

NDRC NOFA: Partner Agreements Webcast Transcript

Meg Barclay: Hello everyone, and welcome to the Community Development Block Grant National Disaster Resilience Competition, NOFA Partner Requirements webcast. Your presenters today are going to be myself, Meg Barclay, from the Office of Block Grant Assistance in the – in HUD's Office of Community Planning and Development; and Makani Drummond from the Office of General Counsel.

Makani Drummond: Hello.

Meg Barclay: For today's agenda, we will be running through an overview of the NDRC, the National Disaster Resilience Competition, and the role of partners. We'll be answering the questions what is a partner? We'll talk through the NOFA partner requirements, the partner documentation. Partners and the NDRC NOFA rating factors, partners and post award requirements; and then, resources available to eligible applicants and to others throughout the NOFA competition process.

For a quick overview of the NDRC NOFA, this National Disaster Resilience Competition makes available almost a billion dollars to communities that have been impacted by disasters, natural disasters, between 2011 and 2013. The competition encourages communities to not only consider how they can recover from a past disaster, but also how to avoid future disaster loss or to become more resilient.

It's really important to know that applicants need to tie-back or link their proposals to the disaster from which they are recovering, which is what makes them eligible applicants; as well as demonstrate how they are reducing future risks and advancing broader community development goals within the target area of their community.

The process of the competition, and this slide illustrates a general overview of the process of the competition. So, the first phase, which we are in now, will run for approximately six months. It began on September 17th of this year, 2014. The first phase, Phase 1 of the competition applications are due March 16th of 2015. So, eligible applicants are working on, on their proposals now. They will submit those no later than March 16th of 2015.

This process is really meant to guide each applicant through broad consideration of its disaster recovery needs, vulnerabilities, stakeholder interests, resilience, and other community development objectives and investment alternatives; which is why that the, the first phase has such a long – a long period to prepare those first applications. Phase 1 is considered to be the framing phase and it lasts about six months, 180 days from the announcement of the NDRC.

In Phase 2, which will begin after we – HUD reviews Phase 1 applications and announces winners or invites successful applicants to submit Phase 2 applications. Phase 2 applicants will consider and refine approaches to meet needs and objectives identified in Phase 1. Those Phase 2 applicants will be a subset of applicants from Phase 1 that actually are invited to participate in Phase 2. HUD will make funding awards at the conclusion of Phase 2. Phase 2 calls for reconsideration of issues identified in Phase 1 at a more granular level of detail and it will conclude 120 days after the selection of Phase 2 participants that were identified in Phase 1.

Makani Drummond: Thank you for that overview, Meg. I'll now provide a description of the role of partners in the National Disaster Resilience Competition. As Meg mentioned, the National Disaster Resilience Competition asks communities to bring their best designed thinking to address the challenges of the resilient disaster recovery. The challenges of disaster recovery are complex and will require mobilization of various resources, stakeholders, and groups for communities to effectively recover from disasters and are reduce risks to future vulnerabilities. Although partners are not required, HUD believes that partners can assist the applicants in developing thoughtful, sound, and innovative examples of resilient disaster recovery in response to the National Disaster Resilience Competition. And, the competition has been designed to encourage applicants to seek assistance from partners.

As we go through this presentation, you'll notice that narrative responses to some of the factors will prompt consideration of partners. For example, the capacity-rating factor asks applicants what type of capacity partners bring that an applicant's in-house team may lack? The soundness of approach factor asks applicants if partners bring any unique skills that may add depth to an application? The leverage factor asks applicants whether partners can bring resources that aid in the implementation of an applicant's proposal? Again it's important to note that although partners are encouraged, they are not required to apply to the competition.

So what is a partner within the National Disaster Resilience Competition? A partner is defined in the definition section of the National Disaster Resilience Competition Notice of Funding Availability, and it can be found in Section roman numeral 1.C.8. A partner means a State, unit of local government, a nonprofit entity, a private developer, a financial institution, or other entity chosen by the applicant to assist the applicant in applying for funding or carrying out a funding awarded project under this NOFA, and which submits a Letter of Intent to assist in that capacity; and which may be referenced by the applicant for purposes of demonstrating additional capacity for planning, design, financing, or implementation, and applying for funding under the NOFA. The important takeaways here are that applicants choose whether or not they want partners to help them apply for funding, or to carry out funding awards, or projects under the NOFA. There are certain documentation requirements when applicants select partners, which we'll get into later in this presentation. And applicants may refer to partners in responding to rating factors in their application.

Although partners can help applicants carry out certain aspects of a project, it's important to note that each grantee remains legally and financially accountable for the use of all CDBG-NDR funds. Although applicants may only participate in one application under the National Disaster Resilience Competition, there's no limit to the number of partners per application as long as each partner satisfies the NOFA partner requirements. Additionally, partners may participate in more than one application.

Now that we have a general understanding of what a partner is and the role that they play in the National Disaster Resilience Competition, we'll take a look at specific competition requirements that must be met when partners are chosen by applicants to assist them in applying for funding, or carrying out a funding award, or project. The NDRC NOFA imposes partner requirements in two ways; through the submission of partner documentation, which is a NOFA threshold requirement; and through responses provided by applicants in their narrative exhibits. The NOFA requires submissions related to partners at both phases of the competition.

We'll first take a look at the partner documentation requirements. The NOFA requires two specific forms of partner documentation; the partner letter and the partner agreement. These are required documents for each partner chosen by an applicant and they must be submitted to comply with the eligible applicant threshold requirement. Together these forms of documentation ensure that partners are committed to working collaboratively throughout the project period and for specific purposes. The partner letter, which will be part of an applicant's Phase 1 submission, is a nonbinding Letter of Intent signed by the partner, which demonstrates the partner's intent to participate as part of the applicant's application to the National Disaster Resilience Competition.

A form of the partner letter is included in Appendix C to the NDRC NOFA for use by applicants and partners. In addition to demonstrating a partner's intent to participate in the competition, the partner letters should provide a brief description of the partner, including information on what type of organization the partner is, a description of the partner's experience, and a description of the role that the partner will play in the applicant's proposed project or activity.

The partner agreement is a binding agreement between the applicant and the partner, which will bind the partner contingent on the applicant receiving an award under this competition. A form of the partner agreement is also included as part of the NDRC NOFA and it is Appendix D to the NOFA. Applicants and partners should use this. The partner agreement requires partners to comply with all applicable NDRC requirements, including those found in the Disaster Relief Appropriations Act of 2013, Title I of the Housing and Community Development Act, applicable CDBG program regulations, the NDRC NOFA, the applicant's application, and any other requirements that might be applicable to the use of National Disaster Resilience funds.

The partner agreement should include a complete and detailed description of the scope of services that the partner will provide with the use of NDR funds, including the specifics on the activities to be provided, and a project schedule. The partner agreement should also include provisions that cover a breakdown of the budget for the partner services. Applicants that select partners should also be aware of procurement standards that may apply to them when procuring the services of partners. Procurement standards for the procurement of property and services under HUD's Federal grants are generally located in 24 CFR Part 85.

For when partners are specifically identified in an application and document requirements are met, grantees that have adopted these procurement standards or that must otherwise comply with them can secure the services of partners via noncompetitive single source procurement procedures.

A single source procurement position, permission does not however apply to grantees who wish to add partners after an award of funds under the National Disaster Resilience Competition. If a grantee wishes to add partners after an award of funds, they should comply with the procurement requirements under 24 CFR Part 85, or state, or local laws, whichever apply to them. Other grantees that have not adopted 24 CFR Part 85, or for which these regulations do not apply should look to their state and local procurement requirements to comply with those.

Makani Drummond: Regardless of which procurement method applies, applicants should be aware that the NDRC NOFA partner documentation requirements apply. Now, let's take a look at information on partners that applicants will need to submit as part of the narrative responses to their

rating factors. There's several rating factors, which will require applicants to provide information on partners. Factor 1, the Rating Factor on Capacity; and Factor 3, the Rating Factor on Soundness of Approach; and Factor 4, the Rating Factor on Leverage; and Factor 4, the Rating Factor on Long-Term Commitment. We'll take a look at each of these in turn.

Factor 1 is Capacity Rating Factor; includes several subfactors, which direct applicants to provide information on partners as part of their Phase 1 application. As Meg mentioned earlier, this is the framing phase of the competition. These questions are consistent with the design of the competition; which is structured to guide applicants through the broad consideration of disaster recovery needs, vulnerabilities, the stakeholder interests, resilience, other community development objectives, and the investment alternatives in Phase 1. Many of these questions are designed to obtain responses that speak to the applicant's capacity to manage partners and the partner's capacity to assist the applicant. Responses to Factor 1 and Phase 1 will also provide information on the how the use of partners has shaped the applicants proposal.

Under the general management capacity sub factor, the NDRC NOFA asks applicants whether they have experienced working with coordinating partners in previous projects of similar scope and scale? Under the cross disciplinary technical capacity subfactor, applicants are asked to describe the capacity of each of their partners, and what their partners areas of expertise are? Applicants are also asked to explain whether their partners have experienced an area wide or comprehensive planning? Do their partners – do your partners have relevant capacity to assist in quickly launching and implementing a major project? Do your partners have experience working with civil rights and fair housing laws? And finally, under the subfactor, applicants are asked to explain what their plan is to regain capacity, if a partner drops out during the period of performance.

Under the community engagement capacity subfactor, applicants are asked to explain whether their partners have the capacity and experience to engage community stakeholders and harmonize contributions from the first stakeholders? Applicants will also need to provide information on partners in response to Factor 1 in their Phase 2 application. At Phase 2 of the competition calls for reconsideration of the Phase 1 issues; disaster recovery needs, vulnerabilities, stakeholders interests, resilience, other community development objectives, and investment alternatives at a more granular level of detail.

Applicants that are invited to continue to Phase 2 who choose to work with partners will need to provide specific and concise responses to questions on partner capacity. Under the past experience subfactor, applicants will need to provide examples of recent experience that their partners have that demonstrate general administrative capacity, technical capacity, community engagement, and inclusiveness.

Applicants should refer to the Phase 2 and Factor 1 portion of the NDRC NOFA as it includes a variety of specific prompts applicants should respond to in demonstrating each type of capacity. Under the management structure subfactor, applicants will also be asked to provide the management structure of each of their partners. An organizational chart of each of their partners and a description of the roles that each partner will play. Applicants are also asked whether their capacity to implement a project depends on their partners. Applicants will need to provide contingency plans in case of partner failure.

And finally, this subfactor prevents applicants to include one reference for each partner that can speak to their experience in carrying out recent work similar in type of scope to the role that they'll be playing in the applicants project. Factor 3, the soundness of approach factor also includes subfactors that will require applicants to provide information on partners in both Phase 1 and Phase 2 of their applications. In Phase 1, the consultation subfactor is designed to allow HUD to evaluate the breadth of an application and applicants consultation with stakeholders, partners, and citizens.

And to shed some light on how these parties have shaped the applicants proposal, applicants will be asked to explain how they've consulted with and collaborated with partners. And how that consultation and collaboration has shaped their proposal. In your Phase 2 application, applicants will need to provide information that demonstrates that their project is feasible and effective in design under the project frame and correspondence subfactor. Applicants will need to provide responses that demonstrate that the applicant and its partners are capable of implanting the project and the project's design conforms to accepted design practices, codes, standards, techniques, and best practices.

The Rating Factor of four, leverages, and outcomes also included several subfactors, which will require information on partners in Phase 1 and Phase 2 narrative responses. HUD recognizes that resilient recovery projects may require significant resources over a significant period of time in order for projects to meet goals and sustain their usefulness. HUD also views leveraged commitments as an indicator of support in the community for an applicant's proposal. In Phase 1, the leverage subfactor is therefore intended to solicit responses that will allow HUD to assess an applicant's thoroughness in exploring potential financing and funding sources. Applicants will be asked to explain what local or regional partners that they're aware of that could address implementation and maintenance aspects of their resilient and recovery responses.

Applicants are also asked whether they were receiving direct financial assistance with partners under the committed leverage resources subfactor. In Phase 2, applicants will be asked to, to demonstrate that resources are firmly committed, if they are receiving direct financial assistance for partners. The notice that the NDRC NOFA describes the specific documentation and showing needed to demonstrate the resources for partners are firmly committed. Additionally, in response to Factor 4 in their Phase 2 application, applicants are asked to describe any supporting commitments that their partners bring to their proposal. A supporting commitment is funding that your partners have available to them for their use to carry out activities that directly support your proposal. Examples of this type of commitment are provided in the NDRC NOFA and include a university professor who received grant funding to conduct a healthy environmental study for the target area.

Finally, applicants will need to provide information of partners in their narrative response to Rating Factor 5, regional coordination, and long-term commitment as part of their Phase 2 application. Applicants are specifically asked what actions their partners are commitment to undertake that are most likely to measurably improve resilience during the useful life of the project or permanently? Additionally, applicants are asked whether any of their governmental partners need to take any legislative action to enhance the resiliency of their communities? And if so, what specific actions?

Up until this point, we have discussed, various partner requirements that applicants will need to meet during Phase 1 and Phase 2 of the competition. But applicants should be aware that there are partner requirements at the post award stage as well. Because grantees remain responsible for CDBG-NDR funds, grantees must report obligations of funds by partners in HUD's disaster

recovery grant reporting system through submission of quarterly performance reports. Applicants who successfully navigate the competition and receive an award should refer to the notice and Appendix A for more information on the post award reporting requirements.

Applicants who are interested in learning more about partner requirements, should refer to the resources provided on this slide. Applicants can go to [Grants.gov](https://www.Grants.gov) to download the NDRC NOFA and the supporting documents. This includes all of the appendices. Applicants can also go to the NOFA website, HUD exchange, which is linked to the slide, for other webinars and, other information on the competition as a whole and partner requirements. And finally, for applicants who are interested in data resources, they can go to the [HUDuser.org](https://www.HUDuser.org) website. And the resilient recovery website on HUD Exchange.

Applicants that have any remaining questions that were not covered by this webcast or that are not included in the additional resources are also encouraged to send their questions to HUD at resilientrecovery@HUD.gov.

Meg Barclay: Thank you, Makani. That concludes today's webcast about the National Disaster Recovery Competition, NOFA requirements as they relate to partners in Phases 1 and 2 of the competition as well as post-award requirements.