



TEXAS

Health and Human Services

Cecile E. Young, Executive Commissioner

Request for Applications (RFA)

Grant for

**Texas Vaccines for Children Immunization Assurance and Quality
Improvement for Providers (IQIP) Program**

RFA No. HHS0011844

DEADLINE FOR SUBMISSION OF APPLICATIONS

November 8, 2022 by 10:30 a.m. Central Time

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Article I. Executive Summary, Definitions, and Statutory Authority

1.1 EXECUTIVE SUMMARY

The Texas Health and Human Services Commission (“HHSC”) is accepting Applications on behalf of the Texas Department of State Health Services (“DSHS” or “System Agency”), for the Texas Vaccines for Children (TVFC) Immunizations Quality Assurance and Improvement for Providers (IQIP) Program.

The purpose of the TVFC program is to vaccinate children from birth to eighteen (18) years of age to protect them against vaccine-preventable diseases. Vaccines are sent to participating providers in the TVFC program. To ensure the providers’ compliance with TVFC requirements, TVFC is offering this RFA to fund one organization, which will conduct two types of site visits at participating private providers’ facilities statewide, excluding providers in the San Antonio Metropolitan Health Department (SAMHD) service area and the City of Houston Health Department (COH) Service area.

Applicants should reference **Article II, Scope of Grant Project**, for further detailed information regarding the purpose, background, eligible population, eligible activities and requirements.

Grant Name:	Texas Vaccines for Children Immunization Quality Assurance and Improvement for Providers (IQIP) Program
RFA No.:	HHS0011844
Deadline for Submission of Applications:	November 8, 2022 at 10:30 A.M. Central Time
Deadline for Submitting Questions or Requests for Clarifications:	September 22, 2022 by 5:00 P.M. Central Time
Estimated Total Available Funding:	\$8,500,000
Estimated Total Number of Awards:	One (1)
Estimated Max Award Amount:	\$1,700,000 for the Project Period
Anticipated Project Start Date:	July 1, 2023
Length of Project Period:	Twelve (12) Months

Eligible Applicants:	<ol style="list-style-type: none"> 1. Respondents must have been in business for at least five (5) years and must have contracted with state and/or local government within the last five (5) years; 2. Respondents must have experience reviewing medical records and files; 3. Respondents must be financially solvent and adequately capitalized; and 4. Respondent must conduct business in the State of Texas.
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To be considered for screening, evaluation and award, Applicants must provide and submit all required information and documentation as set forth in **Article VIII, Application Organization and Submission Requirements** and **Article XIII, Submission Checklist** by the Deadline for Submission of Applications established in **Section 7.1, Schedule of Events**, or subsequent Addenda. See **Section 9.2, Initial Compliance Screening for Applications**, for further details.

1.2 DEFINITIONS AND ACRONYMS

Unless a different definition is specified, or the context clearly indicates otherwise, the definitions and acronyms given to a term below apply whenever the term appears in this RFA. All other terms have their ordinary and common meaning.

Refer to all exhibits to this RFA for additional definitions including **Exhibit A (HHS Solicitation Affirmations, Version 2.3)** and **Exhibit B (HHS Uniform Terms and Conditions – Grant, Version 3.2)**.

“Addendum” means a written clarification or revision to this RFA, including exhibits, forms, and attachments, as issued and posted by HHSC to the HHS Grants RFA website.

“Applicant” means any person or legal entity that submits an Application in response to this RFA. The term includes the individual submitting the Application who is authorized to sign the Application on behalf of the Applicant and to bind the Applicant under any Grant Agreement that may result from the submission of the Application. May also be referred to in this RFA or its exhibits as Respondent.

“Application” means all documents the Applicant submits in response to this RFA, including all required forms and exhibits. May also be referred to in this RFA as solicitation response.

“Budget” means the financial plan for carrying out the Grant Project, as formalized in the Grant Agreement, including awarded funds and any required Match, submitted as part of

the Application in response to this RFA. An Applicant's requested Budget may differ from the System Agency-approved Budget executed in the final Grant Agreement.

“CFR” means the Code of Federal Regulations which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

“DSHS” means the Department of State Health Services.

“Direct Cost” means those costs that can be identified specifically with a particular final cost objective under the Grant Project responsive to this RFA or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs. Direct Costs include, but are not limited to, salaries, travel, equipment, and supplies directly benefiting the grant-supported Project or activity. Travel must use the General Services Administration (GSA) rate and should be reflected as a direct cost. It cannot be included in the cost of a site visit.

“Equipment” pursuant to 2 CFR § 200.1, means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. See §200.1 for capital assets, computing devices, general purpose equipment, information technology systems, special purpose equipment, and supplies.

“General Services Administration” means the federal agency tasked with providing stewardship of the way the government uses and provides real estate, acquisition services, and technology.

“Grant Agreement” means the agreement entered into by the System Agency and the Grantee as a result of this RFA, including the Signature Document and all attachments and amendments. May also be referred to in this RFA or its exhibits as “Contract”.

“Grantee” means the Party receiving funds under any Grant Agreement awarded under this RFA. May also be referred to in this RFA or its exhibits as “Subrecipient” or “Contractor”.

“HHS” includes both the Health and Human Services Commission (HHSC) and the Department of State Health Services (DSHS).

“HHSC” means the Health and Human Services Commission.

“ImmTrac2” means the Texas Immunization Registry or Immunization Information System (IIS).

“Indirect Cost” means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Indirect Costs represent the expenses of doing business that are not readily identified with the Grant Project

responsive to this RFA but are necessary for the general operation of the organization and the conduct of activities it performs.

“Indirect Cost Rate” is a device for determining in a reasonable manner the proportion of Indirect Costs each program should bear. It is the ratio (expressed as a percentage) of the Grantee’s Indirect Costs to a Direct Cost base.

“PEAR” means Provider Education, Assessment, and Reporting database in which Grantee will enter TVFC Compliance site visit data.

“Project” or “Grant Project” means the specific work and activities that are supported by the funds provided under the Grant Agreement as a result of this RFA.

“Project Period” is the initial period of time set forth in the Grant Agreement during which Grantees may perform approved grant-funded activities to be eligible for reimbursement or payment. Unless otherwise specified, the Project Period begins on the Grant Agreement effective date and ends on the Grant Agreement termination or expiration date, and represents the base Project Period, not including extensions or renewals. When referring to the base Project Period plus anticipated renewal or extension periods, “grant term” is used.

“REDCap” means the CDC database in which Grantee will enter IQIP site visit data.

“Responsible Entity or RE” means a Public Health Regions (PHRs) or Local Health Departments (LHDs) contracted with DSHS to ensure compliance with state and federal requirements of the TVFC program in their jurisdiction.

“RFA” means this Request for Applications, including all parts, exhibits, forms, attachments and Addenda posted on the HHS Grants RFA website. May also be referred to herein as “solicitation.”

“SAMS” means the Secure Access Management Services database where PEAR and REDCap are accessed.

“State” means the State of Texas and its instrumentalities, including the System Agency and any other State agency, its officers, employees, or authorized agents.

“System Agency” means HHSC, DSHS, or both, that will be a party to any Grant Agreement resulting from the RFA.

“TVFC provider PIN numbers” means assigned TVFC Healthcare Provider Pin Numbers. PIN numbers range from TXA010000-TXA119999.

“TxGMS” means the Texas Grant Management Standards published by the Texas Comptroller of Public Accounts.

1.3 STATUTORY AUTHORITY

Federal funding for this Grant Project is authorized under 42 U.S.C. Sections 247b, 247b(k)(2) and 247c. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

This Contract is authorized by and in compliance with the provisions of 42 USC § 1396a; Title 10, Subtitle D of the Texas Government Code; and Texas Health and Safety Code, Chapters 81 and 1001. Federal funding awarded to the System Agency is through the program(s) listed below:

Federal Grant Program:	Immunization and Vaccines for Children
Federal Awarding Agency:	Centers for Disease Control and Prevention
Funding Opportunity No.:	CDC-RFA-IP19-1901
Assistance Listing Number and Program Title:	93.268 Immunization Cooperative Agreements

1.4 STANDARDS

Awards made as a result of this RFA are subject to all policies, terms, and conditions set forth in or included with this RFA as well as applicable statutes, requirements, and guidelines including, but not limited to; applicable provisions of the Texas Grant Management Standards (TxGMS) and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200).

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Article II. Scope of Grant Project

2.1 PURPOSE

This funding opportunity invites grant applications for the Texas Vaccines for Children Immunization Quality Assurance and IQIP Program. The purpose of the Compliance and IQIP Program is to conduct site visits to assess, support and educate the enrolled providers regarding TVFC obligations, policies and procedures, and assess providers' implementation status in the four Centers for Disease Control and Prevention (CDC) developed core strategies of:

1. Scheduling the next vaccination visit before the patient leaves the provider site,
2. Leveraging Immunization Information System (IIS) functionality to improve immunization practice,
3. Giving a strong vaccine recommendation (i.e. emphasizing HPV vaccine if provider has adolescent patients), and
4. Strengthening vaccination communications.

This is done to evaluate immunization of children and adolescents to promote and support the implementation of provider-level immunization quality improvement strategies designed to increase vaccine uptake among children and adolescents in adherence to the routine schedule recommended by the Advisory Committee On Immunization Practices at twenty-four (24) through thirty-five (35) months and thirteen (13) years of age.

Awards made as a result of this RFA are subject to all policies, terms, and conditions set forth in this RFA.

2.2 PROGRAM BACKGROUND

TVFC enables over 4.3 million Texas children to have access to immunizations. This is accomplished through a network of support provided by DSHS and with assistance from DSHS Public Health Regions (PHRs) and contracted Local Health Departments (LHDs). These organizations function as Responsible Entities (RE) to ensure compliance with state and federal standards and the effectiveness of vaccine distribution.

2.3 ELIGIBLE POPULATION

The eligible population to be served under this RFA consists of individuals who are Private healthcare providers (Medical Doctor, Doctor of Osteopathy, Nurse Practitioner, Certified Nurse Midwife, Physician Assistant, Registered Pharmacist) who are enrolled in the Texas Vaccines for Children Program and are located in the eligible service areas listed below.

2.4 ELIGIBLE SERVICE AREAS

The service areas eligible for Project funding under this RFA are:

Statewide, excluding City of Houston and San Antonio Metropolitan Health District service areas (TVFC provider PIN numbers that begin with 06 and 25, subregion 49; or 00, subregion 84) and shall also exclude DSHS Public Health Region clinics, local health department public health clinics, Women, Infants and Children Program (WIC) clinics, Unaccompanied Children (UAC) sites, and select school-based clinics.

2.5 ELIGIBLE ACTIVITIES

This grant program may fund activities and costs as allowed by the laws, regulations, rules, and guidance governing fund use identified in the relevant sections of this RFA. Only grant-funded activities authorized under this RFA are eligible for reimbursement and payment under any Grant Agreement awarded as a result of this RFA.

The purpose of this program is to conduct compliance and quality improvement site visits to eligible Texas Vaccines for Children providers located in eligible service areas identified in Section 2.4. There are two type of site visits:

1. Compliance site visits; and
2. Compliance and IQIP site visits.

2.5.1 Compliance Site Visits

TVFC Compliance site visit will be conducted in assigned TVFC providers' offices (identified in 2.3). The TVFC Compliance site visit will follow the online PEAR databases questions pertaining to the sections including, Provider Details, Eligibility & Billing, Documentation, Storage and Handling Per Unit, Storage and Handling Sitewide, Inventory, Awardee Policies and Procedures, Optional COVID-19 Questions, and other Optional Questions as determined by DSHS.

For any out of compliance issues identified during the TVFC Compliance site visits, the Grantee shall provide the required corrective action according to the most current TVFC policies and procedures. The TVFC Compliance site visit should be completed using CDC and DSHS Guidance, including the recommended number of hours to be in a provider's office. The Grantee shall ensure TVFC providers receive the appropriate follow-up and acknowledgement of receipt documentation within 24 hours of the conclusion of a TVFC Compliance site visit.

2.5.2 Compliance and IQIP site visits

The TVFC Compliance and IQIP site visit must be completed using CDC and DSHS Guidance, including the recommended number of hours to be in a provider's office. The Grantee's responsibilities include:

1. Introducing TVFC providers to IQIP
2. Entering TVFC provider data (e.g., immunization coverage rates and goals, etc.) into the CDC REDCap database
3. Summarizing the provider's current implementation status and identifying gaps and limitations of all four core IQIP strategies

4. Providing technical assistance
5. Setting appropriate action items for two selected IQIP core strategies with an emphasis on the, “Leverage IIS Functionality to Improve Immunization Practice” strategy and respective ImmTrac2 functionalities
6. Identifying and scheduling the 2-Month Check-In, six (6)-Month Check-In, and twelve (12)-Month Follow-Up with the TVFC provider during the conclusion of the IQIP portion of both TVFC Compliance and IQIP site visits.

The TVFC Compliance and IQIP site visit will include a compliance site visit using the online CDC PEAR and REDCap databases for the eligible TVFC providers listed above as well as initiating TVFC providers into the IQIP program both verbally and in the CDC REDCap application.

Grantee shall expect to perform approximately 2,300 site visits, with the type and exact amount to be determined by DSHS.

Grantee must have the capacity to fulfill contractual obligations and may not subcontract with other entities to perform contractual obligations unless otherwise directed by DSHS in writing.

2.6 PROGRAM REQUIREMENTS

Grantee must:

1. Provide DSHS with a completed Form D written Work Plan within thirty (30) days for the effective date of the Contract.
2. Provide a Contingency Plan as part of the application that:
 - a. Provides System Agency with a written contingency plan within thirty (30) days of the execution of the Contract;
 - b. Provides a description of the Grantee’s actions to ensure that site visits occur without interruption in the event that key staff are out due to illness or a departure from a position; and
 - c. Provides technical assistance and education services to clinical and medical staff of the identified eligible TVFC providers using the TVFC/Adult Safety Net (ASN) Provider Manual, Texas IQIP Operations Manual for REs, CDC Storage and Handling Toolkit, any other guide or manual provided by CDC or DSHS. These manuals can be located at the following links:
 - i. [Forms & Publications - Texas Vaccines for Children](#)
 - ii. [TVFC and ASN Provider Manual](#)
 - iii. [Quality Assurance for TVFC Providers](#)
 - iv. [Vaccines Storage and Handling Toolkit | CDC](#)
3. Provide names and e-mail addresses of staff performing TVFC and IQIP activities under this Contract within 14 days of Contract award and any newly hired staff within seven (7) days of hire to ensure identity proofing required for the above applications is completed in a timely manner. Grantee will notify System Agency

- of staff vacancies within twenty-four (24) hours of the position becoming vacant.
4. Ensure staff hired using the awarded grant funds meet minimum qualifications including:
 - a. Education and experience:
 - i. High School Diploma or equivalent (college degree preferred); and
 - ii. Four (4) years reviewing medical records. College education or technical training in social services, public health, or related areas may be substituted for experience on a year per year basis. Education requirements may be satisfied by full-time education or the prorated part-time equivalent;
 - b. Ability to travel daily, with up to (eighty) 80 percent of the time being overnight travel; and
 - c. Ability to work during core business hours (Monday-Friday, 8:00 am to 5:00 pm).
 5. When requested by DSHS, prepare and present material relating to its activities under this Contract to central and regional DSHS offices, local health departments, and will also ensure its staff (working on activities under this Contract) attend training as directed by DSHS.
 6. Assist the DSHS TVFC program with distribution of TVFC and IQIP materials such as thermometers, plug guards, TVFC/ASN Provider Manuals, TVFC/ASN Vaccine Management Plans, Texas IQIP Program Operations Manual for REs, ImmTrac2 Resource guides and DSHS PHR or Local Health Department contact information, and other program-related materials as part of the TVFC Compliance and TVFC Compliance and IQIP site visits which are listed above, below, or will be supplied by DSHS.
 7. Review all completed TVFC Compliance site visit and TVFC Compliance Site and IQIP site visit data entry to ensure accuracy, completeness, and quality. Grantee shall submit completed forms required to close-out respective site visits in the CDC PEAR and REDCap databases within twenty-four (24) hours of the conclusion of either site visit identified above.
 8. Attend and/or host regular weekly and/or monthly meeting (or as otherwise directed by DSHS) with DSHS Immunization staff to discuss success and/or barriers in achieving the desired TVFC Provider participation, satisfaction, and/or out of compliance status within Grantee's geographical area of coverage under the Contract.
 9. Promote and inform the TVFC provider of the TVFC Provider Satisfaction Survey during the conclusion of both identified site visit types. DSHS shall provide survey questions for reference. The surveys can be found here:

- a. Compliance:

[2022 Customer Satisfaction Survey for TVFC Compliance Site Visits](#)

- b. Combined:

[2022 Customer Satisfaction Survey for TVFC Combined Site Visit](#)

c. 12-Month:

[Immunization Quality Improvement for Providers \(IQIP\) Close-Out Survey \(Project Year 2\)](#)

d. Ensure all staff conducting TVFC and IQIP activities, review the latest versions of the TVFC Manuals and Forms, Resources and Training material listed below:

[Forms & Publications - Texas Vaccines for Children](#)

e. Ensure all staff conducting TVFC and IQIP activities to complete and receive completion certifications for the latest CDC Pink Book Series trainings, CDC You Call the Shots Module 10 (Vaccine Storage and Handling) and 16 (Vaccines for Children Program) Trainings, and TVFC Provider Policy Trainings. Links listed below:

[CDC Pink Book Series trainings](#)

[CDC You Call the Shots Module 10 \(Vaccine Storage and Handling\) and 16 \(Vaccines for Children Program\) Trainings](#)

[TVFC Provider Policy Trainings](#)

2.7 REQUIRED REPORTS

The System Agency will monitor Grantee’s performance, including, but not limited to, through review of financial and programmatic reports and performance measures, under any Grant Agreement awarded as a result of this RFA. Each Grantee awarded a Grant Agreement as a result of this RFA must submit the following reports by the noted due dates:

REPORT	DUE DATE
Upcoming Scheduled Site Visits	By the 15 th of each month prior to the month in which the visits occur
Staff Contact Information Report	The 15th calendar day following the end of the quarter being reported

Provider Issue Report	As necessary due to severity of issue. Submitted using DoneDone application.
Historical Site Visit List	The 5 th calendar day following the end of the month being reported
TVFC/IQIP Training Certifications	Submitted within thirty (30) days of award or within thirty (30) days of new Grantee staff hire date

Grantee shall provide all applicable reports in the format specified by System Agency in an accurate, complete, and timely manner and shall maintain appropriate supporting backup documentation. Failure to comply with submission deadlines for required reports, Financial Status Reports (FSRs) or other requested information may result in System Agency, in its sole discretion, placing the Grantee on financial hold without first requiring a corrective action plan in addition to pursuing any other corrective or remedial actions under the Grant Agreement.

2.8 PERFORMANCE MEASURES AND MONITORING

Grantees must regularly collect and maintain data that measures the performance and effectiveness of activities under a Grant Agreement resulting from this RFA in the manner, and within the timeframes specified in this RFA and resulting Grant Agreement, or as otherwise specified by System Agency. Grantees must submit the necessary information and documentation regarding the following measures:

1. Conduct approximately two thousand three hundred (2,300) site visits. Site visits will be a combination of TVFC Compliance site visits and TVFC Compliance and IQIP site visits (unless specific otherwise in writing by DSHS) to all eligible enrolled TVFC providers. Not less than fifty (50) percent of assigned site visits shall be completed by December 31, 2023;
2. TVFC provider feedback submitted using the TVFC Provider Satisfaction Survey, found at:
 - a. Compliance: [2022 Customer Satisfaction Survey for TVFC Compliance Site Visits](#)
 - b. Combined: [2022 Customer Satisfaction Survey for TVFC Combined Site Visit](#)
 - c. 12-Month: [Immunization Quality Improvement for Providers \(IQIP\) Close-Out Survey \(Project Year 2\)](#)

3. Provide retraining or additional training to any reviewer receiving an unsatisfactory DSHS quarterly evaluation;
4. If REs alert DSHS Central Office to failures by a site reviewer, then the Grantee will be required to provide additional training or retrain the site reviewer.
5. All site visits conducted by Grantee must discuss the Site Visit Satisfaction Survey, which will be measured by the number of surveys completed versus the number of site visits completed.
6. Contact DSHS during a site visit if a provider is out of compliance, according to TVFC guidance. Correct identification and documentation of out of compliance TVFC issues identified during the assigned site visits. Notify RE of out of compliance provider within 24 hours.
7. Percentage of upcoming site visit scheduled reports submitted weekly to DSHS.
8. Percentage of Historical site visit list reports submitted weekly to System Agency.
9. Percentage of TVFC/IQIP training certifications submitted weekly to DSHS.
10. Percentage of submitted site visits in the CDC PEAR database within 24 hours of the conclusion of either type of site visit.
11. Percentage of completed site visits in the REDCap database within 24 hours of the conclusion of the TVFC compliance and IQIP of site visit.

The System Agency will look solely to Grantee for the performance of all Grantee obligations and requirements in a Grant Agreement resulting from this RFA. Grantee shall not be relieved of its obligations for any nonperformance by its subgrantees or subcontractors, if any.

Grant Agreement(s) awarded as a result of this RFA are subject to the System Agency's performance monitoring activities throughout the duration of the Grant Term. This evaluation may include a reassessment of Grantee's activities and services to determine whether they continue to be effective throughout the grant term. If requested by System Agency, the Grantee shall report on the progress towards completion of the Grant Project and other relevant information as determined by System Agency during the Grant Project Period.

To remain eligible for renewal funding, if any, the Grantee must be able to show the scope of services provided and their impact, quality, and levels of performance against approved goals, and that Grantee's activities and services effectively address and achieve the Project's stated purpose.

2.9 FINANCIAL STATUS REPORTS (FSRs)

Except as otherwise provided, for Grant Agreements with categorical Budgets, Grantee shall submit quarterly FSRs to System Agency by the last business day of the month following the end of each federal fiscal quarter (beginning July 1, 2023) for System Agency review and financial assessment. Through submission of a FSR, Grantee certifies that (1) any applicable invoices have been reviewed to ensure all grant-funded purchases of goods or services have been completed, performed or delivered in accordance with Grant Agreement requirements; (2) all Grantee-performed services have been completed in compliance with the terms of the Grant Agreement; (3) that the amount of the FSR added

to all previously approved FSRs does not exceed the maximum liability of the Grant Award; and (4) all expenses shown on the FSR are allocable, allowable, actual, reasonable, and necessary to fulfill the purposes of the Grant Agreement.

2.10 FINAL BILLING SUBMISSION

Unless otherwise directed by the System Agency, Grantee shall submit a reimbursement or payment request as a final close-out invoice not later than forty-five (45) calendar days following the end of the term of the Grant Agreement. Reimbursement or payment requests received after the deadline may not be paid.

2.11 DATA USE AGREEMENT

By submitting an Application in response to this RFA, Applicant agrees to be bound by the terms of **Exhibit C-1, Data Use Agreement (DUA)**, including but not limited to the terms and conditions regarding **Exhibit C-2, DUA Attachment 2**, and **Exhibit D, Security and Privacy Inquiry (SPI)**, attached to this RFA.

2.12 LIMITATIONS ON GRANTS TO UNITS OF LOCAL GOVERNMENT

Pursuant to the General Appropriations Act, Article IX, Section 4.04,

(a) In each Grant Agreement with a unit of local government, grant funds appropriated under the General Appropriations Act will be expended subject to limitations and reporting requirements similar to those provided by:

- (1) Parts 2, 3, and 5 of Article IX of the General Appropriations Act (except there is no requirement for increased salaries for local government employees);
- (2) §§556.004, 556.005, and 556.006, Government Code; and
- (3) §§2113.012 and 2113.101, Government Code.

(b) In this section, "unit of local government" means:

- (1) a council of governments, a regional planning commission, or a similar regional planning agency created under Chapter 391, Local Government Code;
- (2) a local workforce development board; or
- (3) a community center as defined by Health and Safety Code, §534.001(b).

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ARTICLE III. APPLICANT ELIGIBILITY REQUIREMENTS

3.1 LEGAL AUTHORITY TO APPLY

By submitting an Application in response to this RFA, Applicant certifies that it has legal authority to apply for the Grant Agreement that is the subject of this RFA and is eligible to receive awards. Further, Applicant certifies it will continue to maintain any required legal authority and eligibility throughout the entire duration of the grant term, if awarded. All requirements apply with equal force to Applicant and, if the recipient of an award, Grantee and its subgrantees or subcontractors, if any.

Each applicant may only submit one Grant Application.

3.2 APPLICATION SCREENING REQUIREMENTS

In order to be considered an Applicant eligible for evaluations, Applicant must meet the following minimum requirements:

1. Respondent must have been in business for at least five (5) years and must have contracted with state and/or local government within the last five (5) years; with preferred experience in quality assurance and quality improvement; and
2. Respondent must demonstrate it is able to do business in the State of Texas.

3.3 GRANT AWARD ELIGIBILITY

By submitting an Application in response to this RFA, Applicant certifies that:

1. Applicant and all of its identified subsidiaries intending to participate in the Grant Agreement are eligible to perform grant-funded activities, if awarded, and are not subject to suspension, debarment, or a similar ineligibility determined by any State or federal entity;
2. Applicant is in good standing under the laws of Texas and has provided HHS with any requested or required supporting documentation in connection with this certification;
3. Applicant shall remain in good standing and eligible to conduct its business in Texas and shall comply with all applicable requirements of the Texas Secretary of State and the Texas Comptroller of Public Accounts;
4. Applicant is currently in good standing with all licensing, permitting, or regulatory bodies that regulate any or all aspects of Applicant's operations; and
5. Applicant is not delinquent in taxes owed to any taxing authority of the State of Texas as of the effective date of this Grant Agreement.
6. Respondent shall have demonstrated experience in reviewing medical records and files;
7. Respondent must demonstrate it is financially solvent and adequately capitalized

3.4 GRANTS FOR POLITICAL POLLING PROHIBITED

Pursuant to the General Appropriations Act, Article IX, Section 4.03, none of the funds appropriated by the General Appropriations Act may be granted to or expended by any entity which performs political polling. This prohibition does not apply to a poll conducted by an academic institution as part of the institution's academic mission that is not conducted for the benefit of a particular candidate or party. By submitting a response to this RFA, Applicant certifies that it is not ineligible for a Grant Agreement pursuant to this prohibition.

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Article IV. Project Period and Grant Term

4.1 PROJECT PERIOD

The Project Period is **July 1, 2023**, through **June 30, 2024**.

4.2 GRANT TERM

The Contract may be renewed up to four (4) additional one-year terms at the discretion of the System Agency.

Additionally, the System Agency may, at its sole discretion, extend the grant term for any period(s) of time through Grant Agreement extensions or renewals with funded Project Periods, provided the grant term, including all extensions or renewals.

4.3 PROJECT CLOSEOUT

System Agency will programmatically and financially close the grant award and end the Grant Agreement when System Agency determines Grantee has completed all applicable actions and work in accordance with Grant Agreement requirements. The Grantee must submit all required financial, performance, and other reports as required in the Grant Agreement. The Project close-out date is ninety (90) calendar days after the Grant Agreement end date, unless otherwise noted in the original or amended Grant Agreement. Funds not obligated by Grantee by the end of the Grant Agreement term and not expended by the Project close-out date will revert to System Agency.

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Article V. Grant Funding and Reimbursement Information

5.1 GRANT FUNDING SOURCE AND AVAILABLE FUNDING

The total amount of Federal funding available for the Texas Vaccines for Children IQIP Program grant program is **\$1,700,000** for the entire Project Period. It is the System Agency's intention to make one award to one applicant that successfully demonstrates the ability to assess, support, and educate the enrolled provider regarding TVFC obligations, policies, and procedures.

Applicants are strongly cautioned to only apply for the amount of grant funding they can responsibly expend during the Project Period to avoid lapsed funding at the end of the grant term. Successful Applications may not be funded to the full extent of Applicant's requested Budgets in order to ensure grant funds are available for the broadest possible array of communities and programs.

Reimbursement will only be made for actual, allowable, and allocable expenses that occur within the Project Period. No spending or costs incurred prior to the effective date of the award will be eligible for reimbursement.

5.2 NO GUARANTEE OF REIMBURSEMENT AMOUNTS

There is no guarantee of total reimbursements to be paid to any Grantee under any Grant Agreement, if any, resulting from this RFA. Grantees should not expect to receive additional or continued funding under future RFA opportunities and should maintain sustainability plans in case of discontinued grant funding. Any additional funding or future funding may require submission of a new Application through a subsequent RFA.

Receipt of an Application in response to this RFA does not constitute an obligation or expectation of any award of a Grant Agreement or funding of a grant award at any level under this RFA.

5.3 GRANT FUNDING PROHIBITIONS

Grant funds may not be used to support the following services, activities, and costs:

1. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
2. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
3. Lobbying or advocacy activities with respect to legislation or to administrative changes to regulations or administrative policy (cf. 18 U.S.C. § 1913), whether conducted directly or indirectly;
4. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
5. Vehicles for general agency use; to be allowable, vehicles must have a specific use related to Project objectives or activities;

6. Entertainment, amusement, or social activities and any associated costs including but not limited to admission fees or tickets to any amusement park, recreational activity or sporting event unless such costs are incurred for components of a program approved by the grantor agency and are directly related to the program's purpose;
7. Costs of promotional items, and memorabilia, including models, gifts, and souvenirs;
8. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel, where pre-approved for working events, or where such costs are incurred for components of a program approved by the grantor agency and are directly related to the program's purpose;
9. Membership dues for individuals;
10. Any expense or service that is readily available at no cost to the Grant Project;
11. Any activities related to fundraising;
12. Equipment and other capital expenditures such as capital improvements, property losses and expenses, real estate purchases, mortgage payments, remodeling, the acquisition or construction of facilities, or other items that are unallowable pursuant to 2 CFR § 200.439;
13. Any other prohibition imposed by federal, State, or local law; and
14. Other unallowable costs as listed under TxGMS, Appendix 7, Selected Items of Cost Supplement Chart and/or 2 CFR 200, Subpart E – Cost Principles, General Provisions for Selected Items of Cost, where applicable.

5.4 PAYMENT METHOD

Grant Agreement(s) awarded under this RFA will be funded on a cost reimbursement basis for reasonable, allowable and allocable Grant Project costs. Under the cost reimbursement payment method, Grantee is required to finance operations and will only be reimbursed for actual, allowable, and allocable costs incurred on a monthly basis and supported by adequate documentation. No additional payments will be rendered unless an advanced payment is approved.

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Article VI. Application Forms and Exhibits for Submission

Note: Applicants must refer to **Article XIII, Submission Checklist**, for the complete checklist of documents that must be submitted with an Application under this RFA.

6.1 NARRATIVE PROPOSAL

Using **Forms C, Narrative Proposal** and **Form D, Work Plan Template** attached to this RFA, Applicants shall provide an executive summary and describe their proposed activities, processes, and methodologies to satisfy all objectives described in **Article II, Scope of Grant Project**, including the Applicant's problem statement, supporting data, Project approach and activities, organizational capacity (including **Form F, Organizational Chart**), performance management, target population, and use of evidence-based practices. Applicants should identify all proposed tasks to be performed, including all Project activities, during the Grant Project Period. Applicants must complete and submit all required attachments.

6.2 REQUESTED BUDGET

Attached **Form E, Requested Budget Template**, of this RFA is the template for submitting the requested Budget. Applicants must develop the requested Budget to support their Proposed Project and in alignment with the requirements described in this RFA.

Applicants must ensure that Project costs outlined in the requested Budget are reasonable, allowable, allocable, and developed in accordance with applicable State and federal grant requirements. Reasonable costs are those if, in nature and amount, do not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. A cost is allocable to a particular cost objective if the cost is chargeable or assignable to such cost objective in accordance with relative benefits received. See 2 CFR § 200.403 or TxGMS Cost Principles, Basic Considerations (pgs. 32-33), for additional information related to factors affecting allowability of costs.

Applicants must utilize the Budget template provided, **Form E, Budget Request Template** to identify all Budget line items and matching costs. Budget categories must be broken out into specific Budget line items that allow System Agency to determine if proposed costs are reasonable, allowable, and necessary for the successful performance of the Project. Applicants must enter all costs in the Budget tables and explain why the cost is necessary and how the cost was established. **Exhibit K, Budget Summary Instructions**, is attached as a resource to complete **Form E Budget Request Template**.

If selected for a grant award under this RFA, only System Agency-approved Budget items in the requested Budget may be considered eligible for reimbursement.

Submission of Form E, Budget Request Template, is mandatory. Applicants that fail to submit a requested Budget as set forth in this RFA with their Application will be disqualified.

6.3 INDIRECT COSTS

Applicants must have an approved Indirect Cost Rate (ICR) or request the de minimis rate to recover Indirect Costs. All Applicants are required to complete and submit **Form G, HHS System Indirect Cost Rate Questionnaire**, with required supporting documentation. The questionnaire initiates the acknowledgment or approval of an ICR for use with the System Agency cost-reimbursable Grant Agreements. Entities declining the use of Indirect Cost cannot recover Indirect Costs on any System Agency award or use unrecovered Indirect Costs as Match.

HHS typically accepts the following approved ICRs:

1. Federally Approved Indirect Cost Rate Agreement
2. State of Texas Approved Indirect Cost Rate

The System Agency, at its discretion, may request additional information to support any approved ICR agreement.

If the Applicant does not have an approved ICR agreement, the Applicant may be eligible for the ten percent (10%) de minimis rate or may request to negotiate an ICR with HHS.

For Applicants requesting to negotiate an ICR with HHS, the ICR Proposal Package will be provided by the HHS Federal Funds Indirect Cost Rate Group to successful Grantees. The ICR Proposal Package must be completed and returned to the HHS Federal Funds Indirect Cost Rate Group no later than three (3) months post-award.

The HHS Federal Funds Indirect Cost Rate Group will contact applicable Grantees after Grant Agreement execution to initiate and complete the ICR process. Grantees should respond within thirty (30) business days or the request will be cancelled, and Indirect Costs may be disallowed.

Once HHS acknowledges an existing rate or approves an ICR, the Grantee will receive one of the three Indirect Cost approval letters: ICR Acknowledgement Letter, ICR Acknowledgement Letter – Ten Percent De Minimis, or the ICR Agreement Letter.

If an Indirect Cost Rate Letter is required but it is not issued at the time of Grant Agreement execution, the Grant Agreement will be amended to include the Indirect Cost Rate Letter after the ICR Letter is issued.

Approval or acceptance of an ICR will not result in an increase in the amount awarded or affect the agreed-upon service or performance levels throughout the life of the award.

6.4 ADMINISTRATIVE APPLICANT INFORMATION

Using **Forms A through F** attached to this RFA, Applicant must provide satisfactory evidence of its ability as an organization to manage and coordinate the types of activities described in this RFA.

Litigation and Contract History

Applicant must include in its Application a complete disclosure of any alleged or significant contractual or grant failures.

In addition, Applicant must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Applicant or in which Applicant has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify Applicant. See **Exhibit A, HHS Solicitation Affirmations**. Applicant certifies it does not have any existing claims against or unresolved audit exceptions with the State of Texas or any agency of the State of Texas.

Application may be rejected based upon Applicant's prior history with the State of Texas or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual or grant obligations.

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Article VII. RFA Administrative Information and Inquiries

7.1 SCHEDULE OF EVENTS

EVENT	DATE/TIME
Funding Announcement Posting Date Posted to HHS Grants RFA and Texas eGrants websites	September 7, 2022
Applicant Conference Attendance is Optional	September 15, 2022 at 1:00 PM Central Time
Deadline for Submitting Questions or Requests for Clarification	September 22, 2022 by 5:00 p.m. Central Time
Date Answers to Questions or Requests for Clarification Posted	On or after October 7, 2022
Deadline for Submission of Applications NOTE: Applications must be <u>RECEIVED</u> by HHSC by this deadline if not changed by subsequent Addenda to be considered eligible.	November 8, 2022 by 10:30 a.m. Central Time
Anticipated Notice of Award	April 2023
Anticipated Project Start Date	July 1, 2023

Applicants must ensure their Applications are received by HHSC in accordance with the Deadline for Submission of Applications (date and time) indicated in this Schedule of Events or as changed by subsequent Addenda posted to the [HHS Grants RFA](#) website.

All dates are tentative and DSHS and/or HHSC reserves the right to change these dates at any time. At the sole discretion of DSHS and/or HHSC, events listed in the Schedule of Events are subject to scheduling changes and cancellation. Scheduling changes or cancellation determinations made prior to the Deadline for Submission of Applications will be published by posting an Addendum to the [HHS Grants RFA](#) website. After the Deadline for Submission of Applications, if there are delays that

significantly impact the anticipated award date, HHSC, at its sole discretion, may post updates regarding the anticipated award date to the [Procurement Forecast](#) on the HHS Procurement Opportunities [website](#). Each Applicant is responsible for checking the HHS Grants RFA website and Procurement Forecast for updates.

7.2 SOLE POINT OF CONTACT

All requests, questions or other communication about this RFA shall be made by email **only** to the Grant Specialist designated as HHSC's Sole Point of Contact listed below:

Name: John Norton
Title: Grant Specialist, HHSC Procurement and Contracting Services
Email: John.Norton2@hhs.texas.gov

Applicants shall not use this e-mail address for submission of an Application. Follow the instructions for submission as outlined in Article VIII, Application Organization and Submission Requirements.

However, if expressly directed in writing by the Sole Point of Contact, Applicant may communicate with another designated HHS representative, e.g., during grant negotiations as part of the normal grant review process, if any.

Prohibited Communications: Applicants and their representatives shall not contact other HHS personnel regarding this RFA.

This restriction (on only communicating in writing by email with the sole point of contact identified above) does not preclude discussions between Applicant and agency personnel for the purposes of conducting business unrelated to this RFA.

Failure of an Applicant or its representatives to comply with these requirements may result in disqualification of the Application.

7.3 RFA QUESTIONS AND REQUESTS FOR CLARIFICATION

Written questions and requests for clarification of this RFA are permitted if submitted by email to the Sole Point of Contact by the Deadline for Submitting Questions or Requests for Clarification established in **Section 7.1, Schedule of Events**, or as may be amended in Addenda, if any, posted to the HHS Grants RFA website.

Applicants' names will be removed from questions in any responses released. All questions and requests for clarification must include the following information. Submissions that do not include this information may not be accepted:

1. RFA number;
2. Section or paragraph number from this solicitation;
3. Page number of this solicitation;

4. Exhibit or other attachment and section or paragraph number from the exhibit or other attachment;
5. Page number of the exhibit;
6. Language, topic, section heading being questioned; and
7. Question.

The following contact information must be included in the e-mail submitted with questions or requests for clarification:

1. Name of individual submitting question or request for clarification;
2. Organization name;
3. Phone number; and
4. E-mail address.

Questions or other written requests for clarification must be received by the Sole Point of Contact by the Deadline for Submitting Questions or Requests for Clarification set forth in this Section 7.1, Schedule of Events, or as may be amended in Addenda, if any, posted to the HHS Grants RFA website.

HHSC may review and, at its sole discretion, may respond to questions or other written requests received after the Deadline for Submitting Questions or Requests for Clarification.

7.4 AMBIGUITY, CONFLICT, DISCREPANCY, CLARIFICATIONS

Applicants must notify the Sole Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specification, omission or other error in the RFA in the manner and by the Deadline for Submitting Questions or Requests for Clarification. Each Applicant submits its Application at its own risk.

If Applicant fails to properly and timely notify the Sole Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specification, omission or other error in the RFA, Applicant, whether awarded a Grant Agreement or not:

1. Shall have waived any claim of error or ambiguity in the RFA and any resulting Grant Agreement;
2. Shall not contest the interpretation by DSHS of such provision(s); and
3. Shall not be entitled to additional reimbursement, relief, or time by reason of any ambiguity, conflict, discrepancy, exclusionary specification, omission, or other error or its later correction.

7.5 RESPONSES TO QUESTIONS OR REQUEST FOR CLARIFICATIONS

Responses to questions or other written requests for clarification will be consolidated and HHSC will post responses in one or more Addenda on the [HHS Grants RFA](#) website. Responses will not be provided individually to requestors.

HHSC reserves the right to amend answers previously posted at any time prior to the Deadline for Submission of Applications. Amended answers will be posted on the [HHS Grants RFA](#) website in a separate, new Addendum or Addenda. It is Applicant's responsibility to check the [HHS Grants RFA](#) website or contact the Sole Point of Contact for a copy of the Addendum with the amended answers.

7.6 CHANGES, AMENDMENT OR MODIFICATION TO RFA

HHSC reserves the right to change, amend, modify or cancel this RFA. All changes, amendments and modifications or cancellation will be posted by Addendum on the HHS Grants RFA website.

It is the responsibility of each Applicant to periodically check the HHS Grants RFA website for any additional information regarding this RFA. Failure to check the posting website will in no way release any Applicant or awarded Grantee from the requirements of posted Addenda or additional information. No HHS agency will be responsible or liable in any regard for the failure of any individual or entity to receive notification of any posting to the websites or for the failure of any Applicant or awarded Grantee to stay informed of all postings to these websites. If the Applicant fails to monitor these websites for any changes or modifications to this RFA, such failure will not relieve the Applicant of its obligation to fulfill the requirements as posted.

7.7 EXCEPTIONS AND ASSUMPTIONS

Applicants are highly encouraged, in lieu of including exceptions in their Applications, to address all issues that might be advanced by way of exception or assumptions by submitting questions or requests for clarification pursuant to **Section 7.3, RFA Questions and Requests for Clarification**. Exceptions must be submitted using **Exhibit J, Exceptions Form**.

No exception, nor any other term, condition, or provision in an Application that differs, varies from, or contradicts this RFA, will be considered to be part of any Grant Agreement resulting from this RFA unless expressly made a part of the Grant Agreement in writing by the System Agency.

7.8 APPLICANT CONFERENCE

HHSC will conduct an Applicant conference on the date and time set out in **Section 7.1, Schedule of Events** to review the key elements of this RFA. Attendance is optional and not required, however, is strongly encouraged.

People with disabilities who wish to attend the meeting and require auxiliary aids or services should contact the Sole Point of Contact identified in **Section 7.2, Sole Point of Contact**, at least seventy-two (72) hours before the meeting in order to have reasonable accommodations made by HHSC.

The conference may be held by webinar, conference call or both. Attendees are required to sign a conference attendance log and those joining via conference call are required to send an email to the Sole Point of Contact (see **Section 7.2, Sole Point of Contact**) advising of participation in the conference. Whether signing the conference attendance log in person or sending email notification, each attendee must provide his/her name, attendee's company name, and attendee email address.

WEBINAR INFORMATION:

The conference will be held through GoToWebinar, which may be accessed at:

<https://attendee.gotowebinar.com/register/69175098795582732>

Webinar Instructions:

1. Enter Webinar ID: 540-209-587
2. Enter Attendee's business email
3. To register, the participants must have the following information ready:
 - a. First and last name of each attendee/registrant;
 - b. E-mail address for the attendee/registrant;
 - c. Applicant's legal name; and
 - d. Job title of attendee/registrant.

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Article VIII. Application Organization and Submission Requirements

8.1 APPLICATION RECEIPT

Applications must be received by HHSC by the Deadline for Submission of Applications specified in **Section 7.1, Schedule of Events**, or subsequent Addenda. HHSC will date and time stamp all Applications upon receipt. Applications received after the Deadline for Submission of Applications may be ruled ineligible. Applicants should allow for adequate time for submission before the posted Deadline for Submission of Applications.

No HHS agency will be held responsible for any Application that is mishandled prior to receipt by HHSC. It is the Applicant's responsibility to ensure its Application is received by HHSC before the Deadline for Submission of Applications. No HHS agency will be responsible for any technical issues that result in late delivery, non-receipt of an Application, inappropriately identified documents, or other submission issue that may lead to disqualification.

Note: All Applications become the property of DSHS after submission and receipt and will not be returned to Applicant.

Applicants understand and acknowledge that issuance of this RFA or retention of Applications received in response to this RFA in no way constitutes a commitment to award Grant Agreement(s) as a result of this RFA.

8.2 APPLICATION SUBMISSION

By submitting an Application in response to this solicitation, Applicant represents and warrants that the individual submitting the Application and any related documents on behalf of the Applicant is authorized to do so and to binds the Applicant under any Grant Agreement that may result from the submission of an Application.

8.3 REQUIRED SUBMISSION METHOD

Applicants must submit their completed Applications by the Deadline for Submission of Applications provided in the **Section 7.1, Schedule of Events**, or subsequent Addenda, using Submission Option #1, the approved method identified below. Applications submitted by any other method (e.g. facsimile, email) will not be considered and will be disqualified.

1. **HHS Online Bid Room:** Applicants shall upload the following documents to the Online Bid Room utilizing the procedures in **Exhibit E, HHS Online Bid Room Instructions**. **File Size Limitation:** Restriction to 250MB per file attachment.
 - a. One (1) copy marked as "Original Application" that contains the Applicant's entire Application in a Portable Document Format (".pdf") file.
 - b. One (1) copy of the completed **Form E, Budget Request Template**, in its original Excel format.

- c. One (1) copy of the complete Application marked as “Public Information Act Copy,” if applicable, in accordance with **Section 12.1, Texas Public Information Act**, in a Portable Document Format (“.pdf”) file.

8.4 COSTS INCURRED FOR APPLICATION

All costs and expenses incurred in preparing and submitting an Application in response to this RFA and participating in the RFA selection process are entirely the responsibility of the Applicant.

8.5 APPLICATION COMPOSITION

All Applications must:

1. Be responsive to all RFA requirements;
2. Be clearly legible;
3. Be presented using font type Verdana, Arial, or Times New Roman, font size 12 pt., with one (1) inch margins and 1.5 line spacing; the sole 12-point font size exception is no less than size 10 pt. for tables, graphs, and appendices;
4. Include page numbering for each section of the Application; and
5. Include signature of Applicant’s authorized representative on all exhibits and forms requiring a signature. Copies of the Application documents should be made after signature.

8.6 APPLICATION ORGANIZATION

The complete Application file .pdf must:

1. Be organized in the order outlined in the **Article XIII, Submission Checklist**, and include all required sections (e.g., “Respondent Information,” “Narrative Proposal,” and “Exhibits to be Submitted with Application,”).
 - a. **Form E, Budget Request Template**, is to be submitted in its original Excel format.
 - b. Each Application section must have a cover page with the Applicant’s legal name, RFA number, and Name of Grant identified.
2. Include all required documentation, exhibits, and forms completed and signed, as applicable. Copies of forms are acceptable, but all copies must be identical to the original. All exhibits must be submitted and obtained directly from the posted RFA package; previous versions and copies are not allowed or acceptable.

8.7 APPLICATION WITHDRAWALS OR MODIFICATIONS

Prior to the Deadline for Submission of Applications set forth in **Section 7.1, Schedule of Events**, or subsequent Addenda, an Applicant may:

1. Withdraw its Application by submitting a written request to the Sole Point of Contact; or

2. Modify its Application by submitting an entirely new submission, complete in all respects, using the method of submission set forth in this RFA. The modification must be received by HHSC by the Deadline for Submission of Applications set forth in **Section 7.1, Schedule of Events**, or subsequent Addenda.

No withdrawal or modification request received after the Deadline for Submission of Applications, set forth in **Section 7.1, Schedule of Events**, or subsequent Addenda, will be considered. Additionally, in the event of multiple Applications received, the most timely received and/or modified Application will replace the Applicant's original and all prior submission(s) in its entirety and the original submission(s) will not be considered.

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Article IX. Application Screening and Evaluation

9.1 OVERVIEW

A three-step selection process will be used:

1. Application screening to determine whether the Applicant meets the minimum requirements of this RFA;
2. Evaluation based upon specific criteria; and
3. Final selection based upon State priorities and other relevant factors, as outlined in **Section 10.1, Final Selection.**

9.2 INITIAL COMPLIANCE SCREENING OF APPLICATIONS

All Applications received by the Deadline for Submission of Applications as outlined in **Section 7.1, Schedule of Events**, or subsequent Addenda, will be screened by HHSC to determine which Applications meet all the minimum requirements of this RFA and are deemed responsive and qualified for further consideration. See **Section 3.2, Application Screening Requirements.**

At the sole discretion of HHSC, in coordination with System Agency, Applications with errors, omissions, or compliance issues may be considered non-responsive and may not be considered. The remaining Applications will continue to the evaluation stage and will be considered in the manner and form as which they are received. HHSC reserves the right to waive minor informalities in an Application. A “minor informality” is an omission or error that, in the determination of HHSC if waived or modified, would not give an Applicant an unfair advantage over other Applicants or result in a material change in the Application or RFA requirements. **Note:** Any disqualifying factor set forth in this RFA does not constitute an informality (e.g., **Exhibit A, HHS Solicitation Affirmations**, or **Form E, Requested Budget**).

HHSC, at its sole discretion, may give an Applicant the opportunity to submit missing information or make corrections at any point after receipt of Application. The missing information or corrections must be submitted to the Sole Point of Contact e-mail address in **Section 7.2, Sole Point of Contact**, by the deadline set by HHSC. Failure to respond by the deadline may result in the rejection of the Application and the Applicant’s not being considered for award.

9.3 QUESTIONS OR REQUESTS FOR CLARIFICATION FOR APPLICATIONS

System Agency reserves the right to ask questions or request clarification or revised documents for a submitted Application from any Applicant at any time prior to award. System Agency reserves the right to select qualified Applications received in response to this RFA without discussion of the Applications with Applicants.

9.4 EVALUATION CRITERIA

Applications will be evaluated and scored in accordance with the following scoring criteria using **Exhibit F, Evaluation Tool**.

Scoring Criteria: Qualified Applications shall be evaluated based upon:

1. Organizational capacity, qualifications, and experience (25%);
2. Background (25%);
3. Proposed Budget and justification (cost effectiveness) (25%); and
4. Quality of proposed Program approach (25%).

9.5 PAST PERFORMANCE

System Agency reserves the right to request additional information and conduct investigations as necessary to evaluate any Application. By submitting an Application, the Applicant generally releases from liability and waives all claims against any party providing information about the Applicant at the request of System Agency.

System Agency may examine Applicant's past performance which may include, but is not limited to, information about Applicant provided by any governmental entity, whether an agency or political subdivision of the State of Texas, another state, or the federal government.

System Agency, at its sole discretion, may also initiate investigations or examinations of Applicant performance based upon media reports. Any negative findings, as determined by System Agency in its sole discretion, may result in System Agency removing the Applicant from further consideration for award.

Past performance information regarding Applicants may include, but is not limited to:

1. Notices of termination;
2. Cure notices;
3. Assessments of liquidated damages;
4. Litigation;
5. Audit reports; and
6. Non-renewals of grants or contracts based on Applicant's unsatisfactory performance.

Applicants also may be rejected as a result of unsatisfactory past performance under any grant(s) or contract(s) as reflected in vendor performance reports, reference checks, or other sources. An Applicant's past performance may be considered in the initial screening process and prior to making an award determination.

Reasons for which an Applicant may be denied a Grant Agreement at any point after Application submission include, but are not limited to:

1. If applicable, Applicant has an unfavorable report or grade on the CPA Vendor Performance Tracking System (VPTS). VPTS may be accessed at: <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>, OR,
2. Applicant is currently under a corrective action plan through HHSC or DSHS, OR,
3. Applicant has had repeated, negative vendor performance reports for the same reason, OR,
4. Applicant has a record of repeated non-responsiveness to vendor performance issues, OR,
5. Applicant has contracts or purchase orders that have been cancelled in the previous 12 months for non-performance or substandard performance, OR
6. Any other performance issue that demonstrates that awarding a Grant Agreement to Applicant would not be in the best interest of the State.

9.6 COMPLIANCE FOR PARTICIPATION IN STATE CONTRACTS

Prior to award of a Grant Agreement as a result of this RFA and in addition to the initial screening of Applications, all required verification checks will be conducted.

The information (e.g., legal name and, if applicable, assumed name (d/b/a), tax identification number, Unique Entity Identifier (“UEI”, a unique identifier created via SAM.gov, which replaces the previously used DUNS)) provided by Applicant will be used to conduct these checks. At System Agency’s sole discretion, Applicants found to be barred, prohibited, or otherwise excluded from award of a Grant Agreement may be disqualified from further consideration under this solicitation, pending satisfactory resolution of all compliance issues.

Checks include:

1. State of Texas Debarment and Warrant Hold

Applicant must not be debarred from doing business with the State of Texas (<https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/debarred-vendors.php>) or have an active warrant or payee hold placed by the Comptroller of Public Accounts (CPA).

2. U.S. System of Award Management (SAM) Exclusions List

Applicant must not be excluded from contract participation at the federal level. This verification is conducted through SAM, the official website of the U.S. Government which may be accessed at:

<https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf>

3. Divestment Statute Lists

Applicant must not be listed on the Divestment Statute Lists provided by CPA, which may be accessed at:

<https://comptroller.texas.gov/purchasing/publications/divestment.php>

- a. Companies that boycott Israel;
- b. Companies with Ties to Sudan;
- c. Companies with Ties to Iran;
- d. Foreign Terrorist Organizations; and
- e. Companies with Ties to Foreign Terrorist Organizations.

4. HHS Office of Inspector General

Applicant must not be listed on the HHS Office of Inspector General Texas Exclusions List for people or businesses excluded from participating as a provider:

<https://oig.hhsc.texas.gov/exclusions>

5. U.S. Department of Health and Human Services

Applicant must not be listed on the U.S. Department of Health and Human Services Office of Inspector General's List of Excluded Individuals/Entities (LEIE), excluded from participation as a provider, unless a valid waiver is currently in effect:

<https://exclusions.oig.hhs.gov/>

Additionally, if a Subrecipient under a federal award, the Grantee shall comply with requirements regarding registration with the U.S. Government's System for Award Management (SAM). This requirement includes maintaining an active SAM registration and the accuracy of the information in SAM. The Grantee shall review and update information at least annually after initial SAM registration and more frequently as required by 2 CFR Part 25.

For Grantees that may make procurements using grant funds awarded under the Grant Agreement, Grantee must check SAM Exclusions that contain the names of ineligible, debarred, and/or suspended parties. Grantee certifies through acceptance of a Grant Agreement it will not conduct business with any entity that is an excluded entity under SAM.

HHSC and DSHS reserve the right to conduct additional checks to determine eligibility to receive a Grant Agreement.

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Article X. Award of Grant Agreement Process

10.1 FINAL SELECTION

After initial screening for eligibility and Application completeness, and initial evaluation against the criteria listed in **Section 9.4, Evaluation Criteria**, the System Agency may apply other considerations such as program policy or other selection factors that are essential to the process of selecting Applications that individually or collectively achieve program objectives. In applying these factors, the System Agency may consult with internal and external subject matter experts. The funding methodology for issuing final Grant Agreements will include the following identified factors:

1. One organization will be awarded the Contract for the statewide project;
2. Current grantee will be considered, should they apply for this Contract;
3. Cost effectiveness; and
4. Organizational capacity to perform required activities.

The System Agency will make final funding decisions based on Applicant eligibility, evaluation rankings, the funding methodology above, and statewide, private healthcare providers, not in SAMHD and COH.

All funding recommendations will be considered for approval by the HHSC Program Deputy Executive Commissioner, or their designee/DSHS Deputy Commissioner, or their designee.

10.2 NEGOTIATIONS

After selecting Applicants for award, the System Agency may engage in negotiations with selected Applicants. As determined by System Agency, the negotiation phase may involve direct contact between the selected Applicant and HHS representatives by virtual meeting, by phone and/or by email. Negotiations should not be interpreted as a preliminary intent to award funding unless explicitly stated in writing by the System Agency and is considered a step to finalize the Application to a state of approval and discuss proposed grant activities. During negotiations, selected Applicants may expect:

1. An in-depth discussion of the submitted Application and requested Budget; and
2. Requests from the System Agency for revised documents, clarification or additional detail regarding the Applicant's submitted Application. These clarifications and additional details, as required, must be submitted in writing by Applicant as finalized during the negotiation.

10.3 DISCLOSURE OF INTERESTED PARTIES

Subject to certain specified exceptions, Section 2252.908 of the Texas Government Code, Disclosure of Interested Parties, applies to a Grant Agreement of a State agency that has a value of \$1 million or more; requires an action or vote by the governing body of the entity

or agency before the Grant Agreement may be signed; or is for services that would require a person to register as a lobbyist under Chapter 305 of the Texas Government Code.

One of the requirements of Section 2252.908 is that a business entity (defined as “any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation”) must submit a Form 1295, Certificate of Interested Parties, to the System Agency at the time the business entity submits the signed Grant Agreement.

Applicant represents and warrants that, if selected for award of a Grant Agreement as a result of this RFA, Applicant will submit to the System Agency a completed, certified and signed Form 1295, Certificate of Interested Parties, at the time the potential Grantee submits the signed Grant Agreement.

The Form 1295 involves an electronic process through the Texas Ethics Commission (TEC). The online process for completing the Form 1295 may be found on the TEC public website at: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm.

Additional instructions and information to be used to process the Form 1295 will be provided by the System Agency to the potential Grantee(s). Grantee may contact Sole Point of Contact or designated Contract manager for information needed to complete Form 1295.

If the potential Grantee does not submit a completed, certified and signed TEC Form 1295 to the System Agency with the signed Grant Agreement, the System Agency is prohibited by law from executing a Grant Agreement, even if the potential Grantee is otherwise eligible for award. The System Agency, as determined in its sole discretion, may award the Grant Agreement to the next qualified Applicant, who will then be subject to this procedure.

10.4 EXECUTION AND ANNOUNCEMENT OF GRANT AGREEMENT(S)

The System Agency intends to award one Grant Agreement as a result of this RFA. However, not all Applicants who are deemed eligible to receive funds are assured of receiving a Grant Agreement.

At any time and at its sole discretion, System Agency reserves the right to cancel this RFA, make partial award, or decline to award any Grant Agreement(s) as a result of this RFA.

The final funding amount and the provisions of the grant will be determined at the sole discretion of System Agency.

HHSC may announce tentative funding awards through an “Intent to Award Letter” once the DSHS Deputy Commissioner and relevant HHSC approval authorities have given approval to initiate and/or execute grants. Receipt of an “Intent to Award Letter” does not authorize the recipient to incur expenditures or begin Project activities, nor does it guarantee current or future funding.

Upon execution of a Grant Agreement(s) as a result of this RFA, HHSC will post a notification of all grants awarded to the [HHS Grants RFA](#) website.

Article XI. General Terms and Conditions

11.1 GRANT APPLICATION DISCLOSURE

In an effort to maximize State resources and reduce duplication of effort, the System Agency, at its discretion, may require the Applicant to disclose information regarding the Application for or award of State, federal, and/or local grant funding to the Applicant or subgrantee or subcontractor (i.e. organization who will participate, in part, in the operation of the Project) within the past two years to provide quality improvement and quality assurance site visits. Applicant must complete all services and activities. The applicant may not subcontract services or activities.

11.2 TEXAS HISTORICALLY UNDERUTILIZED BUSINESSES (HUBS)

Though not required, System Agency encourages Applicant to use HUBs when procuring goods and services using funding awarded under this RFA. See, e.g., 2 CFR § 200.321.

For information regarding the Texas HUB program, refer to CPA's website: <https://comptroller.texas.gov/purchasing/vendor/hub/>.

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Article XII. Application Confidential or Proprietary Information

12.1 TEXAS PUBLIC INFORMATION ACT – APPLICATION DISCLOSURE REQUIREMENTS

Applications and resulting Grant Agreements are subject to the Texas Public Information Act (PIA), Texas Government Code Chapter 552, and may be disclosed to the public upon request. Other legal authority also requires System Agency to post grants and Applications on its public website and to provide such information to the Legislative Budget Board for posting on its public website.

Under the PIA, certain information is protected from public release. If Applicant asserts that information provided in its Application is exempt from disclosure under the PIA, Applicant must:

1. Mark Original Application:

- a. Mark the Original Application, at the top of the front page, with the words “CONTAINS CONFIDENTIAL INFORMATION” in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font); and
- b. Identify, adjacent to each portion of the Application that Applicant claims is exempt from public disclosure, the claimed exemption from disclosure (NOTE: no redactions are to be made in the Original Application);

2. Certify in Original Application – HHS Solicitation Affirmations: Certify, in the designated section of the **Exhibit A, HHS Solicitation Affirmations**, Applicant’s confidential information assertion and the filing of its Public Information Act Copy; and

3. Submit Public Information Act Copy of Application: Submit a separate “Public Information Act Copy” of the Original Application (in addition to the original and all copies otherwise required under the provisions of this RFA). The Public Information Act Copy must meet the following requirements:

- a. The copy must be clearly marked as “Public Information Act Copy” on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font);
- b. Each portion Applicant claims is exempt from public disclosure must be redacted (blacked out); and
- c. Applicant must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in Subsection (3) of this section must be identical to those set forth in the Original Application as required in Subsection 1(b), above. The only difference in required markings and information between the Original Application and the “Public Information Act Copy” of the Application will be redactions – which can

only be included in the “Public Information Act Copy.” There must be no redactions in the Original Application.

By submitting an Application under this RFA, Applicant agrees that, if Applicant does not mark the Original Application, provide the required certification in Exhibit A, HHS Solicitation Affirmations, and submit the Public Information Act Copy, the Application will be considered to be public information that may be released to the public in any manner including, but not limited to, in accordance with the Public Information Act, posted on the System Agency’s public website, and posted on the Legislative Budget Board’s public website.

If any or all Applicants submit partial, but not complete, information suggesting inclusion of confidential information and failure to comply with the requirements set forth in this section, the System Agency, in its sole discretion, reserves the right to (1) disqualify all Applicants that fail to fully comply with the requirements set forth in this section, or (2) to offer all Applicants that fail to fully comply with the requirements set forth in this section additional time to comply.

No Applicant should submit a Public Information Act Copy indicating that the entire Application is exempt from disclosure. Merely making a blanket claim that the entire Application is protected from disclosure because it contains any amount of confidential, proprietary, trade secret, or privileged information is not acceptable, and may make the entire Application subject to release under the PIA.

Applications should not be marked or asserted as copyrighted material. If Applicant asserts a copyright to any portion of its Application, by submitting an Application, Applicant agrees to reproduction and posting on public websites by the State of Texas, including the System Agency and all other State agencies, without cost or liability.

The System Agency will strictly adhere to the requirements of the PIA regarding the disclosure of public information. As a result, by participating in this RFA, Applicant acknowledges that all information, documentation, and other materials submitted in its Application may be subject to public disclosure under the PIA. The System Agency does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the PIA and by rulings of the Office of the Texas Attorney General. Applicants are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. The System Agency assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Applicants.

For more information concerning the types of information that may be withheld under the PIA or questions about the PIA, please refer to the Public Information Act Handbook published by the Office of the Texas Attorney General or contact the attorney general’s Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To access the Public Information Act Handbook, please visit the attorney general’s website at <http://www.texasattorneygeneral.gov>.

12.2 APPLICANT WAIVER – INTELLECTUAL PROPERTY

SUBMISSION OF ANY DOCUMENT TO ANY HHS AGENCY IN RESPONSE TO THIS SOLICITATION CONSTITUTES AN IRREVOCABLE WAIVER, AND AGREEMENT BY THE SUBMITTING PARTY TO FULLY INDEMNIFY THE STATE OF TEXAS AND HHS FROM ANY CLAIM OF INFRINGEMENT REGARDING THE INTELLECTUAL PROPERTY RIGHTS OF THE SUBMITTING PARTY OR ANY THIRD PARTY FOR ANY MATERIALS SUBMITTED TO HHS BY THE SUBMITTING PARTY.

12.3 NEWS RELEASES

Prior to final award, an Applicant may not issue a press release or provide any information for public consumption regarding its participation in this RFA. Requests should be directed to the Sole Point of Contact identified in **Section 7.2, Sole Point of Contact**.

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Article XIII. Submission Checklist

HHSC, in coordination with DSHS in its sole discretion, will review all Applications received and will determine if any or all Applications which do not include complete, signed copies of these exhibits, will be disqualified or whether additional time will be permitted for submission of the incomplete or missing exhibits. If additional time is permitted, Applicants will be notified in writing of the opportunity to provide the missing documentation by a specified deadline. Failure by an Applicant to submit the requested documentation by the deadline WILL result in disqualification. Applications that do not include Exhibit A, HHS Solicitation Affirmations (completed and signed), and Form E Budget Request Template (completed), will be disqualified. See Section 9.2, Initial Compliance Screening of Applications for further detail.

This Submission Checklist identifies the documentation, forms and exhibits that are required to be submitted as part of the Application.

The Application must be organized in the order below and include each required section and the forms and exhibits identified within a section:

1. Administrative Information

- a. Form A, Respondent Information _____
- b. Form B, Nonprofit or For-Profit Entity, if applicable _____
- c. Form B-1, Governmental Entity, if applicable _____

2. Narrative

- a. Form C, Narrative Proposal _____

**** NOTE ** Form C (Narrative Proposal) must be titled “Narrative Proposal” and include the Applicant’s Legal Name, the RFA No., and the name of the Grant Program.**

- b. Form D, Work Plan _____
- c. Form E, Budget Request Template _____

**** NOTE ** Form E (Budget Request Template) is mandatory and must be submitted with the Application, in the original format (Excel), for the Application to be considered responsive. Applications received without the completed Requested Budget Template will be disqualified.**

- d. Form F, Organizational Chart (to be created by applicant) _____
- e. Form G, Indirect Cost Rate Questionnaire _____

3. Exhibits to be Completed, Signed, and Submitted with Application

- a. Exhibit A, HHS Solicitation Affirmations – Version 2.3

**** NOTE ** Exhibit A (HHS Solicitation Affirmations, Version 2.3) is mandatory and must be completed, signed and submitted for the Application to be considered responsive. Applications received without Exhibit A or with an unsigned Exhibit A may be disqualified.**

- b. Exhibit C-1, Data Use Agreement – Standard Version 8.5, **or** _____
- c. Exhibit C-2, Data Use Agreement – Governmental Entity Version 8.5 _____
- d. Exhibit D, Security and Privacy Inquiry (SPI), Attachment 2 to DUA _____
- e. Exhibit G, Assurances – Non-Construction Programs _____
- f. Exhibit H, Certification Regarding Lobbying _____
- g. Exhibit I, Federal Funding Accountability and Transparency Act (FFATA) Certification _____
- h. Exhibit J, Exceptions Form (if applicable) _____

4. Addenda: Each Addendum, if any, must be signed and submitted with the Application.

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Article XIV. List of Forms and Exhibits Attached to RFA

Forms

Form A, Respondent Information

Form B, Nonprofit or For-Profit Entity – Authorized Officials, if applicable

Form B-1, Governmental Entity – Authorized Officials, if applicable

Form C, Narrative Proposal

Form D, Work Plan Template

Form E, Budget Request Template

Form F, Organizational Chart (to be created by applicant)

Form G, Indirect Cost Rate Questionnaire

Exhibits

Exhibit A, HHS Solicitation Affirmations – Version 2.3

Exhibit B, HHS Uniform Terms and Conditions – Grant, Version 3.2

Exhibit C-1, Data Use Agreement – Standard Version 8.5, **or**

Exhibit C-2, Data Use Agreement – Governmental Entity Version 8.5

Exhibit D, Security and Privacy Inquiry (SPI), Attachment 2 to DUA

Exhibit E, HHS Online Bid Room Instructions

Exhibit F, Evaluation Tool

Exhibit G, Assurances – Non-Construction Programs

Exhibit H, Certification Regarding Lobbying

Exhibit I, Federal Funding Accountability and Transparency Act (FFATA) Certification

Exhibit J, Exceptions

Exhibit K, Budget Summary Instructions