



TEXAS

Health and Human Services

Cecile E. Young, Executive Commissioner

Request for Applications (RFA)

Grant for

*Children/Youth with Special Health Care Needs Systems Development
Group Family Support and Community Resources*

RFA No. HHS0014130

DEADLINE FOR SUBMISSION OF APPLICATIONS

March 12, 2024 by 10:30 a.m. Central Time

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Section I. Introduction, Definitions, and Statutory Authority

1.1 INTRODUCTION

The Texas Health and Human Services Commission (HHSC) is accepting Applications on behalf of the Texas Department of State Health Services (DSHS) for the Children/Youth with Special Health Care Needs Systems Development Group Family Support and Community Resources Grant program.

The purpose of this program is to provide leadership in assessing, prioritizing, and addressing the health needs of children/youth with special health care needs in Texas.

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

Grant Name:	Children/Youth with Special Health Care Needs Systems Development Group Family Support and Community Resources
RFA No.:	HHS0014130
Deadline for Submission of Applications:	March 12, 2024 by 10:30 a.m. Central Time
Deadline for Submitting Questions or Requests for Clarifications:	February 19, 2024 by 5:00 p.m. Central Time
Estimated Total Available Funding:	\$10,735,285.00
Estimated Total Number of Awards:	Multiple
Estimated Max Award Amount:	\$1,500,000.00
Anticipated Project Start Date:	September 1, 2024
Length of Project Period:	5 years
Eligible Applicants:	See Section 3.2, Application Screening Requirements.

To be considered for screening, evaluation and award, Applicants must provide and submit all required information and documentation as set forth in **Section VIII, Application Organization and Submission Requirements** and **Section 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 of Applications**, for further details.

1.2 DEFINITIONS AND ACRONYMS

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

Refer to all exhibits to this RFA for additional definitions.

“Addendum” means a written clarification or revision to this RFA, including exhibits, forms, and attachments, as issued and posted by HHSC to the HHS Grants RFA website. Each Addendum will be posted and must be signed by the Applicant and returned with its Application.

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

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

“Budget” means the financial plan for carrying out the Grant Project, as formalized in the Grant Agreement, including awarded funds and any required Match, submitted as part of the Application in response to this RFA. An Applicant’s requested Budget may differ from the System Agency-approved Budget executed in the final Grant Agreement.

“Business Day(s)” means Monday through Friday and excludes weekends and public holidays.

“Calendar Day(s)” means every day on the calendar, including weekends and public holidays.

“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.

“Children/Youth with Special Health Care Needs (CYSHCN)” means children/youth who have or are at risk for chronic physical, developmental, behavioral or emotional conditions

and who also require health and related services of a type or amount beyond that generally required by children/youth.

“Client” means a member of the target population to be served by the Respondent’s organization. For the purposes of this Grant, a Client is Children and Youth With Special Health Care Needs up to age 21, their families, and individuals of any age with cystic fibrosis.

“Community-based” means being responsive to identified needs in the community and providing services as near to the child’s or family’s home as possible.

“Cost Reimbursement” means a payment mechanism by which Contractors are reimbursed for allowable costs incurred up to the total award amount specified in the contract. Costs must be incurred in carrying out approved activities, and must be based on an approved eight -category line-item (categorical) Budget. Amounts expended in support of providing services and goods, if any, in accordance with the contract terms and conditions must be billed on a monthly basis for reimbursement unless otherwise specified in the contract. Reimbursement is based on actual allowable costs incurred that comply with the cost principles applicable to the Grant.

“DSHS” means the Department of State Health Services.

“Direct Costs” 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.

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

“Family-centered” means the recognition of the importance of the family as the focus of planning and service delivery; the promotion of parent and professional collaboration; a response to family needs; the recognition of individual and family strengths; and respect for diversity of families and the promotion of family choice.

“Family Support and Community Resources” or “FSCR” means services and items that are above and beyond the scope of usual needs necessitated by a child’s physical, developmental, behavioral or emotional health needs, and directly support the child living in his or her natural home and participating in family life and community activities.

“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 as “Contract.”

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

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

“HHSC” means the Health and Human Services Commission.

“Inclusive” means settings in which all children and youth, some of whom are children or youth with special health care needs, may participate in activities together with the necessary accommodations and supports. Activities are intended to provide a means of promoting involvement of all children or youth and their families.

“Indirect Costs” 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” means 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.

“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” means 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.

“Respite Services” means a temporary break that provides short-term relief for families and primary caregivers to restore and strengthen their abilities to provide care for children/youth with special health care needs. Respite Services may be provided in “in-home” or “out-of-home” settings.

“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 as “Solicitation.”

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

“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.

“Work Plan” means an annually submitted plan that describes how services will be delivered to the eligible population and includes specifics such as what types of Clients will be served, who will be responsible for the work, timelines for completion of activities, and how services will be evaluated when complete. Details from the Work Plan must be approved by DSHS and incorporated in the Contract, by reference.

1.3 STATUTORY AUTHORITY

Federal funding for this Grant Project is authorized under the Social Security Act, CDFA 93.994 as amended and codified by U.S.C. Chapter 7, Subchapter V, Title V of the Social Security Act, and Texas Systems Development Group for Children with Special Health Care Needs authorized by Texas Health and Safety Code Chapter 35. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law. Federal funding awarded to the System Agency is through the program(s) listed below:

Federal Grant Program:	Maternal and Child Health Services Block Grant to the States
Federal Awarding Agency:	Department of Health and Human Services Health Resources and Services Administration
Funding Opportunity No.:	BO447448
Assistance Listing Number and Program Title:	93.994 Maternal and Child Health Service Block Grant

1.4 STANDARDS

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

Section II. Scope of Grant Project

2.1 PURPOSE

This funding opportunity invites Grant Applications requesting funding for the Children/Youth with Special Health Care Needs Systems Development Group. The purpose of this program is to provide leadership in assessing, prioritizing, and addressing the health needs of children and youth up to age 21 with special health care needs and individuals of any age with cystic fibrosis in Texas, to promote the health of families through advocacy and education and to ensure access to high-quality, Community-based, preventive, primary and specialty health care within the specifications contained in this Request for Applications (RFA).

2.2 PROGRAM BACKGROUND

In June 2022, the Health Resources and Service Administration’s Maternal and Child Health Bureau released the “Blueprint for Change: Guiding Principles for a System of Services that Meet the Needs of CYSHCN.” This program will support the principles and strategies outlined in the Blueprint to improve the lives of CYSHCN and their families and advance systems change in Texas.

DSHS seeks Grantees to implement FSCR programming for CYSHCN and their families. FSCR services provide a wide range of activities to support CYSHCN and their families, such as:

- A. Respite care;
- B. Community-based crisis prevention and intervention planning and implementation;
- C. Educational trainings and workshops;
- D. Social and recreational programs;
- E. Parent to parent networking and support;
- F. Sibling support, shared learning, and networking; and
- G. Other activities that help promote the health and well-being of CYSHCN and their families.

The DSHS Maternal Child Health Section identified in the 2020 Title V Needs Assessment the following State priority needs related to CYSHCN:

- A. Implement health strategies across all maternal and child health populations.
- B. Improve nutrition across the life course.
- C. Improve the cognitive, behavioral, physical, and mental health and development of all maternal and child health populations.
- D. Increase family support and ensure integration of family engagement across all maternal and child health programming.

- E. Support health education and resources for families and providers.
- F. Promote safe, stable, nurturing environments to reduce violence and the risk of injury.
- G. Improve transition planning and support services for children, adolescents, and young adults, including those with special health care needs.
- H. Support comprehensive, Family-centered, coordinated care within a medical home model for all maternal and child health populations.

In addition to the State priority needs, the DSHS MCH Section selected the following Title V National and State Performance Measures based on the results of the 2020 Title V Needs Assessment:

- A. Percent of CYSHCN and their families who received the supports and services necessary to be included into their communities.
- B. Percent of children with and without special health care needs having a medical home.
- C. Percent of adolescents with and without special health care needs who received services necessary to make transitions to adult health care.

2.3 ELIGIBLE POPULATION

The eligible population to be served under this RFA consists of individuals who are CYSHCN up to age 21 and individuals of any age with cystic fibrosis and their families. Funds will not be used for family support or community resources that duplicate those currently available to a child, youth, or young adult with special health care needs or their family in the community or that are covered by another payment source, such as services covered through public or private health care coverage, Medicaid, Medicaid waivers or other local resources.

System Agency reserves the right to alter eligibility criteria during the Project Period. System Agency will notify Grantee in writing within 60 Calendar Days of any change to eligibility criteria.

2.4 ELIGIBLE SERVICE AREAS

All service areas within the State of Texas are eligible for Project funding.

2.5 ELIGIBLE ACTIVITIES

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

- A. Use a collaborative, innovative approach to maximizing existing community resources and avoid duplication of effort through the FSCR program;
- B. Enhanced systems and local processes to make it easier for families to navigate services within their community;
- C. Providing culturally effective services that address community drivers of health;
- D. Engaging families in programming and services provided; and
- E. Implementing activities focused on increasing the percentage of CYSHCN and their families who receive the supports and services necessary to be included into their communities. Activities may include, but are not limited to, collaboration with local partners to plan and host community-wide social and recreational events not focused on disability, which are accessible and welcome CYSHCN and their families. The program must include a minimum of one such event per year.
- F. Implementing activities to increase the percentage of adolescents with and without special health care needs who receive services necessary to transition to adulthood. Activities must address the transition to adult health care. Activities may include, but are not limited to, offering CYSHCN and their families opportunities to attend at least two workshops a year to develop skills to transition to adulthood such as health care self-management skills, vocational and employment skills, and independent living skills.
- G. Implementing activities that increase the percentage of children with and without special health care needs having a medical home. Activities may include, but are not limited to:
 1. Hosting or co-hosting at least two educational workshops annually focused on the mental and behavioral health needs of CYSHCN.
 2. Hosting two emergency preparedness events with CYSHCN families and community first responders annually to educate and prepare families for an emergency or disaster.

Grantees may subcontract Project activities to Community-based organizations, such as nonprofit and faith-based organizations, governmental entities, or quasi-governmental entities to which State agencies delegate authority and responsibility for planning, supervising, providing, or ensuring the provision of State services. For all contract relationships established to perform associated work, the Grantee must ensure the requirements associated with this RFA and any resulting Grant Agreement are passed through to any subcontractor, as appropriate.

2.6 PROGRAM REQUIREMENTS

All Grant Projects funded under this RFA must meet the following program requirements listed in Sections 2.6.1-2.6.4.

2.6.1 Activities Required

- A. 100% of families served will have the opportunity to give feedback on the services provided through the DSHS-developed family experience survey, at least once per fiscal year.
- B. A program self-assessment on family engagement will be submitted within the first three months of the initial Contract and annually thereafter in a format provided by DSHS.
- C. Grantee shall identify and implement at least two improvement activities based on the family engagement self-assessment results. Goals will be in a Specific, Measurable, Achievable, Relevant, and Time-Bound (S.M.A.R.T.) format.
- D. Meet with organizations serving populations that experience additional disparities due to community drivers of health at least once per quarter to exchange information and plan collaborative activities.
- E. Notify all Clients about the availability of translation and interpretation services and provide 100% of Clients with a translator and interpreter upon request for written communications and in-person meetings or events in their preferred language.
- F. Implement activities focused on increasing the percentage of CYSHCN and their families who received the supports and services necessary to be included into their communities.
- G. Implement activities to increase the percentage of adolescents with and without special health care needs who received services necessary to transition to adulthood. Activities must address the transition to adult health care.
- H. Implement activities that increase the percentage of children with and without special health care needs having a medical home.

2.6.2 Work Plan

Grantee shall annually submit **Form E, Family Support and Community Resources Work Plan**. The Work Plan shall:

- A. Demonstrate and document progress in all components and must be approved by DSHS.
- B. If progress on activities is delayed, provide an explanation must be provided in the appropriate reports to DSHS. If there is a significant delay in submitting the required documentation, DSHS may adjust the amount of the allocation at any point in the fiscal year.
- C. Be reviewed by Grantee to ensure demonstration and meet with DSHS to review progress toward Work Plan.

2.6.3 Grantee Requirements

- A. Grantee shall meet quarterly with the DSHS Regional Manager of Specialized Health and Social Services or their designee to exchange information on Project activities and discuss collaborative opportunities.
- B. Grantee shall attend and participate in all CYSHCN Systems Development Group's quarterly Contractor meetings, including the annual training. If the primary contact

- cannot participate in a meeting, DSHS shall be notified with the name of who will attend the quarterly meeting in their place.
- C. Grantee shall provide services in compliance with all applicable federal and State laws, rules, regulations, standards, and guidelines including, but not limited to, the following:
 - a. RFA and the Respondent's response; and
 - b. DSHS on-site monitoring visit recommendations.
 - c. Grantee shall follow the principles and best practices imparted in the CYSHCN System Development Group's trainings, as directed by CYSHCN Systems Development Group.
 - D. Grantee shall accept technical assistance from DSHS staff to apply policy, coordinate services, and assure quality of services delivered.
 - E. Grantee shall notify DSHS within ten (10) Business Days in writing of any change affecting Contractor's identity, ownership or control, name, governing board, vendors, medical or program director, or address.
 - F. Grantee shall use DSHS funds as the payor of last resort. Children or youth eligible through Medicaid must be served with those resources first.
 - G. No one shall be denied services based on inability to pay.
 - H. To remain eligible for renewal funding, if any, the Grantee must be able to show the scope of services provided and their impact, quality, and levels of performance against approved goals, and that Grantee's activities and services effectively address and achieve the Project's stated purpose.
 - I. 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.

2.6.4 Personnel Requirements

- A. In the event of staff vacancies, Respondent shall notify DSHS program in writing within ten (10) Business Days of the position becoming vacant.
- B. Grantee shall establish, maintain, and keep current program and personnel policies, procedures, and staff development and training for employees and volunteers.
- C. Policy and procedures must include, but are not limited to:
 - 1. Policies regarding the selection and dismissal of staff, volunteers, and others delivering or coordinating services under the provider's direction;
 - 2. Procedures for verifying staff and volunteer qualifications;
 - 3. Policies which forbid abuse, neglect, or exploitation of children and youth; and
 - 4. Policies that inform all personnel of the legal requirement to report witnessed or suspected abuse, neglect, or exploitation.

- D. Program and personnel policies and procedures will be well organized and easily accessible to DSHS staff upon request.
- E. All staff shall hold a current certificate of completion for the following Texas Health Steps trainings Culturally Effective Health Care, Transition Services for Children and Youth with Special Health Care Needs, Recognizing, Reporting, and Preventing Child Abuse, and Building a Comprehensive and Effective Medical Home.
- F. Program Director shall have the following qualifications:
 - 1. A master’s degree in social work, nursing, education, or related field and two years of experience in case management services within community programs serving the maternal, child, and adolescent population; or
 - 2. A bachelor’s degree in social work, nursing, education, or related field and four years of experience in case management services within community programs serving the maternal, child, and adolescent population.

2.7 REQUIRED REPORTS

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

Financial Status Report – Biannually	The 15th of each month following the period being reported
Performance Report – Quarterly	The 15th Calendar Day following the end of the quarter being reported
Inventory Report- Annually	The 15 th of October following the end of the year being reported

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

2.8 PERFORMANCE MEASURES AND MONITORING

The System Agency will look solely to Grantee for the performance of all Grantee obligations and requirements in a Grant Agreement resulting from this RFA. Grantee

shall not be relieved of its obligations for any nonperformance by its subgrant or subcontractors, if any.

Grant Agreements awarded as a result of this RFA are subject to the System Agency's performance monitoring activities throughout the duration of the Grant Project Period. This monitoring may include a reassessment of Project activities and services to determine whether they continue to be effective throughout the Grant Term.

Grantees must regularly collect and maintain data that measures the performance and effectiveness of activities under a Grant Agreement resulting from this RFA in the manner, and within the timeframes specified in this RFA and resulting Grant Agreement, or as otherwise specified by System Agency. Grantees must submit the necessary information and documentation regarding all requirements, including reports and other deliverables and will be expected to report quarterly on the following measures:

- A. Work Plan progress; and
- B. Data as required by the CSHCN Services Program.

2.9 FINANCIAL STATUS REPORTS (FSRs)

Except as otherwise provided, for Grant Agreements with categorical Budgets, Grantee shall submit biannual FSRs to System Agency by the last Business Day of the month following the end of each State fiscal half for System Agency review and financial assessment. Through submission of a FSR, Grantee certifies that:

- A. Any applicable invoices have been reviewed to ensure all Grant-funded purchases of goods or services have been completed, performed or delivered in accordance with Grant Agreement requirements;
- B. All Grantee-performed services have been completed in compliance with the terms of the Grant Agreement;
- C. The amount of the FSR added to all previous approved FSRs does not exceed the maximum liability of the Grant Award; and
- D. All expenses shown on the FSR are allocable, allowable, actual, reasonable, and necessary to fulfill the purposes of the Grant Agreement.

2.10 FINAL BILLING SUBMISSION

Unless otherwise directed by the System Agency, Grantee shall submit a reimbursement or payment request as a final close-out invoice not later than 30 Calendar Days following

the end of the term of the Grant Agreement. Reimbursement or payment requests received after the deadline may not be paid.

2.11 LIMITATIONS ON GRANTS TO UNITS OF LOCAL GOVERNMENT

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

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

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

In this section, “unit of local government” means:

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

Section III. Applicant Eligibility Requirements

3.1 LEGAL AUTHORITY TO APPLY

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

Each Applicant may only submit one Grant Application.

3.2 APPLICATION SCREENING REQUIREMENTS

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

- A. Applicant must be a governmental entity, community-based organization, university, non-profit, clinic, or hospital.

- B. If applicable, organizations submitting a request for Application must agree that they are in compliance with Title V of the Social Security Act, CFDA 93.994 from the Maternal and Child Health Services Block Grant, and Texas Systems Development Group for Children with Special Health Care Needs authorized by Texas Health and Safety Code Chapter 35.
- C. Applicant must have the authority and be in good standing to do business in Texas and to conduct the activities described in the RFA.
- D. Applicant must have a Texas business address. A post office box may be used when the Application is submitted, but the Applicant must conduct business at a physical location in Texas prior to the date that the Contract is awarded.
- E. Applicant must be in good standing with the U.S. Internal Revenue Service.
- F. Applicant is not eligible to apply for funds under this RFA if currently debarred, suspended, or otherwise excluded or ineligible for participation in Federal or State assistance programs.
- G. Applicant may not be eligible for contract award if audit reports or financial statements submitted with the Application identify concerns regarding the future viability of the Contractor, material non-compliance or material weaknesses that are not satisfactorily addressed, as determined by DSHS.
- H. In compliance with Comptroller of Public Accounts and Statewide Procurement Division rules, a name search will be conducted using the websites listed **Section 9.6, Compliance for Participation in State Contracts** prior to the development of a Contract.

3.3 GRANT AWARD ELIGIBILITY

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

- A. Applicant and all of its identified subsidiaries intending to participate in the Grant Agreement are eligible to perform Grant-funded activities, if awarded, and are not subject to suspension, debarment, or a similar ineligibility determined by any State or federal entity;
- B. Applicant is in good standing under the laws of Texas and has provided HHS with any requested or required supporting documentation in connection with this certification;
- C. Applicant shall remain in good standing and eligible to conduct its business in Texas and shall comply with all applicable requirements of the Texas Secretary of State and the Texas Comptroller of Public Accounts;
- D. Applicant is currently in good standing with all licensing, permitting, or regulatory bodies that regulate any or all aspects of Applicant's operations; and
- E. Applicant is not delinquent in taxes owed to any taxing authority of the State of Texas as of the effective date of this Grant Agreement.

3.4 GRANTS FOR POLITICAL POLLING PROHIBITED

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

Section IV. Project Period

4.1 PROJECT PERIOD

The Project Period is **September 1, 2024** through **August 31, 2029**.

Extension of Project Period: The System Agency may, at its sole discretion, extend the Project Period for up to one year to allow for the full expenditure of awarded funding and completion of Grant activities. Approved Projects may not exceed a five-year Project Period.

4.2 PROJECT CLOSEOUT

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

Section V. Grant Funding and Reimbursement Information

5.1 GRANT FUNDING SOURCE AND AVAILABLE FUNDING

The total amount of Federal funding available for the Children/Youth with Special Health Care Needs Family Support and Community Resources Grant program is **\$10,735,285.00** for the entire Project Period. It is the System Agency's intention to make multiple awards

to Applicants that successfully demonstrate FSCR services to support CYSHCN and their families.

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

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

5.2 NO GUARANTEE OF REIMBURSEMENT AMOUNTS

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

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

5.3 GRANT FUNDING PROHIBITIONS

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

- A. 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;
 - 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. Any expense or service that is readily available at no cost to the Grant Project;
 - K. Any activities related to fundraising;
 - L. Equipment and other capital expenditures such as capital improvements, property losses and expenses, real estate purchases, mortgage payments, remodeling, the acquisition or construction of facilities, or other items that are unallowable pursuant to 2 CFR 200.439;
 - 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 or 2 CFR 200, Subpart E – Cost Principles, General Provisions for Selected Items of Cost, where applicable.

5.4 COST SHARING OR MATCHING REQUIREMENTS

Cost sharing or match requirements are not a requirement of this RFA.

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, Grantee is required to finance operations and will only be reimbursed for actual, allowable, and allocable costs incurred on a monthly basis and supported by adequate documentation. No additional payments will be rendered unless an advanced payment is approved.

Section VI. Application Exhibits and Forms for Submission

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

6.1 NARRATIVE PROPOSAL

Using **Forms C** through **G** attached to this RFA, Applicants shall provide an executive summary and describe their proposed activities, processes, and methodologies to satisfy all objectives described in **Section II, Scope of Grant Project**, including the Applicant's primary purpose of the proposed Project, supporting data, Project approach and activities, organizational capacity, performance management, and target population. Applicants should identify all proposed tasks to be performed, including all Project activities, during the Grant Project Period. Applicants must complete and submit all required attachments.

- A. Form C, Executive Summary;
- B. Form D, Respondent Background;
- C. Form E, Family Support and Community Resources Work Plan;
- D. Form F, Assessment and Project Development; and
- E. Form G, Financial Management and Administrative Questionnaire.

6.2 REQUESTED BUDGET

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

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

Applicants must utilize the Budget template provided, **Exhibit J, Requested Budget Template**, and identify all Budget line items for 12 months. Budget categories must be broken out into specific Budget line items that allow System Agency to determine if proposed costs are reasonable, allowable, and necessary for the successful performance of the Project. Applicants must enter all costs in the Budget tables and explain why the cost is necessary and how the cost was established. Matching funds must also be identified in the Requested Budget.

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

Submission of Exhibit J, Requested Budget Template, is mandatory. Applicants that fail to submit a Requested Budget Template, as set forth in this RFA, with their Application will be disqualified.

6.3 INDIRECT COSTS

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

HHS typically accepts the following approved ICRs:

- A. Federally Approved Indirect Cost Rate Agreement; and
- B. State of Texas Approved Indirect Cost Rate.

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

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

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

The HHS Federal Funds Indirect Cost Rate group will contact applicable Grantees after Grant Agreement execution to initiate and complete the ICR process. Grantees should respond within 30 Business Days, or the request will be cancelled, and Indirect Costs may be disallowed.

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

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

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

6.4 ADMINISTRATIVE APPLICANT INFORMATION

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

Litigation and Contract History

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

In addition, Applicant must disclose any civil or criminal litigation or investigation pending over the last five years that involves Applicant or in which Applicant has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify Applicant. See, **Exhibit A, HHS Solicitation Affirmations v. 2.4**. Applicant certifies it does not have any existing claims against or unresolved audit exceptions with the State of Texas or any agency of the State of Texas.

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

Section 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	February 12, 2024
Deadline for Submitting Questions or Requests for Clarification	February 19, 2024 by 5:00 p.m. Central Time

Tentative Date Answers to Questions or Requests for Clarification Posted	February 26, 2024 by 5:00 p.m. Central Time
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.	March 12, 2024 by 10:30 a.m. Central Time
Anticipated Notice of Award	May 2024
Anticipated Project Start Date	September 1, 2024

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

All dates are tentative and DSHS reserves the right to change these dates at any time. At the sole discretion of DSHS, events listed in the Schedule of Events are subject to scheduling changes and cancellation. Scheduling changes or cancellation determinations made prior to the Deadline for Submission of Applications will be published by posting an addendum to the [HHS Grants RFA](#) website. After the Deadline for Submission of Applications, if there are delays that significantly impact the anticipated award date, HHSC, at its sole discretion, may post updates regarding the anticipated award date to the [Procurement Forecast](#) on the HHS Procurement Opportunities [web page](#). Each Applicant is responsible for checking the HHS Grants RFA website and Procurement Forecast for updates.

7.2 SOLE POINT OF CONTACT

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

Name	Dedra Williams
Title	Grant Specialist, HHSC Procurement and Contracting Services
Address	Procurement and Contracting Services Building 1100 W 49th St. MC: 2020 Austin, TX 78756

Phone	512-406-2412
Email	Dedra.williams@hhs.texas.gov

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

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

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

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

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

7.3 RFA QUESTIONS AND REQUESTS FOR CLARIFICATION

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

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

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

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

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

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

HHSC or DSHS may review and, at its sole discretion, may respond to questions or other written requests received after the deadline.

7.4 AMBIGUITY, CONFLICT, DISCREPANCY, CLARIFICATIONS

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

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

- A. Shall have waived any claim of error or ambiguity in the RFA and any resulting Grant Agreement;
- B. Shall not contest the interpretation by the HHSC or DSHS of such provision; 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.
- D.

7.5 RESPONSES TO QUESTIONS OR REQUEST FOR CLARIFICATIONS

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

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

7.6 CHANGES, AMENDMENT OR MODIFICATION TO RFA

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

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

7.7 EXCEPTIONS

Applicants are highly encouraged, in lieu of including exceptions in their Applications, to address all issues that might be advanced by way of exception by submitting an **Exhibit H, Exceptions Form** or via 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.

Section VIII. Application Organization and Submission Requirements

8.1 APPLICATION RECEIPT

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

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

Application, inappropriately identified documents, or other submission issue that may lead to disqualification.

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

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

8.2 APPLICATION SUBMISSION

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

8.3 REQUIRED SUBMISSION METHOD

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

HHS Online Bid Room: Applicants shall upload the following documents to the Online Bid Room utilizing the procedures in **Exhibit G, HHS Online Bid Room Instructions**.

File Size Limitation: Restriction to 250MB per file attachment.

- A. One copy marked as “Original Application” that contains the Applicant’s entire Application in a Portable Document Format (“.pdf”) file.
- B. One copy of the completed **Exhibit J, Requested Budget Template**, in its original Excel format.
- C. One copy of the complete Application marked as “Public Information Act Copy,” if applicable, in accordance with **Section 12.1, Texas Public Information Act-Application Disclosure Requirements**, in a Portable Document Format (“.pdf”) file.

8.4 COSTS INCURRED FOR APPLICATION

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

8.5 APPLICATION COMPOSITION

All Applications must:

- 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-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 proposal; and
- E. Include signature of Applicant's authorized representative on all exhibits and forms requiring a signature. Copies of the Application documents should be made after signature.

8.6 APPLICATION ORGANIZATION

The complete Application file .pdf must:

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

8.7 APPLICATION WITHDRAWALS OR MODIFICATIONS

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

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

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

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

Section IX. Application Screening and Evaluation

9.1 OVERVIEW

A three-step selection process will be used:

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

9.2 INITIAL COMPLIANCE SCREENING OF APPLICATIONS

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

At the sole discretion of HHSC, in coordination with DSHS, Applications with errors, omissions, or compliance issues may be considered non-responsive and may not be considered. The remaining Applications will continue to the evaluation stage and will be considered in the manner and form as which they are received. HHSC reserves the right to waive minor informalities in an Application. A "minor informality" is an omission or error that, in the determination of HHSC if waived or modified, would not give an Applicant an unfair advantage over other Applicants or result in a material change in the Application or RFA requirements. **Note:** Any disqualifying factor set forth in this RFA

does not constitute an informality (e.g., **Exhibit A, HHS Solicitation Affirmations v. 2.4**, or **Exhibit J, Requested Budget Template**).

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

9.3 QUESTIONS OR REQUESTS FOR CLARIFICATION FOR APPLICATIONS

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

9.4 EVALUATION CRITERIA

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

Scoring Criteria: Qualified Applications shall be evaluated based upon:

- A. Narrative Information (40%);
- B. FSCR Work Plan and Performance Evaluation (45%); and
- C. Expenditure Information (15%).
- D.

9.5 PAST PERFORMANCE

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

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

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

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

- A. Notices of termination;
- B. Cure notices;
- C. Assessments of liquidated damages;
- D. Litigation;
- E. Audit reports; and
- F. Non-renewals of Grants or Contracts based on Applicant's unsatisfactory performance.

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

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

- A. If applicable, Applicant has an unfavorable report or grade on the CPA Vendor Performance Tracking System (VPTS). VPTS may be accessed at: <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>, OR,
- B. Applicant is currently under a corrective action plan through HHSC or DSHS, OR,
- C. Applicant has had repeated, negative vendor performance reports for the same reason, OR,
- D. Applicant has a record of repeated non-responsiveness to vendor performance issues, OR,
- E. Applicant 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 Applicant would not be in the best interest of the State.

9.6 COMPLIANCE FOR PARTICIPATION IN STATE CONTRACTS

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

The information (e.g., legal name and, if applicable, assumed name (d/b/a), tax identification number, DUNS number) provided by Applicant will be used to conduct these checks. At System Agency's sole discretion, Applicants found to be barred, prohibited, or otherwise excluded from award of a Grant Agreement may be disqualified from further consideration under this Solicitation, pending satisfactory resolution of all compliance issues.

Checks include:

A. State of Texas Debarment and Warrant Hold

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

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

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

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

C. Divestment Statute Lists

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

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

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

D. HHS Office of Inspector General

Applicant must not be listed on the HHS Office of Inspector General Texas Exclusions List for people or businesses excluded from participating as a provider: <https://oig.hhsc.texas.gov/exclusions>

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

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

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

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

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

Section 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 System Agency will make final funding decisions based on Applicant eligibility, evaluation rankings, the funding methodology above, and availability of funding, and other relevant factors.

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

10.2 NEGOTIATIONS

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

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

10.3 DISCLOSURE OF INTERESTED PARTIES

Subject to certain specified exceptions, Section 2252.908 of the Texas Government Code, Disclosure of Interested Parties, applies to a Contract 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 Contract 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 Contract.

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

The Form 1295 involves an electronic process through the Texas Ethics Commission (TEC). The on-line 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 Contract, even if the potential Grantee is otherwise eligible for award. The System Agency, as determined in its sole discretion, may award the Grant Agreement to the next qualified Applicant, who will then be subject to this procedure.

10.4 EXECUTION AND ANNOUNCEMENT OF GRANT AGREEMENT(S)

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

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

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

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

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

Section XI. General Terms and Conditions

11.1 GRANT APPLICATION DISCLOSURE

In an effort to maximize State resources and reduce duplication of effort, the System Agency, at its discretion, may require the Applicant to disclose information regarding the Application for or award of State, federal, and/or local Grant funding to the Applicant or subgrant or subcontractor (i.e. organization who will participate, in part, in the operation of the Project) within the past two years to provide Family Support and Community Resources for CYSHCN.

11.2 TEXAS HISTORICALLY UNDERUTILIZED BUSINESSES (HUBS)

In procuring goods and services using funding awarded under this RFA, Grantee must use HUBs or other designated businesses as required by law or the terms of the State or federal Grant under which this RFA has been issued. See, e.g., 2 CFR 200.321. If there are no such requirements, System Agency encourages Applicant to use HUBs to provide goods and services.

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

Section XII. Application Confidential or Proprietary Information

12.1 TEXAS PUBLIC INFORMATION ACT – APPLICATION DISCLOSURE REQUIREMENTS

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

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

A. Mark Original Application:

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

B. Certify in Original Application – HHS Solicitation: Certify, in the designated section of the **Exhibit A, HHS Solicitation Affirmations v. 2.4**, Applicant’s confidential information assertion and the filing of its Public Information Act Copy; and

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

1. The copy must be clearly marked as “Public Information Act Copy” on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font);
2. Each portion Applicant claims is exempt from public disclosure must be redacted (blacked out); and
3. Applicant must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in **Subsection (C) of this section** must be identical to those set forth in the Original Application as required in **Subsection A(2)**, above. The only difference in required markings and information between the Original Application and the “Public Information Act Copy” of the Application will be redactions – which can only be included in the “Public Information Act Copy.” There must be no redactions in the Original Application.

By submitting an Application under this RFA, Applicant agrees that, if Applicant does not mark the Original Application, provide the required certification in Exhibit A, HHS Solicitation Affirmations v. 2.4, and submit the Public Information Act Copy, the Application will be considered to be public information that may be released to the public in any manner including, but not limited to, in accordance with the Public Information Act, posted on the System Agency’s public website, and posted on the Legislative Budget Board’s public website.

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

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

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

The System Agency will strictly adhere to the requirements of the PIA regarding the disclosure of public information. As a result, by participating in this RFA, Applicant acknowledges that all information, documentation, and other materials submitted in its Application may be subject to public disclosure under the PIA. The System Agency does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the PIA and by rulings of the Office of the Texas Attorney General. Applicants are advised to consult with their legal counsel concerning

disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. The System Agency assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Applicants.

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

12.2 APPLICANT WAIVER – INTELLECTUAL PROPERTY

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

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Section XIII. Submission Checklist

HHSC, in coordination with DSHS, in its sole discretion, will review all Applications received and will determine if any or all Applications which do not include complete, signed copies of these exhibits and/or addenda, will be disqualified or whether additional time will be permitted for submission of the incomplete or missing exhibits. If additional time is permitted, Applicants will be notified in writing of the opportunity to provide the missing documentation by a specified deadline. Failure by an Applicant to submit the requested documentation by the deadline WILL result in disqualification. Applications that do not include Exhibit A, HHS Solicitation Affirmations v. 2.4 (completed and signed), and Exhibit J, Requested Budget Template (completed), will be disqualified. See Section 9.2, Initial Compliance Screening of Applications for further detail.

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

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

A. Administrative Information

- 1. Form A, Applicant Information _____
- 2. Form B, Administrative Information _____
- 3. Form B-1, Governmental Entity, if applicable _____
- 4. Form B-2, Non-Governmental Entity, if applicable _____

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

- 1. Form C, Executive Summary _____
- 2. Form D, Respondent Background _____
- 3. Form E, Family Support and Community Resources Work Plan _____
- 4. Form F, Assessment and Project Development _____
- 5. Form G, Financial Management and Administrative Questionnaire _____

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

- 1. Exhibit A, HHS Solicitation Affirmations v. 2.4 _____

Per Section 3.2, Application Screening Requirements, Exhibit A is mandatory

and must be completed, signed, and submitted for the Application to be considered responsive. Applications received without Exhibit A or with an unsigned Exhibit A will be disqualified.

2. Exhibit D, Certification Regarding Lobbying _____

3. Exhibit E, Federal Funding Accountability and Transparency Act (FFATA) Certification Form _____

4. Exhibit F, Assurances – Non-Construction Programs _____

5. Exhibit H, Exceptions Form _____

6. Exhibit J, Requested Budget Template (Excel) _____

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

7. Form H, Texas HHS System Indirect Costs Rate (ICR) Questionnaire _____

D. Signed Addenda:

Each Addendum, if any, must be signed and submitted with the Application. _____

Section XIV. List of Exhibits and Forms Attached to RFA

Exhibits

Exhibit A, HHS Solicitation Affirmations v. 2.4

Exhibit B, HHS Uniform Terms and Conditions – Grant v. 3.3

Exhibit C, HHS Additional Provisions – Grant Funding v. 1.0

Exhibit D, Certification Regarding Lobbying

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

Exhibit F, Assurances – Non-Construction Program

Exhibit G, HHS Online Bid Room Instructions

Exhibit H, Exceptions Form

Exhibit I, Evaluation Tool

Exhibit J, Requested Budget Template

Forms

Form A, Applicant Information

Form B, Administrative Information

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

Form B-2, Non-Governmental Entity Board of Directors and Principal Officers, if applicable

Form C, Executive Summary

Form D, Respondent Background

Form E, Family Support and Community Resources Work Plan

Form F, Assessment and Project Development

Form G, Financial Management and Administrative Questionnaire

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