

FRESNO MADERA CONTINUUM OF CARE

2022 “SPECIAL NOFO” SCORING POLICIES

OVERVIEW

The federal Department of Housing and Urban Development (HUD) provides over \$2 billion per year in funding for homeless housing and services. This funding is distributed through Continuums of Care (CoCs), which are regional organizations that meet regularly to improve project performance and build community support for responding to homelessness.

This year, HUD is also making a one-time offer of additional funding for CoCs through a Special Notice of Funding Opportunity (Special NOFO). The Fresno-Madera Continuum of Care (FMCoC) is eligible to apply for about \$10.47 million in new funding through the Special NOFO. If the FMCoC receives these funds, they will be distributed to the winning projects for a renewable three-year grant term.

As part of both the regular NOFO competition and this Special NOFO, HUD requires each CoC to **review** the performance of homelessness projects within that CoC’s region, and to use their performance to **rank** those projects in order of their funding priority. Normally, every CoC will receive at least some funding, and each CoC will use its money to fund the highest-ranked projects on its list until the CoC’s funding is exhausted. However, the Special NOFO is an all-or-nothing competition. If the FMCoC is selected to receive Special NOFO funding, then **all** of the projects on the FMCoC’s Special NOFO Ranked List will receive funding. On the other hand, if the FMCoC is not selected by HUD, then **none** of the projects on the FMCoC’s Ranked List will receive funding.

Nevertheless, HUD requires the FMCoC to prepare a Special NOFO Ranked List to ensure that the funding is available to new agencies on a competitive basis. If local projects apply for more than \$10.47 million in funding, then the FMCoC will still have to pick which projects should be included in the Special NOFO Ranked List. These scoring policies explain how the FMCoC will make that decision.

THE REVIEW AND RANK PANEL

Because many of the people who are closely involved with the Fresno Madera Continuum of Care (FMCoC or CoC) also receive funding that is distributed through the CoC, the CoC’s leadership does not directly review projects’ performance. Instead, project performance is evaluated by an independent Review and Rank Panel. Using a variety of objective and subjective data, the Panel prepares a Recommended Ranked List showing the recommended score and rank of all of the projects in Fresno County and Madera County.

1. REVIEW AND RANK PANEL MEMBER QUALIFICATIONS

Review and Rank Panel members shall be:

- Knowledgeable about homelessness and housing in the community and are broadly representative of the relevant sectors, subpopulations, and geographic areas

- “Neutral,” meaning that they are not employees, staff, or otherwise have a business/financial or specific personal conflict of interest with the applicant organizations;
- Familiar with housing and homeless needs within the CoC; and
- Willing to review projects with the best interest of homeless persons in mind.

Review and Rank Panel members agree to:

- Dedicate time for application review and Review and Rank Panel meetings
- Sign a statement declaring that they have no conflict of interest and a confidentiality agreement.

2. REVIEW AND RANK PANEL SELECTION

Review and Rank Panel members for the Continuum of Care Competition Review and Rank shall be chosen by the Collaborative Applicant subject to the membership qualifications above. The Panel members for the Special NOFO may or may not be the same people who served on the General NOFO Review and Rank Panel; repeat service is permitted but not required. The Panel will be announced to the Continuum of Care Competition applicants as soon as possible. The Panel’s membership may need to be adjusted after the deadline for submitting local applications in order to avoid conflicts of interest.

The Review and Rank Panel shall consist of three to five members.

3. CONFLICTS OF INTEREST

If a person or an organization believes there is a conflict of interest that would exclude a Review and Rank Panel Member, it needs to be brought to the attention of the Collaborative Applicant within four calendar days of the announcement of the Review and Rank Panel membership. The concerned person/organization would need to provide specific and substantial information regarding the alleged conflict to allow the Collaborative Applicant to conduct a fair evaluation.

4. THE PANEL’S INTERVIEWS

Your agency should make sure that at least one knowledgeable staff person is available to answer questions from the Panel from 9 am through 5 pm on the day of Review and Rank. (If your agency has more than one knowledgeable staff person, you may provide the Panel with up to three phone numbers and divide up coverage so that each staff person is covering the phone for a different part of the day.) If the Panel calls your agency and a knowledgeable staff person is not available, then you may be bound by your written answers, even if these answers do not make sense or do not fully reflect your agency’s achievements. The Review and Rank Panel is not required to interview any particular agency or program.

5. SOURCES OF DATA FOR THE PANEL

The Panel will primarily rely on each agency’s written answers to competition questions. However, the Panel may also optionally choose to interview agencies as described above. In addition, community input may be gathered from all applicable sources, including but not limited to the Coordinated Entry System, the HMIS Lead, the Collaborative Applicant, official monitoring reports, HUD CoC Spend Reports, CoC Committee Reports, and any tools or trackers that have been approved for official use within the Continuum of Care. The Review and Rank Panel may optionally choose to collect and/or rely on any of these types of data.

6. EMERGENCY REPLACEMENTS

If one or more Panel members are unable to attend the Review and Rank meeting or otherwise unable to discharge their duties, then the Chair or Vice-Chair of the Fresno Madera Continuum of Care may appoint one or more suitable emergency replacements, or may continue the Review and Rank process with a smaller Review and Rank Panel, at their discretion.

DESIGN OF SCORING TOOLS

The Review and Rank Panel will be guided in their scoring by a series of Scoring Tools that summarize the priorities and targets chosen by HUD and by the local community. To help cope with the fast pace of the competition, these Scoring Tools will be largely based on the Scoring Tools that were already approved by the community for the regular NOFO. The amendments to the Scoring Tools that help adapt the tools to the Special NOFO will be presented to the FMCoC for their review and approval, but there will be limited opportunity to extensively revise the Scoring Tools.

NOFO TECHNICAL ASSISTANCE WORKSHOP

The Collaborative Applicant will schedule and announce a time and date for a Technical Assistance Workshop where details about the funding opportunity and the process are provided. These details will be distributed to the entire CoC via listserv, email, posting, and any other method appropriate to ensure full distribution to the CoC.

All applicants/potential applicants are strongly encouraged to participate in the **NOFO Technical Assistance Workshop** and submit questions to jason@greenloweTA.com. Remote participation is acceptable due to the pandemic.

- A. At the workshop, attendees will receive an overview of the HUD CoC Program Special NOFO, including details about available funding and how the application differs from the regular NOFO.
- B. Applicants will also be oriented to the process for reviewing and ranking applications.

- C. Applicants will also have the opportunity to ask any questions they have about both the local and HUD application processes.
- D. A portion of the Workshop will be dedicated to orienting potential new applicants to the funding opportunity to prepare them for the application process and provide all necessary information about the Continuum of Care program.

Any Applicant who neither attends nor watches the Technical Assistance Workshop will be held strictly accountable for complying with all competition requirements. An applicant who submits an application with an error in it that could have been prevented by attending or viewing the TA Workshop may be summarily disqualified from the competition.

Projects may be excused from the TA Workshop for emergencies which prevent the program from sending a representative staff member to the TA Workshop. However, the Collaborative Applicant must be notified of the emergency as soon as possible.

ASSIGNING SCORES TO PROJECTS

1. IN GENERAL

The Review and Rank Panel will use the information it receives to decide on a score for each project for each of the scoring factors listed in the Scoring Tools. Panelists are encouraged to candidly share their reasoning with each other and to listen carefully to each other's reasoning, but each Panel member is entitled to his or her own opinion: there is no requirement that the Panelists agree about how to score a project. An individual Panelist may have a tendency to score projects more harshly or more leniently as long as that tendency is consistently applied to all projects. After scoring is over, the scores assigned by each Panelist will be averaged to calculate the program's final score.

Except as specifically indicated, all scoring factors have a minimum of 0 points. Panelists may not assign a project a negative number of points. Similarly, Panelists may not assign "extra credit" that goes above the maximum score listed for a scoring factor in the Scoring Tool. Panelists may use decimal scores (e.g., 2.5 points) when necessary.

2. REUSING AGENCY-WIDE SCORES

Any agency who applied for any project in the Regular NOFO competition (whether or not they were recommended for funding) will receive the same score for the agency-wide scoring factors in the Special NOFO competition. For example, if an agency received 30 out of 32 points on agency-wide factors in the Regular NOFO competition, then the agency will also receive 30 out of 32 points on agency-wide factors in the Special NOFO competition. The agency scoring factors will not be re-scored or re-considered.

If an agency has new documentary evidence to submit (e.g. a new audit) that would radically change its agency-wide scoring that was not available or not submitted as part of the Regular

NOFO competition, then the agency may include this information and ask the Review and Rank Panel to re-score the relevant factor(s). The Panel may then optionally choose to re-score the relevant factors.

Agencies may **not** request re-scoring of agency-wide factors simply because they have changed their essay responses or because they disagree with their scores. The Review and Rank Panel will not consider any such requests.

3. ADJUSTING SCORES

Each Panelist has some discretion to adjust a score up or down within the boundaries set by the scoring tool based on their understanding of the context of the project's performance.

However, absent a truly extraordinary circumstance, Panelists should not adjust a score by more than 20% of the maximum possible value for that scoring factor. For example, up to 10 points are available for a new housing project's access to housing. 20% of 10 points is 2 points, so the Panel should not normally adjust a project's score on access to housing up or down by more than 2 points. If a project would qualify for 5 points based on its level of access to housing, then the project should not receive less than 3 points or more than 7 points.

The Review and Rank Panel may never award more than 100% of the maximum score allowable for a particular category. For example, if a scoring factor says to award up to 5 points, then the Panel cannot award more than 5 points for that factor.

Moreover, Panelists should not adjust scores based on personal feelings about the value of a project, nor should Panelists adjust scores based on a general sense of the difficulty of a project's work.

4. MISSING, LATE, OR INCOMPLETE APPLICATIONS

If an application is submitted to the competition facilitators late or was submitted on time but is missing a main application component then it will be considered late or seriously incomplete and the project will be automatically excluded from the competition and the application will not be sent to the Review and Rank Panel to score. The main application components that would result in a project being considered "seriously incomplete" and not subject to review are: e-snaps project application, project narratives as part of the local competition process, and new project application budget as part of the local competition).

ASSIGNING RANKS TO PROJECTS

Ranking projects is relatively straightforward for the Special NOFO because all projects must receive a rank, and there are no special tiers or renewal projects. The Planning Grant project and any HMIS projects will not be scored, but it must still be assigned a rank. The Review and Rank Panel has discretion to decide whether and where to include the Planning Grant and any HMIS projects on the Ranked List. However, because planning and HMIS funds are required for the successful administration of the remaining Special NOFO funds, the Review

and Rank Panel is very strongly encouraged to include both planning and any HMIS projects on the Ranked List.

NOTIFICATION OF RANKINGS

Projects will be notified as to whether they were recommended for funding by Noon on the next business day after the Review and Rank Panel completes its Ranked List. Projects that are eligible to appeal will receive a brief explanation of their scoring within this time period. Projects that are not eligible to appeal will receive score explanations at a later date consistent with the needs of the competition. Any projects wishing to file a technical appeal must do so by Noon on the next business day after the announcement of funding is made.

For example, if the Review and Rank Panel completes its Ranked List on Thursday, then funding announcements will be made by Noon on Friday. Any appeal would then be due by Noon on the following Monday. This tight timeline is unfortunately necessary due to the constraints of the HUD competition and the FMCoC's schedule.

TECHNICAL APPEALS

The Review and Rank Panel reviews all applications and ranks them for funding recommendations to HUD. Applicants may appeal the decision on technical grounds by following the process set forth below.

1. MEMBERS OF THE APPEAL PANEL

The Appeal Panel shall consist of three members. These members may be selected from non-profits, foundations, consumers, government, and private agencies with experience in grant administration and homelessness projects.

The Appeal Panel will be selected by the neutral facilitator of the Review and Rank process.

Appeal Panel members must not have a conflict of interest with any of the agencies or parties applying for CoC Program funding as defined by the existing Review and Rank Panel conflict of interest rules.

2. APPEAL ELIGIBILITY

A project may only appeal if the project is not included for funding in the Ranked List. Because all projects on the Ranked List have the same chance of being funded, it is not a good use of FMCoC resources to hear appeals based only on a project's relative position within the Ranked List.

If the project was submitted by a collaboration of agencies, only one joint appeal may be made.

3. SUBJECTS FOR APPEAL

Appeals may be made only on the following bases:

- Inaccuracy in information provided to the Review and Rank Panel (by entities other than the applicant) resulting in a reduced score
- A failure to follow the Review and Rank process resulting in a reduced score

NOTE: Appeals based on policy considerations, funding priorities, or other subjective criteria will not be considered and are not eligible for technical appeal.

4. APPEALS PROCESS

Any Project Applicant seeking to appeal must adhere to the included timeline. Failure to meet a deadline in the timeline voids the Project Applicant's appeal.

- A. Project Applicants must provide notice to the CoC of an intent to appeal. The due date for this notice will be contained in the official CoC Competition Timeline. This notice must include:
 - i. A statement as to why the project is eligible to appeal.
 - ii. The basis for the appeal
 - iii. A brief statement of the facts upon which the Project Applicant bases its appeal. These facts need not be complete, but must give the CoC a sufficient understanding for the basis of the appeal.
- B. The CoC will contact the appealing Project Applicant in an attempt to clarify the scoring decision and determine if the appeal can be resolved without requiring a formal hearing.
- C. If a resolution is not possible, the Project Applicant will submit a formal appeal pursuant to the official CoC Competition Timeline.
 - i. The Formal Appeal must consist of a short, clear, written statement no longer than two pages of the basis for the Project Applicant's appeal of the Review and Rank Panel's decision.
 - ii. The Formal Appeal must be sent as an attachment to the Collaborative Applicant.
- D. Upon timely receipt of the Formal Appeal, the Collaborative Applicant will convene the Appeal Panel and set a time and date for the Appeal Hearing.
- E. The Appeal Hearing shall be conducted according to the following procedure:
 - i. The Appeal Hearing will be conducted telephonically.
 - ii. The Appeal Panel will join the call with the neutral facilitator and a representative of the Review and Rank Panel.
 - iii. The neutral facilitator will explain the facts of the appeal and answer any procedural questions.

- iv. The Appeal Panel may ask the Review and Rank Panel member questions about the Review and Rank Process to clarify what occurred during Review and Rank and what information the Panel considered in evaluating the Project Applicant.
- v. The appealing Project Applicant will then join the phone call. The appealing Project Applicant will be allotted a few minutes to explain their appeal. The Appeal Panel may then ask any questions of the appealing Project Applicant. The appealing Project Applicant would then leave the phone call.
- vi. The Appeal Panel would conduct a discussion of the appeal and take a formal vote.

F. The Appeal Panel may consider the effect of its decision on other Project Applicants and may include those project applicants in the appeals discussion.

The decision of the Appeal Panel is final and will be transmitted to the CoC Board without further debate.

SUPPLEMENTAL PROJECT FUNDING

In some circumstances there may be an opportunity after the application deadline for programs to submit application materials for additional funding. The Collaborative Applicant *may* choose to issue a Supplemental Project Application when:

1. After receiving all project applications it appears there is additional funding available; or,
2. After conducting the threshold review of the submitted project applications it appears there is additional funding available.

In the event that Supplemental Applications are deemed appropriate, the Collaborative Applicant will:

- Email the CoC and other interested parties (all homeless service and housing providers in the CoC area) with specifics regarding how much money is available and which type of programs qualify.
- The Collaborative Applicant will provide technical assistance and guidance, as needed, to ensure applicants understand the funding requirements.
- Any additional applications for these funds will be due as soon as possible after this email is distributed, as determined by the NOFO submission deadline.
- The Review and Rank Panel will reconvene either via telephone, video conference, or in person depending on availability and convenience to evaluate the applications.

For this type of process, the timeline will be extremely short and may make an application burdensome; however, a simplified application process, expanding an already submitted application, applying in collaboration, or a community consensus on how to spend the funds are also viable options.

The Review and Rank Panel is not required to use the formal scoring factors to evaluate supplemental applications. Instead, the Review and Rank Panel may recommend one or

more supplemental application(s) for funding based on an intuitive evaluation of the supplemental applications, provided that no supplemental application may be ranked higher than a regular application.

APPROVAL OF THE RANKED LIST AND SUBMISSION TO HUD

- A. All technical appeals shall be concluded within no more than five business days of the Review and Rank Panel Meeting.
- B. Once the technical appeals are complete and the Supplemental Competition (if any) is concluded, the Recommended Priority List will be submitted to the highest-ranking officer of the FMCoC Board who (a) is not under a conflict of interest, (b) did not serve on the Review and Rank Panel, and (c) is available for prompt decision-making. For purposes of this competition, the “highest-ranking” officer will be the officer who is listed first on the FMCoC website’s “Our Board” page. That officer will then certify the Ranked List, at which point it will become final. The officer is considered to be a delegate of the entire FMCoC Board and General Membership for this purpose, due to the tight timelines of the competition. **By approving these scoring policies, the FMCoC approves this delegation of authority.** The officer may make amendments to the Ranked List on behalf of the FMCoC in order to meet urgent community needs, but such amendments are very strongly discouraged as they tend to reduce the competitiveness of the FMCoC’s application in the national competition.
- C. The Approved Priority List shall be publicly posted on the CoC website in accordance with the timeline stated in the Continuum of Care Program NOFO, and shall be used to fill in the appropriate application forms for the Collaborative Applicant to submit to HUD as part of the national competition.

DOUBLE-ENTERED PROJECTS

New projects ranked in Tier 2 of the General NOFO are at significant risk of not receiving funding. Therefore, such new projects are **encouraged** to apply for the Special NOFO. The Review and Rank Panel will be instructed **not** to penalize such projects for being “double-entered.”

In the unlikely event that the exact same new project is approved by HUD for funding through both the General NOFO and the Special NOFO, the project will work with the HUD field office and with TA providers to resolve the situation before signing a contract on either grant.