

City of Amarillo Continuum of Care TX-611
Annual and Special CoC Consolidated
Application CoC **Policies and Procedures**



Background

The U.S. Department of Housing and Urban Development (HUD) holds an annual national grant competition for Homeless Assistance Program's Continuum of Care (CoC) Program authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act. In June 2022, HUD released a CoC Supplemental grant competition for allocation of recaptured funds, as authorized by Congress. These grant funds provide housing and services to individuals and families who are experiencing homelessness in City of Amarillo CoC TX-611. HUD requires that CoCs facilitate a local review process to review and accept all projects included in the CoC annual consolidated grant application.

In accordance with 24 CFR 578, CoCs must follow a collaborative process for the development of an application in response to a notice of funding availability (NOFO) issued by HUD. The CoC NOFO Collaborative Applicant facilitated the collaborative development of the local review process and scoring criteria in alignment with the Governance Charter. The Collaborative Applicant met, reviewed the prior year's process, and made recommendations to modify the competition process and scoring criteria. The CoC Board reviewed and approved the NOFO Collaborative Applicant's recommended changes to the local review process and scoring criteria, subject to necessary changes due to the NOFO.

At least three non-conflicted Monitoring, Scoring, and Ranking Committee Members will be recruited by the CoC Board. The panel will include at least one CoC Board member and a non-conflicted provider (ideally a provider with experience administering Federal, non-CoC grants). In addition, a Collaborative Applicant representative will attend panel meetings to act as a resource (leaving the room when a conflict requires it).

For purposes of the CoC Monitoring, Scoring, and Ranking Committee participation, conflict will not extend to a substantially independent program or arm of a CoC recipient, subrecipient, or applicant organization, so long as the program is controlled by an independent board and does not receive or directly benefit from CoC funding or the potential award of a CoC grant in the annual and Special competition, as applicable.

CoC TX-611 will collect and assemble application materials for the Monitoring, Scoring, and Ranking Committee and appeals materials, if any, for the Appeal Panel.

Local Project Application Process

Declaration of Intent to Submit a New or Renewal Application or Reallocation Application

Organizations with currently funded CoC projects and those that plan to submit applications for new projects are requested to notify the CoC of the intent to either submit projects for renewal, to release project funds to CoC for reallocated funding applications, or for new projects if allowed by the NOFO. Notifications must be submitted by email to CoCTX611@amarillo.gov by the date indicated in the Local Process Timeline. Organizations that release funds from an existing project shall be given the right of first refusal for those funds if applying for a new eligible project. Otherwise, reallocation shall be based on standard competitive factors.

For the annual competition, submission of a Renewal Application is not a guarantee of Tier 1 priority ranking in the local CoC application. CoC Monitoring, Scoring, and Ranking Committee Members shall review all project applications using CoC-approved scoring criteria and selection priorities to determine ranking order. Only renewal projects verified and submitted in the current Grants Inventory Worksheet registration in e-snaps shall be considered for renewal funding.

Submissions of New Project applications will only be considered from applicants who have an existing membership with the TX-611 and have attended 3 General Membership meetings over the last calendar year.

Considering the possibility of reallocated funding and the availability of new or new bonus funding, the CoC will post on the CoC website and distribute to the contact list a request for applications (RFA).

Local Competition Deadlines

Local competition deadlines are established to ensure all project applications are finalized within the timeline outlined in the HUD NOFO. As part of the CoC application process, the implementation of deadlines that meet the standards for Project Applications shall be considered as part of scoring criteria for the CoC Collaborative Application.

Project Application Submittal

All project applications are required to be submitted to the CoC TX611 on e-snaps by the local application deadline. A physical copy of the e-snaps application with additional required documentation must be delivered to the Collaborative Applicant at the City of Amarillo Community Development Department. See the Local Process Timeline for specific deadlines for new and renewal projects. Any corrections to *e-snaps* project applications for HUD must be completed by the deadline indicated in the Local Process.

CoC Notification to Project Applicants

15 days prior to the submission deadline, the CoC will notify, in writing, all project applicants who submitted their project applications to the CoC by the CoC – established deadline

whether their project application(s) will be accepted and ranked on the CoC Priority Listing, rejected, or reduced by the CoC. Project applicants that submitted project applications that were rejected shall be notified of the reason for the rejection and may submit a request for reconsideration for inclusion in the current funding cycle. In addition, an applicant may appeal if the Monitoring, Scoring and Ranking Committee recommends a renewal project for full or partial reallocation or for Tier 2. The appeals process is outlined in the *Appeals Policies* below.

Competition e-snaps Submission

After the local review process has been finalized, all projects accepted for inclusion in the CoC Annual Consolidated or Special Unsheltered CoC Application must submit a final online e-snaps project application to the CoC, according to the Local Process Timeline deadline.

Local Project Review and Ranking Process

The CoC Program Competition is administered under the CoC Program Interim Rule.

Scoring criteria and scoring tools have been developed to measure performance and capacity based on the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act Performance Measures, in compliance with CoC Interim Rule and HUD identified priorities. The scoring criteria found in the Scoring Tools and these policies detail how the CoC Monitoring, Scoring, and Ranking Committee Members shall evaluate projects for the funding year, determine inclusion in the CoC Annual Consolidated or Special Unsheltered CoC Application and rank the CoC projects.

The review and ranking process will proceed as follows:

1. A Technical Assistance (TA) Workshop to release information about the CoC NOFO Application, open to all prospective applicants, will be held at a date to be determined based on NOFO release. This workshop will include navigation and submissions in e-snaps.
2. All applicants will submit a letter of intent to apply for CoC funding to CoCTX611@amarillo.gov by the deadline set in the published NOFO timeline.
3. All applicants will prepare and submit project application materials.
 - a. **Late Applications.** Applications received after the deadline will receive zero points in the scoring process. Since no new information may be evaluated during the appeal. The scoring and ranking committee won't evaluate any late content.
4. A Technical Assistance (TA) Workshop will be held by the Collaborative Applicant for all prospective applicants the day before the CoC Application deadline to offer any additional assistance to applicants.
5. Renewal projects may voluntarily reallocate part or all of their funding. Low-performing projects are encouraged to reallocate, and potential applicants are encouraged to apply for new projects through reallocation.

6. Monitoring, Scoring, and Ranking Committee Members will be oriented to the process and will receive applications, project performance data, and scoring materials.
7. Monitoring, Scoring, and Ranking Committee Members will review and tentatively score the applications prior to their first meeting in a scoring spreadsheet provided by CoC TX-611.
 - a. CoC TX-611/CoC staff will ensure all applications meet threshold requirements (additional detail below). These threshold criteria may be found in the Scoring Tools.
 - b. New housing projects, first-time renewals, transition housing projects, and renewals after transition that do not have a full year of relevant performance data will be scored using the New/Transition Scoring Tool. Any other housing projects without a full year of data for the evaluation year will also be scored using the New/Transition Scoring Tool.
 - c. All new projects, including new expansion projects, will also be scored using the New/Transition scoring tool. However, a new expansion project will not be ranked above the renewal project that it proposes to expand. If a new expansion project receives a higher score than the associated renewal project, it will be ranked directly below the renewal project.
 - d. All other renewal housing projects will be scored using the Renewal Scoring Tool.
 - e. To enhance system performance by preventing returns to homelessness and promoting housing stability and retention, renewal housing projects that meet two out of three key *Outcomes Standards* may be ranked above any new projects that have not demonstrated their ability to better enhance system performance, even if the new project scores above the renewal project.

Key Outcomes Standards include:

- Earn 50% or more of the available points in the “Program Effectiveness” measure of the CoC approved Renewal Scoring Tool.
 - Earn 50% or more of the available points in the “Performance and Monitoring” measure of the CoC approved Renewal Scoring Tool.
 - Earn 50% or more of the available points in the “Performance Measures” measure in the approved CoC Renewal Scoring and Ranking Tool.
- f. The HEARTH Act requires that all communities have an HMIS and collect information from their CoC and ESG-funded projects. Therefore, HMIS renewal projects will be considered for funding before renewal and new project applications.
8. The Monitoring, Scoring, and Ranking Committee will meet to jointly discuss each application and individually score applications. Applicants may be requested to address

questions from the committee.

- a. Ranked list(s) will be prepared based on raw scores, then translated to a tiered list for the annual competition process.
 - b. Renewal HMIS and Coordinated Entry projects will be automatically ranked in Tier 1, immediately above the project that straddles Tiers 1 and 2, if any. Another mechanism will be used to evaluate HMIS, Coordinated Entry outside the CoC NOFO Review and Rank process.
 - c. The Panel will consider reallocating renewal projects – see *Reallocation* below. In the event that the Monitoring, Scoring, and Ranking Committee identifies a renewal project(s) whose funding should not be renewed or should be decreased, the Panel will determine whether any new proposed projects should be awarded and will proceed with reallocation – see *Reallocation* below.
9. Panel releases scoring results to applicants with reminder of appeals process – see *Appeals* below. CoC TX-611 will distribute a summary of general panel feedback on select scoring factors.
 10. Appellate hearings will be held, if requested, and results will be distributed.
 11. The Executive Board representative will consider and modify/approve the Priority List of Projects, which is then included in the CoC’s Consolidated NOFO Application. The Priority List will only be modified if it is to meet the CoC Policy.
 12. CoC’s Consolidated NOFO Application is made available for public review and reference on the CoC website.
 13. Annual process debriefs are held with Monitoring, Scoring, and Ranking Committee Members, project applicants, and the Collaborative Applicant. This information will support the NOFO Collaborative Applicant in making recommendations for improvement for the next annual or Special competition.

Reallocation

Reallocation only applies to the annual competition NOFO. HUD expects CoCs to reallocate funds from non- and/or under-performing projects to projects addressing higher priority community needs that align with HUD priorities and goals. Reallocation involves using funds in whole or in part from existing eligible renewal projects to create one or more new projects.

HUD expects that CoCs will use performance data to decide how to best use the resources available to end homelessness within the community. CoCs should reallocate funds to new projects whenever reallocation would reduce homelessness. Communities should use CoC approved scoring criteria and selection priorities to determine the extent to which each project is still necessary and address the policy priorities listed in the NOFO. Recent NOFOs have stated that HUD would prioritize those CoCs that have demonstrated a capacity to reallocate funding from lower

performing projects to higher performing projects through the local selection process.

Only eligible renewal projects that have previously been renewed under the CoC Program will be considered for reallocation. When considering reallocation, the Monitoring, Scoring, and Ranking Committee will:

- Consider unspent funds and the ability to cut grants without cutting service/housing levels; specifically, if a program has 10 percent or greater of HUD funds remaining at the end of the program year;
- Consider history of reallocation (e.g., if a grant was reduced one year, this will not be apparent in spending the following year);
- Consider the project's performance;
 - The CoC will work with projects that scored low in the most recent local review process. The CoC will assess the project and set up goals and objectives to bring a failing project up to standards.
 - If the project continues to underperform and cannot meet the stated objectives and goals and has established a 3-year trend of having 10 percent or greater of HUD funds remaining at the end of the program year, then that project will be recommended for reallocation in the next HUD CoC NOFO process.
- Consider the project's ability to meet financial management standards;
 - The CoC will work with grantees that have had HUD or CoC Monitoring findings that call into question the project's ability to meet financial management standards. The CoC will assess the project and set up goals and objectives to bring a failing project up to standards and will provide technical assistance to address the findings.
- If the project cannot meet the stated objectives and goals or cannot address HUD or CoC findings, then that project will be recommended for reallocation in the next HUD CoC NOFO process;
- Consider specific new permanent supportive housing or rapid rehousing project(s) and specific renewal project(s) at risk of not being funded;
- Consider alternative funding sources available to support either new or renewal project(s) at risk of not being funding;
- Consider renewal HUD "covenant" concerns related to grant funds for acquisition, rehabilitation, or new construction;
- Consider impact on system performance and the CoC's Consolidated Application score; and
- Consider the impact on the community in light of community needs.

The impact of this policy is that high-scoring projects may be reallocated if these considerations warrant that decision.

Appeals

For the annual CoC Competition, the CoC Monitoring, Scoring, and Ranking Committee reviews all applications and ranks them, creating funding recommendations to HUD. 15 days prior to the submission deadline, the CoC will notify, in writing, all project applicants who submitted their project applications to the CoC by the CoC – established deadline whether their project application(s) will be accepted and ranked on the CoC Priority Listing, rejected, or reduced by the CoC. Applicants may appeal the decision by following the process set forth below. All appeals must be based on the information submitted by the application due date. No new or additional information will be considered. Omissions to the application cannot be appealed.

Who May Appeal

An agency may appeal a rank assigned to a project by the Monitoring, Scoring, and Ranking Committee (including exclusion from the Priority List) if the ranking:

- Makes it likely to result in the project not being funded, in whole or in part;
- Places the project in the bottom 15% of Tier 1; or
- Places the project in Tier 2.

Basis for Appeal

An appeal must relate to specific scoring factors and the number of points awarded to the project by the Monitoring, Scoring, and Ranking Committee.

Initiating a Formal Appeal

Any agency desiring to appeal must contact CoC TX-611 at cocTX611@gmail.com and the CoC chair to state its intent to appeal the Monitoring, Scoring, and Ranking Committee's decision regarding their rank or exclusion from the Priority List by the date and time indicated in the Local Process Timeline.

If an agency states its intent to appeal as per the Local Process Timeline, other agencies whose rank may be affected will be notified as a courtesy at that time. Such agencies will then be eligible to appeal on the usual basis for appeal by the appeals deadline indicated in the Local Process Timeline. In other words, such agencies may file a Formal Appeal within the original appeals timeline – they may not appeal after the appeals process is complete.

The Formal Appeal must consist of a short, clear, written statement (no longer than two pages) of the agency's appeal of the Monitoring, Scoring, and Ranking Committee's decision. The statement can be in the form of a letter, a memo, or an email transmittal. The Formal Appeal must be transmitted to CoC TX-611 at cocTX611@gmail.com.

The Formal Appeal must be emailed or delivered so that it is received by the date and time indicated in the Local Process Timeline.

Members of the Appeal Panel

A three-member Appeal Panel will be selected from the CoC Board or its designees. Appeal Panel Members will not have a conflict of interest with any of the agencies or parties applying for CoC Program funding as defined by the existing Monitoring, Scoring, and Ranking Committee's conflict of interest rules. Voting members of the Appeal Panel shall not serve simultaneously on the Monitoring, Scoring, and Ranking Committee; however, a Monitoring, Scoring, and Ranking Committee Member and a staff person of the Collaborative Applicant will attend the Appeal Panel meeting to inform discussion.

The Formal Appeal Process

The Appeal Panel will meet (by telephone or video conference or in person) with a representative(s) of the party making the appeal to discuss the issue(s) at an Appeal Hearing on the date indicated in the Local Process Timeline. The Panel will then deliberate. ***Please note that the Appeals Process may result in an upward or downward change in a project's ranking.***

The Appeal Panel will inform appealing agencies of its decision by 12:00pm (noon) on the date indicated in the Local Process Timeline.

Strategic Allocation of CoC Funding

The CoC is committed to using Continuum of Care Program funding efficiently and strategically as a component of the community's broader continuum of homeless housing and services, to maximize availability of high performing programs to end homelessness.

Following the Appeal Panel, the NOFO Collaborative Applicant will convene to review the Appeal Panel Priority List for the annual CoC Competition and may make recommendations to the CoC Board regarding changes to the ranking of projects in Tier 2, as applicable. Recommendations may address ranking only; recommendations regarding reallocation developed by the Monitoring, Scoring, and Ranking Committee and sustained by the Appeal Panel may not be considered or modified by the NOFO Collaborative Applicant after appeals are complete.

In recommending changes to the ranking of Tier 2 projects, the NOFO Collaborative Applicant may consider the following:

- The project's ability to continue operations by accessing alternative sources of funding that are available if HUD CoC Program funding is not awarded; and
- The impact on the CoC's bed or unit inventory and overall resources to address homelessness if a project is not awarded CoC funding. Information will be provided regarding number of beds and units, amount of grant request, operating year dates, population served, and current unit utilization rate.

CoC TX-611 will develop a process for providing information about projects to the NOFO Collaborative Applicant and guidelines for participation by applicants.

Any NOFO Collaborative Applicant recommendations to the CoC Board must be either:

- Consensus recommendations, or
- Recommendations based on a vote of at least 60% of the NOFO Collaborative Applicant members in attendance, in which case the vote must be recorded and given to the CoC Board alongside the recommendation of the voting majority as well as the grounds for opposition.

The CoC Board or its designee will approve the final project list for submission. The decision of the CoC Board will be final.

Continuum of Care Program Statutory and Regulatory Requirements

The CoC Program Interim Rule at 24 CFR part 578 outlines the requirements with which projects awarded funds through the competition must comply. To be eligible for funding under this NOFO, project applicants must meet all statutory and regulatory requirements in the CoC Program Interim Rule. Project applicants can obtain a copy of the Act and the CoC Program Interim Rule on the HUD Exchange website <https://www.hudexchange.info/> or by contacting the NOFO Information Center at 1-800-HUD-8929 (483-8929).

Organizations awarded CoC funds within the CoC shall individually enter into a grant agreement with HUD.

Conflict of Interest Policy

No member of the Review Panel may have a conflict of interest in creating the recommended Priority List. Monitor, Scoring and Ranking Committee Members will be asked to sign a statement declaring that they do not have a conflict of interest.

A conflict of interest exists if:

1. Panelist or a member of their immediate family (such as parent, sibling, child, niece/nephew, or person with whom they cohabit) is now, has been within the last year, or has a current agreement to serve in the future as a Board member, staff member, or paid consultant of an organization making a proposal for funding;
2. Panelist is currently employed by or sits on the Board of Directors for an organization that has a contractual relationship with any entity making a proposal for funding or has had one within the past year. However, no conflict exists under this provision if the panelist's employer, or the organization on whose Board the panelist serve, is a funding entity or if the contractual relationship in place is not impacted by the proposals being made; or,
3. Any other circumstances exist which impede the panelist's ability to objectively, fairly, and impartially review and rank the proposal for funding.

Exception: Panelist may serve on a panel if they are no longer affiliated with an organization making a proposal for funding, AND the potential conflict has been waived through public notice to the CoC with no opposition raised within the period listed in that public notice.

If the Board or committee has reasonable cause to believe a CoC Board or committee member has failed to disclose actual or possible conflicts of interest, it shall inform the individual of the basis for such belief and afford the individual an opportunity to explain the alleged failure to disclose. If the CoC Board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action which could include ensuring the individual with the association abstains from voting or serving on a committee with governing board delegated powers up to dismissal of the individual from board or committee membership.