under 24 CFR 50.

Requests for disbursement must be made at least quarterly. HCD may establish minimum reimbursement amounts, or other related procedures necessary for the efficient administration of the ESG Program.

VIII. Additional federal requirements

A. General

The requirements in 24 CFR part 5, subpart A are applicable, including the nondiscrimination and equal opportunity requirements at 24 CFR 5.105(a). Section 3 of the Housing and Urban Development Act of 1968 and implementing regulations at 24 CFR part 135 apply, except that homeless individuals have priority over other Section 3 residents in accordance with 24 CFR 576.405(c).

B. Homeless participation

The grantee must provide for the participation of at least one homeless individual or formerly homeless individual on the grantee's Board of Directors or other equivalent policy-making entity, to the extent the entity considers and makes policies and decisions regarding any facilities, services or other assistance that receives funding under ESG.

C. Program termination

Consistent with the written standards, if an individual or family receiving ESG assistance violates program requirements, the grantee may terminate assistance. The grantee is required to terminate assistance in accordance with a formal written process that has been established and that recognizes the rights of individuals or families affected. The grantee must exercise reasonable judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases.

D. Program administration

Demonstration of the financial management and programmatic expertise necessary to successfully develop, design, implement, and monitor the proposed activity or activities is required. This expertise can be demonstrated through previous experience in successfully developing projects similar to the one proposed by either partners or key staff within the grantee's organization.

E. Faith-based activities

Religious organizations may receive ESG funds if they agree to provide all eligible activities under this program in a manner that is in accordance with 24 CFR 576.406. Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to receive ESG funds. Organizations that are directly funded under the ESG Program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under ESG. Refer to 24 CFR 576.406 for additional details.

F. Affirmative outreach

The grantee must make known that the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures the grantee intends to use will reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the grantee must establish additional procedures to insure that such persons are made aware of these facilities, assistance, and services.

The grantee must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, grantees are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency persons.

All applicants should refer to the HUD guidelines on limited English proficiency located at the following webpage: http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq.

G. Uniform administrative requirement

The requirements of 2 CFR Part 200 apply to grantees that are units of general-purpose local governments and private non-profit organizations. These regulations include allowable costs and non-federal audit requirements.

H. Environmental review responsibilities

The grantee shall supply all available relevant information on each property necessary for HCD and HUD to perform an environmental review as required. The grantee shall also carry out mitigating measures required by HCD or select an alternate eligible property if required. HCD may eliminate from consideration any application that would require an environmental impact statement (EIS).

The grantee, or any contractor of the grantee, may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project, or commit or expend ESG or local funds for eligible activities under this part, until HCD or HUD has performed an environmental review under [24 CFR Part 50](#) and the grantee has received HCD's or HUD's written approval of the property. For all funded applications, HCD will inform the grantee of any required additional environmental review.

I. Procurement of recovered materials

The grantee and its contractors must comply with [Section 6002 of the Solid Waste Disposal Act](#), as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) 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 value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

J. Shelter and housing standards

The revised standards for ES require all shelters to meet minimum habitability standards related to safety, sanitation, and privacy [24 CFR 576.403\(a\)](#) and [24 CFR 576.403\(b\)](#). If ESG funds are used to help program participants remain in or move into permanent housing, that housing must meet minimum standards pursuant to [24 CFR 576.403 \(c\)](#).

K. Recordkeeping and reporting requirements

Grantees must have policies and procedures to ensure that recordkeeping and reporting requirements are met. The policies and procedures must be established in writing and implemented to ensure that ESG funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable HCD and HUD to determine whether ESG requirements are being met. Refer to 24 CFR 576.500 for additional details.

L. Enforcement

HCD will review the performance of grantees in carrying out their responsibilities under this part whenever determined necessary by HUD, but at least annually. In conducting performance reviews, HUD will rely primarily on information obtained from the records and reports from HCD, and when appropriate, its grantee's. Sources may include information from onsite monitoring, audit reports, and information from the Integrated Disbursement & Information System (IDIS) and HMIS. HUD may also consider relevant information pertaining to HCD and its grantees, performance gained from other sources, including citizen comments, complaint determinations, and litigation. Reviews to determine compliance with specific requirements of this part will be conducted as necessary, with or without prior notice to HCD or its grantees. Refer to 24 CFR 576.501 for additional details.

M. Other federal requirements

Grantees must be able to meet all federal requirements relative to the ESG program, specifically those concerning equal opportunity and fair housing, affirmative marketing, environmental review, displacement, relocation, acquisition, labor, lead-based paint, conflict of interest, debarment and suspension. Pertinent federal requirements are noted in federal ESG interim rules and all applicants should be aware that, if funded, these requirements would apply.

IX. Application submittal requirements

One hardcopy application package with original signatures and one USB flash drive that includes a copy of the application package with signatures must be received by HCD on or before the application deadline.

Applications will be accepted beginning the first business day following release of this NOFA and must be received by HCD no later than **5:00 p.m. Pacific Standard Time on Tuesday, August 7, 2018**. HCD will only accept applications through postal carriers that provide date stamp verification confirming delivery to HCD's office, such as U.S. Postal Service, UPS, FedEx or other carrier services. Please contact HCD if delivery is not completed by fault of the private courier/U.S. Postal Service. Personal deliveries are not accepted. The delivery address is:

Department of Housing and Community Development
Division of Financial Assistance, NOFA Unit
Emergency Solutions Grants Program
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833

Applications that do not meet the filing deadline requirements will not be eligible for funding. Applications must be on HCD's Excel forms and cannot be altered or modified by the applicant.

Questions regarding the ESG NOFA and application process can be directed to the following HCD NOFA representatives:

- Janette Schaake at (916) 263-2331, Janette.Schaake@hcd.ca.gov
- Connie Mallavia at (916) 263-2711, Connie.Mallavia@hcd.ca.gov

Appendix A: BoS formula allocation

| 2018 Preliminary Estimated BoS Allocation* | | | | | | | |
|--|----------|---|--------------------|-----------------------------------|--------------------|-----------------------------------|--------------------|
| CoC # | CoC Name | 2018 ESG Formula Allocation | 40% for RR | Regional Competition after 40% RR | 50% for RR | Regional Competition after 50% RR | |
| Bay Area Allocation | | | | | | | |
| 1 | 507 | Marin County CoC | \$190,290 | \$76,116 | \$115,174 | \$95,145 | \$95,145 |
| 2 | 517 | Napa City & County CoC | \$118,298 | \$47,319 | \$70,979 | \$59,149 | \$59,149 |
| 3 | 518 | Vallejo/Solano County CoC | \$257,225 | \$102,890 | \$154,335 | \$128,612 | \$128,613 |
| 4 | 508 | Watsonville/Santa Cruz City & County CoC | \$319,082 | \$127,633 | \$191,449 | \$159,541 | \$159,541 |
| | | | \$884,895 | \$353,958 | \$531,937 | \$442,447 | \$442,448 |
| Central and Imperial Valley | | | | | | | |
| 1 | 521 | Davis/Woodland/Yolo County CoC | \$258,104 | \$103,242 | \$154,862 | \$129,052 | \$129,052 |
| 2 | 525 | El Dorado County CoC | \$146,149 | \$58,460 | \$87,689 | \$73,074 | \$73,075 |
| 3 | 613 | Imperial County CoC | \$308,715 | \$123,486 | \$185,229 | \$154,357 | \$154,358 |
| 4 | 530 | Inyo, Mono, Alpine Counties CoC | \$107,133 | \$42,853 | \$64,280 | \$53,566 | \$53,567 |
| 5 | 520 | Merced City & County CoC | \$295,785 | \$118,314 | \$177,471 | \$147,892 | \$147,893 |
| 6 | 515 | Roseville/Rocklin/Placer, Nevada Counties CoC | \$201,190 | \$80,476 | \$120,714 | \$100,595 | \$100,595 |
| 7 | 513 | Visalia, Kings, Tulare Counties CoC | \$387,550 | \$155,020 | \$232,530 | \$193,775 | \$193,775 |
| | | | \$,1704,626 | \$681,851 | \$1,022,775 | \$852,311 | \$852,315 |
| Northern | | | | | | | |
| 1 | 526 | Amador, Calaveras, Tuolumne and Mariposa Counties CoC | \$160,060 | \$64,024 | \$96,036 | \$80,030 | \$80,030 |
| 2 | 519 | Chico/Paradise/Butte County CoC | \$305,598 | \$122,239 | \$183,359 | \$152,799 | \$152,799 |
| 3 | 523 | Colusa, Glenn, Trinity Counties CoC | \$185,671 | \$74,268 | \$111,403 | \$92,835 | \$92,836 |
| 4 | 522 | Humboldt County CoC | \$269,468 | \$107,787 | \$161,681 | \$134,734 | \$134,734 |
| 5 | 529 | Lake County CoC | \$267,800 | \$107,120 | \$160,680 | \$133,900 | \$133,900 |
| 6 | 509 | Mendocino County CoC | \$271,794 | \$108,718 | \$163,076 | \$135,897 | \$135,897 |
| 7 | 516 | Redding/Shasta, Siskiyou, Lassen, Plumas, Del Norte, Modoc, Sierra Counties CoC | \$272,225 | \$108,890 | \$163,335 | \$136,112 | \$136,113 |
| 8 | 527 | Tehama County CoC | \$217,084 | \$86,834 | \$130,250 | \$108,542 | \$108,542 |
| 9 | 524 | Yuba City & County/Sutter County CoC | \$239,781 | \$95,912 | \$143,869 | \$119,890 | \$119,891 |
| | | | \$2,189,481 | \$875,792 | \$1,313,689 | \$1,094,739 | \$1,094,742 |
| | | Total | \$4,779,002 | | | | |

Estimates are based on HCD's 2018 ESG allocation, and do not include disencumbered funds from expired ESG contracts expected to be available before HCD issues ESG award letters for 2018. Amounts available will be finalized prior to issuance of award letters.