



TEXAS

Health and Human Services

Cecile E. Young, Executive Commissioner

Request for Applications (RFA)

Grant for

**Family and Youth Services and Supports
Community Services Grant**

RFA No. HHS0014132

DEADLINE FOR SUBMISSION OF APPLICATIONS

March 20, 2024, by 10:30 a.m. Central Time

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Section I. Executive Summary, Definitions, and Statutory Authority

1.1 EXECUTIVE SUMMARY

The Health and Human Services Commission (HHSC), the “System Agency” for the HHSC Family and Youth Services and Supports section, is accepting applications for a Community Services Grant Project in the greater Houston area to connect individuals in need with community crisis pregnancy services, foster care outreach services, and community services.

This RFA contains standardized requirements that all Respondents must meet to be eligible for a potential contract opportunity that may result from this RFA. Failure to comply with these requirements may result in disqualification of the Respondent without further consideration. Each Respondent is solely responsible for the preparation and submission of an application in accordance with instructions contained in this RFA.

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

Grant Name:	Family and Youth Services and Supports Community Services Grant
RFA No.:	HHS0014132
Deadline for Submission of Applications:	March 20, 2024, by 10:30 a.m. Central Time
Deadline for Submitting Questions or Requests for Clarifications:	February 27, 2024, by 5:00 p.m. Central Time
Estimated Total Available Funding:	\$5,000,000.00 per Project Period
Estimated Total Number of Awards:	One Award
Estimated Max Award Amount:	\$5,000,000.00
Anticipated Project Start Date:	9/1/2024
Length of Project Period:	September 1, 2024 through August 31, 2025.

Eligible Applicants:	Refer to Section 3.2, Application Screening Requirements
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To be considered for screening, evaluation and award, Applicants must provide and submit all required information and documentation as set forth in **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)” refers to Monday through Friday excluding holidays as appropriately determined by federal or state recognition.

“Calendar Day(s)” refers to the total number of days in a particular month.

“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.

“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.

“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.

“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” 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.

“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.

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

“Key Personnel” means a Grantee organization's Project Contact, Fiscal Contact, or Executive Director, or any other key stakeholders in the proposed Project.

“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.

“Proposed Project” means the project work and activities being proposed for funding under this RFA.

“Readiness” means a determination that the Applicant has the specified attributes to support a given service; the ability to meet program and contractual requirements; and the capacity to achieve the service levels proposed to be provided with the funds awarded under a Contract resulting from this procurement.

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

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

“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.

1.3 STATUTORY AUTHORITY

The System Agency is requesting Applications under Title 10, Subtitle D and Chapter 2254 of the Texas Government Code and the 2024-2025 General Appropriations Act House Bill (H.B.) 1, 88th Regular Session, 2023, Article IX, General Provisions, Strategy D.1.10 and Section 17.32. All awards are subject to the availability of appropriated state funds and any modifications or additional requirements that may be imposed by law.

1.4 STANDARDS

Awards made as a result of this RFA are subject to all policies, terms, and conditions set forth in or included with this RFA as well as applicable statutes, requirements, and guidelines including, but not limited to, applicable provisions of the Texas Grant

Management Standards (TxGMS) and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200).

Section II. Scope of Grant Project

2.1 PURPOSE

The Health and Human Services Commission (HHSC), the “System Agency” for the HHSC Family and Youth Services and Supports (FYSS) section, is accepting Applications for a community services Grant Project connecting individuals in need with community crisis pregnancy services, foster care outreach services, and community.

2.2 PROGRAM BACKGROUND

The 2024-2025 General Appropriations Act House Bill (H.B.) 1, 88th Regular Session, 2023, Article IX, General Provisions, Strategy D.1.10 and Section 17.32. established the HHSC FYSS community services grant program for the purposes of connecting individuals in need in the greater Houston area with community crisis pregnancy services, foster care outreach services, and community services.

2.3 ELIGIBLE POPULATION

Individuals to be served under this RFA include any individual in need of community crisis pregnancy services, foster care services, and/or other community services in the greater Houston area.

2.4 ELIGIBLE SERVICE AREAS

Projects must target the greater Houston area. The greater Houston area includes the metropolitan area of Houston–The Woodlands–Sugar Land, which encompasses the following nine Texas counties:

- A. Austin County
- B. Brazoria County
- C. Chambers County
- D. Fort Bend County
- E. Galveston County
- F. Harris County
- G. Liberty County

- H. Montgomery County
- I. Waller County

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. Applicants must:

- A. Be able to demonstrate that individuals in need are connected to the requested resources, in addition to the impact and reach of any grant specific outreach.
- B. Be able to demonstrate the ability to connect individuals in need with local community services in the greater Houston area. Services must include the following:
 - 1. Community crisis pregnancy services;
 - 2. Foster care services; and
 - 3. Other community services related to the individual's needs.

2.6 PROGRAM REQUIREMENTS

All Proposed Projects funded under this RFA must meet the following program requirements and Grantee must:

- A. Develop and maintain partnerships with organizations in the greater Houston area that provide crisis pregnancy services, foster care services, and other relevant community services, including but not limited to housing, food, safety, and behavioral health resources.
- B. Make available the contact information of the HHSC Ombudsman's Office to any individual connected to services under the grant, if requested by the individual.
- C. Develop and maintain a communication and outreach plan for efforts related to connecting individuals in need with crisis pregnancy services, foster care services, and community services in the greater Houston area.
- D. Ensure outreach materials and advertising are targeted to the community and relevant to the target population as determined by the Grantee.
- E. Utilize outreach strategies that have demonstrated effectiveness in reaching the target population.
- F. Be able to demonstrate the impact of outreach and communication efforts.

- G. Outline all communication and outreach strategies in **Form F, Narrative Application, Section 2, Project Work Plan.**
- H. Receive approval from HHSC for Communication and Outreach plan prior to implementing.
- I. Provide Communication and Outreach activities which may include, but are not limited to, the following:
1. Outreach to other greater Houston area social service programs to enhance awareness and collaboration.
 2. Developing and maintaining a Project specific website. The website and its content must be approved in writing by HHSC within 30 Calendar days of Grant Agreement execution. At no time shall the website contain any content not approved in writing by HHSC. Upon termination of the resultant Grant Agreement, Grantee must transfer the website domain to HHSC in accordance with directions provided by HHSC to the Grantee.
 3. Developing and/or procuring information and outreach materials used in media placements to connect individuals in need with needed services as outlined in **Section 2.4, Eligible Service Areas.** All information and outreach materials used as part of the Project shall be approved in writing by HHSC prior to distribution or before use in any media placements. All outreach materials, at a minimum, are targeted to the community and relevant to the target population as determined by the Grantee. . All materials developed or used by Grantee as part of a Grant Agreement resulting from this RFA shall become the property of HHSC.
- J. Ensure personnel continuity. The Grantee shall provide a contingency plan, within five (5) Calendar Days of any Key Personnel vacancy, in the event that the Key Personnel vacancy exceeds ten (10) Calendar Days. At a minimum, the plan should include the specific names of the substitute agency personnel who have been assigned to carry out the duties and responsibilities of the absent Key Personnel member. This information must be submitted to the assigned contract manager.
- K. Ensure Grantee's Key Personnel include all of the following:
1. All Project staff working directly on the grant project will have the knowledge, skills, and abilities to work with the target population, and meet the requirements of this RFA.
 2. All staff who hold a license or certificate to perform Project services will maintain the required licensure and certifications throughout the life of the project; and
 3. Grantee staff overseeing the Project Grant Agreement are required to attend all Grant Agreement-related trainings and meetings, unless notification detailing the reason(s) for a program manager's absence has been provided to HHSC prior to training/meeting.

2.7 REQUIRED REPORTS

HHSC will monitor Grantee’s performance, including, but not limited to, thorough review of financial and programmatic reports and performance measures under any Grant Agreement awarded as a result of this RFA. Grantee awarded a Grant Agreement as a result of this RFA must submit the required reports by the noted due dates.

REPORT	DUE DATE
Reporting Workbook and Reporting Workbook Supplement	The 15 th of each month following the month being reported.
Performance Report – Quarterly	The 15 th of each month following the month being reported.

2.7.1 Monthly Reports

A. Reporting Workbook and Reporting Workbook Supplement

Grantees must submit the monthly Reporting Workbook and Reporting Workbook Supplement, in a manner prescribed by HHSC, 15 Calendar days after the last day of the month being reported. The Reporting Workbook and Reporting Workbook Supplement will detail the operations of the Project for the month being reported. Additional requirements, clarifications, and reporting items may be added by HHSC as information-needs change. The Reporting Workbook and Reporting Workbook Supplement may include the following regarding Individual demographics and services provided:

1. Individuals Connected to Services (aggregate data);
2. Number of Connections to Services made (aggregate data);
3. List of referring partners;
4. Type of Service Individuals are Connected to (aggregate data); and
5. Other data determined relevant to the Project.

B. Project successes and barriers.

C. Communication and outreach efforts and the effectiveness of such efforts.

D. Other Project information determined relevant by HHSC.

2.7.2 Billing Workbook

Grantees must submit the monthly Billing Workbook, in a manner prescribed by HHSC, 15 Calendar Days after the last day of the month being reported. The Billing Workbook

includes expenses to be reimbursed from state funds for a particular month's reporting period. Expenditures reported must be allowable and be supported by documentation.

Additional requirements, clarifications, and report items may be added by HHSC as information-needs change.

2.7.3 Performance Targets

Based upon the amount of funding Grantees are awarded, the following individual targets will be set:

- A. Number of individuals to be connected to services under the Project;
- B. Number of greater Houston areas to be targeted; and
- C. Impact of outreach and communication efforts.

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, or other requested information, may result in System Agency, in its sole discretion, placing the Grantee on financial hold without first requiring a corrective action plan, in addition to pursuing any other corrective or remedial actions under the Grant Agreement.

2.8 PERFORMANCE MEASURES AND MONITORING

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

A 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.

A 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. A Grantee must submit the necessary information and documentation regarding all requirements, including reports and other deliverables, and will be expected to report monthly, 15 Calendar Days after the last day of the previous month, on the following measures:

- A. Number of Individual to be connected to services driven by outreach and communication efforts under the Project. It is expected that Grantee demonstrate at least 90% of its projected number of Individuals are connected to services;
- B. Number of greater Houston areas to be targeted. It is expected that Grantee demonstrate success in connecting Individuals to services in all identified Houston areas;
- C. Impact of outreach and communication efforts. It is expected that Grantee demonstrate that its outreach and communication efforts reach at least 90% of the expected targeted traffic; and
- D. Number of required reports submitted timely. It is expected that Grantee submit to HHSC at least 90% of all required reports by their due dates.

The Grantee shall report monthly, 15 Calendar Days after the last day of the previous month, on the progress towards completion of the grant project and other relevant information as determined by System Agency during the Grant Project Period. To remain eligible for renewal funding, if any, the Grantee must be able to show the scope of services provided and their impact, quality, and levels of performance against approved goals, and that Grantee's activities and services effectively address and achieve the project's stated purpose.

Grantee agrees that HHSC staff and its representatives may monitor and audit Grantee performance under its awarded grant.

- A. Grantee agrees to cooperate fully and assist with the coordination of the activities listed below, including but not limited, to:
 - 1. Periodic site visits to monitor for compliance with state requirements;
 - 2. Efficient use of public funds;
 - 3. Grant performance; and
 - 4. Adherence to the requirements set forth in the RFA.
- B. If Grantee's program compliance or performance is lacking, Grant Agreement corrective-action recommendations will be made through Grant Agreement performance-improvement plans.

HHSC reserves the right, where permitted by law, to redirect funds in the event of an agency financial shortfall. HHSC will monitor Grantee's expenditures on a monthly basis.

Acceptable quality level will be reviewed under either the standards provided in **Sections 2.7, Required Reports** and **2.8, Performance Measures**, the standards set forth in the Applicant's accepted offer, or the final negotiated standards (whichever is most advantageous to the Individual or HHSC). HHSC reserves the right to impose remedial measures including but not limited to:

- 1. Written corrective action plans;
- 2. Additional reporting;

3. Withholding/offsetting payments; and/or
4. Termination of contract.

Applicant agrees to adhere to the applicable guidelines found at 45 C.F.R., Part 75, *et seq.*, and in the [Texas Grant Management Standards \(TGMS\)](#), and work with HHSC staff regarding the management of funds received under this Grant Agreement.

Grantee shall be responsible for monitoring the functioning of the Project. This shall include the development and implementation of a process and schedule for monitoring the performance and cost effectiveness of the efforts under the grant provided, as well as internal evaluations of quality.

Grantee shall take corrective action at any time the Project encounters operational difficulties or the Grantee's staff fail to follow contractual or legal requirements or program policies or procedures.

Grantee shall, upon request, provide to HHSC any and all evidence of insufficiencies and/or corrective action(s) by Grantee to correct insufficiencies, including repayment of funds as applicable. HHSC must be notified of any insufficiencies and/or corrective action(s) in the subsequent month's Reporting Workbook (see **Section 2.8, Performance Measures**).

2.9 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 45 Calendar Days following the end of the term of the Grant Agreement. Reimbursement or payment-requests received after the deadline may not be paid.

2.10 DATA USE AGREEMENT

By submitting an Application in response to this RFA, Applicant agrees to be bound by the terms of **Exhibit F, HHS Data Use Agreement v8.5** including but not limited to the terms and conditions regarding **Exhibit F-1, Texas HHS System Data Use Agreement - Attachment 2, Security and Privacy Inquiry (SPI)**, attached to this RFA.

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 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. Except as expressly provided below, Applicant is not considered eligible to apply unless the Applicant also meets the eligibility conditions listed in Article III at the time the application is submitted. Respondents must continue to meet these conditions throughout the selection and funding process. The System Agency expressly reserves the right to review and analyze, at any time, all documentation submitted by the Applicant. In addition, the Grantee may be disqualified if it is involved in litigation with the System Agency or another State agency.
- B. Applicant must have a physical business address in Texas.
- C. Applicant must not be ineligible to apply for funds under this RFA due to being currently debarred, suspended, or otherwise excluded or ineligible for participation in federal or state assistance programs. As part of the pre-compliance check for responsiveness to this RFA, HHSC will perform a check to confirm eligibility for an award. An Applicant will be considered ineligible to contract with HHSC, regardless of the funding source, if any of the following checks provides information that would prevent HHSC from entering into a contract with the Applicant:
 - 1. CPA Debarred Vendor List;
 - 2. CPA Franchise Tax Check;
 - 3. CPA divestment lists relating to Iran, Sudan, Foreign Terrorist Organizational, and companies that boycott Israel;
 - 4. The General Services Administration's ("GSA") and the System for Award Management (SAM) for parties excluded from receiving federal contracts, certain subcontracts, and from certain types of federal financial and non-financial assistance and benefits;
 - 5. The Office of the Inspector General's ("OIG") List of Excluded s/Entities
- D. Applicant must be a public or private nonprofit organization with a current 501(c)(3) status.
- E. Applicant must submit the most recent two (2) years of audited financial statements or single audits. Applicant may not be eligible for award if audit reports or financial statements submitted with the Application identify concerns regarding the future viability of the Applicant, material non-compliance, or material weaknesses that were not satisfactorily addressed, as determined by HHSC.

- F. Applicant must submit a list of Board of Directors members, a copy of the current board bylaws. Applicant may not be eligible for award if they fail to submit the requested documents with the Application.
- G. Applicant must have a minimum of one (1) year of operational experience connecting individuals in need with community services.

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.

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Section IV. Project Period

4.1 PROJECT PERIOD

The Project Period is anticipated to be **September 1, 2024**, through **August 31, 2025**.

Extension of Project Period: The System Agency may, at its sole discretion, extend the Project Period for up to one (1) year to allow for the full expenditure of awarded funding and completion of Grant activities. Approved Projects may not exceed a two (2) 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 state funding available for the FYSS Community Services grant is **\$5,000,000** for the Project Period which must be expended by the Grant Agreement end date. It is the System Agency's intention to make one award to an Applicant who successfully demonstrates the ability to connect individuals in need within the greater Houston area with crisis pregnancy services, foster care services, and other community services, and who meets all of the requirements outlined in this RFA.

The maximum funding amount is \$5,000,000 for the Grant Agreement, subject to the availability of funds.

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 budget in order to ensure grant funds are available for the broadest possible array of communities and programs.

Final award amount will be determined by several factors including but not limited to the total anticipated reach of individuals to be connected to services (outreach-impact), communication strategies, and other factors determined relevant by HHSC.

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. Grantee 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. 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;
- F. Costs of promotional items and memorabilia, including models, gifts, and souvenirs;

- G. 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;
- H. Membership dues for individuals;
- I. Any expense or service that is readily available at no cost to the grant Project;
- J. Any activities related to fundraising;
- K. 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 TxGMS;
- L. Any other prohibition imposed by federal, state, or local law;
- M. 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; and
- N. Applicant must not charge Individuals for any services provided.

5.4 COST SHARING OR MATCHING REQUIREMENTS

There is no cost sharing or match requirements for this RFA.

5.5 PAYMENT METHOD

A Grant Agreement awarded under this RFA will be funded on a cost reimbursement basis for reasonable, allowable, and allocable Grant Project direct 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 or whatever is appropriate to the grant and supported by adequate documentation. No additional payments will be rendered.

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 A** and **F** (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 problem statement, supporting data, Project approach and activities, organizational capacity, performance management, target population, and use of evidence-based practices. Applicants should identify all proposed tasks to be performed, including all Project activities, during the Grant Project Period. Applicants must complete and submit all required attachments.

6.2 REQUESTED BUDGET

Attached **Exhibit G, Budget Summary**, 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 that 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 G, Budget Summary**, and identify all budget line items. 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.

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 G, Budget Summary, is mandatory. Applicants that fail to submit a Budget Summary as set forth in this RFA with their application maybe 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 E, Texas Health and Human Services Indirect Costs Rate (ICR) Questionnaire**, with required supporting documentation. The questionnaire initiates the acknowledgment or approval of an ICR for use with System Agency cost-reimbursable contracts. Entities declining the use of an indirect cost rate 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
- 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 Applicant has an approved ICR, the letter must be submitted with **Form E, Texas Health, and Human Services Indirect Costs Rate (ICR) Questionnaire**. HHSC, 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 a successful Grantee. The ICR Proposal Package must be completed and returned to the HHS Federal Funds Indirect Cost Rate Group no later than three (3) months after Grant Agreement execution.

The HHS Federal Funds Indirect Cost Rate group will contact eligible Grantee after Grant Agreement execution to initiate and complete the ICR process. Grantee 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: either an ICR Acknowledgement Letter, an ICR Acknowledgement Letter – Ten Percent De Minimis, or an 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 B** through **D** (all attached to this RFA), Applicant must provide satisfactory evidence of its ability as an organization to manage and coordinate the types of activities described in this RFA.

A. Litigation and Contract History

Applicant must include **Form B, Entity Information, Contract and Litigation History** in its Application, which includes a complete disclosure of any alleged or significant contractual/grant failures.

In addition, Applicant must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Applicant or in which Applicant has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify Applicant. (See **Exhibit A, HHS Solicitation Affirmations v2.4.**) Applicant certifies it does not have any existing claims against it or any unresolved audit exceptions with the State of Texas or any agency of the State of Texas.

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

B. Internal Controls Questionnaire

Applicant must complete **Form C, Organization Financial Information and Internal Controls Questionnaire** and submit it with the Application.

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 21, 2024
Deadline for Submitting Questions or Requests for Clarification	February 27, 2024 by 5:00 p.m. Central Time

Tentative Date Answers to Questions or Requests for Clarification Posted	March 6, 2024
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 20, 2024, by 10:30 a.m. Central Time
Anticipated Notice of Award	August 2024
Anticipated Project Start Date	September 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 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 [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 e-mail 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
Address	Procurement and Contracting Services Building 1100 W 49th St. MC: 2020 Austin, TX 78756

Phone	512-406-2449
Email	Michele.Rivers@hhs.texas.gov

Applicants shall not use this e-mail 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 e-mail 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 representative 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 e-mail to the Sole Point of Contact by the Deadline for Submitting Questions or Requests for Clarification established in **Section 7.1, Schedule of Events**, or as may be amended in Addenda, if any, posted to the HHS Grants RFA website.

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

- A. RFA Number;
- B. Section or Paragraph number from this Solicitation;
- C. Page Number of this Solicitation;
- D. Exhibit or other Attachment and Section or Paragraph number from the Exhibit or other Attachment;
- E. Page Number of the Exhibit;
- F. Language, Topic, Section Heading being questioned; and
- G. Question.

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

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

Questions or other written requests for clarification must be received by the Sole Point of Contact by the deadline 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.

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

7.6 CHANGES, AMENDMENT OR MODIFICATION TO RFA

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

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

7.7 EXCEPTIONS

Applicants are highly encouraged, in lieu of including exceptions in their Applications, to address all issues that might be advanced by way of Exhibit E, Exceptions or 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.

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 any 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.

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 or non-receipt of an Application, inappropriately identified documents, or any 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 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 bind 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 any subsequent Addenda, using one of the approved methods identified below. Applications submitted by any other method will not be considered and will be disqualified.

- A. **Submission Option #1 HHS Online Bid Room:** Applicants 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 Applicant’s entire application in a Portable Document Format (“.pdf”) file.
 2. One (1) copy of the completed **Exhibit G, Budget Summary**, 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-Application Disclosure Requirements**, in a Portable Document Format (“.pdf”) file.
- B. **Submission Option #2 Sealed Package with USB Drives:** Applicants shall submit each of the following on separate USB drives:
1. One (1) USB drive with the complete Application file marked as “Original Application” in a Portable Document Format (“.pdf”) file. Include the USB in a separate envelope within the sealed Application package and mark the USB and envelope with “Original Application.”
 2. One (1) USB drive must include the completed **Exhibit G, Budget Summary**, in its original Excel format.

3. One (1) USB drive with a copy of the complete Application file marked as “Public Information Act Copy,” if applicable and in accordance with **Section 12.1, Texas Public Information Act-Application Disclosure Requirements**. The copy must be in a Portable Document Format (“.pdf”) file. Include the USB in a separate envelope within the sealed package and mark the USB and envelope with “Public Information Act Copy” or “PIA Copy.”
4. Sealed packaged must be clearly labeled with the following:
 - a. RFA Number;
 - b. RFA Title;
 - c. Application Response Deadline;
 - d. Sole Point of Contact’s name; and
 - e. Applicant’s legal name.

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

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

8.4 COSTS INCURRED FOR APPLICATION

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

8.5 APPLICATION COMPOSITION

All Applications must:

- A. Be responsive to all RFA requirements;
- B. Be clearly legible;
- C. Be presented using font type Verdana, Arial, or Times New Roman, font size 12 pt., with one (1) inch margins and 1.5 line spacing; the sole 12-point font size exception is no less than size 10 pt. for tables, graphs, and appendices;
- D. Include page numbering for each section of the 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 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 G, Budget Summary**, 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 any 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 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 any 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 any 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 prior submission in its entirety, and the prior submission 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 any 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 in 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**,

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's e-mail address in **Section 7.2, Sole Point of Contact**, by the deadline set by HHSC. Failure to

respond by the deadline may result in the rejection of the Application and the Applicant's not being considered for award.

9.3 QUESTIONS OR REQUESTS FOR CLARIFICATION FOR APPLICATIONS

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

9.4 EVALUATION CRITERIA

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

Scoring Criteria: Qualified Applications shall be evaluated based upon:

1. Service Facilitation (40%)
2. Partnerships (30%)
3. Communication and Outreach Strategies (30%)

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

An Applicant, among other reasons, may be denied a Grant Agreement at any point after it submits its application if 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/.](https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/))

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 on it 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>, and include:

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:

[Exclusions | Inspector General \(texas.gov\)](#).

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: [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 a Grantee 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 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 an Applicant who individually or collectively achieves program objectives. In applying these factors, the System Agency may consult with internal and external subject matter experts. The funding methodology for issuing a final Grant Agreement will include the following identified factors:

- A. Number of Individuals to be connected to services under the Project;
- B. Number of greater Houston areas to be targeted;
- C. Impact of outreach and communication efforts; and
- D. Other factors determined relevant by HHSC.

HHSC will make final funding decisions based on Applicant eligibility, evaluation rankings, geographic distribution across the State, State priorities, reasonableness, availability of funding, and cost-effectiveness. Project feasibility and likelihood of success are also considerations when scoring all criteria.

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

10.2 NEGOTIATIONS

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

- A. An in-depth discussion of the submitted Application and requested Budget; and/or
- 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 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 any potential Grantee. Grantee may contact the Sole Point of Contact or the 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 (“Certificate of Interested Parties”) 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 would then be subject to this procedure.

10.4 EXECUTION AND ANNOUNCEMENT OF GRANT AGREEMENT

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

At any time and at its sole discretion, System Agency reserves the right to cancel this RFA, make partial award, or decline to award any Grant Agreement 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 a tentative funding award 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 a grant. 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 as a result of this RFA, HHSC will post a notification of any grant 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 subgrantee or subcontractor (i.e., organization who will participate, in part, in the operation of the Project) within the past two (2) years to provide services similar to those in the Proposed Project.

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/>.

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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 v2.4, 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 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 G, Budget Summary (completed), may 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 B: Entity Information, Contract and Litigation History _____
2. Form C: Organizational Financial Information and Internal Controls Questionnaire _____
3. Form D: Nonprofit Entity (if applicable) _____

B. Narrative Proposal

1. Form A: Face Page _____
2. Form F: Narrative Application, which shall include the following:
 - a. A copy of the current board bylaws. _____

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

1. Exhibit A: HHS Solicitation Affirmations _____

Per Section 3.2, Application Screening Requirements, Exhibit A, HHS Solicitation Affirmations v 2.4 is mandatory and must be completed, signed, and submitted for the Application to be considered responsive. Applications received without Exhibit A or with an unsigned Exhibit A may be disqualified.

2. Exhibit E: Exceptions (if applicable) _____
3. Exhibit F: HHS Data Use Agreement v.8.5 _____

4. Exhibit F-1: Texas HHS System Data Use Agreement
Attachment 2, Security and Privacy Inquiry (SPI) _____

5. Exhibit G: Budget Summary (Excel spreadsheet) _____

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 may be disqualified.

6. Form E: Texas Health and Human 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 (Version 2.4)

Exhibit B: HHS Uniform Terms and Conditions – Grant Version 3.3

Exhibit C: HHS Additional Provisions, Grant Funding Version 1.0

Exhibit D: Evaluation Tool

Exhibit E: Exceptions

Exhibit F: HHS Data Use Agreement, Version v8.5

Exhibit F-1: Texas HHS System Data Use Agreement-Attachment 2, Security and Privacy Inquiry (SPI)

Exhibit G: Budget Summary

Exhibit H: Online Bid Room

Forms:

Form A: Respondent Information

Form B: Entity Information, Contract and Litigation History

Form C: Organizational Financial Information and Internal Controls Questionnaire

Form D: Nonprofit Entity – Board of Directors and Principal Officers

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

Form F: Narrative Application