



TEXAS

Health and Human Services

Cecile E. Young, Executive Commissioner

Request for Applications (RFA)

Grant for

Supplemental Nutrition Assistance Program

Outreach and Application Assistance

RFA No. HHS0013551

DEADLINE FOR SUBMISSION OF APPLICATIONS

October 06, 2023, by 10:30 a.m. Central Time

Contents

Article I. Executive Summary, Definitions, and Statutory Authority 5

- 1.1 Executive Summary 5
- 1.2 Definitions and Acronyms 6
- 1.3 Authority 10
- 1.4 Standards..... 11

Article II. Scope of Grant Project12

- 2.1 Purpose..... 12
- 2.2 Program Background 12
- 2.3 Eligible Population 12
- 2.4 Service Area 12
- 2.5 Eligible Activities 12
- 2.6 Program Requirements 15
- 2.7 Deliverables 16
- 2.8 Performance Measures and Monitoring 16
- 2.9 Financial Management System..... 17
- 2.10 Final Billing Submission 18
- 2.11 Data Use Agreement 18
- 2.12 Prohibitions 18

Article III. Respondent Eligibility Requirements20

- 3.1 Eligible Respondents 20
- 3.2 Legal Authority to Apply 20
- 3.3 Application Screening Requirements 21
- 3.4 Grant Award Eligibility 21
- 3.5 Grants for Political Polling Prohibited..... 21

Article IV. Project Period and Grant Term22

- 4.1 Project Period 22
- 4.2 Grant Term..... 22
- 4.3 Project Closeout..... 22

Article V. Grant Funding and Reimbursement Information.....23

- 5.1 Grant Funding Source and Available Funding 23
- 5.2 No Guarantee of Reimbursement Amounts 24
- 5.3 Grant Funding Prohibitions 24

5.4	Cost Sharing or Matching Requirements	25
5.5	Payment Method.....	26
Article VI. Application Forms and Exhibits for Submission		27
6.1	Narrative Proposal	27
6.2	Expenditure Proposal.....	29
6.3	Indirect Costs	33
6.4	Administrative Respondent Information	34
Article VII. RFA Administrative Information and Inquiries		35
7.1	Schedule of Events	35
7.2	Sole Point of Contact	36
7.3	RFA Questions and Requests for Clarification.....	36
7.4	Ambiguity, Conflict, Discrepancy, Clarifications	37
7.5	Responses To Questions or Request for Clarifications.....	37
7.6	Changes, Amendment Or Modification To RFA.....	38
7.7	Exceptions and Assumptions	38
7.8	Respondent Conference	38
Article VIII. Application Organization and Submission Requirements		40
8.1	Application Receipt	40
8.2	Application Submission	40
8.3	Required Submission Method.....	40
8.4	Costs Incurred for Application	41
8.5	Application Composition	41
8.6	Application Organization	41
8.7	Application Withdrawals or Modifications	41
Article IX. Application Screening and Evaluation.....		43
9.1	Overview	43
9.2	Initial Compliance Screening of Applications	43
9.3	Questions or Requests for Clarification for Applications	43
9.4	Evaluation Criteria.....	44
9.5	Past Performance	44
9.6	Compliance for Participation in State Contracts.....	45
Article X. Award of Grant Agreement Process		47

10.1	Final Selection	47
10.2	Negotiations	47
10.3	Disclosure of Interested Parties	47
10.4	Execution and Announcement Of Grant Agreement(s)	48
<i>Article XI. General Terms and Conditions</i>		49
11.1	Grant Application Disclosure	49
<i>Article XII. Application Confidential or Proprietary Information</i>		50
12.1	Texas Public Information Act – Application Disclosure Requirements	50
12.2	Respondent Waiver – Intellectual Property	52
<i>Article XIII. Submission Checklist</i>		53
<i>Article XIV. List of Forms and Exhibits Attached to RFA</i>		55

Article I. Executive Summary, Definitions, and Statutory Authority

1.1 EXECUTIVE SUMMARY

The Texas Health and Human Services Commission (“**HHSC**”) administers the State’s medical, nutritional, and cash assistance benefit programs, including the Supplemental Nutrition Assistance Program (“**SNAP**”). State agencies administering SNAP have the option to conduct program informational activities to inform low-income households about the availability, eligibility requirements, application procedures, and benefits of SNAP. These activities can also correct misperceptions about the program and enable potentially eligible individuals to make an informed decision about whether to apply.

HHSC’s mission is to improve the health, safety, and well-being of Texans, with good stewardship of public resources. Through this solicitation, HHSC, the System Agency, seeks qualified Respondents to provide comprehensive SNAP Outreach and Application Assistance services to individuals and families throughout the State, as well as higher level case management services to address supplemental needs.

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

Grant Name:	Supplemental Nutrition Assistance Program Outreach and Application Assistance
RFA No.:	HHS0013551
Deadline for Submitting Questions or Requests for Clarifications:	September 20, 2023, at 5:00 PM Central Time
Estimated Total Available Funding:	\$25,566,975.00
Estimated Total Number of Awards:	One (1)
Estimated Max Award Amount:	\$5,113,395.00 per year over the five-year project term.
Match, if any:	Match is not required. Respondent may propose match as part of their application. Match must be used to increase the overall award for Strategy 2, Comprehensive Application Assistance, and Strategy 4, Comprehensive Referral and

	Follow-up, combined. See Section 5.4 for more information
Anticipated Project Start Date:	October 1, 2024
Length of Project Period:	Five (5) years.
Eligible Respondents:	In order to be eligible for a grant award, all Respondents must be qualified to do business in the State of Texas, and must meet the requirements found in Article III, Respondent Eligibility Requirements .

To be considered for screening, evaluation and award, Respondents 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.

[“Accrual Basis Accounting Method”](#) is an accounting method where revenue or expenses are recorded when a transaction occurs versus when a payment is made or received. The method follows a matching principle, which says that revenues and expenses should be recognized in the same period.

[“Addendum”](#) or *Addenda* means written clarification or revision to this RFA, including exhibits, forms, and attachments, as issued and posted by HHSC to the HHS Grants RFA website.

[“Application”](#) means all documents the Respondent 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 proposed Match, submitted as part of the Application in response to this RFA. A Respondent’s requested Budget may differ from the System Agency-approved Budget executed in the final Grant Agreement.

“Calendar Day” means each and every day shown on the calendar.

“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.

“Client” means a member of the target population eligible to receive SNAP outreach and applications assistance to be served under a Grant Agreement as a result of this RFA.

“Communication Plan” means the plan that provides administrative oversight and support for Project discussions, ongoing and successful coordination between HHSC and the Grantee, and decision-making between HHSC and the Grantee to ensure compliance with the requirements of the Grant Agreement.

“Contract” means, for the purpose of federal financial assistance, a legal instrument by which a Recipient or Subrecipient purchases services needed to carry out the project or program under a federal award. For additional information on Subrecipient and contractor determinations, see 2 CFR § 200.331 and 45 CFR §75.351. See also the definition of subaward in this section.

“Contract Monitoring Questionnaire” or “CMQ” means the questionnaire, which the Grantee provides to HHSC with detailed information regarding the Grantee’s internal controls and general processes important to HHSC contracting. HHSC uses the CMQ as part of the contract risk evaluation process.

“Controlled Asset” is an item that has an estimated life of greater than one year and valued between \$500 to \$4,999.99. Controlled assets purchased with SNAP CPP Grant Project funds will require pre-approval and must be tracked on the HHSC Inventory Log.

“Cost Reimbursement” is a payment method based on an approved budget and submission of a request for reimbursement of expenses Grantee has incurred at the time of the request.

“CPP” means the Community Partner Program administered by HHSC that builds bridges between HHSC and communities statewide to provide Texans with access to food, cash, and health care assistance (texascommunitypartnerprogram.com).

“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.

“DUA” means Data Use Agreement.

“Effective Date” means the date agreed to by the Parties as the date on which the Contract takes effect.

“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.

“Federal Tax ID Number” means the number used to identify individuals, businesses, and other legal entities for tax purposes pursuant to the Internal Revenue Code (IRC) and specific tax laws that affect different types of legal entities.

“Fiscal Year” or “Federal Fiscal Year” means the that the year begins on October 1st and ends on September 30th of the following year. For this RFA, the Fiscal Year aligns with the starting and ending dates of the Project Period.

“General Office Supplies” means consumable supplies that will be used by the project staff. (i.e., paper, notepads, pens, pencils, staplers, staples, tape, tape dispensers, etc.)

“Governance” means the act or process of overseeing the Project.

“Governance Structure” means the Grantee’s administrative or leadership oversight structure.

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

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

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

“HHSC” means the Health and Human Services Commission.

“HHSC Inventory Control Log” is an inventory log that will be used to track all controlled assets and capital equipment purchased for the Grant Project.

“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.

“KPRs” means Key Performance Requirements.

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

“Operational Year” means the period from and including October 1 of any calendar year to and including September 30 of the following calendar year.

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

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

“Recipient” A non-federal entity that receives a federal award directly from a federal awarding agency to carry out an activity under a federal program. The term Recipient does not include Subrecipients (2 CFR § 200.86). Recipient may also refer to a solely state funded grantee.

“Respondent” 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 Respondent and to bind the Respondent under any Grant Agreement that may result from the submission of the Application.

“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”.

“SNAP” means Supplemental Nutrition Assistance Program.

“SPI” means Security and Privacy Inquiry.

“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 Textravel” means the State Travel Management Program through the Texas Comptroller of Public Accounts (Comptroller) [website](#) and [Texas Administrative Code, Title 34, Part 1, Chapter 5, Subchapter C, Section 5.22](#), relative to travel reimbursements.

“Subrecipient” A non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program but does not include an individual that is a beneficiary of such program. A Subrecipient may also be a Recipient of other federal awards directly from a federal awarding agency. (2CFR § 200.93.)

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

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

“VPTS” means Vendor Performance Tracking System.

“Unique Entity Identifier” means the number assigned to entities by the System Award Management (SAM) used to identify organizations doing business with the federal government.

1.3 AUTHORITY

HHSC has the authority to conduct comprehensive SNAP Outreach and Application Assistance Services under Section 11(e) (1) (A) of The Food and Nutrition Act of 2008, as amended; the Texas Human Resources Code Section 33.025, Nutrition Education and Outreach for those eligible for SNAP; and 7 U.S. Code § 2020 –Administration.

The award resulting from this RFA is subject to the availability of appropriated State funds and any modifications or additional requirements that may be imposed by law.

Federal Grant Program:	SNAP Outreach and Application Assistance Services
Federal Awarding Agency:	United States Department of Agriculture – Food and Nutrition Service (FNS)
Federal Award Identification Number (FAIN):	258TX105S2514
Assistance Listing Number and Program Title:	10.561 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) APPLICATION ASSISTANCE GRANT PROGRAM

1.4 STANDARDS

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

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Article II. Scope of Grant Project

2.1 PURPOSE

HHSC invites qualified organizations to submit a grant Application to request funding to provide Supplemental Nutrition Assistance Program Outreach and Application Assistance services. The purpose of this program is to increase the number of SNAP-eligible individuals and families receiving benefits, help them navigate and manage the benefit Application process, and provide referrals to other needed resources (e.g., housing and utility assistance). It is anticipated that by improving participation rates, reducing inefficiencies in the Application process, and implementing educational and follow-up strategies, individuals and families will have the support they need to mitigate the cycle of food insecurity and make progress toward economic self-sufficiency.

Respondents must address the requirements in this **RFA** and **Exhibit D, SNAP Outreach Contract Requirements**, which outline the requirements if a grant is awarded.

2.2 PROGRAM BACKGROUND

While SNAP offers Clients the opportunity for improved nutrition and progress toward economic self-sufficiency, some low-income populations who are eligible for SNAP do not participate. Past application assistance efforts have been successful in connecting vulnerable individuals and families throughout the State to needed assistance and nutritional services. HHSC aims to build on these efforts to improve services, with a greater emphasis on specific priority populations.

2.3 ELIGIBLE POPULATION

The SNAP Outreach and Application Assistance Program targets low-income individuals and families who may be eligible for benefits but are not currently participating in SNAP. The Grantee must have the capacity to provide these services throughout the State and in multiple languages and diverse settings.

2.4 SERVICE AREA

Statewide. The Grantee must provide services in all 254 Texas counties.

2.5 ELIGIBLE ACTIVITIES

Funding for this Grant Project may be used only to support activities and costs that are allowed by the laws, regulations, rules, and guidance governing fund use identified in this RFA. Only those activities and costs shall be eligible for reimbursement and payment under Grant Agreement resulting from this RFA.

The Grantee must provide the services required under this RFA. The following summary provides the activities being procured. (These activities and other contract requirements are further detailed in **Exhibit D, SNAP Outreach Contract Requirements**.)

The Grantee must implement the following projects and strategies:

A. Strategy 1: Formalized Network of Organizations to Provide Comprehensive Application Assistance and Referral Services:

Establish a network of organizations to provide comprehensive application assistance through the HHSC online portal, YourTexasBenefits.com, for HHSC benefits including SNAP, healthcare, food, and cash assistance to populations' likely eligible for SNAP. Provide assistance in the form of informational activities and resources that will inform individuals, families, and communities about the application procedures, availability of benefits, and eligibility requirements.

1. The Grantee must establish and maintain a network of organizations that cover all 254 Texas counties and are equipped to provide application assistance and case management services to populations eligible for SNAP benefits.
2. The Grantee must provide training and technical assistance to all staff and network of organizations staff to ensure 100% of the staff meet HHSC CPP certification requirements and have the knowledge and skills to provide the required services as required in **Exhibit D, SNAP Outreach Contract Requirements, III. Program Requirements C. Other Requirement 1.**
3. The Grantee must have documented processes and procedures for providing services under this grant, as well as the capacity to formally monitor network organizations as required in **Exhibit M, Deliverables, D-05, Network Monitoring.**
4. The Grantee must ensure execution of subcontracts with network organizations within ninety (90) Calendar Days of the contract effective date of October 1, 2024.
5. The Grantee must ensure 95% of network staff must be hired within sixty (60) Calendar Days of the contract effective date and maintained at that minimum level throughout the contract period.
6. The Grantee must ensure all new network staff must be trained within ten (10) Calendar Days of hire.
7. The Grantee must ensure all network organizations will receive two in-person technical assistance visits during the contract year.
8. The Grantee must participate in bi-monthly program meetings with HHSC.

B. Strategy 2: Provision of Comprehensive Application Assistance: Provide comprehensive application assistance with strategies to increase online utilization of self- service tools, resources, and the election of electronic notifications.

1. Grantee will ensure its network organizations have the training, skills, and infrastructure to provide application assistance and limited case management services to populations in their service areas.
 - a. The Grantee must ensure at least 80% of assisted applications are submitted each month by the network organizations via YourTexasBenefits.com.

- b. The Grantee must ensure a customer satisfaction rate of 90% will be maintained based on results of follow-up customer surveys regarding application assistance and referral services received.
 - c. The Grantee must ensure at least 70% of all online applications submitted will be process ready, with all required attachments.
 - 2. Network organizations must have the capacity to assist Clients on-site and via mobile assistance. Materials developed to help Clients understand the application process must be in multiple languages and formats, depending on the needs of local populations.
 - a. Languages includes English, Spanish, both English and Spanish, and Vietnamese.
 - b. Format includes online through YourTexasBenefits.com, by mail, by fax, or by phone.
 - i. Processes and procedures must address both electronic and hard copy application submissions, with emphasis on electronic application submissions as required in **Exhibit M, Deliverables, D-16, Staff Development Plan** (i.e., use of YourTexasBenefits.com and mobile app).
 - ii. Grantee must ensure the protection of confidential Client information, including processes for obtaining Client consent, securing Client data, and handling privacy breaches as required in **Exhibit E, Data Use Agreement**.
- C. **Strategy 3: Targeted Messaging for SNAP:** Develop and implement Targeted Messaging strategies for SNAP that will provide information necessary to apply for benefits, access the YourTexasBenefits.com website, utilize the mobile application, receive electronic notifications, and general SNAP information.
 - 1. Develop and implement Targeted Messaging strategies for SNAP that will provide the information necessary to assist Client's in applying for benefits, in how to access the YourTexasBenefits.com website, utilize the mobile application, receive electronic notifications, and receive general SNAP benefits information.
- D. **Strategy 4: Comprehensive Referral and Follow-Up System:** Develop a comprehensive referral and follow up system to support individuals seeking assistance.
 - 1. Grantee must implement a comprehensive referral management and follow-up program in which network organizations connect SNAP Clients with appropriate supplemental services to address needs other than nutrition (e.g., childcare, housing, transportation, utility payments, etc.).
 - 2. Grantee must develop and implement a Client referral tracking system to facilitate the secure exchange of Client data with referral partners. The Grantee's Client referral Tracking System must have the ability to generate the following information:
 - a. Number of SNAP Clients enrolled in the program;

- b. Number of SNAP Clients provided referrals during the reporting period;
- c. Number and types of referrals made;
- d. Number of Clients who followed up on their referrals and contacted the partner agency;
- e. Number of Clients who received services from partner agencies;
- f. Number of Clients who contacted the partner agency, but did not receive services, and the reason(s); and
- g. The number and types of complaints received from Clients about their experiences with partner agencies.
 - i. Grantee must ensure network organizations have formal agreements in place with referral partners that address roles, responsibilities, and protection of Client data. This includes, but is not limited, to the requirements listed in the following:
 - 1. **Exhibit B, Health and Human Services (HHS) Uniform Terms and Conditions Grant Version 3.2, and**
 - 2. **Exhibit E, Data Use Agreement (DUA) Version 8.5.**
 - ii. Grantee must ensure network organizations develop and implement policies and procedures that address processes for Client assessment, referrals to network of organizations, and Client follow-up.

E. Strategy 5: Increased Access for Isolated Communities: Develop and implement innovative strategies and service delivery to increase access to application assistance in isolated communities.

- 1. Increase access for isolated communities by expanding capacity to provide services to populations in areas that lack broadband access.

2.6 PROGRAM REQUIREMENTS

A. SNAP Infrastructure

1. Physical Location and Hours of Operation

The Grantee will propose and maintain a physical SNAP location accessible to the public Monday through Friday during the hours of 8:00 a.m. to 5:00 p.m. in the local time zone, except on national and state holidays, as established in section [662.003 of the Texas Government Code](#).

2. Holidays

The Grantee may observe other holidays if written notice is provided to HHSC thirty (30) Calendar Days in advance of the holiday and office closure.

B. SNAP Services

1. To meet the goals and objectives of the SNAP Outreach and Application Assistance Program, Grantees must be in compliance with the requirements detailed in **Exhibit D, SNAP Outreach Contract Requirements**.
2. In addition to the activities described in **Section 2.5** and further detailed in **Exhibit D, SNAP Outreach Contract Requirements**, the Grantee will be required to:
 - a. Have the existing infrastructure to support the activities and Contractual requirements set forth in this RFA. This includes physical locations, staffing, systems support, and other elements necessary to support operations. Funding is not intended for start-up operations.
 - b. Develop and implement a robust Client satisfaction process to assess the quality of services provided and identify any service gaps that must be addressed.
 - c. Have comprehensive security measures in place to ensure protection of Client data.
 - d. Ensure new staff and volunteers complete the background check process and HHSC CPP certification training within fifteen (15) Calendar Days from the contract Effective Date. Monitor existing staff to ensure they complete annual recertification training to avoid being de-provisioned from access to the HHSC systems.
 - e. Establish a partnership with HHSC to become a CPP and ensure all network organizations become partners as well.
 - f. Participate in bi-monthly meetings with CPP staff to address any program issues that may impact contractual performance.

2.7 DELIVERABLES

The Grantee must submit the reports referenced in **Exhibit M, Deliverables**, by the designated due dates. HHSC will monitor the Grantee's performance by reviewing their financial and programmatic deliverables and the established performance measures.

The Grantee must complete and submit all the applicable deliverables in the format and by the date specified by HHSC. All reports must be accurate and complete and must be supported by the documentation of the activities and services provided. A Grantee's failure to comply with submission deadlines for required reports, or other HHSC requests for information may result in adverse action against Grantee. HHSC, in its sole discretion, may place 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 the awarded 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. Grantee must adhere to [CFR § 200.332](#) Requirements for pass-through entities and HHS Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards ([45 CFR Part 75](#)). Specifically, the Grantee must conduct monitoring activities in accordance with sections 75.351 through 75.353 of Subpart D of 45 CFR Part 75.

The Grant Agreement awarded as a result of this RFA is 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.

Grantee 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. Grantee must submit the necessary information and documentation regarding all requirements, including reports and other deliverables and will be expected to report on all Key Performance Requirements as outlined in **Exhibit L, Key Performance Requirements**, and **Exhibit M, Deliverables**.

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 services provided and their impact, quality, and levels of performance against approved goals, and that Grantee's activities and services effectively addressed and achieved the Project's purpose.

2.9 FINANCIAL MANAGEMENT SYSTEM

The Grantee must have a financial management system in place to maintain internal controls, ensure proper management of federal and state funds, maximize non-federal resources, and maintain solvency. The Grantee's accounting and internal control systems must meet the following requirements:

- A. The systems must be appropriate to the size of the organization.
- B. The accounting system must consist of source documents, a chart of accounts, journals, ledgers, and routine financial reports.
- C. The accounting system must be capable of producing expenditure reports, cost center analyses, budget formats, and automated reports as required by, and without additional support from, HHSC.
- D. Include records that identify adequately the source and application of funds for federally funded activities. These records must contain information on Federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest and be supported by source documentation.
- E. Effective control over, and accountability for, all funds, property, and other assets. Ensure all funds and assets are adequately safeguarded and are solely used for authorized purposes

- F. Comparison of expenditures with budget amounts for each grant award. Written procedures to implement the requirements of this section.
- G. The internal controls system must safeguard the Grantee’s assets, produce accurate accounting data, promote efficient operations, and ensure adherence to prescribed accounting policies and procedures.
- H. Effective internal control must involve a division of responsibility among different employees for a sequence of related functions, clear establishment of each employee's responsibilities and duties, and use of standards such as procurement policies, proofs, checks, and other security measures.
- I. Meet the minimum standards for financial management systems in the [Code of Federal Regulations \(CFR\) 277.6 – Standards for Financial Management Systems](#) and [2 CFR Statue 200.302 - Financial Management](#).
- J. The Grantee must use the accrual basis accounting method for all financial deliverables. This includes, but is not limited to, invoices, expenditure reports, or any other financial documents or reports as requested by HHSC. This requirement does not constitute a change to the agency’s financial management system. Refer to [45 Subtitle A Chapter A Part 75 D Standards for Financial and Program Management State Statue 75.302](#).

2.10 FINAL BILLING SUBMISSION

Unless otherwise directed by the System Agency, Grantee must 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 on an approved HHSC Request for Reimbursement (RfR) template. Reimbursement or payment requests received after the deadline may not be paid.

2.11 DATA USE AGREEMENT

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

2.12 PROHIBITIONS

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

- A. Recruitment activities designed to persuade an individual to apply for SNAP benefits. Prohibited recruitment activities are those designed to persuade an individual to apply for SNAP benefits using persuasive practices. Persuasive practices constitute coercing or pressuring an individual to apply or providing incentives to fill out an application;
- B. Radio, television, and billboard advertisements that promote SNAP benefits and enrollment. This prohibition on using Federal funds does not apply to advertisements for Disaster SNAP (“**D-SNAP**”). This prohibition also does not apply to social media, so long as the message is not a recruitment activity designed to persuade people to apply for SNAP benefits;

- C. Any agreements with foreign governments designed to promote SNAP benefits and enrollment;
- D. Determining eligibility of a SNAP applicant. This is a certification activity and is the responsibility of HHSC Eligibility Determination Staff. Certification activities are not included in outreach plans;
- E. Activities related to authorizing retailers for Electronic Benefit Transfer (“**EBT**”);
- F. Activities that solely benefit programs other than SNAP, including Temporary Aid for Needy Families (“**TANF**”) and Medicaid. Activities that benefit multiple programs must be appropriately cost allocated;
- G. Acting as an authorized representative for applying, receiving SNAP benefits at issuance, or food purchasing;
- H. Transportation of Clients to or from the local SNAP office or provisions of tokens, vouchers, or similar items for transportation of Clients to or from the local SNAP office. For example, a transit agency could donate bus vouchers for use by potential SNAP Clients to travel back and forth to the local SNAP office at no expense to the HHSC;
- I. Compensating staff for application assistance activities based on the number of people who apply for SNAP as a result of that worker’s efforts. For example, paying a staff person \$10 for each application they help a Client complete; and
- J. Interfering during the certification interview or at other times to campaign on behalf of specific applicants or clients. However, application assistance workers may be present to provide support or help explain complicated terms.

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Article III. Respondent Eligibility Requirements

3.1 ELIGIBLE RESPONDENTS

The Respondents eligible to submit a grant under this RFA **must** meet the following eligibility criteria:

- A. Be a public or private non-profit entity;
- B. Be in business within the last three (3) years, and financially solvent be adequately capitalized; and
- C. Be located and have a business address in the State of Texas; and
- D. Be listed as a resource for services in 2-1-1 Texas Information and Referral Network (www.211Texas.org);

OR

Provide 2-3 professional references from local organizations that are familiar with the Respondent's services to the community;

OR

Be one of the following types of organizations:

- 1. Head Start or Early Head Start programs listed on the National Head Start Website
- 2. Texas Independent School Districts listed on the Texas Education Agency Website
- 3. Texas Public Libraries listed on the Texas Public Libraries website
- 4. City or County Governments listed on the www.texas.gov website
- 5. Texas state agencies listed on the Texas State Library and Archives Commission website
- 6. Native American tribes listed on the National Congress of American Indians website

****The Respondent must complete and submit RFA Form A, Respondent Information with the supporting documentation to prove that the Respondent meets the criteria listed above.**

3.2 LEGAL AUTHORITY TO APPLY

By submitting an Application in response to this RFA, Respondent 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, Respondent 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 Respondent and, if the Recipient of an award, Grantee and its subgrantees or subcontractors, if any.

Each Respondent may only submit one grant Application.

3.3 APPLICATION SCREENING REQUIREMENTS

Applications will be reviewed for minimum qualifications and completeness. All completed Applications that meet the minimum qualifications will move to the evaluation stage. A Solicitation Response must appear realistic in terms of technical commitment, show technical competence, and indicate comprehension of the risk and complexity of a potential Grant Agreement.

In order to be considered eligible for evaluation, Respondent must meet the following minimum requirements:

- A. Submit an application by the stated deadline (date and time);
- B. Be an eligible entity; and
- C. Submit the required documentation to demonstrate all four (4) eligibility requirements in the **RFA Article III. Respondent Eligibility Requirements.**

3.4 GRANT AWARD ELIGIBILITY

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

- A. The Respondent 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. The Respondent is in good standing under the laws of Texas and has provided HHSC with any requested or required supporting documentation in connection with this certification;
- C. The Respondent 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; and
- D. The Respondent is not delinquent in taxes owed to any taxing authority of the State of Texas as of the effective date of this Grant Agreement.

3.5 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 that 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, Respondent 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 **October 1, 2024**, through **September 30, 2027**.

Extension of Project Period: The HHSC may, at its sole discretion, extend the Project Period for up to two (2) additional years.

4.2 GRANT TERM

The initial Grant Term will be effective October 1, 2024, and terminate on September 30, 2027, unless renewed, extended, or terminated pursuant to the terms and conditions of Grant Agreement.

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 forty-five (45) 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 each grant fiscal year within the Grant Agreement term and not expended by each of each Project fiscal year will revert to System Agency.

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Article V. Grant Funding and Reimbursement Information

5.1 GRANT FUNDING SOURCE AND AVAILABLE FUNDING

The total amount of State/Federal funding available for the Supplemental Nutrition Assistance Program Outreach and Application Assistance grant program is \$25,566,975.00 for the entire five-year Project Period. It is the System Agency's intention to make one award to one Respondent that successfully demonstrates the ability to conduct SNAP outreach activities.

The estimated annual funding available the five-year Project Period is as follows:

Funding	Amount
Strategy 1: Formalized Network of Organizations to Provide Comprehensive Application Assistance and Referral Services	\$196,015.00
Strategy 2: Provision of Comprehensive Application Assistance	\$3,713,604.00
Strategy 3: Targeted Messaging for SNAP	\$138,012.00
Strategy 4: Comprehensive Referral and Follow-Up System	\$1,015,622.00
Strategy 5: Increase Access for Isolated Communities	\$50,142.00
Amount per Year	\$5,113,395.00
5-year Project Funding Estimate	\$25,566,975.00

This grant opportunity is funded through the United States Department of Agriculture – Food and Nutrition Service (“FNS”), which reimburses state agencies for up to 50 percent of actual, allowable, and allocable costs, including program informational activities that are reasonable and necessary to operate approved activities. As the state agency that administers the SNAP program, HHSC has the option to contract with outside organizations to conduct allowable outreach activities at the same rate. The Grantee will provide the services contracted under the grant agreement and submit invoices to HHSC. HHSC will then seek reimbursement for such expenditures from FNS and reimburse the Grantee under the terms of the Contract. No spending or costs incurred prior to the effective date of the award will be eligible for reimbursement. Additionally, all contracted activities will be included in the state’s outreach plan, which is submitted to FNS annually for approval.

Respondents are strongly cautioned to only apply for grant funding they can responsibly expend during the Project Period to avoid lapsed funding at the end of the grant term. Respondents may not request funds that exceed the funds available for each of the Strategies. Successful Applications may only be funded up to the amount available for each of the five required projects/strategies in this RFA.

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

In addition to the prohibited costs set forth in **Section 2.12 Prohibitions** grant funds also may not be used to support the following services, activities, and costs:

- A. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
- B. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- C. Lobbying or advocacy activities with respect to legislation or to administrative changes to regulations or administrative policy ([cf. 18 U.S.C. § 1913](#)), whether conducted directly or indirectly;
- D. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
- E. Vehicles for general agency use; to be allowable, vehicles must have a specific use related to Project objectives or activities;
- F. Entertainment, amusement, or social activities and any associated costs including but not limited to admission fees or tickets to any amusement park, recreational activity, or sporting event unless such costs are incurred for components of a program approved by the grantor agency and are directly related to the program's purpose;
- G. Costs of promotional items, and memorabilia, including models, gifts, and souvenirs. For this Project, this does not exclude outreach reinforcements as defined in the Exhibit O, SNAP Outreach Guide July 2017;
- H. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel, where pre-approved for working events, or where such costs are incurred for components of a program approved by the grantor agency and are directly related to the program's purpose;
- I. Membership dues for individuals;
- J. Professional registration or license fees paid by individuals are not allowable since the fees are considered personal expenses, not institutional expenses;

- K. Any expense or service that is readily available at no cost to the Grant Project;
- L. Any activities related to fundraising;
- M. Any other prohibition imposed by federal, State, or local law; and
- N. Other unallowable costs as listed under [TxGMS, Appendix 7](#), Selected Items of Cost Supplement Chart and/or 2 CFR 200, Subpart E – Cost Principles, General Provisions for Selected Items of Cost, where applicable.

5.4 COST SHARING OR MATCHING REQUIREMENTS

Federal Match requirements are met through the State’s contribution of funding to this award. The Respondent may, but is not required to, include cash Match in the proposed budget.

If Match is included as part of the award, Grantee must spend the cash they hold on HHSC approved outreach activities in Strategy 2 and/or 4 and then submit their invoices to System Agency. System Agency may seek reimbursement for such expenditures from the Federal award and reimburse the Grantee under the terms of the award.

If choosing to include Match, Respondents must identify any matching funds they will contribute to the proposed activities when completing their Expenditure Proposals. This includes both anticipated matching funds and funds being certified in the proposal. Matching funds may be provided through local philanthropic, private, or city or county funds, pooled or braided funds from collaborative partner organizations committed specifically for the proposed project.

In-kind donations and contributions do not count towards Match.

Match is defined as the non-federal/non-State share of costs the Grantee will contribute to accomplish the purpose of the Grant Project, if applicable. Match must be treated consistently with grant funds and used only for allowable and allocable purposes related to the Grant Project.

Expenses paid by Grantee’s own funds and claimed as Match must meet all the following criteria:

- A. Are documented and verifiable from the Grantee’s records;
- B. Are not included as Match contributions for any other state or federal award (i.e., if the Grantee has already used the funds to match another federal grant or state contract, they cannot also be applied to activities under this RFA);
- C. Are necessary and reasonable for accomplishment of Grant Project objectives (i.e., costs do not exceed what a prudent person would do under the circumstances at the time the decision was made to incur the cost);
- D. Are allowable according to [Title 2 Code of Federal Regulations Subpart E – Cost Principles \(§200.420 - .475\)](#);

- E. Are not paid by the state or federal government under another state or federal award, except where state or federal statute authorizing a program specifically provides that state or federal funds made available for such program can be applied to matching or cost sharing requirements of other state or federal programs;
- F. Are provided for in the approved Grant Project Budget;
- G. Are consistent with policies and procedures that apply to both federally financed and other activities of the organization; and
- H. Are incurred during the performance period of the award.

At the end of the fiscal year, potential Match reported in the budget, but not actually provided as part of the contract, will not count towards the Match requirement of the Grant Agreement.

Matching funds, if proposed, must be identified in the Expenditure Proposal (see Section 6.2), including both anticipated matching funds and funds being certified in the proposal.

5.5 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, HHSC reimburses the Grantee 100% of costs (50% State General Revenue & 50% Federal).

If the Grantee contributes cash for actual, allowable, and allocable costs incurred monthly and supported by adequate documentation to finance operations, they must submit an invoice for the entire project costs. Grantee may be reimbursed up to 50% of those costs for the two eligible projects and strategies combined. The eligible strategies are: Strategy 2 Comprehensive Application Assistance and Strategy 4 Comprehensive Referral and Follow-up.

Request for reimbursement for private cash may not exceed the Respondent's proposed private cash match amount in the expenditure proposal.

The expenditures requested for reimbursements must be requested for the month in which the expenditures were incurred.

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Article VI. Application Forms and Exhibits for Submission

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

6.1 NARRATIVE AND WORK PLAN

Using **Form C (Narrative, Personnel and Organization, and Performance Requirements/Work Plan)** attached to this RFA, Respondents shall provide an executive summary. The summary must demonstrate an understanding of the System Agency's goals and objectives for this Solicitation.

6.1.1 Project Work Plan

Respondents must provide a narrative overview as required by **Form C Narrative Proposal** describing their proposed activities, processes, and methodologies to satisfy all objectives described in the **RFA Article II, Scope of Grant Project**, including the Respondent's approach to meeting the timeline and associated milestones for meeting the **Exhibit D, SNAP Outreach Contract Requirements**. Respondents must identify all proposed tasks to be performed, including all project activities, during the grant period. The Respondent must outline the following five (5) components outlined within **Exhibit D, SNAP Outreach Contract Requirements**:

- A. Strategy 1: Formalized Network of Organizations to Provide Comprehensive Application Assistance and Referral Services:** Establish a network of organizations to provide comprehensive application assistance through the HHSC online portal, YourTexasBenefits.com, for HHSC benefits including Supplemental Nutrition Assistance Program ("SNAP"), healthcare, food, and cash assistance to populations' likely eligible for SNAP. Provide assistance in the form of informational activities and resources that will inform individuals, families, and communities about the application procedures, availability of benefits, and eligibility requirements.
- B. Strategy 2: Provision of Comprehensive Application Assistance:** Provide comprehensive application assistance with strategies to increase online utilization of self- service tools, resources, and the election of electronic notifications.
- C. Strategy 3: Targeted Messaging for SNAP:** Develop and implement Targeted Messaging strategies for SNAP that will provide information necessary to apply for benefits, access the YourTexasBenefits.com website, utilize the mobile application, receive electronic notifications, and general SNAP information.
- D. Strategy 4: Comprehensive Referral and Follow-Up System:** Develop a comprehensive referral and follow up system to support individuals seeking assistance.
- E. Strategy 5: Increased Access for Isolated Communities:** Develop and implement innovative strategies and service delivery to increase access to application assistance in isolated communities.

Respondents must also include all Deliverables and Key Performance Requirements (“KPRs”) requested in **Article XIV. List of Forms and Exhibits Attached to RFA**, of this RFA and a plan of operation that meets the requirements specified in **Exhibit D, SNAP Outreach Contract Requirements**. HHSC’s expectations are for the Respondent to provide a clear and concise proposal.

6.1.2 Transition Plan

Respondents must include all documents requested including **Exhibit D, SNAP Outreach Contract Requirements, Article III. Program Requirements, Section H. Transition Plan**, requirements HHSC’s expectations are for the Respondent to provide clear and concise proposals.

The Transition Plan must include the following:

- A. Identification, management, and mitigation of risks related to assuming the Grantee responsibilities under the Contract and from the outgoing contract holder;
- B. Comprehensive and detailed step-by-step actions for successful transition of current operations from the outgoing contract holder to the Grantee, including the respective roles and responsibilities of each in the transition;
- C. The Respondent’s plan of action to ensure uninterrupted service to current Consumers; and
- D. Detailed schedule of continued business operations for all transition functions and requirements.

6.1.3 Plan of Operation

Form C., Narrative, Personnel and Organization, and Performance Requirements/Workplan, Section 2.6 requires a Plan of Operation. The Plan of Operation submitted as part of the Application must include all information requested in **Exhibit D, SNAP Outreach Contract Requirements, Article III. Program Requirements, Section I. Plan of Operation**.

6.1.4 Key Personnel and Organizational Requirements

Respondent must include all documents requested including **Exhibit D, SNAP Outreach Contract Requirements, Article III. Program Requirements, Section M. Key Personnel and Organizational Requirements**, requirements. HHSC’s expectations are for the Respondent to provide a clear and concise proposal.

The Respondent must submit an initial Key Personnel and Organizational Plan describing the structure for successful fulfillment of contract and performance requirements, and must include the items listed below in A.-E.

- A. A summary of the Grantee’s organizational capacity;
- B. Organization’s staff retention and turnover details;

- C. Organization's strategies, success, and experience in recruiting, hiring, and retaining staff;
- D. An organizational chart which includes the names and positions and identifies all key personnel that will be assigned to the project (include proposed vacant positions); and
- E. Staff Activity and Allocation Plan which includes a list of all key personnel with
 - 1. Staff names
 - 2. Staff positions,
 - 3. Staff responsibilities and tasks that staff will work on each proposed project or strategy; and
 - 4. The percentage of time each staff member is allocated to the project and strategies in the RFA.

6.2 EXPENDITURE PROPOSAL

Attached **Exhibit F, Expenditure Proposal**, of this RFA is the template for submitting the requested Budget. Respondent must develop the requested Budget to support their Proposed Project in alignment with the requirements described in this RFA.

Respondents 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.

Respondents must utilize the template provided, **Exhibit F, Expenditure Proposal**, and identify all line items. If Match is proposed, the Expenditure Proposal must include all proposed matching costs, up to 50% for eligible projects and strategies, Strategy 2 Comprehensive Application Assistance and Strategy 4 Comprehensive Referral and Follow-up combined. Budget categories must be broken out into specific line items that allow System Agency to determine if proposed costs are reasonable, allowable, and necessary for the successful performance of the Project. Respondents must enter all costs in the Budget tables and explain why the cost is necessary and how the cost was established. Proposed 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 Exhibit F, Expenditure Proposal, is mandatory. Respondents that fail to submit a requested Budget as set forth in this RFA with their Application will be disqualified.

6.2.1 Budget Cost Categories:

6.2.1.1 Salary and Wages. Compensation for personnel services include all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. This guidance is in accordance with the [CFR Title 2, Subtitle A, Chapter 2, Part 200, Subpart E § 200.430 Compensation - personal services](#). For each requested position, the Grantee must provide the following information:

- A. Name of staff member occupying the position, if available;
- B. Position is vacant or filled;
- C. Total monthly salary, number of months, and annual salary;
- D. Percentage of time budgeted for this program and projects;
- E. Total months of salary budgeted; and
- F. Total salary required. Also, the Respondent must provide a justification and describe the responsibility for each position, relating it to the accomplishment of program objectives.

6.2.1.2 Fringe Benefits. The cost of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance, and other similar benefits are allowable, provided such benefits are granted under established written policies. Such benefits must be allocated to Federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such Federal awards and other activities and charged as direct or indirect costs in accordance with the non-Federal entity's accounting practices in accordance with CFR Title 2, Subtitle A, Chapter 2, Part 200, Subpart E § 200.431 Compensation - fringe benefits. Fringe benefits are usually applicable to direct salaries and wages. The Respondent must provide information on the rate of fringe benefits used and the basis for their calculation. If a fringe benefit rate is not used, itemize how the fringe benefit amount is computed.

6.2.1.3 Consultant Cost. This category must be used when hiring individuals or businesses to give professional advice or provide a service such as Consultant (e.g., training, expert consultant, etc.) for a fee, but not as an employee of the Grantee organization. Written approval must be obtained from HHSC prior to establishing a written agreement for consultant services and obtained annually (by completing the annual budget) to establish the written agreement. Approval to initiate or continue program activities through the services of a consultant requires submission of the following information to HHSC for each consultant. This guidance is in accordance with the CFR Title 2, Subtitle A, Chapter 2, Part 200, Subpart E § 200.459 Professional service costs.

6.2.1.4 Contractual Cost. Agreements for network of organizations must obtain written approval from HHSC prior to establishing a third-party contract to perform program activities. Approval by HHSC to utilize funds and initiate program activities through a contractor requires submitting the following information for each contract to HHSC. A contract is for the purpose of obtaining goods and services for the non-Federal entity's own use and creates a procurement relationship with the contractor. This is in accordance with the CFR Title 2, Subtitle A, Chapter 2, Part 200, Subpart D § 200.331 Subrecipient and contractor determinations.

- A. Name of sub-contractor: Identify the name of the proposed sub-contractor and indicate whether the contract is with an individual, institution, or organization.
- B. Method of Selection: State whether the contract is sole source or competitive bid. If Grantee is the sole source for the contract, include an explanation as to why this institution is the only one able to perform contract services.
- C. Period of Performance: Specify the beginning and ending dates of the contract.
- D. Scope of Grant: Describe the specific services/tasks to be performed by the contractor and relate them to the accomplishment of program objectives.
- E. The Respondent must clearly define all deliverables.
- F. Method of Accountability: Describe how the progress and performance of the contractor will be monitored during and at the end of the contract period. The Grantee must identify who will be responsible for supervising the contract.
- G. Itemized Budget and Justification: The Respondent must provide an itemized budget with appropriate justification. If applicable, include any indirect cost paid under the contract and the indirect cost rate used.
- H. If the information described above is not known at the time the Application is submitted, the information may be submitted later as a revision to the budget. Copies of the actual subcontracts do not need to be submitted with the budget; however, copies of all subcontract agreements must be maintained on file and available to HHSC upon request. The Respondent must provide a summary of the proposed sub-contracts and amounts for each in the “Professional and Contractual” cost category.

6.2.1.5 Equipment. Equipment is defined as tangible, non-expendable personal property (including exempt property) that has a useful life of more than one year AND an acquisition cost of \$5,000 or more per unit. The purchase of all equipment will require three bids and prior approval from HHSC.

The Respondent must list each item requested individually and provide the following information:

- A. Number needed;
- B. Unit cost of each item; and
- C. Total amount requested.

The Respondent must also provide justification for the need and use of each item and how it relates to specific project activities and objectives.

Maintenance or rental fees for equipment should be shown in the *Other* category.

This guidance is in accordance with the CFR Title 2, Subtitle A, Chapter 2, Part 200, Subpart E § 200.439 Equipment and other capital expenditures.

6.2.1.6 Supplies. Include Controlled Assets, items such as laptops, tablets, printers, etc., valued between \$500 - \$4,999 are considered supplies and must be listed in the supply cost category. The purchase of controlled assets values at \$500 - \$4,999 will require three bids and HHSC prior approval. If a Respondent is purchasing from a DIR vendor, only one bid will be required. Supplies also include general office supplies and programmatic supplies. General Office Supplies include consumable supplies such as pens, pencils, notepads, notebooks, staplers, staples, paper clips, etc. Programmatic supplies include supplies used to implement the program or provide services, such as brochures, allowable outreach reinforcement items used for outreach events, and educational materials, etc. The Respondent must individually list each item and provide the following information for the items included:

- A. Specify the type of item, as appropriate;
- B. Number needed;
- C. Unit cost of each item; and
- D. Total amount requested.

If appropriate, general office supplies and outreach reinforcement items may be shown by an estimated amount per month times the number of months in the budget category if the description includes examples of items that would be purchased to ensure allowability. Also, the Respondent must provide a justification demonstrating how these items will be used for required activities or requirements in the contract and how they will benefit the Grant Project. Items purchased must be used within the contract fiscal year.

6.2.1.7 Travel. The Respondent must budget funds in the Travel category for local travel, regional travel, travel to HHSC meetings and trainings, or travel associated with the requirements in the contract.

All out of state travel requires prior approval from HHSC. Out-of-State Travel must be included in the budget and include a detailed justification and benefit to the project. All conferences and training must have a direct link to the activities in the State Plan and the provision of SNAP outreach.

Travel for consultants must be shown in the Consultant, Professional Services and Contractor category, if applicable.

Travel Costs may not include Conference Registration fees. Conference and Training Registration fees must be included in the Other cost category.

6.2.1.8 Other: This category contains items not included in the previous budget categories. Individually list each item requested and provide appropriate justification related to the program objectives.

For printing costs, the Respondent must identify the type of item that will be printed, and number of copies of documents to be printed (e.g., procedure manuals, annual reports, materials for media campaign).

6.2.1.9 Direct Cost. Show the direct costs by listing the totals of each category, including salaries and wages, fringe benefits, consultant costs, equipment, supplies, travel, other, and contractual costs. Provide the total direct costs within the budget.

6.2.1.10 Indirect Cost. To claim indirect costs, the Respondent organization must have a current approved indirect cost rate agreement established with the cognizant federal or state agency. A copy of the most recent indirect cost rate agreement must be provided with the budget.

6.3 INDIRECT COSTS

The Respondent must provide the total amount of Indirect Costs, if any. If no Indirect Costs are requested, enter "none." The Respondent 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. A Respondent without an Indirect Cost Rate letter can use a ten percent (10%) de minimis rate as defined in [2 CFR 200.414 Indirect \(F&A\) costs \(f\)](#) until such letter is provided to HHSC.

6.3.1 Prior to award, a Respondent 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 select an indirect cost rate option:

- A. Decline indirect costs;
- B. Request the de minimis rate;
- C. Submit a federally approved rate;
- D. Submit an approved rate agreement from another state agency; and
- E. Request to negotiate a rate agreement directly with the HHS Indirect Cost Rate Group.

6.3.2 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.

For more information on indirect cost rates visit: <https://www.hhs.texas.gov/doing-business-hhs/grants/indirect-cost-rates>.

6.4 ADMINISTRATIVE RESPONDENT INFORMATION

Using **Forms B** through **B-2** attached to this RFA, Respondent must provide satisfactory evidence of its ability as an organization to manage and coordinate the types of activities described in this RFA.

1. Litigation and Contract History

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

In addition, Respondent must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Respondent or in which Respondent has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify Respondent. See **Exhibit A, HHS Solicitation Affirmations**. Respondent 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 Respondent's prior history with the State of Texas or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual or grant obligations.

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Article VII. RFA Administrative Information and Inquiries

7.1 SCHEDULE OF EVENTS

EVENT	DATE/TIME
Funding Announcement Posting Date Posted to HHS Grants RFA and Texas eGrants websites	September 8, 2023
Respondent Conference Attendance is Optional	September 15, 2023, at 2:00 PM Central Time
Deadline for Submitting Questions or Requests for Clarification	September 20, 2023, at 5:00 PM Central Time
Date Answers to Questions or Requests for Clarification Posted	On or after September 25, 2023
Deadline for Submission of Applications NOTE: Applications must be <u>RECEIVED</u> by HHSC by this deadline if not changed by subsequent Addenda to be considered eligible.	October 06, 2023, at 10:30 a.m. Central Time
Anticipated Notice of Award	July 2024
Anticipated Project Start Date	October 2024

Respondents 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 reserves the right to change these dates at any time. At the sole discretion of HHSC events listed in the Schedule of Events are subject to scheduling changes and cancellation. Scheduling changes or cancellation determinations made prior to the Deadline for Submission of Applications will be published by posting an Addendum to the [HHS Grants RFA](#) website. After the Deadline for Submission of Applications, if there are delays that significantly impact the anticipated award date, HHSC, at its sole discretion, may post updates regarding

the anticipated award date to the [Procurement Forecast](#) on the HHS Procurement Opportunities [website](#). Each Respondent 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: Michele Rivers

Title: Grant Specialist, HHSC Procurement and Contracting Services

Email: Michele.Rivers@hhs.texas.gov

Respondents 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, Respondent may communicate with another designated HHS representative, e.g., during grant negotiations as part of the normal grant review process, if any.

Prohibited Communications: Respondents 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 Respondent and agency personnel for the purposes of conducting business unrelated to this RFA.

Failure of a Respondent 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.

Respondents' 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:

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

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

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

7.4 AMBIGUITY, CONFLICT, DISCREPANCY, CLARIFICATIONS

Respondents 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 Respondent submits its application at its own risk.

If Respondent 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, Respondent, 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 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 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 Respondent's responsibility to check the [HHS Grants RFA](#) website or contact the Sole Point of Contact for a copy of the Addendum with the amended answers.

7.6 CHANGES, AMENDMENT OR MODIFICATION TO RFA

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

It is the responsibility of each Respondent 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 Respondent 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 Respondent or awarded Grantee to stay informed of all postings to these websites. If the Respondent fails to monitor these websites for any changes or modifications to this RFA, such failure will not relieve the Respondent of its obligation to fulfill the requirements as posted.

7.7 EXCEPTIONS AND ASSUMPTIONS

Respondents 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.

7.8 RESPONDENT CONFERENCE

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

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

The conference may be held by webinar, conference call or both. Attendees are required to sign a conference attendance log and those joining via conference call are required to send

an email to the Sole Point of Contact (see **Section 7.2, Sole Point of Contact**) advising of participation in the conference. Whether signing the conference attendance log in person or sending email notification, each attendee must provide his/her name, attendee's company name, and attendee email address.

WEBINAR INFORMATION:

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

Registration URL:

<https://attendee.gotowebinar.com/register/7424859519088090203>

Webinar ID:

371-406-755

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Article VIII. Application Organization and Submission Requirements

8.1 APPLICATION RECEIPT

Applications must be received by HHSC by the Deadline for Submission of Applications specified in **Section 7.1, Schedule of Events**, or subsequent Addenda. HHSC will date and time stamp all Applications upon receipt. Applications received after the Deadline for Submission of Applications may be ruled ineligible. Respondents 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 Respondent'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 HHSC after submission and receipt and will not be returned to Respondent.

Respondents 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, Respondent represents and warrants that the individual submitting the Application and any related documents on behalf of the Respondent is authorized to do so and to binds the Respondent under any Grant Agreement that may result from the submission of an Application.

8.3 REQUIRED SUBMISSION METHOD

A. Respondents must submit their completed Applications by the Deadline for Submission of Applications provided in **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:** Respondents shall upload the following documents to the Online Bid Room utilizing the procedures in **Exhibit H, HHS Online Bid Room. File Size Limitation:** Restriction to 250MB per file attachment.

1. One (1) copy marked as "Original Application" that contains the Respondent's entire Application in a Portable Document Format (".pdf") file.
2. One (1) copy of the completed **Exhibit F, Expenditure Proposal**, 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.

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 Respondent.

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 Respondent’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,”).
 - a. **Exhibit F, Expenditure Proposal**, is to be submitted in its original Excel format.
 - b. Each Application section must have a cover page with the Respondent’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, a Respondent 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 Respondent's original and all prior submission(s) in its entirety and the original submission(s) will not be considered.

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Article IX. Application Screening and Evaluation

9.1 OVERVIEW

A three-step selection process will be used:

- A. Application screening to determine whether the Respondent 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, 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 a Respondent an unfair advantage over other Respondents 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 **Exhibit F, Expenditure Proposal**).

HHSC, at its sole discretion, may give a Respondent 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 Respondent’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 Respondent 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 Respondents.

9.4 EVALUATION CRITERIA

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

Scoring Criteria: Qualified Applications shall be evaluated based upon:

- A. Narrative, Personnel, and Organization (15%);
- B. Performance Requirements/Project Work Plan (55%); and
- C. Expenditures (cost effectiveness) (30%).

9.5 PAST PERFORMANCE

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

System Agency may examine Respondent's past performance which may include, but is not limited to, information about Respondent 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 Respondent performance based upon media reports. Any negative findings, as determined by System Agency in its sole discretion, may result in System Agency removing the Respondent from further consideration for award.

Past performance information regarding Respondents 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 Respondent's unsatisfactory performance.

Respondents 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. A Respondent's past performance may be considered in the initial screening process and prior to making an award determination.

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

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

9.6 COMPLIANCE FOR PARTICIPATION IN STATE CONTRACTS

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

The information (e.g., legal name and, if applicable, assumed name (d/b/a), tax identification number, Unique Entity Identifier (“UEI”, a unique identifier created via SAM.gov, which replaces the previously used DUNS)) provided by Respondent will be used to conduct these checks. At System Agency’s sole discretion, Respondents 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

Respondent 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

Respondent 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: [US Federal Contractor Registration \(USFCR\) | Start a SAM Registration](#)

C. Divestment Statute Lists

Respondent 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

Respondent must not be listed on the HHS Office of Inspector General Texas Exclusions List for people or businesses excluded from participating as a provider: [Exclusions | Inspector General \(texas.gov\)](#)

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

Respondent 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: [Exclusions | Office of Inspector General | U.S. Department of Health and Human Services \(hhs.gov\)](#)

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:

The System Agency will make final funding decisions based on Respondent 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 HHSC Executive Commissioner.

10.2 NEGOTIATIONS

After selecting Respondents for award, the System Agency may engage in negotiations with selected Respondents. As determined by System Agency, the negotiation phase may involve direct contact between the selected Respondent 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 Respondents 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 Respondent's submitted Application. These clarifications and additional details, as required, must be submitted in writing by Respondent 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.

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

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

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

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

10.4 EXECUTION AND ANNOUNCEMENT OF GRANT AGREEMENT(S)

The System Agency intends to award one Grant Agreement as a result of this RFA. However, not all Respondents 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 HHSC Program Deputy Executive 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.

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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 Respondent to disclose information regarding the Application for or award of State, federal, and/or local grant funding to the Respondent 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 program outreach and application assistance.

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Article XII. Application Confidential or Proprietary Information

12.1 TEXAS PUBLIC INFORMATION ACT – APPLICATION DISCLOSURE REQUIREMENTS

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

Under the PIA, certain information is protected from public release. If Respondent asserts that information provided in its Application is exempt from disclosure under the PIA, Respondent 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 Respondent 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**, Respondent’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 Respondent claims is exempt from public disclosure must be redacted (blacked out); and
3. Respondent 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, Respondent agrees that, if Respondent does not mark the Original Application, provide the required certification in Exhibit A, HHS Solicitation Affirmations, and submit the Public Information Act (PIA) 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 Respondents 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 Respondents that fail to fully comply with the requirements set forth in this section, or (2) to offer all Respondents that fail to fully comply with the requirements set forth in this section additional time to comply.

No Respondent 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 Respondent asserts a copyright to any portion of its Application, by submitting an Application, Respondent 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, Respondent 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. Respondents 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 Respondents.

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 RESPONDENT 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.

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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, Respondents will be notified in writing of the opportunity to provide the missing documentation by a specified deadline. Failure by a Respondent 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 Exhibit F, Expenditure Proposal (completed), will be disqualified. See Section 9.2, Initial Compliance Screening of Applications for further detail.

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

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

1. Administrative Information

- a. Form A, Face Page – Respondent Information _____
- b. Form B, Administrative Information _____
- c. Form B-1, Governmental Entity, if applicable; or _____
- d. Form B-2, Nonprofit Entity, if applicable _____

2. Narrative and Work Plan

The Narrative and Work Plan must be titled “Narrative and Work Plan” and include the Respondent’s Legal Name, the name of the Grant Program, and the RFA No.

- a. Form C, Narrative, Personnel and Organization, and Performance Requirements/Work Plan _____
- b. Form D, Financial Management and Administration Questionnaire _____
- c. Form E, Texas Health and Human Services Indirect Cost Rate (ICR) Questionnaire _____

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

- a. 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 Form A, Face Page may be disqualified.

- b. Exhibit E, Data Use Agreement _____
- c. Exhibit E-1, Security and Privacy Inquiry (SPI), Attachment 2 to DUA _____
- d. Exhibit F, Expenditure Proposal (Excel) _____
The Expenditure Proposal is mandatory and must be submitted with the Application, in the original format (Excel) included in the RFA, for the Application to be considered responsive. Applications received without the completed Expenditure Proposal will be disqualified.
- e. Exhibit G, Exceptions Form (If applicable)
- f. Exhibit J, Assurances – Non-Construction Program _____
- g. Exhibit K, Certification Regarding Lobbying _____
- h. Exhibit N, Federal Funding Accountability and Transparency Act (FFATA) Certification _____

Article XIV. List of Forms and Exhibits Attached to RFA

Exhibits

Exhibit A, HHS Solicitation Affirmations, version 2.3

Exhibit B, Health and Human Services (HHS) Uniform Terms and Conditions Grant Version 3.2

Exhibit C, Health and Human Services (HHS) Additional Provisions Version 1.0.

Exhibit D, SNAP Outreach Contract Requirements

Exhibit E, Data Use Agreement (DUA) Version 8.5

Exhibit E-1, Attachment 2 to the DUA, Security and Privacy Inquiry Version 2.1

Exhibit F, Expenditure Proposal

Exhibit G, Exceptions Form

Exhibit H, HHS Online Bid Room

Exhibit I, Evaluation Tool

Exhibit J, Assurances – Non-Construction Program

Exhibit K, Certification Regarding Lobbying

Exhibit L, Key Performance Requirements

Exhibit M, Deliverables

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

Exhibit O, Supplemental Nutrition Assistance Program State Outreach Plan Guidance

Exhibit P, HHSC List of Eligibility Offices

Forms

Form A, Face Page

Form B, Administrative Information

Form B-1, Governmental Entity Authorized Officials

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

Form C, Narrative, Personnel and Organization, and Performance Requirements/Work Plan

Form D, Financial Management & Administrative Questionnaire

Form E, Texas HHS System Indirect Costs Rate (ICR) Questionnaire