

Delaware Continuum of Care: 2020 CoC Competition Policies

COC PROGRAM COMPETITION BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) requires Continuums of Care (CoCs) to evaluate the outcomes of projects funded under the Continuum of Care Program and to design, operate, and follow a collaborative process for the development and submission of applications in response to a Continuum of Care (CoC) Program Notice of Funding Availability (NOFA). HUD requires CoCs to review all project applications submitted for inclusion in the CoC application and either accept and rank them or reject them.

The 2019 HUD CoC NOFA required Collaborative Applicants to rank all accepted projects, except CoC Planning, in two tiers. Higher ranked projects will be assigned to Tier 1 and lower ranked projects will be assigned to Tier 2. Tier 1 is defined by HUD within each year's CoC Program NOFA but is typically less than the full Annual Renewal Demand (ARD).

The DE CoC Scoring Committee is convened to fulfill the DE CoC's HUD requirements. The Committee, in collaboration with the CoC Lead Agency Housing Alliance Delaware, is charged with developing and implementing an objective and transparent project review and ranking process that is used to develop DE CoC's project ranking for its Consolidated Application to HUD for CoC Program funding. The Scoring Committee is a volunteer panel, chaired by a CoC Board Member that is appointed by the CoC Board Chair. Scoring Committee members are not associated with agencies that receive or compete for CoC funding. They independently review and score applications using a scoring tool. This tool is reviewed and approved by the Scoring Committee each year. The scoring tool assists the Scoring Committee in determining whether projects meet threshold compliance with the HEARTH (Homeless Emergency Assistance and Rapid Transition to Housing) Act, the CoC Program NOFA, and the performance standards in the local renewal and new project evaluation tools.

The rest of this document includes the policies developed by the Scoring Committee, in collaboration with Housing Alliance Delaware, to guide the Delaware CoC's 2020 CoC Program Competition's project review and ranking process. This includes policies related to:

- Project Ranking and Prioritization for the CoC Priority Listing
- New Project Solicitation, Evaluation & Selection
- Renewal Project Evaluation
- Reallocation Process

Delaware Continuum of Care: 2020 CoC Competition Policies

PROJECT PRIORITIZATION & RANKING POLICY

- 1) To be eligible for prioritizing and ranking, all projects – new and renewal – must pass all facets of the application evaluation process including:
 - a) All projects must meet all applicable HUD eligibility criteria
 - b) All projects must be HEARTH & CoC regulation compliant
 - c) All projects must meet the application deadlines as set by the DE-CoC and HUD
- 2) The CoC Scoring committee will review HUD’s policy priorities as outlined in the annual CoC Program NOFA and determine if any changes need to be made to the local scoring or ranking process in order to best align with HUD’s priorities and requirements as outlined in the NOFA. The Scoring Committee reserves the right to make any changes as needed to ensure compliance and competitiveness.
- 3) Ranking within tiers will be based on scores from the DE-CoC scoring tool, project performance, and CoC priorities and local need. The Scoring Committee will also consider which projects will be most competitive in the CoC funding process based on HUD’s HEARTH Act performance measures and HUD’s policy priorities as outlined in the HUD CoC NOFA.
- 4) The renewal project scoring tool emphasizes projects that promote the HEARTH Act goals of ending homelessness, HUD’s policy priorities as outlined in the CoC Program NOFA, and the CoC’s local priorities. Measures that reflect HUD’s expectations regarding project performance review are considered. To measure project outcomes and performance for renewal projects, data is drawn from the CMIS, Annual Performance Reports, eLOCCS, Sage and other CoC reporting tools and platforms.
- 5) All new project applications for CoC reallocated and/or bonus funds will be evaluated by the CoC Scoring Committee. The Scoring Committee will determine whether new project applications for reallocated and/or bonus funds will be included in Delaware’s application to HUD. All project applicants will be notified of whether their new project application will be included no less than 15 days in advance of the CoC Application deadline.
- 6) New project applications for CoC reallocated and/or bonus funds will be most competitive if they align with HUD policy priorities, demonstrate the organization’s capacity to administer federal grant funds, demonstrate a clear understanding of best practices in the delivery of the program model, adopt a housing first model of service delivery and meet local need. New projects are reviewed by Scoring Committee members to help them determine their competitiveness as it relates to these criteria.
- 7) Projects required by HEARTH & the CoC program regulation will be ranked in Tier 1 because the projects are federally required and the primary funding source for these projects is HUD CoC funding. This includes the following project types:
 - a) HMIS: Homeless Management Information System
 - b) SSO-CE: Supportive Services Only - Coordinated Entry

Delaware Continuum of Care: 2020 CoC Competition Policies

- 8) Projects that are renewing for the first time and/or have not been in operation for a full year will be ranked in Tier 1.
- 9) The CoC Lead agency will not participate in any discussion or deliberation about prioritization that may impact their funding.

NEW PROJECT SOLICITATION, EVALUATION & SELECTION

Over the past several years, the HUD CoC Program NOFA has allowed CoCs to apply for new projects funded through Reallocation, Regular Bonus funding and the DV Bonus. Eligible projects have included Rapid Rehousing (RRH), Permanent Supportive Housing (PSH, not eligible for DV Bonus), Joint TH/PH-RRH, and Supportive Services only for Coordinated Entry. The following information describes the DE CoC's process for soliciting, evaluating, and selecting new project applications for inclusion in the 2020 Priority Listing.

1) New Project Evaluation and Scoring Process

- a) The DE CoC will conduct a local competition for new projects.
- b) The local competition will include:
 - i) Housing Alliance Delaware, on behalf of the DE CoC, will release a Request for Proposals (RFP) and will distribute this information widely to the public using email notices and website postings.
 - ii) To be considered for funding, local organizations will be required to submit the following materials by the due date established by the CoC:
 - (1) New project application
 - (2) Signed CoC grantee certification
 - (3) Agency's most recent agency audit
 - (4) Evidence of active SAM Registration
 - (5) Proof of Non-profit status (if applicable)
 - (6) Match letter
- c) Applications will be submitted to the Housing Alliance Delaware, the Collaborative Applicant for the Delaware CoC. Housing Alliance Delaware will distribute all application materials and provide technical assistance to applicants.
- d) Applications received will be reviewed by Housing Alliance Delaware staff to establish whether each application is eligible for consideration as outlined in the RFP. All new project applications will be forwarded to the DE CoC Scoring Committee with notes regarding whether the application met eligibility requirements, and if not, which requirements were not met.
- e) All applications that meet eligibility requirements will be independently reviewed and scored by the DE CoC Scoring Committee.
- f) The Scoring Committee will meet to review new project applications and make new project selection decisions.

Delaware Continuum of Care: 2020 CoC Competition Policies

- g) New project applicants will receive notice regarding whether their project application was selected for funding and inclusion in the CoC's Priority Listing.
- h) The CoC Scoring Committee sends its recommendations for new project funding to the CoC Board for review and final decision. The recommendation includes which new projects to include in the CoC's Priority Listing and where the projects should fall in the CoC's ranking.

2) New Project Evaluation Factors

- a) For the 2020 CoC Program NOFA Competition, new project applications will be evaluated on the following:
 - i) The extent to which the proposed project meets an unmet need in Delaware or fills a gap in housing or services
 - ii) The quality of the organizational and management plan to administer the project
 - iii) The organization's capacity to operate the project type using best practices
 - iv) Experience and/or organizational capacity to successfully administer a federal grant, or a grant with similar administrative requirements
 - v) Ability to move individuals quickly into permanent housing using housing first approach
 - vi) Other factors identified in the RFP

RENEWAL PROJECT EVALUATION

To be considered for inclusion in the Delaware Statewide Continuum of Care (CoC) Consolidated Application, organizations wishing to renew their existing projects must complete the local 2020 Continuum of Care Program Renewal Application, as described below.

1) Renewal Project Evaluation Factors

- a) For the 2020 CoC Program NOFA Competition, renewal projects will be evaluated on the following:
 - i) Meets renewal project threshold requirements. Threshold Requirements are the minimum requirements that a project applicant is expected to meet to apply for CoC funds in Delaware. If threshold requirements are not met by a renewal project applicant, reallocation may be considered. (For more information, please review the "Reallocation Policy" section of this document.)
 - (1) Application Submission
 - (a) Project applicant meets all submission deadlines for application materials, supporting documentation, and any other required materials.
 - (b) All project application materials are complete.
 - (2) Financials
 - (a) Project applicant submits an agency audit that does not contain significant unresolved finding. If there are findings, the agency reports its plan to address them, and this plan is determined to be sufficient and comprehensive by the CoC Scoring Committee.

Delaware Continuum of Care: 2020 CoC Competition Policies

- (b) Project applicant submits any HUD monitoring report completed since the previous application period for the project. The report does not have significant unresolved findings. If the report does have findings, the agency reports its plan to address them, and this plan is determined to be sufficient and comprehensive by the CoC Scoring Committee.
 - (c) A renewal project must not have more than .25% recaptured by HUD for any reason, including failure to utilize all grant funds by the deadline.
 - (3) Compliance
 - (a) Project applicant complies with all relevant CoC Interim Rule and HEARTH Act laws and regulations.
 - (b) Project applicant is serving eligible households with CoC funds (e.g. chronic homeless dedicated beds are occupied by chronically homeless households; PSH beds occupied by persons with disabling conditions; RRH serves people from streets and shelters and those fleeing DV, etc).
 - (c) Project applicant is an eligible entity (501 c3 non-profit or local government entity).
 - ii) Performance
 - (1) The Scoring Committee uses a scoring tool to evaluate the performance of each renewal project application. This tool is reviewed and approved by Scoring committee members each year.
 - (a) The Scoring Committee considers information in supplemental narratives and attachments when making final scoring and ranking recommendations.
 - (b) Projects renewing for the first time that do not have one year of data are reviewed for progress made thus far to start-up the project and will automatically be ranked in Tier 1.
 - (c) The Scoring committee will review any renewal projects that were previously placed on Corrective Action Plan (CAP) due to performance concerns. The committee will review the outcome of the CAP and the agency's ability to meet the expectations and requirements of the plan. For more information about the CAP process, please see the "Corrective Action Plan" section of this document.

2) Renewal Project Evaluation and Scoring Process

- a) Agencies will prepare their submission, which includes, but is not limited to, the following:
 - i) Compliance Review Tool
 - ii) CoC Grantee Certification Form
 - iii) Renewal Project Evaluation Tool
 - (1) Each project type (TH, RRH, PSH, SSO, and HMIS) has an evaluation and scoring tool unique to that project type, including one for start-up/first-time renewal projects
 - (2) Applicants are required to submit performance data out of CMIS for the period 04/01/2019 – 03/31/2020
 - iv) The policies and procedures that apply to the project

Delaware Continuum of Care: 2020 CoC Competition Policies

- b) Applications are submitted to Housing Alliance Delaware, the Collaborative Applicant for the Delaware CoC. Housing Alliance Delaware provides organizations with the required forms and tools, as well as technical assistance in completing the application materials as needed.
- c) Applications are first reviewed by Housing Alliance Delaware staff to establish whether the project passes threshold requirements. All renewal project applications are forwarded to the DE CoC Scoring Committee for review. Projects that do not meet threshold requirements are accompanied by information about the threshold issue.
- d) The Scoring Committee meets to review and evaluate all renewal projects. The Scoring Committee will determine if any renewal projects should be recommended for reallocation, in accordance with the DE CoC's 2020 Reallocation Policy (see "Reallocation Policy" section of this document for details).
- e) Projects that score poorly or for which there are identified performance concerns may be placed on a Corrective Action Plan by the Scoring Committee. Please review the "Corrective Action Plan" section of this document for more information about this.
- f) Coordinated Entry (CE) and Homeless Management Information System (HMIS) projects are scored. However, because these grants are necessary for the effective operation of HUD required programs, including the requirement for all CoC projects to follow HUD CoC HMIS and Coordinate Entry requirements, these projects are always ranked in Tier 1.
- g) The Scoring committee forwards their recommendations to the CoC Board for renewal project reallocations, renewal projects scores, and new and renewal project ranking. The CoC Board reviews the recommendations and makes final decisions.
- h) Renewal projects are provided with an opportunity to appeal scoring and ranking decisions. See the "Appeals Policy" section of this document for more information.

Delaware Continuum of Care: 2020 CoC Competition Policies

REALLOCATION POLICY

Under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH), the HUD reallocation process allows Continuums of Care (CoC) to fund new projects by transferring all or a part of funds from any existing CoC grant to create a new project. A project is eligible to be funded through reallocated funds if the following apply:

- A) The project is for an eligible project type. HUD determines eligible reallocation project types in the CoC Program NOFA each year.
- B) The project meets all of HUD's threshold requirements.

1) Basis for Reallocation

The CoC may approve the reallocation of funds for various reasons, including:

- a. The agency operating the renewal project may choose to voluntarily reallocate CoC renewal funds, either partially or fully.
- b. The renewal project has failed to meet CoC's established threshold requirements – see the "Renewal Project Application Threshold Requirements" section of this document for the detailed description of the threshold requirements. Threshold requirements cover for general categories: application submission; financials; compliance; and performance.
- c. The renewal project does not meet the CoC's established needs or priorities and/or it does not meet HUD priorities. This may include the following situations:
 - i. It is determined that the project type is no longer the best approach for meeting the needs of those being served by the CoC
 - ii. It is determined that the project is no longer needed to meet the needs of the subpopulation served by the project
 - iii. The housing or program model used by the project is not aligned with the CoC's or HUD's priorities

2) Process for Determining Reallocations

- a. CoC-funded agencies may self-nominate to voluntarily reallocate CoC renewal funds, either partially or fully. A grantee seeking to voluntarily reallocate funding must do so in accordance with the timeline set by the CoC Lead agency in that year's application process. Notification must be sent to the CoC Lead agency in writing and include the amount to be reallocated, the reasons for reallocating, if they wish to use the funds for another eligible use, and whether they are interested in reallocating even if the funds are not returned to them. The CoC Lead agency will provide all information about voluntary reallocation requests to the CoC Board. The CoC Board will review and determine the outcome of all voluntary re-allocation requests.

Delaware Continuum of Care: 2020 CoC Competition Policies

- b. Reallocation may occur based upon determination that the renewal project does not meet the CoC's renewal project threshold requirements and/or CoC/HUD needs or priorities. The process will be conducted as follows:
 - i. As part of the annual process for renewal projects, applicants are required to supply information to the Lead Agency so that it can be determined if each renewal project meets local and federal threshold requirements. The Lead Agency will compile information from the annual review process of renewal projects and provide it to the Scoring Committee for review.
 - ii. The Scoring Committee will meet to review which renewal projects have not meet the CoC's minimum threshold requirements based upon the results of the annual review process and/or no longer meet the needs or priorities of the CoC and/or HUD. Upon review and deliberation, the Scoring Committee will refer to the CoC Board the list of renewal projects recommended for reallocation and the recommended reallocation amount for each project. The recommended reallocation list must provide an explanation of the reasons why each project on the list is being recommended for reallocation, including the specific threshold requirements not met by the project(s) and/or the CoC/HUD needs and priorities not met by the project as applicable.
 - iii. A meeting of the CoC Board will be held to review the recommendations of the Scoring Committee and determine whether funds should be reallocated. The following process will be followed:
 - 1. Due to the time constraints involved in grant applications, voting may be handled via conference call, email, or other online medium such as Survey Monkey.
 - 2. Any member of the Board who is conflicted as described in the Conflict of Interest Policy shall recuse him or herself from the Board deliberation process.
 - 3. The CoC Board will make the final decision whether or not to reallocate funds from the renewal project for any agency that does not meet the minimum threshold requirements and/or no longer meet the needs or priorities of the CoC and/or HUD.
 - 4. The CoC Board will determine the amount of the reallocation for each project subject to reallocation.
 - 5. All Board deliberations will be documented in meeting minutes.

3) Process for Use of Reallocated Funds

- a. The CoC Board reserves the right to decide whether the reallocated renewal project funding will be made available for new projects through a competitive process or will be made available to the applicant from which the funds are being reallocated. The Board will make decisions as follows:

Delaware Continuum of Care: 2020 CoC Competition Policies

- i. In the case of a voluntary reallocation or where funds are being reallocated because the project no longer meets the needs or priorities established by the CoC and/or HUD, the Board may opt to make the reallocated funds available to the same agency for another use. If this decision is made, the agency must complete a new project application by the deadline set by the CoC Lead agency to be eligible and considered for inclusion on the CoC's Priority Listing.
- ii. If it is determined that renewal project funds will not be made available to the agency from which the funds were reallocated, the reallocated funds will be released as new funds and agencies operating in DE will have the opportunity to bid for them. Reallocated funds may be made available through the same bidding process used for CoC Bonus funds or through a separate bidding process.

4) Recusal

- a. The CoC Lead Agency will not participate in any discussion or deliberation about reallocation that may impact their CoC funding.
- b. No CoC-Board member with conflict will be involved in any re-allocation decisions.

5) Appeal Process

- a. Renewal project applicants are provided with an opportunity to appeal. Please refer to the "Appeals Policy" section of this document for more information.

APPEAL POLICY

Provisions at 24 CFR 578.9 require CoCs to design, operate and follow a collaborative process for the development of an application in response to a NOFA issued by HUD. Housing Alliance Delaware (HAD), as the Collaborative Applicant for the Delaware Continuum of Care (DE-CoC), will ensure the implementation of the local appeals policy and procedure.

The purpose of the appeals procedure is to settle disagreements between an applicant organization and the DE-CoC as quickly and as fair as possible. The appeals process must proceed quickly to ensure an equitable and efficient Continuum of Care Program Consolidated Application (CoC Application) process. Local appeals must be settled in a manner that does not impact the timely submission of the DE-CoC's funding application to HUD.

Policy

CoC-funded renewal projects may file an appeal related to:

1. Project scoring errors
2. The reallocation of CoC funding (partial or full) or

Delaware Continuum of Care: 2020 CoC Competition Policies

3. Improper application or interpretation of HUD or CoC rules and regulations concerning the participation of the applicant in the CoC Application process

Procedures for Submitting an Appeal

To be considered, all appeals must be filed in writing to the DE-CoC within three (3) business days from the time the agency was notified of the decision against which it is filing the appeal (project scoring error, project reallocation, etc). The appeal must be sent via email to the Executive Director of Housing Alliance Delaware, rstucker@housingalliance.de.org and the CoC Board Chair, carrie.casey@newcastle.de.gov. The written appeal must be submitted using the **CoC Funding Appeal Form**, which can be found on the Continuum of Care page of the Housing Alliance Delaware website. As soon as an appeal is filed, all CoC project applicants will be notified that an appeal has been filed.

The written appeal will be provided to all CoC Board members who are not conflicted, per the Conflict of Interest Policy. The DE-CoC Board has seven (7) business days from receipt of the written appeal to investigate, contact the applicant organization if necessary, and submit their response in writing to the applicant. Given the need to be timely, non-conflicted members of the CoC Board may conduct discussions and votes electronically. The decision made by the CoC Board is final.

If the applicant organization is not satisfied with the determination of the DE-CoC Board, the applicant organization can appeal directly to HUD pursuant to the current NOFA for the CoC Program.

CONFLICT OF INTEREST POLICY

A conflict of interest occurs when a CoC Scoring Committee or CoC Board member, a member of his/her immediate family, or his/her business associate has an interest, financial or otherwise, whether as employee, owner, fiduciary, consultant, Board member, or supplier or recipient of goods or services, in any program or agency that receives Continuum of Care funds.

HUD's Conflict of Interest rule does not define "Immediate Family" but the term can be understood to mean, at a minimum, a parent, spouse, domestic partner, child, or sibling. HUD's Conflict of Interest rule prohibits a CoC Board Member or CoC Scoring Committee member from

Delaware Continuum of Care: 2020 CoC Competition Policies

participating in discussions or influencing decisions concerning the award of a grant or other financial benefits to an organization in which he/she member has an interest.¹

Common conflicts of interest may include situations such as the following:

- A CoC Board member is employed by an agency that receives or is seeking to receive CoC funds as a recipient, subrecipient or contractor.
- The spouse of a CoC Scoring Committee member provides consulting services to or is on the Board of an agency that is seeking CoC funds.
- A CoC Board member is employed by an organization that has an investment in one or more CoC funded projects (e.g., a government agency or intermediary organization that provides match, capital funding, or tax credit syndication).
- The child of a CoC Board member is receiving services from a CoC funded project.
- A CoC Board member is receiving housing assistance from a CoC funded project.
- A CoC Scoring Committee member owns property that receives rental payments from a CoC recipient.
- The sibling of a CoC Board member owns a business that provides goods or services to a CoC funded project.

Requirements

- 1) Each CoC Board member and CoC Scoring Committee member is required to complete the CoC Conflict of Interest form no less than annually. This form can be found on the CoC's webpage: <https://www.housingalliance.org/the-delaware-continuum-of-care>. CoC Scoring Committee members must complete this form prior to performing any work as a member of the committee.
- 2) Whether or not a CoC Board member or CoC Scoring Committee has a conflict of interest may change over time. If a CoC Board or Scoring Committee member develops a conflict of interest that has not been previously disclosed, that member must disclose his or her conflict of interest immediately.
- 3) CoC Board members and CoC Scoring Committee members are prohibited from participating in discussion or voting on matters concerning agencies with which they have a conflict of interest.
- 4) The CoC Lead Agency is prohibited from participating in discussion or voting on matters directly related to the funding of their CoC projects (CoC Planning, HMIS, Coordinated Entry).

¹ CFR 24 578.95 § 578.95 Conflicts of Interest: <https://www.hudexchange.info/resource/2035/coc-program-interim-rule-formatted-version/>

Delaware Continuum of Care: 2020 CoC Competition Policies

CORRECTIVE ACTION PLANS

The purpose of a Corrective Action Plan (CAP) is to identify performance issues that need improvement and document a clear plan to address the issues. The CoC Scoring committee determines which projects will be placed on a Corrective Action Plan after reviewing project performance during the annual CoC funding competition.

PROCESS

When project is placed on a CAP, the agency that administers the project is responsible for implementing changes to address the performance issues identified. Housing Alliance Delaware, as the CoC Lead Agency, is responsible for developing and administering the Corrective Action Plan with the project's leadership and monitoring progress on performance goals.

1. Agencies with projects placed on CAP will be notified of the CoC Scoring Committee's decision, in writing, by Housing Alliance Delaware.
2. Housing Alliance Delaware will develop the written CAP and distribute it to the agency.
 - a. The CAP will include the following content:
 - i. Clearly identified performance issue(s)
 - ii. Clearly defined performance goal(s)
 - iii. Detailed description of activities that will be undertaken to address performance issue(s)
 - iv. Deadlines for completion of proposed activities
 - v. Parties responsible for the successful completion of the proposed activities
3. Housing Alliance Delaware will meet with project or agency leadership to discuss the content, answer questions, and finalize the plan and deadlines.
4. Housing Alliance Delaware may offer technical assistance or refer projects to the Department of Housing & Urban Development for further technical assistance resources.
5. Once complete, the Corrective Action Plan will be signed by an individual authorized to represent the project (e.g. Executive Director, Program Director, etc.).
6. Housing Alliance Delaware will perform regular check-ins with the agency to provide support and feedback as needed.
7. The extent to which the project met the performance goals of the CAP will be reported to the CoC Scoring Committee during the subsequent CoC funding process. The CoC Scoring Committee will use the outcome of the CAP to inform its funding recommendations for the project.

Delaware Continuum of Care: 2020 CoC Competition Policies

Revision History

| Reason for Revision | Date Revised |
|---|---------------------|
| Original Reallocation Policy updated | May 2012 |
| Revised to include updated language | February 2015 |
| Revised to reflect FY15 CoC NOFA | October 2015 |
| Revised based on CoC Scoring Cmte. feedback | April 2016 |
| Revised based on CoC Scoring Cmte. feedback | June 2017 |
| Approved by CoC Scoring Committee | June 2018 |
| Revised and Approved by CoC Board | June 2020 |