



**TEXAS**  
**Health and Human Services**

*Cecile E. Young, Executive Commissioner*

*Request for Applications (RFA)*

*Grant for*

*Tobacco Prevention and Control Coalitions*

*RFA No. HHS0012204*

**DEADLINE FOR SUBMISSION OF APPLICATIONS**

*January 18, 2023 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), the System Agency, for the Tobacco Prevention and Control Coalition (TPCC) Grant Program. The Texas Tobacco Prevention and Control Program (TPCP) is seeking Applicants with tobacco control experience or an established coalition.

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:	Tobacco Prevention and Control Coalitions
RFA No.:	HHS0012204
Deadline for Submission of Applications:	January 18, 2023 at 10:30 a.m.
Deadline for Submitting Questions or Requests for Clarifications:	December 28, 2022 at 5:00 p.m.
Estimated Total Available Funding:	\$ 4,595,860
Estimated Total Number of Awards:	Up to 4
Estimated Max Award Amount:	\$350,000
Match Required, if any:	No matching
Anticipated Project Start Date:	September 1, 2023
Length of Project Period:	5 Years

Eligible Applicants:

Must be the same factors as Section 3.2

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.

“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.

“Adult” means a person aged 18 or older.

“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.

“Budget Period” means the duration of the Budget (stated in the number of months the contract will reflect from begin date to end date of the term of the contract). Each contract renewal will have its own Budget Period.

“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.

“Child” means a person under the age of 13.

“Client” means a member of the target population to be served under a Grant Agreement as a result of this RFA.

“Community-based Organization” is a public or private non-profit (including a church or religious) entity that is representative of a community or a significant segment of a community, and is engaged in meeting human, educational, environmental, or public safety community needs.

“Community Coalition” is a public or private nonprofit that is a diverse and inclusive group that brings together individuals and/or organizations with wide-ranging skills and knowledge who share a common interest and agree to work together toward a common goal.

“Contractor” is an Applicant who is awarded a grant.

“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.

“Due Date” means the established deadline for submission of a document or deliverable.

“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.

“Family” means the parents, brothers, sisters, other relatives, foster parents, guardians, or significant others who perform the roles and functions of Family members in the lives of Clients/participants.

“Fiscal Agent” means an organization that acts on behalf of the coalition to administer funds and perform other financial tasks and provides other administrative tasks for the

coalition. The Fiscal Agent reimburses subcontractors and shares space. Local United Ways, local hospital districts, and public health departments are examples of groups that often serve as Fiscal Agents.

“Fully Executed” means when a contract is signed by each of the parties to form a legal binding contractual relationship, and the contract is considered Fully Executed. No costs chargeable to the proposed contract will be reimbursed before the contract is Fully Executed.

“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”.

“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.

“Key Personnel” means a Respondent organization's Project Contact, Fiscal Contact, and Executive Director and/or any other key stakeholders in the Proposed Project.

“Match” is the non-federal and/or non-State share of costs the Grantee is required to contribute to accomplish the purpose of the Grant Project.

“Program” means, depending upon the context, a coordinated group of activities carried out by DSHS, as authorized by state or federal law, for a specific purpose (“Program”).

“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.

“Project Service Area” means the geographical area determined by Program to implement tobacco prevention and control initiatives.



“Reimbursement” is based on actual allowable costs incurred that comply with cost principles applicable to the grants and subgrants.

"Respondent" means the entity responding to this Solicitation. May also be referred to as "Applicant".

“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.”

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

“State of Texas Comptroller Vendor Identification Number (Vendor ID No.)” means the fourteen-digit number needed for any entity, whether vendor or Subrecipient, to contract with the State of Texas and which must be established with the State Comptroller’s Office. It consists of a ten-digit identification number (IRS number, State agency number, or social security number) +check digit + three (3) digit mail code.

“Subcontract” means a written agreement between the DSHS Grantee and a third party to provide all or a specified part of the services, goods, work, and materials required in the original contract. The Contractor remains entirely responsible to DSHS for performance of all requirements of the contract with DSHS. The Contractor closely monitors the subcontractor’s performance. Subcontracting can be done only when expressly allowed in the program attachment.

"Successful Respondent" means an organization that receives a grant award as a result of this RFA. May also be referred to as “Grantee” or “Subrecipient”.

“Subrecipient” means a type of Contractor or subcontractor to which a subaward is made in the form of money, or property in lieu of money, to carry out all or part of the DSHS program and that is accountable to DSHS for the use of the funds and property provided. This type of Contractor may also be referred to as a subgrantee. A Subrecipient Contractor will have most of the following characteristics: a) determines who is eligible to receive what assistance, according to specified criteria; b) has performance measured against federal or state program objectives, as described in the program attachment; c) has responsibility for programmatic decision-making, and d) carries out duties to implement all or part of a program, as specified.

“Students, Adults, and Youth Working Hard Against Tobacco”, also commonly referred to as “Say What”, is the statewide youth movement working towards reducing tobacco use throughout Texas.

“Targeted Expansion Area” means the geographical target area proposed by a Respondent that has not been served by DSHS coalition funding in the previous five years. Counties and cities excluded from the Target Expansion Area include:

- A. Angelina, Brazoria, Cameron, Polk, San Augustine, Travis, Willacy Counties
- B. City of Houston

“Tobacco Prevention and Control Coalition (TPCC)” means a comprehensive coalition funded by the Department of State Health services to address tobacco specific conditions in the community. The goals of comprehensive tobacco prevention and control programs are designed to reduce disease, disability, and death related to tobacco use. The goals are as follows:

- A. Preventing tobacco use initiation among Youth and Young Adults.
- B. Promoting quitting among Youth and Adults.
- C. Eliminating exposure to secondhand smoke.
- D. Reducing and eliminating tobacco-related disparities among population groups.
- E. Developing and maintaining capacity for sustainable tobacco prevention and control work.

“Tobacco-Related Health Disparities”: Differences in the patterns, prevention, and treatment of tobacco use; the risk, incidence, morbidity, mortality, and burden of tobacco-related illness that exist among specific population groups in Texas; and related difference in capacity and infrastructure, access to resources, and exposure to environmental tobacco smoke exposure.

“Work Plan” means a plan that describes how services will be delivered in the target community and includes: types of strategies that will be implemented, what priority populations will be served, who will be responsible for the work, timelines for completion of activities, and how services will be evaluated. To be an enforceable part of the contract, details from the Work Plan must be approved by DSHS and incorporated in the contract.

“Young Adult” means a person aged 18-21.

“Youth/Minor” means a person between ages 13-17.

“Youth Tobacco Survey (YTS)”: A national survey designed to provide data on long-term, intermediate, and short-term indicators key to the design, implementation, and evaluation of comprehensive tobacco prevention and control programs. A statewide YTS is conducted every other year but may be conducted every year in TPCC funded areas. The YTS provides representative data about middle and high school youth’s:

- A. Tobacco-related beliefs

- B. Attitudes
- C. Behaviors
- D. Exposure to pro- and anti-tobacco influences

### **1.3 STATUTORY AUTHORITY**

The System Agency is requesting Applications under Texas Government Code, Section 403.105 to fund TPCCs. All awards are subject to the availability of appropriated State funds and any modifications or additional requirements that may be imposed by law.

### **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).

## **Article II. Scope of Grant Project**

### **2.1 PURPOSE**

- A. The purpose of this grant program is to prevent and reduce tobacco use in communities across Texas using evidence-based community and environmental strategies. This funding opportunity invites grant Applications requesting funding for the TPCC Grant Program.
- B. The total amount of funding anticipated for the initial grant funding period is \$919,172 dollars, with a max award of \$350,000. Funding for this grant is appropriated to DSHS on an annual basis in accordance with the State Fiscal Year (September 1st to August 31st). Subject to the availability of funds, DSHS, at its sole discretion, may extend this grant for any period of time, provided the grant term, including all extensions of renewals, does not exceed five years. If the grant funding period is extended or renewed for a maximum grant term of five (5) years, the total amount of funding anticipated across all five (5) State Fiscal Years is \$4,595,860, subject to availability of funds.
- C. Funds will be used to implement the State and Community Interventions component of the Centers for Disease Control and Prevention's (CDC) Best Practices for Comprehensive Tobacco Control Programs, utilizing the Substance Abuse and Mental Health Services Administration's (SAMHSA) Strategic Prevention Framework.

- D. Grantees are expected to use evidence-based and coordinated community-level strategies to achieve the following goals:
1. Preventing tobacco use initiation among Youth and Young Adults.
  2. Promoting quitting among Youth and Adults.
  3. Eliminating exposure to secondhand smoke.
  4. Reducing and eliminating tobacco-related disparities among population groups.
  5. Developing and maintaining capacity for sustainable tobacco prevention and control work.

## 2.2 PROGRAM BACKGROUND

### A. Overview

1. Tobacco use remains the leading cause of preventable death and disease in the U.S. Each year, smoking kills 28,000 people in Texas. It also costs the State \$17.07 billion annually in health care costs and lost productivity.
2. According to the 2020 Behavioral Risk Factor Surveillance Survey, among Adults in Texas:
  - a. 22.2% currently use tobacco, including electronic nicotine delivery systems.
  - b. 13.2% currently smoke cigarettes.
  - c. 4.7% currently use electronic nicotine delivery systems.
  - d. 3.3% currently use smokeless tobacco.
3. For every person who dies from smoking in the U.S., at least 30 people suffer from a serious tobacco-related illness, such as cancer, heart disease, emphysema, and stroke. In Texas and the U.S., cancer is the second leading cause of death. According to the CDC, smoking is the number one risk factor for lung cancer and is linked to about 80% to 90% of lung cancer deaths in the U.S.

### B. Youth Usage and Trends

1. According to the 2021 Texas Youth Tobacco Survey, current tobacco use rates (past 30 days) among Youth (students in 6th-12th grade) have decreased from 16% in 2016 to 10% in 2021. However, as of 2021, electronic cigarette use among Youth remains high (9%) compared to other tobacco products, such as cigarettes (3%) and smokeless tobacco (2%).
2. Key Youth Usage Data and Trends (Past 30 Days):
  - a. Youth tobacco use rates increased with grade level.
  - b. 9% of Youth used electronic cigarettes on at least one day.
  - c. 5% of Youth used flavored tobacco on at least one day.
  - d. 13% of Youth who used tobacco did not buy their own product but got them from someone else. For comparison, the next highest access point was “some other place” at 3%.

### C. Tobacco Use Disparities

1. The 2020 Behavioral Risk Factor Surveillance Survey highlighted several disparities among current tobacco use rates, including electronic nicotine delivery systems (ENDS), among Adults in Texas. Among all Adults, 22.2% reported tobacco use including ENDS. In comparison, tobacco use was reported at much higher rates by other groups, such as:
  - a. Education Level:
    - i. 7.3% among those with a high school degree.
    - ii. 25.1% among those with less than a high school degree.
  - b. Annual Household Income:
    - i. 25.8% among households making less than \$35,000 annually.
  - c. Race and Ethnicity:
    - i. 28.4% among those who are White.
    - ii. 22.9% among those who are Black.
    - iii. 23.1% among those who are Other/Multiracial.
    - iv. 16% among those who are Hispanic.
  - d. Health Insurance Coverage:
    - i. 28.3% among those without health insurance coverage.
  - e. Disability:
    - i. 27.3% among those with a disability.
  - f. Mental Health:
    - i. 33.5% among those with depression.
  - g. Gender:
    - i. 30.5% of those who are male.
  - h. Sexual Minority Groups:
    - i. 25.8% among those who identify as lesbian, gay, or bisexual.

### D. Secondhand Smoke

1. Exposure to secondhand smoke, even for a short time, can cause health problems in children and Adults, and can even be deadly. In the U.S., it contributes to approximately 41,000 deaths among nonsmoking Adults and 400 deaths in infants each year. Since 1964, about 2.5 million nonsmoking people have died from health problems caused by secondhand smoke exposure.
2. Secondhand smoke causes stroke, lung cancer, and coronary heart disease in Adults. Children who are exposed to secondhand smoke are at increased risk for sudden infant death syndrome, acute respiratory infections, middle ear disease, more severe asthma, respiratory symptoms, and slowed lung growth.
3. According to the 2021 Texas Youth Tobacco Survey, when surveyed, 21% of Youth indicated that they were in the same room as someone who smokes and 17% were in the same car with someone who smokes in the past week.
4. Apart from their homes, most people are likely to be exposed to secondhand smoke in workplaces and public places (e.g., bars, restaurants, parks, and

beaches), thus implementation and enactment of smoke free policies is the best way to eliminate exposure to, and protect people who do not smoke, from secondhand smoke.

E. Texas Tobacco Prevention and Control Program (TPCP)

1. The mission of the TPCP is to reduce the toll of tobacco use on the health, safety, and well-being of all Texans.
2. The TPCP follows the CDC's Best Practices for Comprehensive Tobacco Control Programs. This is an evidence-based guide that helps states plan and establish comprehensive, sustained, and accountable tobacco control Programs through the following overarching components:
  - a. State and Community Interventions.
  - b. Mass-Reach Health Communication Interventions.
  - c. Cessation Interventions.
  - d. Surveillance and Evaluation.
  - e. Infrastructure, Administration, and Management.

## 2.3 ELIGIBLE POPULATION

Eligibility is limited to cities or counties with a population less than 500,000. For cities or counties with a population greater than 500,000, eligibility is restricted to selected zip codes comprised of a total target population of less than 500,000. Priority will be given to Respondents working with cities or counties in regions with high prevalence of tobacco use, which are DSHS Public Health Regions 1, 2, 4, and 9. Additionally, priority will also be given to Applicants that can demonstrate other high impacts of tobacco use (e.g., high tobacco-associated mortality or hospitalization rates, high prevalence of Youth tobacco use, and/or few enacted local smoke free policies/ordinances).

## 2.4 ELIGIBLE SERVICE AREAS

The System Agency intends to fund city or county health departments, hospital districts, Community-based Organizations, or tribal governments that meet eligible population requirements as described in **Section 2.3**. Applicants do not have to adhere by geopolitical boundaries as long as the entire population in the area identified is served and is less than 500,000.

## 2.5 ELIGIBLE ACTIVITIES

- A. 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. Subcontracting or sub-awarding is allowable.

- B. The primary focus of the RFA is to prevent and reduce tobacco use in communities across Texas using evidence-based community and environmental strategies. Each Applicant must include provisions as described in **Sections 2.1, 2.2, 2.3, and 2.4** as part of its proposed Grant Project.
- C. Grantees are expected to use evidence-based and coordinated community-level strategies to achieve the following goals and associated CDC strategies (see Section 2.6 for detailed requirements for each goal and strategy):
  - 1. Goal 1: Prevent tobacco use initiation among Youth and young Adults.
    - a. CDC Prevention Strategy 1 and CDC E-Cigarette Requirement Strategy 1.
    - b. CDC Mass-Reach Health Communications Strategy 1.
  - 2. Goal 2: Promote quitting among Youth and Adults.
    - a. CDC Cessation Strategy 3.
    - b. CDC Cessation Strategy 4.
    - c. CDC Mass-Reach Health Communications Strategy 1 (Component 2)
  - 3. Goal 3: Eliminate exposure to secondhand smoke.
    - a. CDC Secondhand Smoke Strategy 1.
    - b. CDC Secondhand Smoke Strategy 2.
  - 4. Goal 4: Reduce and eliminate tobacco-related disparities among population groups.
    - a. CDC Community-Based Requirement Strategy 1.
    - b. CDC Mass-Reach Health Communications Strategy 4.
  - 5. Goal 5: Develop and maintain capacity for sustainable tobacco prevention and control work.
    - a. CDC Infrastructure, Administration, and Management Strategy 1 (Component 2).
    - b. CDC Infrastructure, Administration, and Management Strategy 6.
- D. Develop and implement a Work Plan to address and accomplish the five (5) goals and associated strategies and activities.
  - 1. The Work Plan must be developed using the template provided by DSHS and submitted to the Tobacco.Free@DSHS.Texas.gov inbox within fourteen (14) business days of the Grant Agreement award.
  - 2. Progress toward the goals must be documented in the Work Plan and submitted monthly to the Tobacco.Free@DSHS.Texas.gov inbox.
    - a. Work Plan monthly updates are due the 15th of the month following the month being reported.
- E. Submit performance measures monthly using a template provided by DSHS to the Tobacco.Free@DSHS.Texas.gov inbox.
  - 1. Performance measures monthly updates are due the 15th of the month following the month being reported.

- F. Develop and implement a staffing plan.
  - 1. The staffing plan must be submitted to the Tobacco.Free@DSHS.Texas.gov inbox within fourteen (14) business days of the Grant Agreement award.
  - 2. Following submission of the initial staffing plan, notification of any staffing changes must be submitted to the Tobacco.Free@DSHS.Texas.gov inbox within seven (7) business days.
  
- G. Submit a Financial Status Report (FSR) the last business day of the month following the end of each quarter of the grant term.
  
- H. Develop a TPCC Evaluation Report and submit it to the Tobacco.Free@DSHS.Texas.gov inbox.
  - 1. Draft report is due June 17, 2024.
  - 2. Final report is due September 16, 2024.
  
- I. Develop annual reports and submit them to the Tobacco.Free@DSHS.Texas.gov inbox. Annual reports are due September 16, 2024.

## 2.6 PROGRAM REQUIREMENTS

- A. Goal 1: Prevent tobacco use initiation among Youth and Young Adults.
  - 1. CDC Prevention Strategy 1 and CDC E-Cigarette Requirement Strategy 1: Educate and engage stakeholders and decision makers on evidence-based strategies to prevent initiation of tobacco use and reduce youth use of emerging tobacco products, including e-cigarettes.
    - a. Activity 1: Plan and implement TPCC tobacco prevention and control activities with the following stakeholders:
      - i. Youth and Young Adults.
      - ii. Trusted Adults who influence Youth and Young Adults.
      - iii. Postsecondary institutions, such as universities, colleges, and trade schools.
    - b. Activity 2: Conduct tobacco prevention and control health education and training. This includes but is not limited to:
      - i. Develop Youth tobacco prevention curriculum.
      - ii. Provide Youth and Adult coalition training (not including staff or Contractors).
    - c. Activity 3: Convene and engage local high school or middle school age Youth groups in changing social norms and exposing pro-tobacco influences by:
      - i. Following CDC's Best Practices User Guide: Youth Engagement in Tobacco Prevention and Control.



- ii. Contacting all school districts in the TPCC service area for Youth participation in engagement initiatives.
- iii. Linking Youth groups to the Say What! (Students, Adults, and Youth Working Hard Against Tobacco) Youth movement administered by the Texas School Safety Center (TxSSC).
- iv. Conducting Youth interventions that include outreach, communications, and education activities.
  - This includes public awareness activities such as press releases, educational messages for social media, local events, and health promotion activities.
  - Youth interventions will focus on social norm change for the environment rather than the individual.
- d. Activity 4: Coordinate school and community activities within the Service Area for Youth tobacco and substance misuse awareness observances (e.g., Red Ribbon Week, Texas Tobacco Free Kids Day, etc.) by:
  - i. Coordinating Texas Tobacco Free Kids Day promotion and activities with statewide events sponsored by TxSSC.
    - Unless prior approval is given, TPCC should use mini-grant kit provided by TxSSC.
  - ii. Reporting all Texas Tobacco Free Kids Day activities conducted by the TPCC to TxSSC using the online reporting system.
- e. Activity 5: Include Youth in local policy work at the school and/or community level to:
  - i. Educate local school boards and School Health Advisory Councils regarding tobacco free laws and policies.
  - ii. Promote tobacco free policies that do not penalize Youth.
  - iii. Provide parent and guardian education to help increase awareness of harms of tobacco use, identify emerging tobacco products, and recognize tobacco use among Youth.
- f. Activity 6: Have at least one Youth apply to become a Teen Ambassador(s) on the Youth Advisory Board, Texas Teen Ambassadors.
  - i. This will occur in conjunction with the Say What! Summer Conference in the summer.
  - ii. TPCC will notify DSHS TPCP Prevention Coordinator in writing with the name(s) of youth who applied and date of Application within two (2) weeks of Application submission.
- g. Activity 7: Ensure participation in the Say What! Statewide Summer Conference by:

- i. Recruiting and registering a minimum of two (2) Adults and ten (10) Youth participants from Youth groups within the Service Area.
      - Participation may be virtual or in-person.
      - For in-person participation, Grantee will make travel arrangements for in-person participation and pay for the participants' travel expenses.
    - ii. Ensuring that the TPCC's youth coordinator (or another TPCC staff member as necessary) participates virtually or in-person.
      - Travel expenses will be paid by Grantee for in-person attendance.
  - h. Activity 8: Ensure participation in the Say What! Summits by:
    - i. Recruiting and registering a minimum of two (2) Adults and ten (10) Youth participants from Youth groups within the Service Area.
      - Participation may be virtual or in-person.
      - For in-person participation, Grantee will make travel arrangements for in-person participation and pay for the participants' travel expenses.
    - ii. Ensuring that the TPCC's youth coordinator (or another TPCC staff member as necessary) participates virtually or in-person.
      - Travel expenses will be paid by Grantee for in-person attendance.
  - i. Activity 9: Coordinate with DSHS and Texas A&M University to increase participation in Youth Tobacco Survey (YTS) of Youth in the Service Area by:
    - i. Contacting school districts in their Service Area to promote the implementation of YTS as directed by Texas A&M University.
2. CDC Mass-Reach Health Communications Strategy 1: Implement evidence-based, mass-reach health communication interventions to prevent initiation of tobacco product use.
  - a. Activity 10: Conduct communications and media outreach (including social media) to support all tobacco prevention and control strategies and efforts.
    - i. Run prevention media messages within each service area using TV, radio, web, social media, or mobile, at least once a month. (CDC Mass-Reach Health Communications Strategy 1, Activity)

B. Goal 2: Promote quitting among Youth and Adults.

1. CDC Cessation Strategy 3: Promote awareness and use of evidence-based cessation treatment, including a free telephone quit line and digital-based technologies.
  - a. Activity 1: Promote the Texas Tobacco Quitline, including YesQuit.org.
  - b. Activity 2: Promote Live Vape Free Program.
    - i. Live Vape Free Teen: An interactive texting program that helps teens ages 13-17 build motivation, a quit plan, and a strategy to stay quit.
    - ii. Live Vape Free Adult: Offers self-paced online content that prepares concerned Adults to kick-start the conversation with teens about vaping.
  - c. Activity 3: Promote Quit Vet.
    - i. A free telephone quit line provided by the U.S. Department of Veterans Affairs (VA) that offers tobacco cessation counseling to any veteran who receives their health care through the VA.
  - d. Activity 4: Promote the Asian Smokers' Quitline.
    - i. The quit line offers free telephone counseling, self-help materials, free nicotine patches, and online help in four Asian languages (Cantonese, Mandarin, Korean, and Vietnamese).
  - e. Activity 5: Conduct tobacco prevention and control health education and training. This includes but is not limited to:
    - i. Youth and Adult tobacco prevention and cessation presentations.
    - ii. Health care provider and system cessation consultations.
  - f. Activity 6: Conduct Youth and Adult tobacco alternative activities.
    - i. These are activities that exclude tobacco use (including activities that promote the awareness of alternatives to alcohol, tobacco, and drug abuse) such as Youth engagement/service-learning projects that encourage tobacco free lifestyles. Alternative activities that are more successful (in reducing risk or increasing protective factors) are those that are integrated with skills-based or other learning initiatives.
2. CDC Cessation Strategy 4: Promote health systems changes (e.g., protocol implementation, electronic health records, clinical decision-support tools) to support screening and treatment of tobacco use and dependence.
  - a. Activity 5: Educate health systems about the benefits of integrating e-referrals to the Texas Tobacco Quitline into their electronic health records. (CDC Cessation Strategy 4, Activity 4)
  - b. Activity 6: Provide training and technical assistance (on-site or virtually) to health care organizations and providers on how to implement Ask-Advise-Refer evidence-based tobacco cessation intervention into routine clinical care. (CDC Cessation Strategy 4, Activity 5)

3. CDC Mass-Reach Health Communications Strategy 1 (Component 2): Implement evidence-based paid and earned mass-reach health communication interventions to increase cessation and/or promote the quit line.
  - a. Activity 7: Conduct communications and media outreach (including social media) to support all tobacco prevention and control strategies and efforts, including but not limited to:
    - i. Running cessation paid media, social media, or earned media messages within service area at least once a month (CDC Mass-Reach Health Communications Strategy 1, Activity 2).
      - Promote the Texas Tobacco Quitline, including YesQuit.org.
      - Promote Live Vape Free Program.
        - ▶ Live Vape Free Teen: An interactive texting program that helps teens ages 13-17 build motivation, a quit plan, and a strategy to stay quit.
        - ▶ Live Vape Free Adult: Offers self-paced online content that prepares concerned Adults to kick-start the conversation with teens about vaping.

C. Goal 3: Eliminating exposure to secondhand smoke.

1. CDC Secondhand Smoke Strategy 1: Educate and engage stakeholders and decision makers on evidence-based strategies to reduce exposure to secondhand smoke.
  - a. Activity 1: Conduct tobacco prevention and control health education and training. This includes but is not limited to:
    - i. Secondhand smoke.
    - ii. Smoke free policies.
  - b. Activity 2: Engage with and provide consultations (new and follow-up consultations) to decision makers regarding smoke free policies, including but not limited to:
    - i. Smoke free municipality ordinances.
    - ii. Smoke free worksites.
    - iii. Smoke free public spaces.
      - E.g., parks, beaches, etc.
    - iv. Smoke free multiunit housing.
  - c. Activity 3: Conduct communications and media outreach (including social media) to support all tobacco prevention and control strategies and efforts, including but not limited to:
    - i. Secondhand smoke.
    - ii. Smokefree policies.

2. CDC Secondhand Smoke Strategy 2: Increase and enhance comprehensive smokefree policies, including workplaces, bars, and restaurants.
    - a. Activity 4: Select and implement linguistically and culturally appropriate tobacco prevention and control strategies that are proven to be effective in research settings and communities.
      - i. Environmental strategies must be linked to CDC’s evidence-based Media, Access, Point of Purchase/Promotion, Price, and Social Support Services (MAPPS).
    - b. Activity 5: Identify at minimum two (2) municipalities in service area that do not have a comprehensive smoke free indoor air ordinance and educate community stakeholders and decision makers about emerging tobacco products. (CDC Secondhand Smoke Strategy 2, Activity 2)
    - c. Activity 6: Identify at least six (6) worksites in service area that do not have tobacco and/or smoke free worksite policies and provide information on the steps they can take to reduce exposure to secondhand smoke and secondhand aerosol. (CDC Secondhand Smoke Strategy 2, Activity 3)
    - d. Activity 7: Engage in environmental universal prevention strategies that have an impact on the social, cultural, and economic processes of the community through the implementation of secondhand smoke ordinances.
- D. Goal 4: Reducing and eliminating tobacco-related disparities among population groups.
1. CDC Community-Based Requirement Strategy 1: Develop and/or engage with multi-level, multi-sector local coalitions and community stakeholders and leaders to plan and implement evidence-based tobacco prevention and control strategies.
    - a. Activity 1: Within service area, organize agency networks to ensure that multiple sectors of the community are included and engaged with community efforts to promote and deliver comprehensive tobacco prevention and control activities.
      - i. Promote diversity by involving and assisting community groups that are representative of the demographic, geographic, and socio-economic status.
      - ii. Assess and address health disparities by involving and assisting community groups who work with persons most at risk for tobacco use and are disproportionately affected by tobacco-related illness.
    - b. Activity 2: Select and implement linguistically and culturally appropriate tobacco prevention and control strategies that are proven to be effective in research settings and communities.
      - i. Implementation strategies will be logically linked to high-risk populations within the Service Area as identified in the needs assessment.

- ii. Environmental strategies will be linked to CDC’s evidence-based Media, Access, Point of Purchase/Promotion, Price, and Social Support Services (MAPPS).
  - c. Activity 3: Develop and advance culturally competent tobacco control policies, systems, and/or environmental interventions that reduce initiation and use among Youth and increase motivation for Adults to quit for population groups disproportionately impacted by tobacco use.
    - i. Preferred interventions include addressing menthol tobacco product use.
  - d. Activity 4: Incorporate health equity strategies and activities under all tobacco prevention and control goal areas:
    - i. Goal 1: Prevent tobacco use initiation among Youth and Young Adults.
    - ii. Goal 2: Promote quitting among Youth and Adults.
    - iii. Goal 3: Eliminate exposure to secondhand smoke.
    - iv. Goal 4: Reduce and eliminate tobacco-related disparities among population groups.
    - v. Goal 5: Develop and maintain capacity for sustainable tobacco prevention and control work.
- 2. CDC Mass-Reach Health Communications Strategy 4: Implement tailored and/or culturally appropriate evidence-based mass-reach health communications interventions to reach populations experiencing tobacco-related disparities.
  - a. Activity 4: Conduct communications and media outreach (including social media) to support all tobacco prevention and control strategies and efforts, including but not limited to:
    - i. Tobacco-Related Health Disparities.
    - ii. Health equity in tobacco prevention and control.
- E. Goal 5: Developing and maintaining capacity for sustainable tobacco prevention and control work.
  - 1. CDC Infrastructure, Administration, and Management Strategy 1 (Component 2): Develop and maintain networked partnerships including state and local coordination.
    - a. Activity 1: Conduct the following assessment activities annually:
      - i. A needs assessment to determine tobacco use, related health consequences, and Tobacco-Related Health Disparities within the Service Area.
      - ii. A community resource assessment that identifies existing strengths and assets of community programs that address tobacco prevention and control, substance misuse, chronic disease prevention, and related services in the Service Area.

- iii. Primary data collection to address one or more assessment or evaluation questions coordinated by the DSHS-funded coalition evaluation contractor or DSHS staff.
  - Data collection tools must be reviewed by DSHS Chronic Disease Epidemiology (CDE) Branch prior to distribution.
  - Data collection tools can be submitted for review to the Tobacco.Free@DSHS.Texas.gov inbox.
- b. Activity 2: Conduct the following strategic planning activities:
  - i. Develop SMART goals and objectives for the strategic plan that are directly related to the service area.
    - Project goals and objectives will be designed to prevent and reduce the prevalence of tobacco use and related consequences.
- c. Activity 3: Conduct the following evaluation activities:
  - i. Secure a professional evaluator for evaluation of the TPCC's processes and outcomes within thirty (30) business days of Grant Agreement award. Grantee will ensure that the DSHS evaluation deliverables are met, including the process evaluation matrix which is sent by DSHS CDE.
  - ii. Develop an evaluation report that describes outcomes for the TPCC's tobacco prevention and control activities.
    - The purpose of this evaluation is to provide the TPCC, DSHS, and stakeholders with a summary report of activities, processes, and results, which allows the TPCC to recognize its achievements, including capacity gains as well as short- and long-term outcomes.
    - The evaluation must use the Evaluation Report template provided by the DSHS CDE.
    - The evaluation report should:
      - Include evidence-based prevention and cessation activities.
      - Address Tobacco-Related Health Disparities.
      - Identify or evaluate strategies to reduce secondhand smoke exposure.
      - Identify approaches that worked and devise steps to ensure these approaches are used in the future.
      - Identify areas for improvement and explain how adjustments were made or explain adjustments for future programming.

- d. Activity 4: Complete an annual sustainability checklist provided by the DSHS Training and Technical Assistance (TTA) Contractor.
    - i. Sustainability checklist will be completed per the schedule provided by TTA Contractor and reported to DSHS no later than August 31, 2023.
  - e. Activity 5: Within the Service Area, organize agency networks to ensure that multiple sectors of the community are included and engaged with community efforts to promote and deliver comprehensive effective tobacco prevention and control activities.
    - i. Develop and maintain TPCC capacity and leverage community resources by involving public health agencies; Education Service Centers (ESCs) and school districts; health care providers and systems; Prevention Resource Centers (PRCs); substance use disorder prevention, intervention, and treatment providers; mental health disorder treatment providers; civic/volunteer organizations; faith-based organizations and groups; businesses; law enforcement; elected officials; and local media for planning and implementation of tobacco prevention and control activities.
  - f. Activity 6: Convene coalition meetings comprised of community leaders and stakeholders to engage and sustain tobacco prevention and control activities.
  - g. Activity 7: Conduct local activities to educate the public on the benefits of remaining tobacco free during the following observances:
    - i. Texas Tobacco-Free Kids Day.
    - ii. Red Ribbon Week.
    - iii. World No Tobacco Day.
    - iv. Great American Smoke-Out.
    - v. Great American Spit-Out.
  - h. Activity 8: Ensure a written agreement is executed and renewed annually (by signature or other documented contact) when Grantee coordinates services with another community organization. MOU must include:
    - i. Names of the parties entering the MOU.
    - ii. Services or activities each party will provide.
    - iii. Signatures of authorized representatives.
    - iv. Dates of action and expiration.
  - i. Activity 9: Grantee must enter into MOUs with all TPCC coalition members.
2. CDC Infrastructure, Administration, and Management Strategy 6: Provide ongoing training and technical assistance.
- a. Activity 10: Conduct the following training activities (CDC Infrastructure, Administration, and Management Strategy 6, Activity 2):



- i. Send a minimum of one (1) TPCC member and at least two (2) TPCC staff members to TPCC Contractor meetings in Austin, Texas to be held in the Fall 2023 and Spring 2024.
  - A TPCC member is defined as someone who volunteers their time to be a part of the TPCC, whose salary is not paid for through the TPCC contract.
    - TPCC member may attend training virtually or in-person.
    - Travel expenses may be paid by Grantee for in-person attendance.
  - A TPCC staff member is someone hired to specifically work on this contract.
    - Grantee shall pay for the two (2) TPCC staff members' travel expenses.
- ii. Ensure that the TPCC staff and community stakeholders participate in at least one (1) Strategic Prevention Framework training per year as conducted by the DSHS Training and Technical Assistance (TTA) Contractor.
  - Monthly technical assistance will be provided via phone calls by the DSHS Training and Technical Assistance Contractor.
  - TPCC staff and community stakeholder participation in SPF trainings must be completed no later than the last day of quarter 2 for grant period.
- iii. Coordinate and cooperate with identified DSHS Contractors for TPCC training, evaluation, and Youth outreach to meet project goals.

**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
Work Plan: Monthly	The 15 <sup>th</sup> of each month following the month being reported

	Due within fourteen (14) business days of the Grant Agreement award.
Performance Measures: Monthly	The 15 <sup>th</sup> of each month following the month being reported
Staffing Plan: Ongoing	Following submission of the initial staffing plan, notification of any staffing changes must be submitted withing seven (7) business days.  Due within fourteen (14) business days of the Grant Agreement award.
Financial Status Report (FSR): Quarterly	Due the last business day of the month following the end of each quarter of the grant term.
TPCC Evaluation Report	Draft report due June 17, 2024  Final report due September 15, 2024
Annual Report	Annual reports due September 15, 2024

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**

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 Project Period.

This evaluation may include a reassessment of Project activities and services to determine whether they continue to be effective throughout the grant term.

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 all requirements, including reports and other deliverables and will be expected to report on measures described in Section 2.7.

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 State fiscal quarter 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 previous 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 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).

### **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:

- A. Be a NONPROFIT ORGANIZATION or a GOVERNMENTAL ENTITY with tobacco control experience or an established Coalition.
  1. A city or county health department, hospital district, Community-based Organization, or tribal government that can act as a Fiscal Agent and manager responsible for a TPCC.

- B. Not have received eight (8) or more years of tobacco-related funding through the DSHS or its predecessor, the Texas Department of Health.
- C. If the entity has had previous tobacco-related funding through DSHS for less than eight (8) years, they can apply for this funding with a different Targeted Expansion Area.
- D. Certify that the entity has adopted and enforces a tobacco free workplace policy.

### **3.3 GRANT AWARD ELIGIBILITY**

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

- A. 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;
- B. 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;
- C. 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;
- D. Applicant is currently in good standing with all licensing, permitting, or regulatory bodies that regulate any or all aspects of Applicant's operations; and
- E. 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.
- F. Applicant meets eligible population requirements described in Section 2.3.

### **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.

## Article IV. Project Period and Grant Term

### **4.1 PROJECT PERIOD**

The Project Period is anticipated to be **September 1, 2023** through **August 31, 2028**.

The total amount of funding anticipated for the initial grant funding period is \$919,172 dollars, with a max award of \$350,000. Funding for this grant is appropriated to DSHS on an annual basis in accordance with the State Fiscal Year (September 1st to August 31st). Subject to the availability of funds, DSHS, at its sole discretion, may extend this grant for any period of time, provided the grant term, including all extensions of renewals, does not exceed five years. If the grant funding period is extended or renewed for a maximum grant term of five (5) years, the total amount of funding anticipated across all five (5) State Fiscal Years is \$4,595,860, subject to availability of funds.

**Extension of Project Period:** The System Agency may, at its sole discretion, extend the Project Period for up to one (1) year to allow for the full expenditure of awarded funding and completion of Grant activities.

### **4.2 GRANT TERM**

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, does not exceed five years.

### **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 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.

## Article V. Grant Funding and Reimbursement Information

### **5.1 GRANT FUNDING SOURCE AND AVAILABLE FUNDING**

The total amount of State funding available for the Tobacco Prevention & Control Coalition grant program is **\$4,595,860** for the entire Project Period. It is the System Agency's intention to make multiple awards to Applicants that successfully demonstrate the prevention and reduction of tobacco use in communities across Texas.

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:

- A. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- B. Lobbying;
- C. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
- D. Vehicles or Equipment for government agencies that are for general agency use and/or do not have a clear nexus to terrorism prevention, interdiction, and disruption (i.e., mobile data terminals, body cameras, in-car video systems, or radar units, etc. for officers assigned to routine patrol);
- E. Weapons, ammunition, tracked armored vehicles, weaponized vehicles, or explosives (exceptions may be granted when explosives are used for bomb squad training);
- F. Admission fees or tickets to any amusement park, recreational activity, or sporting event;

- G. Promotional gifts;
- H. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel or where pre-approved for working events;
- I. Membership dues for individuals;
- J. Any expense or service that is readily available at no cost to the grant project;
- K. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
- L. Fundraising;
- M. Any other prohibition imposed by federal, state, or local law; and
- N. The acquisition or construction of facilities.

#### **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.

#### **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 **Form E, Narrative Proposal** attached to this RFA, Applicants shall 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, 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 F, 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 F, Requested Budget Template**, and 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. Matching funds must also be identified in the requested Budget.

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 F, Requested Budget 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

The Applicant must provide the total amount of Indirect Costs, if any. If no Indirect Costs are requested, enter "none." The Applicant may request Indirect Costs if it has a current Indirect Cost Rate agreement. This Indirect Cost Rate must be supported by an approved Indirect Cost Rate letter. An Applicant without an Indirect Cost Rate letter can use a ten percent (10%) de minimis rate as defined in 2 CFR § 200.414(f) until such letter is provided to HHSC.

A. Prior to award, a successful Applicant will be required to complete the Indirect Cost Rate Questionnaire through the Federal Funds Office Subrecipient Landing Page at: <https://texashhs.secure.force.com/GranteeLandingPage/> to initiate and establish an

approved method to recover Indirect Costs prior to award. The questionnaire allows entities to pick an Indirect Cost rate option:

1. Decline Indirect Costs.
  2. Request the de minimis rate.
  3. Submit a federally-approved rate.
  4. Submit an approved rate agreement from another State agency.
  5. Request to negotiate a rate agreement directly with the HHS Indirect Cost Rate Group.
- B. Costs will be reviewed for compliance with TxGMS and federal grant guidance found in 45 CFR Part 75, with effect given to whichever provision imposes the more stringent requirement in the event of a conflict.
- C. For more information on Indirect Cost Rates visit: <https://www.hhs.texas.gov/doing-business-hhs/grants/indirect-cost-rates>.

## 6.4 ADMINISTRATIVE APPLICANT INFORMATION

Using **Form A (Face Page)**, **Form B-1 (Governmental Entity – Authorized Officials)**, **Form B-2 (Non-profit or For-Profit Entity)**, **Form C (Financial Capacity and Fiscal Controls)**, and **Form C-1 (Organizational Financial Information and Internal Controls Questionnaire)** 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.

### A. 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.

### B. Internal Controls Questionnaire

Applicant must complete **Form C-1, Organizational Financial Information and Internal Controls Questionnaire** and submit with its Application.

**Article VII. RFA Administrative Information and Inquiries**

**7.1 SCHEDULE OF EVENTS**

<b>EVENT</b>	<b>DATE/TIME</b>
Funding Announcement Posting Date  Posted to HHS Grants RFA and Texas eGrants websites	December 6, 2022
Deadline for Submitting Questions or Requests for Clarification	December 28, 2022 by 5:00 p.m. Central Time
Date Answers to Questions or Requests for Clarification Posted	January 10, 2023
<b>Deadline for Submission of Applications</b>  <b>NOTE: Applications must be <u>RECEIVED</u> by HHSC by this deadline if not changed by subsequent Addenda to be considered eligible.</b>	<b>January 18, 2023 by 10:30 a.m. Central Time</b>
Anticipated Notice of Award	May 1, 2023
Anticipated Project Start Date	September 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 HHSC and DSHS reserve the right to change these dates at any time. At the sole discretion of HHSC and DSHS, 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:** Dedra Williams

**Title:** Grant Specialist, HHSC Procurement and Contracting Services

**Email:** [Dedra.Williams@hhs.texas.gov](mailto:Dedra.Williams@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:

- A. RFA number;
- B. Section or paragraph number from this solicitation;
- C. Page number of this solicitation;
- D. Exhibit or other attachment and section or paragraph number from the exhibit or other attachment;
- E. Page number of the exhibit;
- F. Language, topic, section heading being questioned; and
- G. Question.

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

- A. Name of individual submitting question or request for clarification;
- B. Organization name;
- C. Phone number; and
- D. 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 or DSHS 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:

- A. Shall have waived any claim of error or ambiguity in the RFA and any resulting Grant Agreement;

- B. Shall not contest the interpretation by the HHSC or DSHS of such provision(s);  
and
- C. 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 or DSHS 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 or DSHS 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**.

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.

## **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 binds the Applicant under any Grant Agreement that may result from the submission of an Application.

### **8.3 REQUIRED SUBMISSION METHOD**

A. 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 one of the approved methods identified below. Applications submitted by any other method (e.g. facsimile, email) will not be considered and will be disqualified.

B. **Submission Option #1 - HHS Online Bid Room:** Applicants shall upload the following documents to the Online Bid Room utilizing the procedures in **Exhibit F**,

**Online Bid Room Instructions. File Size Limitation:** Restriction to 250MB per file attachment.

1. One (1) copy marked as “Original Application” that contains the Applicant’s entire Application in a Portable Document Format (“.pdf”) file.
2. One (1) copy of the completed **Form F, Requested Budget Template**, in its original Excel format.
3. 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.

**C. Submission Option #2 - Sealed Package with USB Drives:** Applicants shall submit each of the following on separate USB drives:

1. One (1) USB drive with the complete Application file marked as “Original Application” in a Portable Document Format (“.pdf”) file. Include the USB in a separate envelope within the sealed Application package and mark the USB and envelope with “Original Application.” USB drive must include the completed **Form F, Requested Budget Template**, in its original Excel format.
2. One (1) USB drive with a copy of the complete Application file marked as “Public Information Act Copy,” if applicable and in accordance with **Section 12.1, Texas Public Information Act**. The copy must be in a Portable Document Format (“.pdf”) file. Include the USB in a separate envelope within the sealed package and mark the USB and envelope with “Public Information Act Copy” or “PIA Copy.”
3. Applicant must deliver Applications submitted via USB by one of the methods below.

<b>Overnight/Express/Priority Mail</b>	<b>Hand Delivery</b>
Health and Human Services Commission ATTN: Response Coordinator Tower Building, Room 108 1100 W. 49th St., MC 2020 Austin, Texas 78756	Health and Human Services Commission ATTN: Response Coordinator Procurement & Contracting Services Building 1100 W. 49th St., MC 2020 Austin, Texas 78756

4. Sealed packages must be clearly labeled with the following:

**RFA No:**

HHS0012204



<b>RFA TITLE:</b>	Tobacco Prevention and Control Coalitions
<b>DEADLINE FOR SUBMISSION OF APPLICATIONS:</b>	January 18, 2023 by 10:30 a.m.
<b>SOLE POINT OF CONTACT'S NAME:</b>	Dedra Williams
<b>APPLICANT'S NAME:</b>	[Applicant's legal name]

5. Applicants are solely responsible for ensuring the USB drives are submitted in sealed packaging that is sufficient to prevent damage to contents and delivered by overnight or express mail, or hand delivery to the addresses above. No HHS agency will be responsible or liable for any damage.

#### **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:

- A. Be responsive to all RFA requirements;
- B. Be clearly legible;
- C. 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;
- D. Include page numbering for each section of the Application; and
- E. 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:

- A. Be organized in the order outlined in the **Article XIII, Submission Checklist**, and include all required sections (e.g., "Administrative Information," "Narrative Proposal," and "Exhibits to be Submitted with Application,").
  1. **Form F, Requested Budget Template**, is to be submitted in its original Excel format.
  2. Each Application section must have a cover page with the Applicant's legal name, RFA number, and Name of Grant identified.

- B. 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:

- A. Withdraw its Application by submitting a written request to the Sole Point of Contact; or
- B. Modify its Application by submitting an entirely new submission, complete in all respects, using one of the approved methods 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.

## **Article IX. Application Screening and Evaluation**

### **9.1 OVERVIEW**

A three-step selection process will be used:

- A. Application screening to determine whether the Applicant meets the minimum requirements of this RFA;
- B. Evaluation based upon specific criteria; and
- C. 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 F, 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 E, Evaluation Tool**.

**Scoring Criteria:** Qualified Applications shall be evaluated based upon:

- A. Qualifications/Experience (15%);
- B. Performance Requirements/Deliverables (60%); and

C. Budget Proposal (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:

- A. Notices of termination;
- B. Cure notices;
- C. Assessments of liquidated damages;
- D. Litigation;
- E. Audit reports; and
- F. 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:

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.

## 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:

### A. 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).

### B. 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>

### C. 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>

1. Companies that boycott Israel;
2. Companies with Ties to Sudan;
3. Companies with Ties to Iran;
4. Foreign Terrorist Organizations; and

5. Companies with Ties to Foreign Terrorist Organizations.

#### **D. 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.hhs.gov/exclusions>

#### **E. 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 reserves the right to conduct additional checks to determine eligibility to receive a Grant Agreement.

### **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:

*A. Award up to four (4) Community Coalitions as a result of this solicitation; and*

*B. Funding amounts up to \$350,000 per awardee*

The System Agency will make final funding decisions based on Applicant eligibility, evaluation rankings, the funding methodology above, and include as applicable: geographic distribution across the State, State priorities, reasonableness, availability of funding, cost-effectiveness, and other relevant factors.

All funding recommendations will be considered for approval by the 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:

- A. An in-depth discussion of the submitted Application and requested Budget; and
- B. 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](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 or more Grant Agreements 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 tobacco prevention and reduction services to Texas communities.

### **11.2 TEXAS HISTORICALLY UNDERUTILIZED BUSINESSES (HUBS)**

While there are no requirements to do so, System Agency encourages Applicant to use HUBs to provide goods and services.

For information regarding the Texas HUB program, refer to CPA's website:

<https://comptroller.texas.gov/purchasing/vendor/hub/>.

## 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:

#### **A. Mark Original Application:**

1. 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
2. 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).

**B. 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

**C. 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:

1. 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);
2. Each portion Applicant claims is exempt from public disclosure must be redacted (blacked out); and
3. 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.**

### **Article XIII. Submission Checklist**

**HHSC 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 F, Requested Budget 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:

**A. Administrative Information**

1. Form A, Face Page
2. Form B-1, Governmental Entity – Authorized Officials
3. Form B-2, Nonprofit or For-Profit, if applicable
4. Form C, Financial Capacity and Fiscal Controls
5. Form C-1, Organizational Financial Information and Internal Controls Questionnaire

**B. Narrative Proposal [The Narrative Proposal must be titled “Narrative Proposal” and include the Applicant’s Legal Name, the RFA No., and the name of the Grant Program. Use the titles below for each required section.]**

1. Form D, Applicant Experience Administering Similar Projects
2. Form E, Narrative Proposal
3. Form F, Requested Budget Template (Excel)

**C. Exhibits to be Completed, Signed, and Submitted with Application**

1. Exhibit A, HHS Solicitation Affirmations  
**Exhibit A 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.**
2. Exhibit B, HHS Uniform Terms and Conditions

**This Requested Budget 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.**

3. Exhibit C, Assurances – Non-Construction Programs
4. Exhibit D, Certification Regarding Lobbying
5. Exhibit G, FFATA Certification Form
6. Exhibit H, Exceptions Form – if applicable

## **Article XIV. List of Forms and Exhibits Attached to RFA**

### **Forms**

Form A, Face Page

Form B-1, Governmental Entity – Authorized Officials

Form B-2, Non-Profit or For-Profit Entity

Form C, Financial Capacity and Fiscal Controls

Form C-1, Organizational Financial Information and Internal Controls Questionnaire

Form D, Applicant Experience Administering Similar Projects

Form E, Narrative Proposal

Form F, Requested Budget Template

### **Exhibits**

Exhibit A, HHS Solicitation Affirmations

Exhibit B, HHS Uniform Terms and Conditions

Exhibit C, Assurances – Non-Construction Programs

Exhibit D, Certification Regarding Lobbying

Exhibit E, Evaluation Tool

Exhibit F, Online Bid Room Instructions

Exhibit G, FFATA Certification Form

Exhibit H, Exceptions Form