

# 1. RFA OVERVIEW

## 1.1. Funding Information

Federal Agency Name	Catalog of Federal Domestic Assistance (CFDA) Name	CFDA Number	Federal Award Identifier Number (FAIN)
U.S. Department of Housing and Urban Development	Emergency Solutions Grants Program	14.231	E-20-DC-31-0001

The total anticipated available funds for Subawards under this RFA from the federal award listed above is \$875,856 (Eight Hundred Seventy-Five Thousand Eight Hundred Fifty-Six dollars). A total award of this amount of funds is not guaranteed, but is subject to the Applications received, to actual money awarded to DHHS from the Federal Awarding Agency, and to DHHS' discretion. DHHS may establish a cap on total amount of funds that any one Applicant, or Applicants acting jointly, may request. Any cap shall be set forth in the **Applications Instructions, Section 4.4**, below. The total funds may be split among multiple Subrecipients in the discretion of DHHS.

Subawards from this RFA will also contain state funds. In 1992, the Legislature created the Homeless Shelter Assistance Trust Fund (HSATF) through the passage of LB 1192. The bill increased the transfer tax to the seller of real estate by twenty five cents on each \$1,000 of value from \$1.50 to \$1.75. The revenue from the additional twenty-five cents is collected by County Registers of Deeds, remitted to the Nebraska Revenue Department and deposited into the HSATF. The total anticipated available funds for Grants under this RFA from the HSATF is \$1,864,826 (One Million Eight Hundred Sixty Four Thousand Eight Hundred Twenty Six dollars). A total award of this amount of funds is not guaranteed, but is subject to the Applications received, to available funding in the Homeless Shelter Assistance Trust Fund, and to DHHS' discretion. Any conditions imposed on the federal funds shall also apply to all state funds.

For the purposes of this RFA, Subrecipients and Grantees shall be referred to collectively as "Awardees."

### 1.1.1. 2021-2022 NHAP Regional Allocation

In order to serve the needs of people who are homeless throughout the entire state, NHAP allocates funds according to the geographic regions identified on the map located at: <http://dhhs.ne.gov/Pages/Nebraska-Homeless-Assistance-Program-Recipients.aspx>.

Please find below the available funding for 2021-2022. NHAP followed its funding formula, identified in the Annual Action Plan submitted to HUD, in determining the amount of funds available per region. If an applicant's service area spans more than one region, and the applicant plans to provide services with NHAP funds in both regions, the applicant must submit separate applications. NHAP plans to award the City of Lincoln \$389,246.74 from the HSATF. The City of Lincoln will conduct a request for applications for both ESG and HSATF at a later date. This RFA is for Regions 1-5 and 7.

Region	ESG 2021-2022 allocations	HSATF 2021-2022 allocations	Total
Region 1	\$91,265.44	\$116,490.62	\$207,756.06
Region 2	\$172,637.73	\$175,773.68	\$348,411.41
Region 3	\$214,426.43	\$206,218.47	\$420,644.90
Region 4	\$232,683.92	\$219,519.80	\$452,203.72
Region 5	\$164,843.06	\$170,094.94	\$334,938.00
Region 7		\$976,728.76	\$976,728.76

## 1.2. Budget period

The Budget period is the time during which a successful Applicant may incur costs to carry out the work authorized under this RFA and the resulting Subaward. See the definitions in 2 CFR § 200.77 or 45 CFR § 75.2. The initial Budget period for this RFA is from July 1, 2021 to June 30, 2022. This period may be extended by DHHS as allowable by the Federal Funding Agency. If state funds are involved in the award, this may also determine whether DHHS may extend a Budget period.

For the initial Budget period, all costs must be invoiced to DHHS by July 31, 2022 and liquidated (i.e., spent) by June 30, 2022. These dates are dependent on federal periods of allowability and DHHS' own ability to timely process payments. They may be subject to change; final dates will be included in the final Subaward between the parties. If an Applicant believes it cannot meet these deadlines, it should not apply for funding under this RFA. Obligation and liquidation deadlines may be extended as allowed by the Federal Funding Agency, but no extensions are guaranteed. Future Periods of Performance, as allowed by DHHS, may have different obligation and liquidation deadlines.

## 1.3. Applicable Law

Because the funds to support the activities under this RFA involve federal funds, usage of these funds is subject to federal law, in addition to any applicable state law. The Uniform Grant Guidance, 2 CFR §§ 200 et seq. ("UGG") applies to Subawards funded from the United States Department of Agriculture (USDA), the Department of Housing and Urban Development (HUD) (see 2 CFR Part 2400), the Department of Labor (DOL), the Environmental Protection Agency (EPA) or other federal agencies. The United States Department of Health and Human Services (HHS) has adopted the UGG, but has implemented and re-codified it at 45 CFR §§ 75 et seq. ("HHS GG"); for awards funded by HHS, those regulations apply. Throughout this RFA, both the UGG and the HHS GG will be cited, although they are substantially similar.

The HHS GG shall apply to this RFA if it awards funds from block grants authorized by the Omnibus Budget Reconciliation Act of 1981, unless Nebraska statute or regulation has established provisions for the payment costs and services; in all other respects, as provided herein, those block grant Subawards are governed by 45 CFR §§ 96 et seq.

Additional federal and state statutes and regulations may apply to the funding contained herein. These may be included in **Additional Program Requirements, Section 5.7**, below, as well as in the Subaward itself.

Further information about allowable costs and activities may be set forth herein.



## 1.4. Eligible Entities

Any Applicant for this RFA must be a “non-federal entity,” as set forth in 45 CFR § 75.2 or 2 CFR § 200.1. A “non-federal entity” is limited to local governments, Indian tribes, institutions of higher education, or nonprofit organizations; further definitions in the UGG or the HHSGG may apply. If this RFA involves funds from the United States Department of Labor, the definition of “non-federal entity,” per 2 CFR § 2900.2, includes for-profit entities, as well. Any Application submitted by an Applicant who is ineligible shall be rejected without scoring.

- 1.4.1. NHAP adopted a two-year funding cycle in 2003. The first year involves a competitive application process that is open to any eligible applicant. The second year is a renewal application process that is open only to existing NHAP recipients in good standing. Grant year 2021-2022 is a renewal year. Thus, NHAP recipients eligible to apply for funding in 2021-2022 are limited to NHAP recipients that received funding in 2020-2021.
- 1.4.2. To be eligible for NHAP funding, entities must meet one of the following provisions:
  - 1.4.2.1. Provide transitional living services for at least eight hours of every twenty-four hour period, as defined by the state and federal rules and regulations governing HUD’s Emergency Solutions Grant (ESG) program and/or Nebraska’s HSATF. In order to receive NHAP funding for transitional living, an applicant must be an existing NHAP recipient of funding for transitional living services; or
  - 1.4.2.2. Provide homelessness prevention, rapid rehousing, street outreach and/or shelter services for individuals and/or families who are homeless or at risk of homelessness in compliance with the state and federal rules and regulations governing HUD’s ESG program and/or Nebraska’s HSATF.
- 1.4.3. In order to be eligible for NHAP funding, entities must satisfy all of the following:
  - 1.4.3.1. Have at least two years of experience successfully providing homeless prevention services using a Continuum of Care approach.
  - 1.4.3.2. Provide evidence of participation in one of the three Continuums of Care in the State via Form 6, attached.
  - 1.4.3.3. Provide documentation from one of the three Continuums of Care in the State for the need for the proposed services identified in their application.
  - 1.4.3.4. Be exempt from taxation under section 501(c) 3 of the Internal Revenue of 1986 or represent a number of eligible applicants.
  - 1.4.3.5. Not discriminate based on age, religion, sex, race, color, disability, sexual orientation, gender identity or national origin (24 CFR 5).
  - 1.4.3.6. Operate a drug-free premises.
  - 1.4.3.7. Conduct an annual, certified, external financial audit/financial report within the last 12 months.
- 1.4.4. To be eligible for funding for the emergency shelter component, entities must maintain shelter facilities in compliance with HUD’s minimum standards at 24 CFR 576.403, and entities must obtain approval by local governments for all cities or counties where shelter will occur. Local government approval is required even for entities providing motel/hotel vouchers via Form 7, attached.
- 1.4.5. To be eligible for funding for a new shelter, entities must obtain approval from NHAP, prior to the application process. Before funding a new shelter, NHAP must conduct environmental

reviews and ensure the shelter is in compliance with HUD's minimum standards at 24 CFR 576.403.

## **1.5. Award of Funding**

DHHS will evaluate Applications in the manner set forth herein. An Intent to Subaward will be posted on the DHHS Website with selected Applicants. Funds will be awarded through a written agreement, termed a Subaward, which will incorporate this RFA by reference. No promise for funds is binding on DHHS, and no funds will be paid to any Applicant until a Subaward has been executed by both the Applicant and DHHS.

## **2. PROJECT DESCRIPTION**

### **2.1. Background and Purpose**

DHHS, Division of Children and Family Services is issuing this RFA for the purposes of serving the needs of people who are homeless or near homeless.

#### **BACKGROUND**

The Nebraska Department of Health and Human Services (DHHS) has combined the Nebraska Homeless Shelter Assistance Trust Fund (HSATF) and the U.S. Department of Housing and Urban Development's (HUD) Emergency Solutions Grant (ESG) application process into one single application. The combined process and application will be referred to as the Nebraska Homeless Assistance Program (NHAP) application. NHAP will provide technical assistance, as needed or requested, to assist successful NHAP applicants in the appropriate use and administration of NHAP funds.

The Act to Prevent Mortgage Foreclosures and Enhance Mortgage Credit Availability Act was signed into law on May 20, 2009 (Public Law 111-22). Division B of this law is the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act). The HEARTH Act amends Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378) to rename the program the Emergency Solutions Grants (ESG) program, expand the range of eligible activities under the program, and add or change certain program requirements. The expanded activities include homelessness prevention and rapid rehousing components. The purpose of the ESG program is to assist individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness.

In 2001, the Nebraska Legislature passed LB516, which transferred the administration of the HSATF to the Nebraska Health and Human Services System. At the same time, Governor Johanns requested that HUD transfer the administration of the ESG Program to the Health and Human Services System. HUD granted this request, and on September 1, 2001 the administration of both Nebraska's HSATF and HUD's ESG Program became the responsibility of the Nebraska Department of Health and Human Services.

#### **PURPOSE**

The purpose of the Nebraska Homeless Assistance Program (NHAP) grant funds is to address the needs of individuals and families experiencing, or at risk of experiencing, homelessness in Nebraska by assisting in the alleviation and prevention of homelessness, providing temporary and/or permanent housing for persons who are homeless, and encouraging the development of projects that link housing assistance programs with efforts to promote self-sufficiency.

### **2.2. Scope of Work**



Agencies awarded this funding will be responsible for providing homeless assistance services within their respective service areas. Agencies may apply for funding for the following service components: street outreach, emergency shelter, homeless prevention, rapid rehousing, and HMIS. All Awardees are responsible for the following:

- 2.2.1. Complying with federal and state Emergency Solutions Grant (ESG) and state Homeless Shelter Assistance Trust Fund (HSATF) requirements found in the Code of Federal Regulations Title 24 Part 576 (ESG) and Title 24 Part 84 (HUD Uniform Administrative Requirements) and Nebraska Revised Statutes 68-1601 through 68-1608 (HSATF) and Nebraska Administrative Code Title 462 (HSATF).
- 2.2.2. Complying with the written ESG/NHAP standards approved by the relevant Continuum of Care, which can be found on the NHAP website at: <http://dhhs.ne.gov/Pages/Nebraska-Homeless-Assistance-Program-Providers.aspx>.
- 2.2.3. Assisting homeless individuals in obtaining permanent housing.
- 2.2.4. Assisting homeless individuals or individuals at risk of homelessness in accessing appropriate supportive services (including medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living).
- 2.2.5. Assisting homeless individuals or individuals at risk of homelessness in accessing Federal, State, local assistance as needed to achieve stability.
- 2.2.6. Involving homeless individuals and families in constructing, renovating, maintaining, operating, and providing homeless assistance services. This involvement can be through employment or volunteer efforts.
- 2.2.7. Participating in the 2021-2022 count of homeless individuals and/or families and housing inventory undertaken by DHHS or their designee.
- 2.2.8. Following the NHAP HMIS workflow and participate in NHAP's identified HMIS database by entering all required NHAP and HUD data elements on all persons served and all NHAP-funded activities, with the exception of victim or legal service providers who agree to collect all of required NHAP and HUD data elements on all persons served and all NHAP-funded activities and enter them into an electronic database system which is comparable to the HMIS.
- 2.2.9. Assessing client eligibility and obtaining the necessary documentation to verify the client, the payment/service provided and the housing unit meet HUD's ESG requirements at 24 CFR 576:  
  
[http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr576\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr576_main_02.tpl)
- 2.2.10. Complying with the ESG program requirements identified in 24 CFR Part 576 , including, but not limited to the following:
  - 2.2.10.1. Verification of participant eligibility for services and/or financial assistance;
  - 2.2.10.2. Ensuring program participant housing and shelter facilities comply with HUD's lead-based paint and ESG habitability standards;
  - 2.2.10.3. Use of a centralized or coordinated program participant assessment, as developed by the relevant Continuum of Care. Awardees meeting HUD's definition of a "victim service provider" may choose not to use the Continuum of Care's centralized or coordinated assessment system; and
  - 2.2.10.4. Adherence to HUD's final rule providing equal access to HUD assisted or insured housing without regard to actual or perceived sexual orientation, gender identity or marital status and prohibiting inquiries regarding sexual orientation or gender identity.
- 2.2.11. Creating and keeping records to enable DHHS and HUD to determine whether ESG and HSATF requirements are being met, allowing DHHS and HUD access to HMIS for NHAP funded records
- 2.2.12. Entering complete, accurate and timely program and participant data in HMIS, or comparable database for agencies exempt from the federal HMIS requirement as identified in 24 CFR §§ 576 et seq. Data shall include at a minimum the required data elements as defined by HUD and shall be entered as close to real time as possible.
- 2.2.13. When referring a NHAP program participant for legal services, provide written certification to Legal Aid of Nebraska, on a form approved by DHHS, indicating the participant has been screened and is eligible for street outreach, emergency shelter, homelessness prevention or rapid rehousing services. The referral form for Legal Aid is located at: <http://dhhs.ne.gov/Pages/Nebraska-Homeless-Assistance-Program-Providers.aspx>.

- 2.2.14. Participating in required educational/technical assistance sessions.
- 2.2.15. Subscribing to and utilizing NHAP's Provider webpage for funding and resource information at the following current location, or as later modified by DHHS: <http://dhhs.ne.gov/Pages/Nebraska-Homeless-Assistance-Program-Providers.aspx>.
- 2.2.16. Subscribing to and utilizing HUD's Exchange Mailing List page for ESG related updates and announcements.

**2.3. Performance Requirements**

- 2.3.1. Awardees must meet the performance goals established by the Awardee in the application.
- 2.3.2. Standard performance measurements for each component type, street outreach, emergency shelter, homeless prevention, and rapid rehousing, are:
  - 2.3.2.1. Increase the percent of discharges to Permanent Housing;
  - 2.3.2.2. Reduce the percent of individuals who return to homelessness after discharge to Permanent Housing destinations; and
  - 2.3.2.3. Reduce the missing/null data error rates.
    - 2.3.2.3.1. NHAP understands that there may be missing SSN information for victims of DV/SA/Stalking per Violence Against Women Act (VAWA) regulations or for immigrants who are not US citizens or nationals since services cannot be withheld when necessary to protect life or safety.
- 2.3.3. Awardee must submit required performance measurements in the format established by NHAP on a quarterly basis or as requested by NHAP.
- 2.3.4. At any time during the term of the award, DHHS may require the Awardee or Subrecipient to provide written justification if the performance goals set by the Awardee are not met.
- 2.3.5. Future project funding is subject to Awardee or Subrecipient meeting the performance standard or providing adequate justification, subject to DHHS approval.

**2.4. Reporting Requirements**

- 2.4.1. Awardees must gather and record the necessary information into the Homeless Management Information System (or comparable system for domestic violence service providers exempt from using HMIS).

- 2.4.2. Awardees in the Omaha Continuum of Care must submit complete and accurate quarterly data reports for the preceding quarter to the HMIS System Administrator selected by the Omaha CoC by the due dates below.

Quarter	Due Date
July 1 – September 30	October 5
October 1 – December 31	January 5
January 1 – March 31	April 5
April 1 – June 30	July 5

- 2.4.3. Awardees in the Balance of State Continuum of Care must submit complete and accurate quarterly data reports for the preceding quarter to the HMIS System Administrator selected by the Balance of State CoC by the due dates below.

Quarter	Due Date
July 1 – September 30	October 10
October 1 – December 31	January 10
January 1 – March 31	April 10
April 1 – June 30	July 10

- 2.4.4. Awardees, who are domestic violence shelters and who do not utilize the HMIS System, must submit complete and accurate quarterly data reports for the preceding quarter to the NHAP office by the due dates below.

Quarter	Due Date
July 1 – September 30	October 10



October 1 – December 31	January 10
January 1 – March 31	April 10
April 1 – June 30	July 10

- 2.4.5. Submit the Consolidated Annual Performance Evaluation Report (CAPER) in the manner determined by HUD. Due dates for the CAPER report will be communicated in advance by email.
- 2.4.6. Provide reports, data and other information as requested by DHHS for review and programmatic monitoring by the due dates established.

### 3. RFA PROCEDURE

This RFA seeks Applications to complete activities allowable under the funding source identified in 1.2, above. All Applications must conform to all instructions, conditions, and requirements included in this RFA. Applicants should carefully examine this RFA, as well as the requirements on the state or federal funds involved. Applications that DHHS determines do not conform to the requirements of this RFA, or Applications from ineligible entities, may be considered non-responsive and rejected without scoring.

#### 3.1. RFA Point of Contact (“POC”)

Andy Budell and Oyinda Oyetunde  
 PO Box 94926  
 Lincoln, NE 68508  
 402-471-6473  
[DHHS.RFAResponses@nebraska.gov](mailto:DHHS.RFAResponses@nebraska.gov)

From the date the RFA is issued until the Intent to Subaward is issued, communication from the Applicant or prospective Applicant is limited to the POC listed above (but see exceptions, below). After the Intent to Subaward is issued, the Applicant may communicate with individuals DHHS has designated as responsible for negotiating the Subaward on behalf of DHHS. No member of the state government, employee of the state, or member of the Evaluation Committee is empowered to make binding statements regarding this RFA. The POC will issue any clarifications or opinions regarding this RFA in writing. Only the POC has the authority modify the RFA, answer questions, or render opinions on behalf of DHHS. Applicants shall not have any communication with, or attempt to communicate or influence any Evaluator.

The following exceptions to these restrictions are permitted:

1. The email submission of the Application to the designated email address designated in **Submission of Applications, Section 3.5;**
2. Contact made pursuant to pre-existing contracts, Subawards, or obligations;
3. Contact required by the schedule of events or an event scheduled later by the RFA POC; and
4. Contact required for negotiation and execution of the final Subaward.

DHHS reserves the right to reject an Applicant’s application, withdraw an Intent to Subaward, or terminate a Subaward if DHHS determines there has been a violation of these procedures.