

New Jersey Department of Community Affairs (DCA)

Hurricane Ida Notice of Funding Availability (NOFA): Housing
Information and Referral Services, Housing Counseling, and Legal
Services

Deadline: **November 15, 2022**

Program Contact: **Sylvia.Johnston@dca.nj.gov**

I. Background

The U.S. Department of Housing and Urban Development (HUD) has allocated \$228,346,000 in CDBG-DR funds to the State of New Jersey in response to Hurricane Ida (DR-4614) through FR-6326-N-01 (Allocation Notice). This allocation was made available through the Disaster Relief Supplemental Appropriations Act of 2022 for major disasters occurring in 2020 and 2021 (Public Law 117-43), approved on September 30, 2021 (the Appropriations Act). These Community Development Block Grant Disaster Recovery (CDBG-DR) funds are for necessary expenses for activities authorized under Title I of the Housing and Community Development Act of 1974 (42 United States Code 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the “most impacted and distressed” (MID) areas resulting from a qualifying major disaster in 2020 or 2021.

The funds support long-term recovery and mitigation efforts following Hurricane Ida (DR-4614) through the New Jersey Department of Community Affairs (DCA) and must address the needs that remain after all other assistance has been exhausted. DCA’s [Action Plan](#) allocated \$3 million to support application assistance, housing counseling, and legal services.

DCA has identified areas impacted by Superstorm Sandy that continue to need services. DCA has allocated \$1.5 million from the CDBG-DR funds allocated to New Jersey for Superstorm Sandy recovery to support disaster impacted households.

In addition, Public Law 117-43 allows the Secretary to authorize CDBG-DR grantees that had previously received a CDBG-DR award to also receive an award in the current Appropriations Act and use those funds interchangeably and without limitation for the same activities to address unmet recovery needs in the MID areas of both disasters when the MID areas overlap. Based on this authority, the Secretary allowed interchangeability in FR Notice 6326-N-01(IV)(A)(3). Through Superstorm Sandy Action Plan [Amendment 48](#) \$4 million has been reallocated to assist in the overlapping HUD MID areas.

Cohort	Counties	Budget	Services	Period of Performance
Sandy-specific MID Counties	Atlantic, Cape May, Monmouth, Ocean	\$1,500,000	Housing Information and Referral Services, Housing Counseling	3 years
Ida-Only MID County	Somerset	\$1,000,000	Housing Information and Referral Services, Housing Counseling,	3 years, 3 one-year extensions

Cohort	Counties	Budget	Services	Period of Performance
			Legal Services, Facilitation of Section 3 and Job Training	
Overlapping MID Counties	Bergen, Essex, Hudson, Middlesex, Passaic, Union	\$3,000,000	Housing Information and Referral Services, Housing Counseling, Legal Services, Facilitation of Section 3 and Job Training	3 years, 3 one-year extensions
State MID Counties	Gloucester, Hunterdon, Mercer, Morris, Warren	\$500,000	Housing Information and Referral Services, Housing Counseling, Legal Services, Facilitation of Section 3 and Job Training	3 years
All Ida Certification for Small Rental Repair Program (SRRP) and dual applicants (BAB/HARP)	Bergen, Essex, Middlesex, Gloucester, Hudson, Hunterdon, Mercer, Morris, Passaic, Somerset, Union, Warren	\$1,500,000	SRRP - Fair Housing and compliance requirements; Financial Counseling BAB/HARP - Homebuyer education; Financial Counseling	3 years, 3 one-year extensions
TOTAL NOFA BUDGET		\$7,500,000		

II. Overview

The purpose of this Notice of Funding Availability (NOFA) is to seek qualified entities to provide housing information and referral services, housing counseling, and legal services to applicants in CDBG-DR housing and rental programs and other residents displaced or impacted by Hurricane Ida and Superstorm Sandy in New Jersey. These services include, but are not limited to property rights matters, insurance matters, financial counseling, relocation advisory services, debt management, and assistance with application intake for CDBG-DR-funded programs. The CDBG-DR housing recovery programs include home rehabilitation, reconstruction, elevation, and other mitigation activities, resilient affordable housing development and relocation, voluntary buyouts and incentives, rental rehabilitation loans, and rental assistance.

The Action Plan's unmet needs assessment shows that 55,828 owner-occupied households and 28,101 renter households applied for FEMA Individual Assistance. DCA published a survey for disaster

impacted households to communicate their household's needs. As of this NOFA's publication date the following table provides estimates of households that may be expected to receive services outlined in this NOFA in connection with these programs or as a standalone service. As DCA launches all recovery programs the numbers may rise to as many as 83,929 households. The remaining number of households recovering from Superstorm Sandy is just under 150.

County	Homeowner	Renters
Atlantic	68	2
Bergen	933	102
Cape May	3	
Essex	990	183
Gloucester	69	6
Hudson	401	81
Hunterdon	213	12
Mercer	91	20
Middlesex	513	71
Monmouth	78	6
Morris	92	4
Ocean	78	4
Passaic	358	72
Somerset	978	84
Union	805	146
Warren	0	1

Through this program, housing recovery assistance, will focus on specific communities and other recovery programs to efficiently streamline impacted households who still have an unmet need. The focus areas are as follows:

- The counties of Atlantic, Cape May, Monmouth and Ocean were identified by HUD as most impacted and distressed areas after Superstorm Sandy and continue to need these services
- Somerset County was impacted by Hurricane Ida

- The counties of Bergen, Essex, Hudson, Middlesex, Passaic and Union were hit by Superstorm Sandy and Hurricane Ida
- Through the action plan development and process, the state determined that the counties of Gloucester, Hunterdon, Mercer, Morris and Warren are most impacted and distressed
- The counties of Bergen, Essex, Middlesex, Gloucester, Hudson, Hunterdon, Mercer, Morris, Passaic, Somerset, Union, and Warren need specific assistance to support the Homeowner Assistance Rehabilitation Program (HARP), Small Rental Repair Program (SRRP) and Blue Acres Buyout Program (BAB) Participants who are deciding their path to recovery

DCA has determined that the most effective way to provide housing information and referral services, housing counseling, and legal services is through New Jersey's community-based nonprofit and public organizations. This NOFA describes the scope of work and the process by which proposals will be evaluated. Please note that the following scope of work includes providing HUD-certified housing counseling services and assisting CDBG-DR program participants with finding wraparound social and/or other housing services. Awards will be for a term of three years with three (3) optional one-year extensions for the Ida only county, Overlapping counties, and Certifications cohorts. Each option year will be separately negotiated with the awardee. All services delivered under this NOFA will be provided at no cost to the household.

Proposal Timeline

Milestone	Date
NOFA Posted	October 3, 2022
Application Available	October 3, 2022
Mandatory Instructional Application Webinar	October 17, 2022
Question and Answer Period	October 17 - 31, 2022
Proposal Due	November 15, 2022
Anticipated award(s) Announced	December 9, 2022
Contract(s) Executed Before	January 1, 2023

III. Eligible Organizations

Any entity applying under this NOFA must be a New Jersey-based nonprofit organization or public agency, including but not limited to: HUD approved housing counseling agencies; community-based

development organizations (CBDOs); community development corporations (CDCs); community development financial institutions (CDFIs); community housing development organizations (CHDOs); educational institutions; long term recovery groups; local public housing and community development agencies; and nonprofit civil legal services firms or organizations. DCA will consider proposals from individual organizations, organizational partnerships, and/or consortia that cover any combination of the housing counseling, housing information and referral services, and legal services covered by this NOFA.

For proposals including legal services: DCA will additionally consider proposals from entities seeking to utilize volunteer or non-staff labor to provide legal services, such as that of pro bono attorneys or law students participating in a clinical program (in compliance with New Jersey Rules of Court 1:21-3). All proposals for provision of legal services must additionally outline the roles of attorney and nonlawyer staff, as applicable.

For proposals including housing counseling services (as defined under [24 CFR 5.100](#)): Such proposals must include one or more HUD certified housing counselors who work for HUD approved housing counseling agencies with experience in the geographic areas for which they apply.

Please consider following the guidance when developing your proposal and establishing partnerships:

- All partnerships should select a primary organization as the subrecipient;
- Partnerships may include both housing counseling and legal services organizations;
- The demand for service in the respective county should determine the degree of funding for office space and staffing;
- DCA seeks cost-effective and innovative approaches that reflect the demand for service;
- DCA encourages community partnership proposals;
- Subrecipients are responsible for compliance with all cross-cutting policies that apply to financial management, reporting, and record keeping for all members of the partnership;
- Proposals for housing information and referral services alone will not be considered.

IV. Expenses

Eligible expenses may include the following:

- Fees based on the actual service performed (“fee for service”) are required for Certifications of Ida households participating in Small Rental Repair, Blue Acres Buyout and Homeowner Assistance Rehabilitation programs.

- Fee for service models may additionally be eligible for other services, but only if the cost would be equal to or less than the cost of standard hourly fees. If the Subrecipient or subawardee/subcontractor is a legal or housing counseling/housing information and referral services provider and performs the services itself, the eligible costs are the Subrecipient or subawardees/subcontractors' employees' salaries and fringe benefits, ancillary costs and other costs necessary to perform the services.
- The actual hourly fees for:
 - Legal advice and for legal representation by licensed attorneys in good standing with the State Bar of New Jersey, including legal services by person(s) under the supervision of said attorneys, for matters regarding Legal Services Activities;
 - Housing counseling provided by a HUD-certified Housing Counselor
- Combined with actual hourly fees, certain ancillary costs to obtain or maintain housing or housing related assistance associated with legal services are eligible. Court costs, appeal bonds, and filing fees are eligible expenses, if incurred in conjunction with the legal representation in an Administrative Hearing (including against governmental agencies) or court hearing.
- Combined with actual hourly fees, salaries and fringe benefits (such as health benefits), travel, equipment, materials and supplies, rent and utilities, partners and subcontractors, and any other substantial cost categories for the services to be provided under this NOFA are eligible.
- Indirect Costs for the agencies who do not have a negotiated indirect cost rate with a cognizant agency, according to 2 CFR part 200 Subpart E ([2 CFR 200.414\(f\)](#)), they can take the 10% de minimis indirect cost rate.

Ineligible expenses include:

- Representation or legal advice for criminal cases, auto accidents and personal injury matters, business disputes, traffic tickets, workers' compensation, real estate closing matters or legal actions against a government entity;
- Direct financial assistance to a household

V. Scope of Work

The selected entity(ies) will provide housing counseling services, housing information and referrals and/or legal services to homeowners and renters in the identified counties below. Such assistance will be provided to participants in other CDBG-DR programs or as a standalone service. For all work and services described below and to be performed under this NOFA, addressing and removing barriers such

as, but not limited to, language access, mobility, literacy, visible and invisible disabilities, and learning and understanding capacity must be considered in outreach to residents, approach and performance of services.

This table shows what services are needed by county.

County	Sandy-specific MIDs	Ida-only MIDs	Overlapping MIDs	State MIDs	SRRP/ HARP /BAB
Atlantic	X				
Bergen			X		X
Cape May	X				
Essex			X		X
Gloucester				X	X
Hudson			X		X
Hunterdon				X	X
Mercer				X	X
Middlesex			X		X
Monmouth	X				
Morris				X	X
Ocean	X				
Passaic			X		X
Somerset		X			X
Union			X		X
Warren				X	X

The housing counseling services, as defined under [24 CFR 5.100](#) shall include, but are not limited to:

- Reviewing income, expenses, credit, and debt and helping to develop ways to improve a participant's financial situation;
- Working with households with limited English proficiency on housing counseling services;
- Assessing housing needs and financial affordability, including debt-to-income, and addressing other concerns about short- and long-term housing;
- Counseling homeowners who are dual applicants to both buyout and home rehabilitation/reconstruction/elevation/mitigation programs on the financial and other considerations of their decision between the programs;
- Discussing the unique assistance needs and resources available;
- Communicating with lenders, insurance companies, and government agencies;

The housing information and referral services do not refer to individual application review, but rather collecting information and making referrals as necessary. Housing information and referral services, include but are not limited to:

- Supporting application intake and assisting with the necessary paperwork for recovery programs, thereby reducing barriers to entry into recovery and other funding programs;
- Referral to appropriate assistance programs or available CDBG-DR funded rental units for potential tenants and potential landlords;
- Connecting with State and local recovery resources;
- Providing education on fair housing and affordable housing compliance requirements to property owners;
- Providing information about fair housing to program applicants and participants, as needed;
- Assisting with use of the HUD [Section 3 Opportunity Portal](#) and connection to workforce training;
- Providing other housing navigation services, as needed.

The legal services shall consist of recovery-related assistance, including but not limited to legal advice and/or representation in the following areas:

- Insurance claims;
- Clearing property titles;
- Resolving heirship and probate matters;
- Assistance with eviction and foreclosure proceedings;
- Assistance with landlord and tenant issues;
- Combating contractor scams, disputes, and fraud;
- Assistance with school transfers
- Other legal services as needed for eligible residents to complete their recovery.

The entity(ies) selected under this NOFA are not responsible for application review, processing, or eligibility determination for any CDBG-DR program. If an applicant is determined by DCA to be ineligible for a specific CDBG-DR program, the selected organizations should make every effort to identify alternative resources.

All counseling services must be made available to Hurricane Ida-impacted persons with limited English proficiency (LEP), in accordance with the State's [Language Access Plan](#) (LAP) and HUD's requirements. The counseling agency should provide services in any language where they have qualified translators, as indicated in their proposal. For all other languages, the counseling agency must have a process for using DCA's *I Speak* Cards (to be provided by DCA) and referring LEP households to DCA's language line and other translation services. DCA translation services will only be available to applicants of CDBG-DR

funded programs. For all LEP services provided by the counseling organization, the selected nonprofit or public agency must report to DCA monthly on the number and type of those services for DCA submission to HUD.

Other activities that shall be conducted by the selected nonprofits include:

- Attendance at regular meetings with CDBG-DR recovery partners, as required by DCA;
- Regular reporting to DCA on the nature and outcome of services provided under this program;
- Organizing Payment Requests for services rendered; and
- Monthly contact with CDBG-DR program applicants.

VI. Qualifications

Proposal teams must demonstrate the following types of expertise and background:

All proposals:

- Non-profits must have an IRS 501(c)3 designation as established by an IRS determination letter.
- Must be authorized to do business in New Jersey with an active registration from New Jersey's Secretary of State
- Must be [registered](#) with New Jersey Division of Consumer Affairs as required by the Charitable Registration & Investigation Act ([CRI Act](#)).
- Knowledge and understanding of housing and/or community development programs;
- Knowledge of the chosen geographic area and its needs;
- Experience in communicating with persons with limited English proficiency; and
- Financial management, reporting and recordkeeping capacity, preferably on previous federal or state grants.

Proposals including housing counseling and housing information and referral services;

- Must include one or more HUD-approved Housing Counseling Agencies employing at least one HUD-certified housing counselor who will undertake the direct housing counseling tasks outlined under the scope of work above (as defined in 24 CFR 5.100). There are two ways for an organization to participate in HUD's Housing Counseling Program:
 - Organizations may apply directly to HUD as one of the following: a Local Housing Counseling Agency ([LHCA](#)), an [Intermediary](#) (regional or national), a multi-state organization ([MSO](#)), or as a state housing finance agency ([SHFA](#)).
 - LHCA's can also apply through a HUD participating Intermediary or SHFA. Intermediaries and SHFAs provide LHCA's with critical supportive services, including training, tools and templates, pass-through funding, and technical assistance. They also

monitor their networks to ensure services meet program standards and effectively meet the needs of their clients.

- Knowledge of housing counseling and referral to available resources;
- Familiarity with basic contract law;

Proposals including legal services:

- Employing attorneys admitted to practice in New Jersey and in good standing, with appropriate supervision of nonlawyer employees;
- Satisfactory record of integrity and legal and business ethics, including under the New Jersey Supreme Court Rules of Professional Conduct;
- Demonstrated expertise in one or more of the following areas: removing legal barriers to home ownership and rental housing, real property; title, heirship, and probate; homeowners insurance (including flood); eviction prevention and landlord-tenant law; foreclosure; consumer fraud; and CDBG-DR or other storm recovery and relocation-related legal issues.

VII. State and Federal Requirements

Any entity awarded under this NOFA must agree to comply with all applicable federal, state, and municipal laws, rules, and regulations, as applicable to the activities related to the performance under the CDBG-DR grant. These include not only the federal CDBG rules, as modified for CDBG-DR, but also rules from the federal Office of Management and Budget, the New Jersey Department of the Treasury, Office of Management and Budget, and the State Affirmative Action requirements at N.J.A.C. 17:27, N.J.S.A. 10:5-1 et seq., and PL 1975 c.127 and all implementing regulations. Nonprofits and public agency applicants under this NOFA also agree to comply with all applicable provisions of New Jersey Circular No. 07-05 OMB to the extent that these state rules are not superseded by more stringent federal rules: <http://www.state.nj.us/infobank/circular/cir0705b.pdf>.

- Must be registered or be able to register for a unique entity identifier with SAM.gov and not be debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities
- Must be registered with [NJSTART](http://NJSTART.com)
- Must not be on the state's Division of Purchase and Property's debarment list
- Organizations that spend \$750,000 or more in total of federal funds must submit their single audit to the Federal Audit Clearinghouse
- In accordance with section 504 of the Rehabilitation Act of 1973, programs funded by HUD via DCA cannot discriminate against persons with disabilities. Applicants must remove barriers for

persons with disabilities to fully participate in the program. Under this Act, individuals with disabilities are defined as persons with (or those with a history of or who are regarded as having) a physical or mental impairment which substantially limits one or more major life activities. This may include, but is not limited to, individuals with hearing or vision impairment.

- Must be able to provide a drug-free workplace in accordance with New Jersey’s Executive Order 204 and the Drug-Free Workplace Act of 1988
- Must have a Conflict of Interest and Standards of Conduct policy
- In carrying out the activities under this program, applicant must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601–3619) and implementing regulations and assert that it will affirmatively further fair housing. This includes, but is not limited to, providing meaningful access by LEP persons to programs, services, and activities, in accordance with Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 72 Fed. Reg. 2732 (January 22, 2007).
- Must comply with the restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms, if required by Part 87

VIII. Factors for Award & Proposal Organization

DCA will evaluate each complete proposal received by the due date according to the following criteria. The proposing entity should organize its proposal according to each of these sections and briefly cover all of the topics outlined above related to experience, approach, and cost.

- **Applicant Capacity – 10 points**
 - Proposed use of partnerships or consortium arrangements to provide a broad range of the service types and geographic areas covered in this NOFA;
 - Geographic breadth of proposal;
 - Experience of primary organization with successful partner or consortium management;
 - Following execution of a funding agreement, proposed timeline in which applicant would be ready to provide all proposed activities.
- **Experience – 50 points**
 - Housing Counseling and Housing Information and Referral Services

- Years and breadth of HUD-certified housing counseling experience. The HUD approved housing counseling agency must demonstrate experience in disaster recovery counseling, financial and credit analysis, client interaction, and referrals to and knowledge of other available housing resources;
 - The number of HUD-certified housing counselors
 - Years, type and breadth of housing information and referral service experience that includes assisting disaster-impacted individuals and families apply for housing recovery assistance;
 - Facilitation of employment and job training
- Legal Services:
 - Years and breadth of legal services experience. The organization must demonstrate experience in the areas of law in which it proposes to provide service (selected from those services described in the Scope of Work section of this NOFA), experience collaborating with other housing- and social services providers such as housing counselors and long-term recovery groups, and knowledge of other available housing resources;
- All Proposals:
 - Years and type of experience in working in the selected community(ies) or geographic areas;
 - Experience in working with persons with Limited English Proficiency;
 - Experience in outreach and assistance, including removing barriers to assistance, to vulnerable and underserved populations; and
 - Experience with and knowledge of federal programs and associated reporting and recordkeeping.
- **Approach – 30 points**
 - Housing Counseling and Housing Information and Referral Services
 - The proposed approach to conducting the required housing counseling, including curriculum, advisory services, and materials and procedures for both rental and homeowner families;
 - The proposed approach to supporting application intake; and
 - The proposed approach to housing information and referral services.
 - Legal Services

- Proposed approach to conducting the required legal services, including methods of service delivery (in-person, using remote technologies, etc.), measures to promote racial equity in service delivery, approach to client interactions and case management;
 - Proposed staffing plan, including use of nonlawyer staff, pro bono attorneys and/or law students, as applicable;
- All proposals
 - Proposed approach to meet the funding objective in this NOFA;
 - Proposed approach addresses the specific needs of extremely low-income persons and historically marginalized and vulnerable populations;
 - Proposed scope of services the organization will offer.
- **Cost – 10 points**
 - Costs are reasonable and the proposed approach is cost-effective. Agencies must develop and submit a budget for three years of operations utilizing the budget template provided;
 - Eligible costs include salaries and fringe benefits (such as health benefits), travel, equipment, materials and supplies, rent and utilities, consultants and subcontractors, and any other substantial cost categories for the services to be provided under this NOFA. Proposals must include labor category (job title) rates that cover all costs to utilize individual employees, not salary information per individual employee.
 - The agency must demonstrate sound financial practices. A copy of the agency's most recent audit results must be included in the proposal for review.

DCA reserves the right to amend this NOFA, cancel it and/or reissue it at its discretion, and to request proposal revisions as needed.

IX. Proposal Submission Instructions

Proposals in response to this NOFA must be received by DCA by no later than noon on November 15, 2022.

All Application sections MUST be completed and submitted via the online [Application](#).

The [Budget Workbook](#) must be downloaded to complete. Applicants will receive an email prompt upon submission of the Application to request the completed Budget Workbook and other supporting documentation.

- Late proposals will not be accepted. DCA will email an acknowledgement receipt for all proposals received prior to the due date and time.
- Proposals must be complete and briefly contain the information outlined above. DCA may request that applicants submit additional minor information that is missing after the due date.

There will be a MANDATORY Housing Counseling Services, Housing Information and Referral Services, and Legal Services NOFA FAQ Session held at NJ DCA, 101 South Broad Street, Trenton NJ, on October 17, 2022 at 10 am. Interested organizations should email Sylvia.Johnston@dca.nj.gov to register to attend.

Questions regarding this NOFA or the proposal process may be submitted to: Sylvia.Johnston@dca.nj.gov and will be shared with all potential applicants.

Applicants will be notified on or before December 9, 2022 of DCA's intent to award pursuant to this NOFA.

X. Award

DCA may make one or multiple award(s). The award will be in the form of a funding agreement. The Awardee will be considered a Subrecipient and must comply with CDBG-DR requirements for use of funds.

XI. Appeal Process

Any Applicant that wishes to appeal DCA's decision may do so and must submit the appeal in writing. The submission must be within 10 days DCA's notification of intent to award. The Applicant must describe what is being appealed and why DCA should change the decision. DCA will respond to the appeal within 15 days of receiving the appeal and the response/decision will be final.