

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Notice of Availability of Funds and Solicitation for Grant Applications for the National Farmworker Jobs Program (NFJP) Housing Assistance Program.**

**Announcement Type: Solicitation for Grant Applications (SGA)**

**Funding Opportunity Number: SGA-DFA-PY-10-08**

**Catalog of Federal Domestic Assistance (CFDA) Number: 17.264**

**Key Dates:** The closing date for receipt of applications under this announcement is May 3, 2011. Applications must be received no later than 4:00 p.m. Eastern Time.

**Addresses:** Mailed applications must be addressed to the U.S. Department of Labor, Employment and Training Administration, Division of Federal Assistance, Attention: **B. Jai Johnson**, Grant Officer, Reference SGA-DFA-PY-10-08, 200 Constitution Avenue, NW, Room N4716, Washington, D.C. 20210. For complete application and submission information, including on-line application instructions, please refer to Section IV.

**Summary:**

The U.S. Department of Labor (the Department or DOL), Employment and Training Administration (ETA), Office of Workforce Investment (OWI), Division of Adult Services (DAS), announces a grant competition for operating the Housing Assistance portion of the National Farmworker Jobs Program (NFJP), under section 167 of the Workforce Investment Act of 1998 (WIA), 29 U.S.C. 2912. Section 167(a) of WIA requires the Secretary to conduct a grants competition every two years for the purpose of carrying out the activities authorized under section 167. Although housing assistance is identified in WIA as one of the allowable activities under NFJP, Congressional appropriations language directs the Department to make available a specific amount of the funds appropriated for the NFJP for migrant and seasonal farmworkers housing assistance grants, and requires that no less than 70 percent of the specified amount must be used for permanent housing activities. We are conducting this competition before the passage of the Department of Labor's Fiscal Year (FY) 2011 appropriation in anticipation of the appropriation of funds for Program Year (PY) 2011 NFJP housing assistance grants, but we will not obligate any funds for PY 2011 grants unless and until they are appropriated. The FY 2011 appropriation request for the housing assistance program is \$5,700,000. All interested applicants should read this notice in its entirety.

**I. Funding Opportunity Description**

NFJP serves economically disadvantaged persons who primarily depend on employment in agricultural labor performed within the United States, including Puerto Rico, and who experience chronic unemployment or underemployment. Housing assistance is a supportive service offered to assist migrant and seasonal farmworkers (MSFWs) to retain employment, or enter into or complete training.

Housing assistance under NFJP became available three decades ago as a tool to improve economic outcomes for farmworkers and was included as one of a number of supportive services to assist farmworkers to retain employment or enter into and/or remain in training. NFJP regulations consider housing assistance one of a number of related assistance and/or supportive services available to eligible farmworkers through NFJP (20 CFR §669.430).

In 2004, the Department engaged in a dialogue with housing assistance grantees to develop a set of principles and definitions of housing assistance that renewed the focus on employment and training objectives in future solicitations/competitions. The results are the Guiding Principles and Definitions that follow. The Guiding Principles and Definitions are intended to provide clarity for applicants as they develop their applications, and will also be factored into the scoring of the applications. Therefore, applicants must design their programs around these Guiding Principles and Definitions, since they will be used as scoring factors.

## **GUIDING PRINCIPLES**

### **Housing assistance should leverage improved economic outcomes for farmworkers**

Housing assistance should enable migrant and seasonal farmworkers to retain employment, enter into or complete job training activities, and improve their earnings. Housing is a service that supports the economic objectives of the NFJP.

### **Housing assistance services, and the strategies used to deliver them, should meet the needs of all farmworkers**

Farmworkers seeking to improve their economic future have diverse housing needs. Moreover, these needs are not static, but change over time. Strategies used to meet these diverse and dynamic housing assistance needs must be flexible, and based on a mix of permanent and temporary housing and emergency assistance solutions tailored to regional and local needs.

### **Housing developed with WIA 167 (NFJP) funding should be actively marketed, and broadly accessible to NFJP-eligible farmworkers**

While occupancy of year-round and migrant rental units is not restricted to NFJP-eligible farmworkers, the strong link between housing assistance and the economic objectives of the NFJP should translate directly into broad access by NFJP-eligible farmworkers to housing assistance. Providing housing assistance to NFJP-eligible farmworkers should be a priority.

## **DEFINITIONS**

**Permanent Housing** (and its corresponding housing assistance services) is defined as housing intended to be owner-occupied, or occupied on a permanent, year-round basis (notwithstanding ownership) as the farmworker's primary residence to which he/she typically returns at the end of the work or training day, and that assists the farmworker to stay employed, or enter into or complete job training.

Permanent housing services include: rental units, single family, duplexes, and other multi-family structures, dormitory, group homes, and other housing types that provide short-term, seasonal, or year-round housing opportunities in **permanent structures**. Modular structures, manufactured housing, or mobile units placed on permanent foundations and

supplied with appropriate utilities, and other infrastructure are also considered permanent housing.

Managing permanent housing assistance activities may require investments in development services, project management, and resource development to secure acquisition, construction/renovation and operating funds, property management services, and program management. New construction, purchase of existing structures, and rehabilitation of existing structures, as well as the infrastructure, utilities, and other improvements necessary to complete or maintain those structures may also be considered part of managing permanent housing.

**Temporary Housing** (and its corresponding housing services, including emergency housing assistance) is defined as housing intended to meet the farmworker's need to temporarily occupy a unit of housing for reasons related to seeking or retaining employment, or engaging in training. It is not owner-occupied housing, and those farmworkers most likely to utilize it are those engaged in migratory employment or seasonal workers, whose employment requires occasional travel outside their normal commuting area.

Temporary housing includes housing units intended for temporary occupancy located in permanent structures, such as rental units in an apartment complex. Yurts, mobile structures, and tents that provide short-term, seasonal housing opportunities are also included. They may be moved from site to site, dismantled and re-erected when needed for farmworker occupancy, closed during the off-season, or other similar arrangements.

Temporary housing may also be off-farm housing operated independently of employer interest in, or control of, the housing, or on-farm housing operated by a nonprofit, including faith-based or community non-profit organizations, but located on property owned by an agricultural employer. Managing temporary housing assistance may involve property management of temporary housing facilities, case management, and referral services, and emergency housing payments, including vouchers and cash payments for rent/lease and utilities.

As mentioned earlier, applicants must design their programs around the aforementioned Guiding Principles and Definitions, since they will be used as scoring factors.

Applicants may propose to provide permanent housing assistance services only, temporary/emergency housing assistance services only, or both permanent and temporary/emergency housing assistance services. The proposal must describe the proposed housing services to be provided and discuss the reasons why the proposed service mix is best suited to meet the employment and training and program performance objectives of NFJP in the applicant's proposed service delivery area.

Applicants proposing to offer both types of housing assistance services must clearly describe the permanent and temporary/emergency housing assistance services proposed, and discuss the reasons why the proposed service strategy is best suited to meet the employment and training and program performance objectives of NFJP in the applicant's proposed service delivery area. Such applications must include separate budgets for the proposed permanent and temporary/emergency housing assistance, respectively.

## **II. Award Information**

The type of assistance instrument to be used for NFJP Housing Assistance program is a grant. We are conducting this competition before the passage of the Department of Labor's Fiscal Year (FY) 2011 appropriation in anticipation of the appropriation of funds for Program Year (PY) 2011 NFJP grants, but we will not obligate any funds for PY 2011 grants unless and until they are appropriated. Therefore, the selection of grantees and award of funds under this competition is contingent upon the enactment of a PY 2011 appropriation for the NFJP. Grants awarded through this solicitation will be for a two-year period, as prescribed in WIA section 167, but funded on an annual basis. Please be advised that when and if appropriations are enacted, we anticipate that it will only provide funding for the NFJP Housing Assistance Program for PY 2011 only (July 1, 2011, through June 30, 2012). Therefore, second year funding will be dependent on the availability of funding through the FY 2012 appropriation process.

Applicants are reminded that separate budgets and descriptions of activities are required for permanent, and temporary and/or emergency housing assistance, particularly in cases where the applicant organization intends to provide both types of services.

In the past, housing grantees have typically provided housing assistance services in more than one state or areas of a state. Therefore, for applications covering more than one area, applicants are required to submit detailed information about the services to be provided in each of the areas covered by the proposal, including information regarding sub-grantees, if any. The application must include a detailed budget for each of the sub-grantees and describe the housing assistance services to be provided by each sub-grantee. Applications that propose to use sub-grantees, but contain one budget for the entire project, without the breakdown for the sub-grantees, will be considered non-responsive, and will not be reviewed.

The number and funding amount of grants awarded will vary depending on the number of applications received and found to be fundable. In the past, awards have ranged from approximately \$150,000 to approximately \$1,000,000.

## **III. Eligibility Information**

### **A. Eligible Applicants**

Applicants need not be a current or prior housing assistance grantee to be eligible for a grant award under this solicitation. Entities eligible to apply for a grant award are state agencies, state workforce investment boards (SWIBs), local government agencies, local workforce investment boards (LWIBs), faith-based and community organizations, and other non-profit organizations.

### **B. Cost Sharing or Matching**

Cost sharing or matching funds are not required as a condition for application.

### **C. Veterans Priority for Participants**

The Jobs for Veterans Act (Public Law 107-288) requires grantees to provide priority of service for veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL. The regulations implementing this priority of service can be found at 20 CFR part 1010. In circumstances where a grant recipient must choose between two

qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant recipient give the veteran, or eligible spouse, priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Grantees must comply with DOL guidance on veterans' priority. ETA Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole, or in part, by DOL. TEGL No. 10-09 is available at [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2816](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816).

#### **IV. Application and Submission Information**

##### **A. How to Obtain an Application Package**

This SGA contains all of the information and links to forms needed to apply for grant funding.

##### **B. Content and Form of Application Submission**

Proposals submitted in response to this SGA must consist of three separate and distinct parts: (I) a cost proposal; (II) a technical proposal; and (III) attachments to the technical proposal. Applications that do not contain all of the three parts, or that fail to adhere to the instructions in this section, will be considered non-responsive, and will not be considered. It is the applicant's responsibility to ensure that the funding amount requested is consistent across all parts, and sub-parts, of the application.

##### **Part I. The Cost Proposal.** The Cost Proposal must include the following items:

- SF-424, "Application for Federal Assistance" (available at [http://www07.grants.gov/agencies/forms\\_repository\\_information.jsp](http://www07.grants.gov/agencies/forms_repository_information.jsp)). The SF-424 must clearly identify the applicant and must be signed by an individual with authority to enter into a grant agreement. Upon confirmation of an award, the individual signing the SF-424 on behalf of the applicant shall be considered the authorized representative of the applicant. All applicants for Federal grant and funding opportunities are required to have a Data Universal Numbering System (D-U-N-S®) number, and must supply their D-U-N-S® Number on the SF-424. The D-U-N-S® Number is a nine-digit identification number that uniquely identifies business entities. If you do not have a D-U-N-S® Number, you can get one for free through the Dun & Bradstreet (D & B) Web site: <http://fedgov.dnb.com/webform/displayHomePage.do>.
- The SF-424A Budget Information Form (available at [http://www07.grants.gov/agencies/forms\\_repository\\_information.jsp](http://www07.grants.gov/agencies/forms_repository_information.jsp)). In preparing the Budget Information Form, the applicant must provide a concise narrative explanation to support the budget request, explained in detail below.
- Budget Narrative: The budget narrative must provide a description of costs associated with each line item on the SF-424A.
- Note that the entire Federal grant amount requested must be included on the SF-424 and SF-424A and budget narrative. No leveraged resources should be shown on the SF-424 and SF-424A. The amount listed on the SF-424, SF-424A and budget narrative must be the same. Please note, the funding amount included on the SF-424 will be considered the official funding amount requested if any inconsistencies are found. Applications that fail to provide an SF-424 including D-

U-N-S® Number, SF-424A, and a budget narrative will be considered non-responsive and not reviewed.

- Regardless of the method of application submission, all applicants must register with the Federal Central Contractor Registry (CCR) before submitting an application. Step-by-step instructions for registering with CCR can be found at [http://www.grants.gov/applicants/org\\_step2.jsp](http://www.grants.gov/applicants/org_step2.jsp). An awardee must maintain an active CCR registration with current information at all times during which it has an active Federal award or an application under consideration. To remain registered in the CCR database after the initial registration, the applicant is required to review and update on an annual basis from the date of initial registration or subsequent updates its information in the CCR database to ensure it is current, accurate and complete. For purposes of this paragraph, the applicant is the entity that meets the eligibility criteria and has the legal authority to apply and to receive the award. Failure to register with the CCR before application submission will result in your application being found non-responsive and not being reviewed.

Part II. The Technical Proposal. The Technical Proposal must demonstrate the applicant's capability to implement the grant project in accordance with the provisions of this solicitation. The guidelines for the content of the Technical Proposal are provided in Section V of this SGA. The Technical Proposal is limited to 20 double-spaced single-sided 8.5 x 11 inch pages, with 12 point text font, and 1 inch margins. Any materials beyond the specified page limit will not be read. Applicants should number the Technical Proposal beginning with Page Number 1. Applications that do not include Part II, the Technical Proposal, will be considered non-responsive and not reviewed.

**Part III. Attachments to the Technical Proposal.** In addition to the Technical Proposal, the applicant must submit the following attachment:

- a) An up to two-page abstract summarizing the proposed project, including, but not limited to, the scope of the project and proposed **housing activities to be undertaken, as well as the service area covered by the applicant's proposal.**

Applications that do not include the required attachment will be considered non-responsive and will not be reviewed.

Only the attachment listed above as a required attachment will be excluded from the specified page limit. The required attachment must be affixed as separate, clearly identified appendix to the application. Additional materials, such as resumes or general letters of support or commitment, will not be considered.

Applicants should not send documents separately to ETA, because documents received separately will be tracked through a different system, and will not be attached to the application for review. ETA will not accept general letters of support submitted by organizations or individuals that are not partners in the proposed project and that do not directly identify the specific commitment or roles of the project partners. Support letters of this nature will not be considered in the evaluation review process.

#### C. Submission Date, Times, Process, and Addresses

The closing date for receipt of applications under this announcement is May 3, 2011. Applications may be submitted electronically on <http://www.grants.gov> or in hard copy by

mail or hand delivery (**including overnight delivery**). Hard copy applications must be received at the address below no later than 4:00 p.m. Eastern Time. Applications submitted on grants.gov must also be successfully submitted (as described below) no later than 4:00 p.m. Eastern Time. Applications sent by e-mail, telegram, or facsimile (FAX) will not be accepted.

Applicants submitting proposals in hard copy must submit an original signed application (including the SF-424) and one (1) “copy-ready” version free of bindings, staples, or protruding tabs to ease in the reproduction of the proposal by DOL. Applicants submitting proposals in hard copy are also required to provide an identical electronic copy of the proposal on compact disc (CD). If discrepancies between the hard copy submission and CD copy are identified, the application on the CD will be considered the official applicant submission for evaluation purposes. Failure to provide identical applications in hard copy and CD format may have an impact on the overall evaluation.

If an application is physically submitted by both hard copy and through <http://www.grants.gov>, a letter must accompany the hard copy application stating which application to review. If no letter accompanies the hard copy, we will review the copy submitted through <http://www.grants.gov>. Applications that do not meet the conditions set forth in this notice will be considered non-responsive. No exceptions to the mailing and delivery requirements set forth in this notice will be granted. Further, documents submitted separately from the application, before or after the deadline, will not be accepted as part of the application.

Mailed applications must be addressed to the U.S. Department of Labor, Employment and Training Administration, Division of Federal Assistance, Attention: **B. Jai Johnson**, Grant Officer, Reference SGA-DFA-PY-10-08, 200 Constitution Avenue, NW, Room N4716, Washington, D.C. 20210. Applicants are advised that mail delivery in the Washington, D.C. area may be delayed due to mail decontamination procedures. Hand-delivered proposals will be received at the above address. All overnight mail will be considered to be hand-delivered and must be received at the designated place by the specified closing date and time.

Applications that are submitted through Grants.gov must be successfully submitted at <http://www.grants.gov> no later than 4:00 p.m. Eastern Time on the closing date, and then subsequently validated by Grants.gov. The submission and validation process is described in more detail below. The process can be complicated and time-consuming. Applicants are strongly advised to initiate the process as soon as possible and to plan for time to resolve technical problems if necessary.

The Department strongly recommends that before the applicant begins to write the proposal, applicants should immediately initiate and complete the “Get Registered” registration steps at [http://www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp). Applicants should read through the registration process carefully before registering. These steps may take as much as four weeks to complete, and this time should be factored into plans for electronic submission in order to avoid unexpected delays that could result in the rejection of an application. The site also contains registration checklists to help walk you through the process. The Department strongly recommends that applicants download the “Organization Registration Checklist” at [http://www.grants.gov/assets/Organization\\_Steps\\_Complete\\_Registration.pdf](http://www.grants.gov/assets/Organization_Steps_Complete_Registration.pdf) and prepare the information requested before beginning the registration process. Reviewing

and assembling required information before beginning the registration process will alleviate last minute searches for required information and save time.

As described above, applicants must have a D-U-N-S® Number and must register with the Federal Central Contractor Registry (CCR).

The next step in the registration process is creating a username and password with Grants.gov to become an Authorized Organizational Representative (AOR). AORs will need to know the D-U-N-S® Number of the organization for which they will be submitting applications to complete this process. To read more detailed instructions for creating a profile on Grants.gov visit: [http://www.grants.gov/applicants/org\\_step3.jsp](http://www.grants.gov/applicants/org_step3.jsp).

After creating a profile on Grants.gov, the E-Biz point of Contact (E-Biz POC) - a representative from your organization who is the contact listed for CCR – will receive an email to grant the AOR permission to submit applications on behalf of their organization. The E-Biz POC will then log in to Grants.gov and approve an applicant as the AOR, thereby giving him or her permission to submit applications. To learn more about AOR Authorization visit: [http://www.grants.gov/applicants/org\\_step5.jsp](http://www.grants.gov/applicants/org_step5.jsp), or to track AOR status visit: [http://www.grants.gov/applicants/org\\_step6.jsp](http://www.grants.gov/applicants/org_step6.jsp).

An application submitted through Grants.gov constitutes a submission as an electronically signed application. The registration and account creation with Grants.gov, with E-Biz POC approval, establishes an AOR. When you submit the application through Grants.gov, the name of your AOR on file will be inserted into the signature line of the application. Applicants must register the individual who is able to make legally binding commitments for the applicant organization as the AOR; this step is often missed and it is crucial for valid submissions.

When a registered applicant submits an application with Grants.gov, an electronic time stamp is generated within the system when the application is successfully received by Grants.gov. Within two business days of application submission, Grants.gov will send the applicant two email messages to provide the status of the application's progress through the system. The first e mail, sent almost immediately, will contain a tracking number and will confirm receipt of the application by Grants.gov. The second e mail will indicate the application has either been successfully validated or has been rejected due to errors. Only applications that have been successfully submitted by the deadline and subsequently successfully validated will be considered. It is the sole responsibility of the applicant to ensure a timely submission. While it is not required that an application be successfully validated before the deadline for submission, it is prudent to reserve time before the deadline in case it is necessary to resubmit an application that has not been successfully validated. Therefore, sufficient time should be allotted for submission (two business days) and, if applicable, additional time to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). It is important to note that if sufficient time is not allotted and a rejection notice is received after the due date and time, the application will not be considered.

To ensure consideration, applicants must provide any narrative sections of their application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If an applicant provides a file type other than the three file types specified, DOL will not review the material. In such cases, the non-conforming application will not be considered for funding.

We strongly advise applicants to use the various tools and documents, including FAQs, which are available on the “Applicant Resources” page at <http://www.grants.gov/applicants/resources.jsp>.

ETA encourages new prospective applicants to view the online tutorial, “Grant Applications 101: A Plain English Guide to ETA Competitive Grants,” available through Workforce3One at: [http://www.workforce3one.org/page/grants\\_toolkit](http://www.workforce3one.org/page/grants_toolkit).

To receive updated information about critical issues, new tips for users and other time sensitive updates as information is available, applicants may subscribe to “Grants.gov Updates” at [http://www.grants.gov/applicants/email\\_subscription\\_signup.jsp](http://www.grants.gov/applicants/email_subscription_signup.jsp).

If applicants encounter a problem with Grants.gov and do not find an answer in any of the other resources, call 1-800-518-4726 to speak to a Customer Support Representative or email “[support@grants.gov](mailto:support@grants.gov)”. The Contact Center is open 24 hours a day, seven days a week. It is closed on federal holidays.

**Late Applications:** For applications submitted on Grants.gov, only applications that have been successfully submitted no later than 4:00 p.m. Eastern Time on the closing date and then successfully validated will be considered. Applicants take a significant risk by waiting to the last day to submit by Grants.gov.

Any hard copy application received after the exact date and time specified for receipt at the office designated in this notice will not be considered, unless it is received before awards are made, it was properly addressed, and it was: (a) sent by U.S. Postal Service mail, postmarked not later than the fifth calendar day before the date specified for receipt of applications (e.g., an application required to be received by the 20th of the month must be postmarked by the 15th of that month); or (b) sent by professional overnight delivery service to the addressee not later than one working day before the date specified for receipt of applications. “Postmarked” means a printed, stamped or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service. Therefore, applicants should request the postal clerk to place a legible hand cancellation “bull’s eye” postmark on both the receipt and the package. Failure to adhere to these instructions will be a basis for a determination that the application was not filed timely and will not be considered. Evidence of timely submission by a professional overnight delivery service must be demonstrated by equally reliable evidence created by the delivery service provider indicating the time and place of receipt.

#### D. Intergovernmental Review

This funding opportunity is not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

#### E. Funding Restrictions

All proposal costs must be necessary and reasonable and in accordance with Federal guidelines. Determinations of allowable costs will be made in accordance with the applicable Federal cost principles. Disallowed costs are those charges to a grant that the grantor agency or its representative determines not to be allowed in accordance with the applicable Federal cost principles or other conditions contained in the grant.

Applicants, whether successful or not, will not be entitled to reimbursement of pre-award costs.

#### 1. Indirect Costs

As specified in OMB Circular Cost Principles, indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. An indirect cost rate (ICR) is required when an organization operates under more than one grant or other activity, whether Federally-assisted or not.

Organizations must use the ICR supplied by the Federal Cognizant Agency. If an organization requires a new ICR or has a pending ICR, the Grant Officer will award a temporary billing rate for 90 days until a provisional rate can be issued. This rate is based on the fact that an organization has not established an ICR agreement. Within this 90-day period, the organization must submit an acceptable indirect cost proposal to their Federal Cognizant Agency to obtain a provisional ICR.

#### 2. Administrative Costs

Under this SGA, an entity that receives a grant to carry out a project or program may not use more than **15** percent of the amount of the grant to pay administrative costs associated with the program or project. Administrative costs could be direct or indirect costs, and are defined at 20 CFR 667.220. Administrative costs do not need to be identified separately from program costs on the SF-424A Budget Information Form.

However, they must be tracked through the grantee's accounting system. To claim any administrative costs that are also indirect costs, the applicant must obtain an Indirect Cost Rate Agreement from its Federal Cognizant agency, as specified above.

#### 3. Salary and Bonus Limitations

Under Public Law 109-234, none of the funds appropriated in Public Law 109-149 or prior Acts under the heading "Employment and Training Administration" that are available for expenditure on or after June 15, 2006, may be used by a recipient or sub-recipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, except as provided for in section 101 of Public Law 109-149. Public Laws 111-8 and 111-117 contain the same limitation on funds appropriated under each of these Laws. This limitation applies to grants funded under this SGA. The salary and bonus limitation does not apply to vendors providing goods and services as defined in OMB Circular A-133 (codified at 29 CFR Parts 96 and 99). See Training and Employment Guidance Letter number 5-06 for further clarification: [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2262](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262).

4. Intellectual Property Rights: The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for Federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or licensing fee associated with such copyrighted material, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual

property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner.”

#### F. Other Submission Requirements

Withdrawal of Applications: Applications may be withdrawn by written notice to the Grant Officer at any time before an award is made.

### **V. Application Review Information**

To provide housing assistance services to eligible migrant and seasonal farmworkers under WIA section 167, whether permanent, temporary/emergency, or a mix of both, the Department will select those proposals that are deemed most responsive to the requirements of this solicitation, as reviewed and scored during the review panel process. To that end, proposals must show that the applicant:

- has an understanding of the housing market in the area(s) they propose to serve, as well as an understanding of the housing needs of migrant and seasonal farmworkers;
- has a familiarity with the housing conditions in the proposed service area, the housing assistance available to farmworkers from other agencies in the service area, and the impact of both those elements on the housing needs of farmworkers; and
- has the capacity to effectively administer a housing assistance program with the proper administrative and fiscal oversight and integrity.

Additionally, to be responsive to the requirements of this solicitation, applicants must demonstrate how the proposed service plan will reflect the Guiding Principles described in Section I of this solicitation. Applicants must describe their collaboration and working relationships with other agencies in the proposed service area that may provide housing or employment assistance, such as the One-Stop Career Center system and the wider community of social service agencies, including faith-based and community-based organizations.

The proposal should describe the expected results of those relationships on the development of and enhanced housing assistance services for farmworkers under this grant, if an award is made.

## A. Evaluation Criteria

This section identifies and describes the criteria that will be used for each category to evaluate grant proposals. The evaluation criteria are described below:

Criterion	Points
1. Understanding the Housing Assistance Needs of the Eligible MSFW Population in the Proposed Service Area(s)	20
2. Familiarity with the Proposed Service Area(s)	20
3. Administrative Capacity	20
4. Proposed Activities and Services	40
TOTAL	100

### **1. Understanding the Housing Assistance Needs of the Eligible Migrant and Seasonal Farmworkers in the Proposed Service Area(s) – 20 points**

The Guiding Principles contained in Section I of this solicitation reflect critical elements for a sound housing assistance strategy, including how housing assistance services should leverage improved outcomes for farmworkers, and that housing developed with NFJP funding should be actively marketed and broadly accessible to NFJP-eligible farmworkers. These Guiding Principles, along with an understanding of the housing market in the proposed service area(s) and the problems faced by migrant and seasonal farmworkers in accessing that market, are critical to the formulation of an effective housing assistance strategy. In addition, an effective strategy of outreach to migrant and seasonal farmworkers is essential to meeting their housing assistance needs, as discussed in the Guiding Principles.

Applicants must describe the housing market in the proposed service area(s), including a description of employer-provided housing, if any; publicly-subsidized housing, if any; and the problems encountered by migrant and seasonal farmworkers in accessing affordable housing. Include a discussion of the problems faced by migrant and seasonal farmworkers in getting and keeping a job, or in participating in training activities that lead to improved economic outcomes, as a result of housing needs going unmet. Applicants must also describe their strategy for identifying and conducting outreach to eligible farmworkers with housing needs. In cases where a number of different organizations are jointly applying, this section must include the requested information for each of the areas covered by the potential sub-grantee organizations.

Scoring on this factor will be based on how well the applicant's analysis of the housing market in the proposed service area(s) incorporates the tenets included in the Guiding Principles set forth in Section I of this SGA, and on any other studies and analyses conducted to determine farmworker housing assistance needs. Scoring will also take into account the quality of the applicant's analysis of housing assistance available through other housing assistance organizations, including faith-based and community-based organizations, and the applicant's plans to integrate their housing assistance services with those already present in the proposed area(s). To score highly, the applicant's analysis must demonstrate an in-depth knowledge of the housing market in the service area(s) and how housing availability impacts a farmworker's (and their dependents) ability to obtain and retain employment, or participate in training or other activities that lead to improved economic outcomes.

## **2. Familiarity with the Proposed Service Area(s) – 20 points**

Familiarity with the housing conditions in the proposed service area(s) and the housing assistance available from other sources in that area(s) is essential to providing housing assistance services that are appropriate for migrant and seasonal farmworkers in need of services, to assure non-duplicative use of WIA Section 167 housing assistance funds, and to reflect the Guiding Principles described in Section I of this solicitation.

Applicants must provide a resource map containing an analysis of the housing assistance resources available from all sources in the proposed service area(s), including employer-sponsored housing, state and local agencies, the One-Stop Career Center system, and housing assistance organizations, including faith-based and community-based organizations. Applicants must describe their efforts to engage these resources on behalf of farmworkers, including any successful efforts in the past, and the results of those efforts vis-a-vis improved economic outcomes for farmworkers, as reflected in the Guiding Principles. Applicants must also describe the strategies they propose to ensure access to these housing resources by eligible migrant and seasonal farmworkers, emphasizing the different strategies for each farmworker population, and how those strategies help to meet the housing needs of all farmworkers, as reflected in the Guiding Principles. In cases where a number of different organizations are jointly applying, this section must include the requested information for each of the areas covered by the potential sub-grantees.

Scoring on this factor will be based on the comprehensiveness and quality of the mapping of housing assistance resources available from sources other than WIA section 167 funds, on the applicant's efforts to engage those other resources so that the housing needs of all farmworkers are met, and on the applicant's strategy for maximizing the housing assistance services available to migrant and seasonal farmworkers to leverage improved economic outcomes for farmworkers.

## **3. Administrative Capacity – 20 points**

Capacity to effectively administer a housing assistance program is contingent on effective and efficient systems to assure program and fiscal oversight and integrity.

Applicants must describe the management information and performance management systems to be used for reporting, performance accountability management, fiscal management, and case management systems. The applicant must include a clear description of its experience with performance management systems and how the results achieved were applied to improved customer service. The discussion should include:

- a description of how eligibility to receive housing assistance services will be determined, including how that relates to improved employment outcomes for farmworkers;
- a discussion of whether the criteria used to determine eligibility differs among migrant and seasonal farmworker groups, and, if so, what the differences are, and the rationale for them.

Applicants must also describe their recordkeeping system in sufficient detail to demonstrate that it is adequate to prepare financial reports, and to trace funds to adequate levels of expenditures to ensure lawful spending. Please note that in cases where a number of different organizations are applying together, the lead agency will be expected to prepare a "roll-up" or aggregated report that clearly identifies the expenditures of each sub-grantee individually, as well as the combined total.

The WIA section 167 housing assistance program is required to use electronic reporting via the Internet. The applicant must describe its capacity to provide the equipment (including personal computers, software for word processing and spreadsheets, individual e-mail accounts), access (including Internet access), and staff qualified to perform on-line reporting.

Scoring on this criterion will be based on the extent to which the applicant's description of the systems for performance accountability and management, program and fiscal management reporting, case management (including internet reporting capability), and eligibility determination and verification demonstrates that its management systems can be expected to result in accurate information and efficient program administration.

#### **4. Proposed Activities and Services – 40 points**

The applicant's discussion of the proposed approach to providing specific housing assistance services (permanent, temporary/emergency, or both) has the highest point potential of the application. The proposed approach to providing activities and services must be designed to meet the needs of MSFWs in the proposed service area(s), and must reflect the Guiding Principles contained in Section I of this solicitation. With regard to the requirements below, this section should clearly indicate whether different housing services strategies will be employed to meet the housing and related employment and training needs of seasonal farmworkers versus migrant farmworkers.

##### **Permanent Housing Assistance**

Applicants proposing to carry out permanent housing activities **only** must describe their system for identifying farmworkers in need of permanent housing assistance, including the process for eligibility determination and coordination with the NFJP grantee, and the relevant state and local One-Stop Career Center system to ensure that the housing assistance supports an employment outcome or training objective for farmworkers eligible for NFJP services.

The proposal must:

- describe all the phases of the permanent housing project, including pre-development activities, housing development, construction, lease-up, and post-leasing activities (or the activities leading to successful rehabilitation of existing permanent housing), and include a timeline that estimates the length of time required for each project to be undertaken;
- include a description of the housing counseling activities to be provided to farmworkers (including information on first-time home ownership);
- include the types of technical assistance to be provided to other housing organizations, if appropriate; and
- a description of the system that will be used to capture the number of referrals made from the NFJP grantee or other One-Stop Career Center system partners to permanent housing facilities or units established through a permanent housing program.

The proposal should include an estimate of the number of farmworkers to be assisted through the permanent housing program, and an estimate of how many of those farmworkers are also NFJP-eligible farmworkers.

## **Temporary and/or Emergency Housing Assistance**

Applicants proposing to carry out temporary and/or emergency housing assistance **only** must describe their system for identifying farmworkers in need of temporary and/or emergency housing assistance, including the process for eligibility determination and coordination with the NFJP grantee in the state and, if applicable, with the relevant state and local One-Stop system, to ensure that the housing assistance supports an employment outcome or training objective for those farmworkers who are NFJP-eligible. The proposal must:

- include a description of the case management approach to be used and the way the organization proposes to manage the delivery of temporary and/or emergency housing assistance services;
- describe the specific housing assistance services to be offered and the estimated number of migrant and seasonal farmworkers to be served through each proposed service (i.e., temporary and emergency housing, respectively). Separate information should be provided for temporary housing and for emergency housing; and
- describe how eligible farmworkers' housing assistance will be coordinated with training and related assistance services provided through the NFJP grantee if the applicant did not apply for, or is not awarded, an NFJP job training grant, as well as through the local workforce investment board(s), which oversees strategic planning for all One-Stop Career Center partner programs.

## **Permanent and Temporary/Emergency Housing Assistance**

Applicants proposing to conduct activities that encompass both permanent and temporary/emergency housing activities must provide all of the information requested above.

All applicants are responsible for clearly identifying the organization that will be responsible for delivering the services, whether permanent or temporary and/or emergency, in each proposed service area, i.e., the descriptions requested above must be included for each organization that will deliver housing services in cases where a number of different organizations are applying jointly.

Scoring on this factor will be based on evidence that the applicant has effectively used its knowledge and experience as presented in the previous sections, as applicable, to develop a housing assistance strategy that will help to leverage economic outcomes for farmworkers, help to successfully meet the housing needs of all MSFWs in the proposed service area(s), and is marketed and broadly accessible to NFJP-eligible farmworkers. The housing strategy and plan of service must address all of the required elements of this criterion and must successfully meet the objectives of the Guiding Principles described in Section I of this solicitation and be tailored appropriately to meet the needs of migrant and seasonal farmworkers in the proposed service area(s).

### **C. Review and Selection Process**

Applications for grants under this Solicitation will be accepted after the publication of this announcement and until the closing date. A technical review panel will carefully evaluate applications against the selection criteria. These criteria are based on the policy goals, priorities, and emphases set forth in this SGA. Up to 100 points may be awarded to an application, depending on the quality of the responses to the required information described in Section V.A. The ranked scores will serve as the primary basis for selection

of applications for funding, in conjunction with **any other information available to the Grant Officer that allows him/her to determine which applicant can best serve the needs of eligible migrants and seasonal farmworkers.** The panel results are advisory in nature and not binding on the Grant Officer. The Grant Officer may consider any information that comes to his/her attention. The government may elect to award the grant(s) with, or without, discussions with the applicant. Should a grant be awarded without discussions, the award will be based on the applicant's signature on the SF-424, including electronic signature via E-Authentication on <http://www.grants.gov>, which constitutes a binding offer by the applicant. However, in no case will we award or otherwise obligate funds until a PY 2011 appropriation for the NFJP is enacted.

## **VI. Award Administration Information**

### **A. Award Notices**

All award notifications will be posted on the ETA Homepage (<http://www.doleta.gov>). Applicants selected for award will be contacted directly before the grant's execution. Non-selected applicants will be notified by mail or email, and may request a written debriefing on the significant weaknesses of their proposal.

Selection of an organization as a grantee does not constitute approval of the grant application as submitted. Before the actual grant is awarded, ETA may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support grant implementation. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the negotiations and decline to fund the application. DOL reserves the right to not fund any application related to this SGA.

### **B. Administrative and National Policy Requirements**

#### **1. Administrative Program Requirements**

All grantees will be subject to all applicable Federal laws, regulations, and the applicable OMB Circulars. The grant(s) awarded under this SGA will be subject to the following administrative standards and provisions:

i. Non-Profit Organizations – OMB Circular A–122 (Cost Principles), relocated to 2 CFR part 230, and 29 CFR part 95 (Administrative Requirements)

ii. Educational Institutions – OMB Circular A–21 (Cost Principles), relocated to 2 CFR part 220, and 29 CFR part 95 (Administrative Requirements).

iii. State, Local, and Indian Tribal Governments – OMB Circular A–87 (Cost Principles), relocated to 2 CFR part 225, and 29 CFR part 97 (Administrative Requirements).

iv. Profit Making Commercial Firms – Federal Acquisition Regulation (FAR) – 48 CFR part 31 (Cost Principles), and 29 CFR part 95 (Administrative Requirements).

v. All Grant Recipients must comply with the applicable provisions of The Workforce Investment Act of 1998, Public Law No. 105-220, 112 Stat. 936 (codified as amended at 29 U.S.C. 2801 et seq.) and the applicable provisions of the regulations at 20 CFR 660 et seq. Note that 20 CFR part 667 (General Fiscal and Administrative Rules) includes

unsuccessful applicant appeal information.

vi. All entities must comply with 29 CFR part 93 (New Restrictions on Lobbying), 29 CFR part 94 (Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)), 29 CFR 95.13 and part 98 (Governmentwide Debarment and Suspension, and drug-free workplace requirements), and, where applicable, 29 CFR part 96 (Audit Requirements for Grants, Contracts, and Other Agreements) and 29 CFR part 99 (Audits of States, Local Governments and Non-Profit Organizations).

vii. 29 CFR part 2, subpart D—Equal Treatment in Department of Labor Programs for Religious Organizations, Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.

viii. 29 CFR part 31—Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964.

ix. 29 CFR part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.

x. 29 CFR part 35— Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.

xi. 29 CFR part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.

xii. 29 CFR part 37 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998.

xiii. 29 CFR parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.

## 2. Other Legal Requirements:

### i. Religious Activities

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. Section 2000bb, applies to all Federal law and its implementation. If your organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive Federal financial assistance under Title I of the Workforce Investment Act and maintain that hiring practice even though Section 188 of the Workforce Investment Act contains a general ban on religious discrimination in employment. If you are awarded a grant, you will be provided with information on how to request such an exemption.

### ii. Lobbying or Fundraising the U.S. Government with Federal Funds

In accordance with Section 18 of the Lobbying Disclosure Act of 1995 (Public Law 104-65) (2 U.S.C. 1611), non-profit entities incorporated under Internal Revenue Service Code Section 501(c) (4) that engage in lobbying activities are not eligible to receive Federal funds and grants. No activity, including awareness-raising and advocacy activities, may include fundraising for, or lobbying of, U.S. Federal, state or local governments (see OMB Circular A-122).

### iii. Transparency Act

The Department is committed to conducting a transparent grant award process and publicizing information about program outcomes. Applicants are advised their application and information related to its review and evaluation (whether or not the application is successful) may be made publicly available, either fully or partially. In addition, information about grant progress and results may also be made publicly available.

Other Transparency Act requirements include:

- Applicants must ensure that it has the necessary processes and systems in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by section 6202 of Pub. Law 110-252) (Transparency Act), as follows:
- All applicants, except for those excepted from the Transparency Act under subparagraphs 1, 2, and 3 below, must ensure that they have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should they receive funding.
- Upon award, applicants will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR part 170, Appendix A, which can be found at the following Web site:  
<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>.

#### **Exceptions to Transparency Act requirements:**

The following types of awards are not subject to the FFARA:

- (1) Federal awards to individuals who apply for or receive Federal awards as natural persons (i.e., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- (2) Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- (3) Federal awards, if the required reporting would disclose classified information.

#### Other Administrative Standards and Provisions

Except as specifically provided in this SGA, the Department's acceptance of a proposal and an award of Federal funds to sponsor any programs(s) does not provide a waiver of any grant requirements and/or procedures. For example, the OMB Circulars require that an entity's procurement procedures must ensure that all procurement transactions are conducted, as much as practical, to provide open and free competition. If a proposal identifies a specific entity to provide services, the DOL's award does not provide the justification or basis to sole source the procurement, i.e., avoid competition, unless the

activity is regarded as the primary work of an official partner to the application.

#### 4. Special Program Requirements

##### C. Reporting

***Grantees must agree to meet DOL reporting requirements. Quarterly financial reports, quarterly progress reports, and MIS data must be submitted by the grantee***

**electronically. The grantee is required to provide the reports and documents listed below:**

1. Quarterly Financial Reports

A Quarterly Financial Status Report (ETA 9130) is required until such time as all funds have been expended or the grant period has expired. Quarterly reports are due 45 days after the end of each calendar year quarter. Grantees must use DOL's Online Electronic Reporting System, and information and instructions will be provided to grantees.

2. Quarterly Performance Reports

The grantee must submit a quarterly progress report within 45 days after the end of each calendar year quarter to their Federal Project Officer. The report must include quarterly information regarding grant activities in narrative form. Grantees must agree to meet DOL reporting requirements.

3. Record Retention

Applicants must be prepared to follow Federal guidelines on record retention, which require grantees to maintain all records pertaining to grant activities for a period of not less than three years from the time of final grant close-out.

## **VII. Agency Contacts**

For further information about this SGA, please contact Eileen Banks, Grants Management Specialist, Division of Federal Assistance, at (202) 693-3403. Applicants should e-mail all technical questions to [Banks.Eileen@dol.gov](mailto:Banks.Eileen@dol.gov) and must specifically reference SGA/DFA PY **10-08**, and along with question(s), include a contact name, fax, and phone number. This announcement is being made available on the ETA Web site at <http://www.doleta.gov/grants> and at <http://www.grants.gov>.

## **VIII. Additional Resources of Interest to Applicants**

### **A. Web-Based Resources**

DOL maintains a number of Web-based resources that may be of assistance to applicants. For example, the Career One Stop portal (<http://www.careeronestop.org>), which provides national and state career information on occupations; the Occupational Information Network (O\*NET) Online (<http://online.onetcenter.org>) which provides occupational competency profiles; and America's Service Locator (<http://www.servicelocator.org>), which provides a directory of our nation's One Stop Career Centers.

### **B. Workforce3One Resources**

1. ETA encourages applicants to view the information gathered through the conference calls with Federal agency partners, industry stakeholders, educators, and local practitioners. The information on resources identified can be found on Workforce3One.org at: <http://www.workforce3one.org/view/2001008333909172195/info>.

2. ETA encourages applicants to view the on-line tutorial, "Grant Applications 101: A Plain English Guide to ETA Competitive Grants," available through Workforce3One at: [http://www.workforce3one.org/page/grants\\_toolkit](http://www.workforce3one.org/page/grants_toolkit).

## **IX. Other Information**

OMB Information Collection No. 1225-0086

OMB Information Collection No 1225-0086, Expires November 30, 2012.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 20 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments about the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, to the attention of the Departmental Clearance Officer, 200 Constitution Avenue NW, Room N1301, Washington, D.C. 20210. Comments may also be emailed to DOL\_PRA\_PUBLIC@dol.gov. PLEASE DO NOT RETURN THE COMPLETED APPLICATION TO THIS ADDRESS. SEND IT TO THE SPONSORING AGENCY AS SPECIFIED IN THIS SOLICITATION.

This information is being collected for the purpose of awarding a grant. The information collected through this "Solicitation for Grant Applications" will be used by the Department of Labor to ensure that grants are awarded to the applicant best suited to perform the functions of the grant. Submission of this information is required in order for the applicant to be considered for award of this grant.

Signed at Washington, D.C., this 11<sup>th</sup> day of March, 2011.

**B. Jai Johnson**

Grant Officer, Employment and Training Administration