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Health and Human Services

Cecile E. Young, Executive Commissioner

Request for Applications (RFA)

Children's Hospitals Construction Grant Program

RFA No. HHS0014956

Deadline For Submission of Applications

October 23, 2024, by 10:30 a.m. Central Time

Table of Contents

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

- 1.1 Executive Summary.....5
- 1.2 Definitions and Acronyms.....6
- 1.3 Statutory Authority9
- 1.4 Standards.....9

Section II. Scope of Grant Project..... 9

- 2.1 Purpose.....9
- 2.2 Program Background.....9
- 2.3 Eligible Population10
- 2.4 Eligible Service Areas10
- 2.5 Eligible Activities, Costs, and Services.....10
- 2.6 Program Requirements10
- 2.7 Required Reports11
- 2.8 Performance Measures and Monitoring.....12
- 2.9 Final Billing Submission12

Section III. Applicant Eligibility Requirements..... 13

- 3.1 Eligible Applicants13
- 3.2 Legal Authority to Apply.....13
- 3.3 Application Screening Requirements13
- 3.4 Grant Award Eligibility14
- 3.5 Grants for Political Polling Prohibited14

Section IV. Project Period 15

- 4.1 Project Period.....15
- 4.2 Project Closeout.....15

Section V. Grant Funding and Reimbursement Information..... 15

- 5.1 Grant Funding Source and Available Funding15
- 5.2 No Guarantee of Disbursement Amounts.....16
- 5.3 Grant Funding Prohibitions16
- 5.4 Matching Requirements.....17
- 5.5 Payment Method.....18

Section VI. Application Exhibits and Forms for Submission 19

- 6.1 Narrative Proposal19

6.2	Requested Budget	19
6.3	Indirect Costs	20
6.4	Administrative Applicant Information.....	20
Section VII. RFA Administrative Information and Inquiries.....		21
7.1	Schedule of Events.....	21
7.2	Sole Point of Contact	22
7.3	RFA Questions and Requests for Clarification.....	22
7.4	Ambiguity, Conflict, Discrepancy, Clarifications	23
7.5	Responses To Questions or Request for Clarifications	24
7.6	Changes, Amendment Or Modification To RFA.....	24
7.7	Exceptions.....	24
Section VIII. Application Organization and Submission Requirements.....		25
8.1	Application Receipt	25
8.2	Application Submission.....	25
8.3	Required Submission Method.....	25
8.4	Costs Incurred for Application	27
8.5	Application Composition.....	27
8.6	Application Organization.....	27
8.7	Application Withdrawals or Modifications	28
Section IX. Application Screening and Evaluation.....		28
9.1	Overview.....	28
9.2	Initial Compliance Screening of Applications.....	29
9.3	Questions or Requests for Clarification for Applications.....	29
9.4	Evaluation Criteria.....	29
9.5	Past Performance	30
9.6	Compliance for Participation in State Contracts.....	31
Section X. Award of Grant Agreement Process.....		32
10.1	Final Selection	32
10.2	Negotiations	33
10.3	Disclosure of Interested Parties	33
10.4	Execution and Announcement Of Grant Agreement(s).....	34
Section XI. General Terms and Conditions.....		35
11.1	Grant Application Disclosure	35

11.2	Texas Historically Underutilized Businesses (HUBs).....	35
<i>Section XII. Application Confidential or Proprietary Information.....</i>		35
12.1	Texas Public Information Act – Application Disclosure Requirements.....	35
12.2	Applicant Waiver – Intellectual Property	37
<i>Section XIII. Submission Checklist</i>		38
<i>Section XIV. List of Exhibits and Forms Attached to RFA.....</i>		40

Section I. Executive Summary, Definitions, and Statutory Authority

1.1 EXECUTIVE SUMMARY

The Texas Health and Human Services Commission (HHSC), the System Agency, is accepting applications for Grants for Children’s Hospital’s Constructing Mental Health Beds.

The purpose of this grant is to support the construction, including renovation of facilities, to create additional inpatient Mental Health Beds at Children’s Hospitals in Texas.

The construction of office space may not be accomplished with the use of these grant funds.

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's Hospitals Construction Grant Program
RFA No.:	HHS0014956
Deadline for Submission of Applications:	October 23, 2024, by 10:30 a.m. Central Time
Deadline for Submitting Questions or Requests for Clarifications:	September 30, 2024, by 2:00 p.m. Central Time
Estimated Total Available Funding:	\$9,752,990.00
Estimated Total Number of Awards:	Multiple
Estimated Max Award Amount:	\$9,752,990.00

Match Required, if any:	Refer to Section 5.4, Matching Requirements
Anticipated Project Start Date:	March 2025
Length of Project Period:	March 2025 – June 16, 2028 (Approximately 3 years)
Eligible Applicants:	Refer to Section 3.1, Eligible Applicants

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, 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 any day (24-hour period) in which HHSC normal business operations are conducted (excludes State holidays and weekends).

“Calendar Day (s)” means each day shown on the calendar beginning at 12:00 Midnight, including Saturdays, Sundays, and 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.

“Chief Financial Office” or “Office” is a division of HHSC.

“Children’s Hospital” is a children’s hospital pursuant to [Texas Administrative Code §355.8052](#) or a Children’s freestanding psychiatric facility pursuant to [Texas Administrative Code \(TAC\) 1 §355.8060](#) located in Texas.

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

“Community Collaborative” is an approach of two or more organizations working together to address an unmet need in a way that achieves efficiency, continuity and effectiveness that would not be realized by one organization.

“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.

“Inpatient Bed (s)” includes 24-hour beds located in a hospital setting in which clinical interventions for mental health or substance use diagnoses, or both, is provided.

“Match” is non-state share of costs the Grantee is required to contribute to accomplish the purpose of the Grant Project.

“Mental Health Bed” includes an inpatient bed, observation bed, or multi-functional bed.

“Multi-functional Bed” means a bed which provide medical providers the option to treat physical or behavioral health issues through material, equipment, and design selections that reduce the risk of harm to the patient experiencing a behavioral health issue. Examples of selections that reduce the risk of harm include doors to cover the equipment and light fixtures or cabinetry without sharp edges.

“Observation Bed” means an extended observation bed, which provides services to patients with behavioral health conditions with the aim of reducing emergency department boarding.

“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.

“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..”

“Soft Cost” means those costs that are indirectly related to materials, labor, or the physical building of the project.

“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 pursuant to [Senate Bill 30, 88th Legislature, Regular Session, 2023 \(Article 3, Section 3.02 \(19\)\)](#). 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

This funding opportunity invites grant applications requesting funding for Grants for Children’s Hospitals Constructing Mental Health Beds. The purpose of this program is to increase the availability of Mental Health Beds serving pediatric patients at Children’s hospitals in Texas. Under this program, HHSC’s Chief Financial Office (“Office”) will accept applications for the construction, or renovation of facilities, at Children’s hospitals to create additional Mental Health Beds for pediatric patients.

2.2 PROGRAM BACKGROUND

The 88th Texas Legislature appropriated funds in Senate Bill 30 to HHSC to establish grants to support the construction of Mental Health Beds at Children’s hospitals. This grant program does not cover operational costs of running the facilities.

2.3 ELIGIBLE POPULATION

The facilities constructed or renovated under this RFA must serve Texans ages 0-20 who require mental health services.

2.4 ELIGIBLE SERVICE AREAS

The service areas eligible for project funding under this RFA include:

1. A Texas county that is below the state average of beds per population for counties that have at least one (1) hospital that has at least one (1) licensed psychiatric bed, as calculated by HHSC; and
2. Has been designated as a [Health Professional Shortage Area](#) (HPSA) for mental health care providers by the Health Resources and Services Administration (data by county can be found here: [HPSA Find \(hrsa.gov\)](#)).

2.5 ELIGIBLE ACTIVITIES, COSTS, AND SERVICES

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

Construction projects can include the construction of new facilities, expansion of existing facilities, or remodeling of an existing space within a facility that is not currently being used to provide mental health services.

2.6 PROGRAM REQUIREMENTS

All Grant Projects funded under this RFA must meet the following program requirements:

1. Construct new facilities, or renovate existing facilities, to increase the number of pediatric Mental Health Beds before June 16, 2028.
2. Provide a local Match, in the form of additional funding or in-kind contributions. See **Section 5.4, Matching Requirements**
3. Effectively collaborate with community partners. Community Collaboratives should aim at maximizing existing resources and avoiding the duplication of effort.

2.7 REQUIRED REPORTS

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

REPORT	DUE DATE
Initial Project Plan	Within 30 Business Days of receiving the grant award.
Progress Report – Quarterly	Reports are due every three (3) months (based on the State fiscal year) no later than the 10 th of the month.
Final Report	Due 30 Calendar Days after the completion of the project. The report shall include, at a minimum, the following: <ol style="list-style-type: none"> 1. Facility overview; 2. Project goals; 3. Activities performed; 4. Finalized construction schedule; 5. Number of Mental Health Beds added; and 6. A summary of all activities and project achievements.
Single Audit Report – Annually	Nine (9) months after the Grantee’s fiscal year end.

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.

Grantee shall comply with state contracting guidance and applicable state law. The System Agency may require Grantee to comply with additional guidance for contracting, which may include requests for the System Agency to conduct pre-procurement reviews.

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

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

1. Status of construction and targeted completion date;
2. Detail of the work completed by the grantee during the quarter;
3. Status of contracts such as those for architectural, engineering, and construction services;
4. Status of applicable licensing and permitting;
5. Total expenditures to date; and
6. Total Match contributed to date.

If requested by System Agency, and in order to maintain funding eligibility under the awarded grant, 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.

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..

2.9 FINAL BILLING SUBMISSION

Unless otherwise directed by the System Agency, Grantee shall submit a reimbursement or payment request as a final close-out invoice no later than 45 Calendar Days following the end of the term of the Grant Agreement. Reimbursement or payment requests received after the deadline will be rejected and not paid.

Section III. Applicant Eligibility Requirements

3.1 ELIGIBLE APPLICANTS

The Applicant's facility must meet the following eligibility requirements:

1. A Children's freestanding psychiatric facility pursuant to Texas Administrative Code (TAC) 1 [§355.8060](#) located in Texas; or
2. A hospital that is:
 - a. A Children's Hospital pursuant to TAC 1 [§355.8052](#) located in Texas and has been licensed to operate at least 20 pediatric beds;
 - b. Located in a Texas county that is below the state average beds per population for counties that have at least one (1) hospital that has at least one (1) licensed psychiatric bed, as calculated by HHSC;
 - c. Located in a Texas county that has been designated by the Health Resources and Services Administration as a geographic area experiencing a health professional shortage area in the mental health discipline; and
 - d. A non-profit organization.

3.2 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.

Applicants may submit more than one Grant Application. If an applicant would like to apply to construct multiple facilities, each facility must have its own application. If the applicant will be applying to use one facility for two purposes allowable under this RFA, the applicant should submit only one application.

3.3 APPLICATION SCREENING REQUIREMENTS

In order to be considered an Applicant eligible for evaluations, the Applicant must submit documents the following to meet the application screening requirements:

1. Application must be received by the stated Deadline for Submission of Applications (date and time);

2. A complete application including all completed application forms and exhibits as required in **Section XIII, Submission Checklist**
3. Provide at least one (1) letter of support from the city or county where the construction will occur that shows evidence that the facility construction or renovation to increase the number of mental health beds for pediatric patients is supported.

3.4 GRANT AWARD ELIGIBILITY

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

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

3.5 GRANTS FOR POLITICAL POLLING PROHIBITED

Pursuant to the General Appropriations Act, Article IX, Section 4.03, none of the funds appropriated by the General Appropriations Act may be granted to or expended by any entity 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

Initial Project Period: The Project Period begins upon execution of the Grant Agreement and continues through June 16, 2028.

Optional Extension of Project Period: The System Agency may, at its sole discretion, extend the Project Period for an additional six (6) months to allow for the full expenditure of awarded funding and completion of Grant activities.

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 30 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 Children's Hospitals Construction Grant Program is **\$9,752,990.00** for the entire Project Period. It is the System Agency's intention to make multiple awards to multiple applicants that successfully demonstrate an ability to complete the project in the required timeframe, and upon completion of the project, provide follow-on services in the constructed facility for the purpose the facility was intended.

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.

Disbursement will only be made for actual, allowable, and allocable expenses that occur within the Project Period. Spending or costs incurred prior to the effective date of the Grant Agreement will be allowed to the extent that the costs would have been allowable if incurred after the date of award and only with the written approval of the System Agency.

5.2 NO GUARANTEE OF DISBURSEMENT AMOUNTS

There is no guarantee of total disbursement 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 will not be used to support the following services, activities, and costs: The activities, costs, and services listed below are ineligible and excluded for reimbursement and payment under any Grant Agreement awarded as a result of this RFA. Ineligible activities and costs are not counted toward the minimum Match calculation.

1. Any costs related to the construction of office space;
2. Indirect costs;
3. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
4. 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;
5. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
6. Vehicles for general agency use; to be allowable, vehicles must have a specific use related to Project objectives or activities;
7. 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;
8. Costs of promotional items, and memorabilia, including models, gifts, and souvenirs;
9. 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;

10. Membership dues for individuals;
11. Any expense or service that is readily available at no cost to the grant Project;
12. Any activities related to fundraising;
13. Any other prohibition imposed by federal, state, or local law; and
14. Other unallowable costs as listed under TxGMS, Appendix 7, Selected Items of Cost Supplement Chart and/or 2 CFR 200, Subpart E – Cost Principles, General Provisions for Selected Items of Cost, where applicable.

5.4 MATCHING REQUIREMENTS

Match must be treated consistently with grant funds and used only for allowable and allocable purposes.

A Grantee must provide a local Match, in the form of additional funding or in-kind contributions from the applicant, private contributors or local governments excluding state funds in an amount that is at least equal to the highest of the following amounts:

1. 25% of the grant amount if the collaborative includes a county with a population of less than 100,000;
2. 50% of the grant amount if the collaborative includes a county with a population of at least 100,000 but less than 250,000; or
3. 100% of the grant amount if the collaborative includes a county with a population of 250,000 or more.

All Matching funds must meet the following criteria:

1. Are verifiable from the Grantee's records;
2. Are not included as contributions for any other State award;
3. Are necessary and reasonable for accomplishment of Grant Project objectives;
4. Are allowable under the Grant Agreement;
5. Are not paid by the State; and
6. Are provided for in the approved Grant Requested Budget.

Matching funds may be in the form of land, building, and/or equipment necessary for the creation of mental health beds for pediatric patients, operational costs related to the mental health beds for pediatric patients, or other costs directly related to the creation of mental health beds, for the purpose of program. If real property or buildings are the basis of the Matching funds, the value of the property will be the lesser of: (1) The value of the remaining life of the property recorded in the local government's accounting records at the time of donation; or (2) The current fair market value. However, when there is sufficient

justification, HHSC may approve the use of the current fair market value of the donated property, even if it exceeds the value described in (1) at the time of donation.

Matching funds may be used for soft costs, which include:

1. Professional Fees: This includes feasibility studies, consultants, architectural fees, master planning, interior design, and engineering fees;
2. Land, Permits, Survey Fees: Land and real estate development costs associated with the legal process. This includes appraisal fees, land acquisition, assessments, land survey fees and the costs of inspections and permit fees paid to local governments.
3. Rentals, Equipment and Tools: Some of these items may not be related to the final project delivery. This includes trailers and equipment, cell phones, radio communication systems and any equipment in the staging area.
4. Accounting, Finance, and Insurance Fees: This includes bank transaction fees and accounting expenses, including software and data input. There are also construction loan commitment fees, broker fees and permanent commitment fees, as well as all insurance, dues for bid bonds, professional liability insurance and performance bond fees.
5. Project Management Costs and Taxes: These include staff compensation related to documentation and drawings, security and safety staff, any temporary staffing people, runners, direct payment to subcontractors and then all the related taxes to local and state agencies.
6. Post-construction Soft Costs: These might include legal fees that have not been settled, sales and leasing fees, building management fees, repair and property maintenance insurance, replacement costs, landscaping, security, insurance, and taxes.

Respondents are not required to certify Matching funds as part of the application process. However, State awards must be matched based on the requirement and no state funding will be released prior to an equivalent amount of Match certified by the Grantee to HHSC.

5.5 PAYMENT METHOD

Upon execution of a Grant Agreement(s), if any, resulting from this RFA, the HHSC will disburse to Grantee(s) a one-time initial advance payment of no more than 10% of the funding awarded for eligible costs. Upon completion of construction milestones, HHSC may disperse two additional disbursements.

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 **Form D, Narrative Proposal**, attached to this RFA, Applicants shall provide a narrative summary that describes their proposed activities, processes, and methodologies to satisfy all objectives as described in **Section II, Scope of the Project**, including the Applicant's experience, how the Project will be executed, the Applicant's Project plan, how the Project meets the local need, and Applicant's level of community engagement. Applicants must complete and submit all required attachments to **Form D, Narrative Proposal**.

6.2 REQUESTED BUDGET

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

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

Submission of Exhibit H, 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

Indirect costs will not be allowed under this RFA.

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.

1. Litigation and Contract History

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

In addition, Applicant must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Applicant or in which Applicant has been judged guilty or liable. . Failure to comply with the terms of this provision may disqualify Applicant. See, **Exhibit A, HHS Solicitation Affirmations 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 failure(s) to meet contractual or grant obligations.

2. Internal Controls Questionnaire

By accepting a grant award from HHSC, the Applicant organization accepts responsibility for complying with the management and administration of programmatic, financial, and reporting requirements of the grant award. All HHSC Grantees are required to have a financial management system in place that meets federal and state standards for expending and accounting for the funds received under the grant award. Under **Form C, Internal Controls Questionnaire** , HHSC seeks further information from Applicant as to its ability to address these programmatic, financial, and reporting requirements and meet the financial management system standards.

Applicant must complete **Form C, Internal Controls Questionnaire**, and submit with its 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	September 25, 2024
Deadline for Submitting Questions or Requests for Clarification	September 30, 2024, by 2:00 p.m. Central Time
Tentative Date Answers to Questions or Requests for Clarification Posted	October 7, 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.	October 23, 2024, by 10:30 a.m. Central Time
Anticipated Notice of Award	February 2025
Anticipated Project Start Date	March 2025

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 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 email **only** to the Grant Specialist designated as HHSC’s Sole Point of Contact listed below:

Name	Michele Rivers
Title	Grant Specialist, HHSC Procurement and Contracting Services
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 email with the sole point of contact identified above) does not preclude discussions between Applicant and agency personnel for the purposes of conducting business unrelated to this RFA.

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

7.3 RFA QUESTIONS AND REQUESTS FOR CLARIFICATION

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

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

1. RFA Number;
2. Section or Paragraph number from this Solicitation;
3. Page Number of this Solicitation;
4. Exhibit or other Attachment and Section or Paragraph number from the Exhibit or other Attachment;
5. Page Number of the Exhibit;
6. Language, Topic, Section Heading being questioned; and
7. Question

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

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

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

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

7.4 AMBIGUITY, CONFLICT, DISCREPANCY, CLARIFICATIONS

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

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

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

2. Shall not contest the interpretation by the HHSC of such provision(s); and
3. Shall not be entitled to additional reimbursement, relief, or time by reason of any ambiguity, conflict, discrepancy, exclusionary specification, omission, or other error or its later correction.

7.5 RESPONSES TO QUESTIONS OR REQUEST FOR CLARIFICATIONS

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

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

7.6 CHANGES, AMENDMENT OR MODIFICATION TO RFA

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

It is the responsibility of each Applicant to periodically check the HHS Grants RFA website for any additional information regarding this RFA. Failure to check 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 an exception by submitting **Exhibit E, Exceptions** 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 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 Grant Agreement(s) as a result of this RFA.

8.2 APPLICATION SUBMISSION

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

8.3 REQUIRED SUBMISSION METHOD

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

Submission Option #1: 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.

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 H, Requested Budget Template**, in its original Excel format.
3. One (1) copy of the complete Application marked as “Public Information Act Copy,” if applicable, in accordance with **Section 12.1, Texas Public Information Act-Application Disclosure Requirements** in a Portable Document Format (“.pdf”) file.

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

1. One (1) USB drive with the complete Application file marked as “Original Application” in a Portable Document Format (“.pdf”) file. Include the USB in a separate envelope within the sealed Application package and mark the USB and envelope with “Original Application.” USB drive must include the completed **Exhibit H, Requested Budget Template**, in its original Excel format.
2. One (1) USB drive with a copy of the complete Application file marked as “Public Information Act Copy,” if applicable and in accordance with **Section 12.1, Texas Public Information Act-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.”

Sealed packaged must be clearly labeled with the following:

1. RFA Number;
2. RFA Title;
3. Deadline for Submission of Applications;
4. Sole Point of Contact’s name; and
5. Applicant’s legal name

Applicants are solely responsible for ensuring the USB drives are submitted in sealed packaging that is sufficient to prevent damage to contents and delivered by 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
<p style="text-align: center;">Health and Human Services Commission ATTN: Michele Rivers Response Coordinator Tower Building, Room 108 1100 W. 49th St., MC 2020 Austin, Texas 78756</p>	<p style="text-align: center;">Health and Human Services Commission ATTN: Michele Rivers Response Coordinator Procurement & Contracting Services Building 1100 W. 49th St., MC 2020 Austin, Texas 78756</p>

8.4 COSTS INCURRED FOR APPLICATION

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

8.5 APPLICATION COMPOSITION

All Applications must:

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

8.6 APPLICATION ORGANIZATION

The complete application file must be pdf:

1. 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”)

- a. **Exhibit H, Requested Budget Template**, is to be submitted in its original Excel format.
 - b. Each Application section must have a cover page with the Applicant's legal name, RFA number, and Name of Grant identified.
2. Include all required documentation, exhibits, and forms completed and signed, as applicable. Copies of forms are acceptable, but all copies must be identical to the original. All exhibits must be submitted and obtained directly from the posted RFA package; previous versions and copies are not allowed or acceptable.

8.7 APPLICATION WITHDRAWALS OR MODIFICATIONS

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

1. Withdraw its Application by submitting a written request to the Sole Point of Contact; or
2. Modify its Application by submitting an entirely new submission, complete in all respects, using one of the approved methods of submission set forth in this RFA. The modification must be received by HHSC by the Deadline for Submission of Applications set forth in **Section 7.1, Schedule of Events**, or subsequent Addenda.

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

Section IX. Application Screening and Evaluation

9.1 OVERVIEW

A three-step selection process will be used:

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

9.2 INITIAL COMPLIANCE SCREENING OF APPLICATIONS

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

At the sole discretion of HHSC, 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 H, 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 e-mail address in **Section 7.2, Sole Point of Contact**, by the deadline set by HHSC. Failure to respond by the deadline may result in the rejection of the Application and the Applicant’s not being considered for award.

9.3 QUESTIONS OR REQUESTS FOR CLARIFICATION FOR APPLICATIONS

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

9.4 EVALUATION CRITERIA

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

Scoring Criteria: Qualified Applications shall be evaluated based upon:

1. Project Plan and Timeline (20%);
2. Project Requested Budget (30%);
3. Meeting Local Need (30%); and

4. Community Engagement (20%)

9.5 PAST PERFORMANCE

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

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

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

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

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

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

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

1. If applicable, Applicant has an unfavorable report or grade on the CPA Vendor Performance Tracking System (VPTS). VPTS may be accessed at: <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>, OR,
2. Applicant is currently under a corrective action plan through HHSC or DSHS, OR,
3. Applicant has contracts or purchase orders that have been cancelled in the previous 12 months for non-performance or substandard performance, OR

4. 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:

1. State of Texas Debarment and Warrant Hold

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

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

Applicant must not be excluded from contract participation at the federal level. This verification is conducted through SAM, the official website of the U.S. Government which may be accessed at: <https://sam.gov/content/home>.

3. Divestment Statute Lists

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

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

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

4. HHS Office of Inspector General

Applicant must not be listed on the HHS Office of Inspector General Texas Exclusions List for people or businesses excluded from participating as a provider: <https://oig.hhsc.state.tx.us/oigportal2/Exclusions>

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

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

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

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

HHSC reserves 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 funding methodology for issuing final Grant Agreements will include the following identified factors:

1. Level of local need. HHSC intends to award Grant Project for geographical areas with the most need and currently lacking services provided under this RFA.
2. Geographical diversity. HHSC intends to award Grant Projects across the state.
3. Cost per square foot and cost efficiency.

4. Ability to obtain Matching funds.

There is not a maximum allowable award amount, however, HHSC intends to make one or more awards across the state that will provide the most benefit. Community collaboratives should aim at maximizing existing resources and avoiding duplication of effort.

The System Agency will make final funding decisions based on Applicant eligibility, evaluation rankings, the funding methodology above, geographic distribution across the state, cost-effectiveness, and other relevant factors.

All funding recommendations will be considered for approval by the Chief Financial Officer, or their designee.

10.2 NEGOTIATIONS

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

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

10.3 DISCLOSURE OF INTERESTED PARTIES

Subject to certain specified exceptions, Section 2252.908 of the Texas Government Code, Disclosure of Interested Parties, applies to a 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 multiple Grant Agreements as a result of this RFA. However, not all Applicants who are deemed eligible to receive funds are assured of receiving a Grant Agreement.

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

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

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

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

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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 years to provide inpatient Mental Health Beds at Children’s Hospitals in Texas.

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:

1. Mark Original Application:

- a. Mark the Original Application, at the top of the front page, with the words “CONTAINS CONFIDENTIAL INFORMATION” in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font); and

- b. Identify, adjacent to each portion of the Application that Applicant claims is exempt from public disclosure, the claimed exemption from disclosure (NOTE: no redactions are to be made in the Original Application);
2. **Certify in Original Application – HHS Solicitation:** 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
3. **Submit Public Information Act Copy of Application:** Submit a separate “Public Information Act Copy” of the Original Application (in addition to the original and all copies otherwise required under the provisions of this RFA). The Public Information Act Copy must meet the following requirements:
 - a. The copy must be clearly marked as “Public Information Act Copy” on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font);
 - b. Each portion Applicant claims is exempt from public disclosure must be redacted (blacked out); and
 - c. Applicant must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in **Subsection (3) of this section** must be identical to those set forth in the Original Application as required in **Subsection 1(b)**, above. The only difference in required markings and information between the Original Application and the “Public Information Act Copy” of the Application will be redactions – which can only be included in the “Public Information Act Copy.” There must be no redactions in the Original Application.

By submitting an Application under this RFA, Applicant agrees that, if Applicant does not mark the Original Application, provide the required certification in Exhibit A, HHS Solicitation Affirmations 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 H, 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:

1. Administrative Information

- a. Form A, Applicant Information _____
- b. Form B, Administrative Information _____
- c. Form B-1, Governmental Entity, if applicable _____
- d. Form B-2, Non-Government Entity, if applicable _____
- e. Form C, Internal Control Questionnaire _____

2. 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.

- Form D, Narrative Proposal _____

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

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

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 an Exhibit A or with an unsigned Exhibit A will be disqualified.

- b. Exhibit D, Certification Regarding Lobbying _____

c. Exhibit E, Exceptions, if applicable _____

d. Exhibit H, 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.

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

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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, version 3.4

Exhibit C, Additional Provisions-Grant Funding, version 1.0

Exhibit D, Certification Regarding Lobbying

Exhibit E, Exceptions Exhibit F, Evaluation Tool

Exhibit G, HHS Online Bid Room Instructions

Exhibit H, Requested Budget Template

Exhibit I, Texas Uniform General Conditions for Construction Contracts with HHSC
Supplementary General Conditions, Version 2.2

Forms

Form A, Applicant Information

Form B, Administrative Information

Form B-1, Governmental Entity - Authorized Officials

Form B-2, Non-Government Entity Board of Directors and Principal Officers

Form C, Internal Controls Questionnaire

Form D, Narrative Proposal