



2023

SMART MOVE PROGRAM

Notice of Funding Availability (NOFA)

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF DISASTER RECOVERY AND MITIGATION

Application Deadline: April 4, 2024
Program Contact: SmartMove@dca.nj.gov

1 PROGRAM OVERVIEW

1.1 Introduction

In alignment with the State of New Jersey's comprehensive approach to housing recovery from Hurricane Ida, the State is launching the Smart Move Program. This program will promote housing recovery while creating affordable homeownership opportunities that fosters long-term sustainability of communities by building resilient housing that is less susceptible to damage and destruction resulting from natural disasters. Smart Move will award competitive grants to eligible units of local government (UGLG) within the Most Impacted and Distressed (MID) counties to complete eligible projects. Smart Move is funded by Community Development Block Grant-Disaster Recovery (CDBG-DR) funds appropriated by Congress for recovery from Hurricane Ida. CDBG-DR grants are administered by the U.S. Department of Housing and Urban Development (HUD) and are intended to address "unmet needs" not satisfied by other federal, state, and local recovery resources.

The purpose of this **Notice of Funding Availability (NOFA)** is to provide the overall objectives of the program and the application process by which the New Jersey Department of Community Affairs (DCA) will award CDBG-DR funds to eligible UGLG to assist individuals whose homes were destroyed, individuals who were displaced and can no longer return to their previous residences because of continued and/or increased threat of loss due to its location and proximity to high-risk flood areas, and/or to provide support for first-time homebuyers.

1.2 Program Description

Smart Move is a pilot program that will subsidize the development of quality, energy-efficient, resilient, and affordable single-family, owner-occupied housing in lower risk areas within or near disaster-impacted communities that are participating in Blue Acres or other buyout programs that are supported by different funding sources. The Program will provide safe housing for relocating residents so they may stay in or near their communities after selling their high-risk properties and first-time homebuyer opportunities for eligible households. The qualified primary residential occupants who sold their high-risk owner-occupied homes through the Blue Acres Buyout Program, will be prioritized.

Alternative resilient and green energy solutions may be incorporated into the development, including, but not limited to, fuel cells, solar farms, microgrids, and other innovative green technologies. The Program will adhere to HUD's Green and Resilient Building Standards, which requires new construction to meet an industry-recognized green building standard that has achieved certification and a minimum energy efficiency standard.

The new developments will be built outside the 500-year floodplain and the inland or coastal climate adjusted floodplain, as defined by the State of New Jersey Department of Environmental Protection (DEP).

Any eligible Units of Local Government (UGLG) within the MID-identified counties with eligible projects may apply to be selected to participate in the pilot program. The program will be implemented under a UGLG led model with management and oversight provided by DCA. The UGLG will act as applicant up until award, at which time they will assume the role of subrecipient and be responsible for all efforts necessary to carry out activities with the exception of those that are specific to DCA.

Once the eligible communities have been selected as subrecipient, the subrecipient will enter into a development agreement with a for-profit or non-profit organization to serve in the capacity of developer. The developer will control the site and retain ownership of the development project through Phase I.

The Program reserves the right to limit the number of projects selected up to the available amount of funding. The application process will aim to distribute projects to ensure a geographic distribution of housing and to avoid the concentration of low-income housing to a specific locale. A MID-identified county may be awarded funding for multiple projects, however, only one project will be awarded on a UGLG level (i.e., city, township, etc.).

1.3 Program Objectives

Approved activities will focus on achieving the following objectives:

1. Meet the Low and Moderate Income (LMI) national objective using the Low and Moderate Housing (LMH) strategy to create affordable homeownership opportunities for households impacted and/or displaced because of the disaster(s).
2. When necessary and eligible provide public infrastructure in support of housing under the Low and Moderate Area (LMA) National Objective for any roads, utilities, improvements, that will serve the new LMH housing development.
3. Prioritize impacted individuals/households who were homeowners prior to the disaster and participating in the Blue Acres Buyout Program.
4. Disburse funds in the most impacted areas to address unmet needs based upon unmet needs assessment.
5. Replace the housing stock damaged or destroyed in the affected areas, where possible, in areas where replacement is not possible, create housing in more sustainable and resilient areas.
6. Increase the number and quality of affordable housing units.
7. Increase substantiality, energy efficiency, affordability, and resiliency of housing stock.
8. Implement innovative design and development typologies, where possible.
9. Reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship by removing residents from areas at high risk of flooding.

Prior to accepting applications for the program, DCA will offer technical assistance on the Smart Move application process and requirements. DCA will also provide training and technical assistance to approved applicants on project implementation, meeting state and federal requirements, and project oversight. DCA will monitor approved projects and provide oversight to maintain compliance and ensure their successful completion.

2 ELIGIBILITY

2.1 Eligible Applicants

DCA will award funding to UGLGs such as counties, cities, and townships located within the designated MIDs. The UGLG will procure and award funding to for-profit and non-profit developers or Community Development Business Organizations (CDBOs). Smart Move will not directly award funds to for-profit and non-profit developers or CDBOs.

2.2 MID Areas

Federal Register Notice [87 FR 31636](#) establishes the following counties as most impacted and distressed and requires the State to use funds to address unmet disaster needs or mitigation activities within them. The State can also leverage unused Superstorm Sandy funding to help address Hurricane Ida needs in overlapping Sandy and Ida impacted counties. These are considered overlapping MID; in that they are MID for both Hurricane Ida and Superstorm Sandy. Projects within the following MID counties are eligible for Smart Move funding:

- Bergen
- Essex
- Hudson
- Middlesex
- Passaic
- Somerset
- Union
- Gloucester
- Hunterdon
- Mercer
- Morris
- Warren

2.3 Eligible costs

Eligible costs for this program must comply with the eligibility requirements outlined in Section 2.5 Eligible Activities of the NOFA and be reasonable and necessary as determined by the program. Activities must also meet the detailed eligibility requirements of § 570.201-206 of Title 24 of the Code of Federal Regulations (CFR).

Program funds may be used for all aspects of funding the development and in disposition of the properties once complete, such as (this is not an exhaustive list):

- *Land acquisition costs (up to 50% land cost eligible for program reimbursement)*
- *Clearance/Demolition*
- *Soft Costs*
 - *Architecture*
 - *Engineering*
 - *Environmental*
 - *Market Analyst*
 - *Marketing Specialist*
 - *Consultancy Services*
 - *Legal*
- *Hard Costs*
 - *Housing Development*
 - *Infrastructure*
 - *Resilient Infrastructure*
- *Fees*
 - *Financing Fees*
 - *Developer Fees (no more than 15% of total development cost)*
- *Down Payment Assistance to Homebuyers*

- *Program/Activity Delivery Costs incurred by the Program and/or the subrecipient*
 - *Local Government Subrecipient Delivery Cost – applicants may request up to 5% of total project award as local activity delivery in the budget.*
- *Any costs that are eligible and reasonably necessary to develop and sell the housing units*

2.4 Ineligible Costs

Costs associated with activities not outlined in 24 CFR §§ 570.201-507.206 are generally considered to be ineligible for CDBG funds, unless waived by HUD. The following activities are specifically stated in the Code of Federal Regulations to be ineligible:

- *General government expenses.*
- *Political activities.*

The following activities are generally ineligible unless authorized specifically under special provisions of § 570.203:

- *Purchase of equipment.*
- *Operating and maintenance expenses.*

A fully detailed list of ineligible activities and their descriptions can be found in the 24 CFR § 570.207, unless waived by HUD, and is applicable to this funding opportunity. Specific to this program, the following activities are ineligible:

- *Do not tie-back or correspond to an identified disaster-related impact*
- *Are restricted by the appropriate legislation*
- *Are ineligible according to the CDBG-DR requirement and an appropriate waiver has not been granted*
- *Are not identified as eligible in the approved State Action Plan*
- *Are located in a floodplain*
- *Fail to meet a national objective*
- *Are illegal*

A fully detailed list of ineligible activities and their descriptions can be found in the 24 CFR § 570.207, unless waived by HUD, and is applicable to this funding.

2.5 Eligible Activities

Eligible activities include those permissible for eligible entities under Section 105(a) of the HCDA and the CDBG federal regulations found at 24 C.F.R. Part 570 <https://www.hudexchange.info/resource/3689/24-cfr-part-570-cdbg/>. The eligible entity carrying out the activities shall be and will remain in compliance with Section 105(a), 24 C.F.R Part 570 and CDBG-DR waiver or alternative requirements found in 87 FRN 31636. The program will target the use of funds specifically for new construction and all activities related to the delivery of new construction single-family housing units for homeownership purposes only, this is not a rental program and will not offer single-family rental units.

2.5.1 New Construction

The program will fund the construction of new housing units - and related public infrastructure, as needed. Such activity is made permissible by alternative requirement under Section II.B.2 of FRN 31636. While the alternative requirement allows the carrying out of activities related to reconstruction and rehabilitation of residential structures with

CDBG-DR funds, the program will focus only on new construction, and/or conversion of previously non-residential structures into housing units.

The program will ensure all new construction activities are performed and delivered in accordance with applicable federal, state, and local building requirements has adopted ICC-700 National Green Building Standard and Energy Star as the basis to meet the Green and Resilient Building Standard to achieve the resiliency, energy efficiency, affordability, and quality goals of the program. All projects must earn a certified rating.

For more information about the requirements of ICC-700 National Green Building Standard: <https://www.nahb.org/advocacy/industry-issues/sustainability-and-green-building/icc-700-national-green-building-standard>

2.5.2 Homeownership Assistance

In the efforts of promoting continued stabilization of the community and households, homeownership assistance via down payment assistance may be provided to eligible Blue Acres Program participants and/or first-time homebuyers who have a demonstrated need. The assistance will be used to bridge purchase gaps of affordability for households earning up to 120 percent (120%) area median income who are participating in the Blue Acres Buyout Program and/or first-time homebuyers who meet program requirements.

The homeownership assistance will be provided in addition to any subsidies required to develop the projects. Homeownership assistance will be calculated and awarded strictly on demonstrated need. The homeownership assistance will be used to meet the national objectives defined in Section 2.1 of this Policy.

2.6 Eligible Project Models

This program is designed to construct needed housing in disaster impacted counties with a lack of available affordable housing. The program will allow applicants to select from one of these three project models:

- New Construction: Single-Family Subdivisions
- Infill and Scattered Site Development
- Rehabilitation/Reconstruction Adaptive Reuse Conversion

2.6.1 New Construction: Single Family Subdivisions

The program will allow for the development of new residential subdivisions to create single-family homes. 70% of new homes will be sold to LMI income qualified buyers and 30% sold to UN income qualified buyers or market rate buyers. The program will allow for the construction of public infrastructure in support of housing, which requires that at least 51% of all households within the service area of the new infrastructure are LMI. The subdivision approval process will be managed by the administrative/governing body(ies) of the subrecipient's jurisdiction. The subdivision design must meet all applicable federal, state, and local requirements related to subdividing land for residential use. These projects will likely require the installation of public infrastructure such as roads, utilities, and other neighborhood improvements. These costs are eligible under this program and must be clearly broken out from the housing costs in the application to ensure compliance with reporting requirements of HUD CDBG eligible activities.

2.6.2 Infill and Scatter-Site Development

The program will allow for an infill and/or scattered-site strategy. This includes the construction of one or more housing units on an existing parcel of land within an existing neighborhood. For example, the redevelopment of a previously cleared site, the partitioning of oversized lot(s) to allow for greater housing density, or the development of a previously undeveloped parcel adjacent to existing public utilities. Building housing as in-fill on vacant lots expands housing opportunity within existing neighborhoods. This strategy may be beneficial in communities that have unused or underused parcels within its existing development patterns. Infill and scattered site projects can be developed in close proximity to resources LMI households may not typically be able to access easily. These applications must be able to demonstrate the ability to construct at least six (6) LMI housing units on one or multiple non-adjacent (scattered) sites within the jurisdiction of the applicant.

2.6.3 Adaptive Reuse and Conversions

The program will allow adaptive reuse and/or conversion projects to increase the affordable homeownership stock if opportunities arise to repurpose or convert an existing structure to build affordable ownership housing. Conversion includes the adaptive reuse of existing non-residential structures into housing units. For example: former school buildings, warehouses, office buildings, etc. are converted into housing units.

3 FUNDING METHOD

DCA is directly administering the Smart Move Program, identifying projects, and awarding funding through a competitive application process. All eligible applicants will be able to apply for funding for projects located in jurisdictions within the designated MID counties. All awards will be determined by an established ranking and scoring criteria that will be defined in [Section 8: Factors for Award & Application Organization](#).

4 APPLICATION TIMELINE

Milestone	Date
NOFA Posted	October 4, 2023
Application Available	October 4, 2023
Instructional Application Webinar Available	October 6, 2023
Instructional Application Outreach Session	November 15, 2023
Question & Answer Period	October 4, 2023 - March 4, 2024
Application Due	April 4, 2024
Anticipated award(s) Announced	August 15, 2024
Anticipated Contract(s) Executed	Starting December 15, 2024

5 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, the following:

- Federal Office of Management and Budget rules
- New Jersey Department of the Treasury rules
- New Jersey Office of Management and Budget rules
- State Affirmative Action requirements outlined at:
 - N.J.A.C. 17:27, N.J.S.A. 10:5-1 et seq.,
 - PL 1975 c.127, and all implementing regulations.

Applicants under this NOFA also agree to comply with all applicable provisions of [New Jersey Circular No. 07-05 OMB](#)¹ to the extent that these state rules are not superseded by more stringent federal rules:

- Must be registered or be able to register for a unique entity identified 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](#).
- 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.
- Must comply with all applicable federal, state, and local environmental regulations. An environmental review must be completed before DCA will issue a Notice to Proceed allowing construction to begin. Once an application is submitted, choice-limiting actions

¹ Also available here: <http://www.state.nj.us/infobank/circular/cir0705b.pdf>.

as defined at 24 CFR 58.22 are prohibited until the environmental review is approved by NJ DCA or the application is rejected or withdrawn.

6 PUBLIC NOTICE REQUIREMENT

Applicants are required to solicit public feedback on their proposed projects prior to submitting an application and provide documentation of this with the application. A key element in the housing recovery process is the discussion it promotes among community members about creating a safer, more disaster-resilient community. Community engagement and other outreach activities that capture a community’s values and priorities are likely to result in a project having greater legitimacy and support, leading to greater success in implementation.

6.1 Public Hearing

Applicants must receive public input on their application through either virtual and/or in-person hearing and allow for a 14-day public comment period, which must be completed prior to the submission of the application.

- Hearings must cover community development and housing needs (including affirmatively furthering fair housing) including the needs for LMI households, other development and housing needs, and how the potential activity will address that need.
- Hearings must also cover the development of proposed activity and application including when the application will be submitted, requested amount of funds, location of the project, and plans to minimize displacement of persons and businesses as a result of the funded activity.
- There must be reasonable notice of the hearings, and they must be held at times and accessible locations convenient to potential or actual beneficiaries, with accommodation for persons with disabilities.
- Public hearings shall meet the needs of non-English speaking residents when a significant number of non-English-speaking residents can reasonably be expected to participate.

Applicants should supply the same documentation that would normally be required to demonstrate that a meeting was held, including:

- Documentation of newspaper and/or public advertisement, indicating at least five days’ advance notice prior to the meeting.
- Documentation of meeting sign-in sheets and meeting minutes.
- A copy of the comments received during the 14-day comment period.

6.2 Solicitation Feedback and Public Comments

Documentation of public engagement, solicitation of feedback, and any public comments received must be submitted with the application and will factor into the application’s final score.

7 APPLICATION ORGANIZATION

The applicant should organize its application according to each of these sections.

Application Sections	Requirement
Section A: Applicant Information	Application – Written Narrative

Section B: Eligible County	Application – Written Narrative
Section C: Public Notice Requirement	Public Notice Compliance Documentation
Section D: Project Summary	Application – Written Narrative; Project Summary documentation
Section E: Site Control and Issues with Titleship	Application – Written Narrative; Site Control and Issues with Titleship documentation
Section F: Adverse/Negative Site Features	Application – Written Narrative
Section G: Land Use Entitlements, Parcel and Tract Map Information	Application – Written Narrative; Land Use Entitlements, Parcel and Tract Map documentation
Section H: Project Site Selection and Neighborhood Compatibility	Site Selection and Neighborhood Compatibility documentation
Section I: Demonstrated Experience and Construction Timeline	Implementation Plan; Construction Timeline
Section J: Project Readiness	Application – Written Narrative
Section K: Resilient Designs	Application – Written Narrative
Section L: Innovative Designs	Application – Written Narrative
Section M: Market Analysis	Market Analysis
Section N: Sources and Uses	Source and Uses
Section O: Community Engagement and Outreach	Application – Written Narrative
Section P: Site Plans/Schematics	Site Plans/Schematics
Section Q: Leveraging Partnerships	Application – Written Narrative
Section R: Acknowledgements and Certifications	Application – Written Narrative
Section S: Submission Instructions	N/A
Section T: Attachment Checklist	N/A

8 FACTORS FOR AWARD

8.1 Application Evaluation (Threshold criteria)

DCA will conduct an application evaluation (threshold criteria) which will determine whether the application is complete and potentially eligible for funding. DCA will further review only the applications that meet the threshold criteria listed below:



- Application was submitted on time.
- Application is signed and complete.
- Applying entity is an eligible city, township, county, special district or federally recognized tribal government.
- Applicant’s project benefits HUD and/or State-identified MID areas.
- Applicant meets National Objective Requirement(s).
- Application demonstrated site(s) control.
- Application indicates development will not occur in a floodplain.
- Application indicates the development will contain a minimum of 6 units.
- Application indicates commitment to minimum Green Building Standards.
- Applicant submitted evidence of Public Notice compliance.

8.2 Technical Evaluation Criteria

Applications that meet the minimum threshold criteria will then be reviewed by a panel as part of a technical scoring process. The review panel will generate composite scores using the following score criteria. A detailed description of the scoring rubric is included with the application materials.

Category	Available Points
Project Site	30
Demonstrated Experience	25
Project Readiness	25
Resilient Design	25
Innovative Design	20
Community Need	20
Value of CDBG-DR Investment	15
Community Engagement	10
Mix of Housing Unit Types, Sizes, & Income Levels	10
Leveraging Partnerships	5
	Total Points: 185

8.3 Project Site

30 Points

The application will be scored on how close the site is to the greatest number of services and amenities such as:

- Access to food,
- Health and wellness services,
- Education and cultural sites,
- Transportation,
- Retail,
- Community, and
- Civic facilities.

Projects should demonstrate how walkable or accessible to transportation they are and illustrate walkability on a site plan or map of the area.

8.4 Demonstrated Experience

25 Points

Applications will be scored on their partnered developer's ability to demonstrate experience with construction of new housing, housing developments similar in scale to what is proposed, federal funding programs such as CDBG-DR or HOME, federal labor standards, compliance, and reporting requirements.

8.5 Project Readiness

25 Points

Projects that demonstrate their ability to proceed immediately upon award and complete within the program schedule will receive the most points. Project readiness will be assessed on multiple factors including site control (is the property currently owned by the development team or will an acquisition be required), financial readiness, are all assets needed for the project in place with letters of commitment from lenders or team assets. Project Design development, how far along are architectural and engineering plans.

8.6 Resilient Design

25 Points

To receive the point allotment for this criterion, the application must describe how the project incorporates one or more resilient construction solutions, including those designed to harden and protect residential structures from hazards, leaving households and communities more resilient and prepared for future climate events. Resilient solutions use approaches that include, but are not limited to solar power generation and storage, green roofs, on-site stormwater management, durable and storm-resistant exterior building materials, resilient infrastructure, etc.

8.7 Innovative Design

20 Points

To receive the point allotment for this criterion, the application must describe how the project incorporates one or more innovative construction solutions designed to demonstrate new, innovative, creative solutions to complex problems of durable and affordable housing. Such innovative design examples include but are not limited to, structural 3-D printed homes, geothermal heating, electrochromic smart glass, net-zero housing, modular construction, adaptive reuse such as storage container housing, etc.

8.8 Community Need

20 Points

Smart Move project applications will be scored based, in part, on community need. Applicants must demonstrate their local need for additional affordable housing units. This can be documented in the form of the required Market Analysis. Communities may also demonstrate a loss of housing units as a result of the disaster, or buyout programs designed to reduce future risk.

8.9 Value of CDBG-DR Investment

15 Points

While all applicant projects will be unique in design and development characteristics, the Program will calculate the average CDBG-DR investment per housing unit to determine the value of CDBG-DR funds committed to the project. Applications able to produce the most housing units at the lowest CDBG-DR cost per unit will score the highest. This calculation will not include the down payment assistance that will be provided to the homebuyers.

8.10 Community Engagement

10 Points

Applications will be scored on their ability to demonstrate that meaningful community outreach and engagement led to project design based on local housing needs assessments and community input.

8.11 Mix of Housing Unit Types, Sizes, & Income Levels

10 Points

The Program is committed to providing clean, quality, affordable housing to meet the needs of the community. Applications that demonstrate developing a variety of housing types and sizes and various income levels, (i.e., LMI (up to 80% AMI), UN (up to 120% AMI), and market (no income qualifiers) – with 70% of the units funded by the Program serving LMI households) that align with documented community needs will score the highest. All housing units must be constructed to the same quality and construction standard for all buyers.

8.12 Leveraging Partnerships

5 Points

Utilizing a variety of funding sources and services allows applicants to best leverage CDBG-DR resources. Applicants should consider any available resources in designing their project scope and budget such as support from non-profit, and private partners.

9 APPLICATION SUBMISSION INSTRUCTIONS

Applicants must first register with DCA at

https://www.nj.gov/dca/ddrm/programs/ida/housing_resilient.shtml beginning October 4, 2023. Once registered, the Applicant will be able to access the application materials and additional resources. All applications must be submitted by April 4, 2024 via email to SmartMove@dca.nj.gov.

If you have any questions or concerns during or after the application period, please email the SMART MOVE email inbox at: SmartMove@dca.nj.gov and the Smart Move Team will respond to all inquiries in a timely manner.

10 AWARD

The Department of Community Affairs (DCA), Division of Disaster Recovery and Mitigation, is responsible for implementing the program, including key roles in the execution of awards, managing payments, communication with HUD, and monitoring and financial oversight.

Awardees of the Smart Move funds will enter into a legal grant agreement as a subrecipient of the State's CDBG-DR grant and must comply with all applicable federal and state rules and regulations. Subrecipients are responsible for managing project activities, timely reporting on financial and project progress, internal monitoring, contracting and contractor management, compliance with all applicable rules and regulations, and maintaining project records for seven years.

10.1.1 Maximum Awards

The value of the total funding made available for each project will be up to \$15 million per project. Award calculations will be established based on the budget proposed in the application and the total Development Incentives. Development Incentives will be calculated based on the proposed project design in terms of number of units and submitted maximum sales price. Additionally, award calculations will also include eligible costs documented as necessary for the

construction of housing units. The Sources and Uses documentation provided will be used to document the total development cost and determine the CDBG-DR eligible Award.

11 APPEAL PROCESS

All appeal requests related to program activities are processed and reviewed by DCA. Initial review of the appeal will be conducted by a three (3) person panel, made up of Legal and Regulatory Affairs staff. This staff is independent from the group that originally made the decision being appealed. Each appeal will be reviewed against program policies and requirements. The panel will make a recommendation to the Deputy Commissioner of Disaster Recovery Mitigation (DRM), who will make the final appeal determination.

Appeal requests to DRM must be postmarked within sixty (60) calendar days of the date of service on the original correspondence communicating the agency's decision. Appeals must be submitted in writing to:

**Department of Community Affairs
Division of Disaster Recovery and Mitigation
P.O. Box 823
Trenton, NJ 08625-0800
Attention: Legal**

The applicant's written request should contain the following information:

- Applicant's name,
- Address/location of impact area or proposed site,
- Applicant's mailing address,
- Applicant's telephone number,
- Email address (if available),
- The reason(s) the decision or action is being appealed,
- Documentation that supports the request to overturn the decision, and
- Application number.

If appropriate, Legal and Regulatory Affairs may contact the applicant to allow the applicant to provide additional documents to address any deficiency or incomplete information, or to be interviewed to determine the merits of the applicant's appeal. If the action or decision is overturned, notification will specify the corrective action to be taken. The applicant shall be notified of the final determination in writing via certified mail.

Appendix 1: Application Checklist

- This Checklist is designed to aid the applicant through the application process. As such, it does not need to be submitted with the completed application to NJ DCA.
- All completed applications must be sent to the Smart Move Team before the end of the deadline period. **Your application is not considered complete if not signed and dated.** Once complete, please send your completed application to the NJ DCA Smart Move Team at SmartMove@dca.nj.gov. Once submitted, an email will be sent confirming receipt of the application.
- If you have any questions or concerns or need technical assistance during or after the application period, please email the Smart Move email inbox at SmartMove@dca.nj.gov and the Smart Move Team will respond to all inquiries in a timely manner.

✓ Application Information Required	
Minimum Threshold Eligibility Criteria	Manner of Satisfaction
Application submitted on time by posted deadline	Application Form Entry
Application is complete, signed, and includes all required supporting documents	Application Form Entry; Supporting Documentation
Applicant is an eligible city, township, county, special district or federally recognized tribal government	Application Form Entry
Application includes the FEIN, SAM, and NJ Start Numbers for applicant entity	Application Form Entry
Project benefits an eligible county	Application Form Entry
Application indicates development will not occur in a floodplain	Application Form Entry; Supporting Documentation
Application indicates the development will contain a minimum of 6 units	Application Form Entry
Application indicates commitment to minimum Green Building Standards	Application Form Entry
Applicant attached evidence of meeting the Public Notice requirement	Application Form Entry; Public Notice Compliance Documentation
Other Requirements	
Application includes a project summary	Application Form Entry; Supporting Documentation
Application describes Site Control and Issues with Titleship and includes supporting documentation as evidence of site control. If applicable, supporting documentation should also be submitted to document issues with ownership or titleship.	Application Form Entry; Supporting Documentation
Application describes Adverse/Negative Site Features	Application Form Entry
Application describes Land Use Entitlements, Parcel and Tract Map Information. If applicable, supporting documentation should also be submitted, including an appraisal and documentation outlining requirements for developing on the identified site, easements, and	Application Form Entry; Supporting Documentation

	right-of-way dedications.	
	Application includes Project Site Selection and Neighborhood Compatibility Documentation	Supporting Documentation
	Application describes the applicant’s implementation and capacity plan to describe its goals, milestones, staff capacity, quality control, etc.	Implementation Plan; Construction Timeline
	Application describes the project status to determine if shovel ready. If applicable, supporting documentation should also be submitted as evidence of a shovel-ready project.	Application Form Entry; Supporting Documentation
	Application describes resilient designs	Application Form Entry
	Application describes innovative and creative housing approaches	Application Form Entry
	Application describes the housing needs, relevancy of the project to the market, and how the project addresses such a need	Market Analysis
	Application describes the project budget and all funding sources proposed	Sources and Uses
	Application describes the community engagement and outreach strategy and supporting activities that have been and will be employed when implementing this project	Application Form Entry
	Application describes the overall site plan/schematics of the project	Site Plans/Schematics
	Application describes how the applicant will leverage partnerships with neighboring communities, states, federal government, or non-profit/private partners as part of project implementation	Application Form Entry
	Applicant checked all acknowledgements and signed the application certifying to all statements on the application	Application Form Entry
Attachments (Must be attached as part of the submission)		
	Public Notice Compliance documentation	
	Project Summary documentation	
	Site Control and Issues with Titleship documentation	
	Land Use Entitlements, Parcel and Tract Map documentation	
	Project Site Selection and Neighborhood Compatibility documentation	
	Implementation Plan	
	Construction Timeline	
	Market Analysis	
	Source and Uses	
	Site Plans/Schematics	



Appendix 2: Technical Evaluation Criteria

1 REVIEW FACTORS AND POINT ALLOCATIONS

Applications will be evaluated and scored on a variety of factors, as outlined below. Applicants may receive up to the maximum specified in the table below for each review factor:

REVIEW FACTORS	POINTS
Project Site	Up to 30 points
Demonstrated Experience	Up to 25 points
Project Readiness	Up to 25 points
Resilient Design	Up to 25 points
Innovative Design	Up to 20 points
Community Need	Up to 20 points
Value of CDBG-DR Investment	Up to 15 points
Community Engagement	Up to 10 points
Mix of Housing Unit Types, Sizes, & Income Levels	Up to 10 points
Leveraging Partnerships	Up to 5 points
Total Points Possible	Up to 185 points

2 CRITERIA DESCRIPTIONS

Applications will be reviewed by a panel as part of a technical scoring process. The review panel will generate individual scores using the established scoring criteria. The panel will meet regularly during the scoring process to agree on a score for each application. Applications will be evaluated and scored on the following:

DESCRIPTION OF CRITERIA	AVAILABLE POINTS
<p>Project Site</p> <p>The application will be scored on how close the site is to the greatest number of services and amenities such as access to food, health and wellness services, education and cultural sites, transportation, retail, community, and civic facilities. Projects should demonstrate how walkable or accessible to transportation they are and illustrate walkability on a site plan or map of the area.</p>	<p>Up to 30 points</p>
<p>Demonstrated Experience</p> <p>Applications will be scored on their partnered developer’s ability to demonstrate experience with construction of new housing, housing developments similar in scale to what is proposed, federal funding programs such as CDBG-DR or HOME, federal labor standards, compliance and reporting requirements.</p>	<p>Up to 25 points</p>
<p>Project Readiness</p> <p>Projects that demonstrate their ability to proceed immediately upon award and complete within the program schedule will receive the most points. Project readiness will be assessed on multiple factors including site control (is the property currently owned by the development team or will an acquisition be required), financial readiness, are all assets needed for the project in place with letters of commitment from lenders or team assets. Project Design development, how far along are architectural and engineering plans.</p>	<p>Up to 25 points</p>
<p>Resilient Design</p> <p>To receive the point allotment for this criterion, the application must describe how the project incorporates one or more resilient construction solutions, including those designed to harden and protect residential structures from hazards, leaving households and communities more resilient and prepared for future climate events. Resilient solutions use approaches that include, but are not limited to solar power generation and storage, green roofs, on-site stormwater management, durable and storm-resistant exterior building materials, resilient infrastructure, etc.</p>	<p>Up to 25 points</p>

DESCRIPTION OF CRITERIA	AVAILABLE POINTS
<p>Innovative Design</p> <p>To receive the point allotment for this criterion, the application must describe how the project incorporates one or more innovative construction solutions designed to demonstrate new, innovative, creative solutions to complex problems of durable and affordable housing. Such innovative design examples include but are not limited to, structural 3-D printed homes, geothermal heating, electrochromic smart glass, net-zero housing, modular construction, adaptive reuse such as storage container housing, etc.</p>	<p>Up to 20 points</p>
<p>Community Need</p> <p>Applicants must demonstrate their local need for additional affordable housing units. This can be documented in the form of the required Market Analysis. Communities may also demonstrate a loss of housing units as a result of the disaster, or buyout programs designed to reduce future risks.</p>	<p>Up to 20 points</p>
<p>Value of CDBG-DR Investment</p> <p>While all applicant projects will be unique in design and development characteristics, the Program will calculate the average CDBG-DR investment per housing unit to determine the value of CDBG-DR funds committed to the project. Applications able to produce the most housing units at the lowest CDBG-DR cost per unit will score the highest. This calculation will not include the down payment assistance that will be provided to the homebuyers.</p>	<p>Up to 15 points</p>
<p>Community Engagement</p> <p>Applications will be scored on their ability to demonstrate that meaningful community outreach and engagement led to project design based on local housing needs assessments and community input.</p>	<p>Up to 10 points</p>
<p>Mix of Housing Unit Types, Sizes, & Income Levels</p> <p>The Program is committed to providing clean, quality, affordable housing to meet the needs of the community. Applications that demonstrate developing a variety of housing types and sizes and various income levels, (i.e., LMI (up to 80% AMI), UN (up to 120% AMI), and market (no income qualifiers) – with 70% of the units funded by the Program serving LMI households) that align with documented community needs will score the highest. All housing units must be constructed to the same quality and construction standard for all buyers.</p>	<p>Up to 10 points</p>

DESCRIPTION OF CRITERIA	AVAILABLE POINTS
<p>Leveraging Partnerships</p> <p>Utilizing a variety of funding sources and services allows applicants to best leverage CDBG-DR resources. Applicants should consider any available resources in designing their project scope and budget such as support from non-profit, and private partners.</p>	<p>Up to 5 points</p>