



TEXAS

Department of Family and Protective Services

Stephanie Muth, Commissioner

Request for Applications (RFA)

*Grant for
Qualified Residential Treatment Program Accreditation
RFA No. HHS0014980*

DEADLINE FOR SUBMISSION OF APPLICATIONS
December 12, 2024, by 10:30 a.m. Central Time

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Section I. Executive Summary, Definitions, and Statutory Authority

1.1 EXECUTIVE SUMMARY

1.1.1 Texas Health and Human Services (HHS) on behalf of the Texas Department of Family and Protective Services’ (DFPS) Child Protective Services (CPS) Program is issuing this Request for Applications (RFA) to provide assistance with costs of obtaining or maintaining Qualified Residential Treatment Program Accreditation.

1.1.2 An Applicant’s Response will be accepted from General Residential Operations (GRO) providing Treatment Services or Residential Treatment Centers (RTC) that are licensed by HHS Child Care Regulation (CCR). For the purpose of this RFA, these operations will be referred to collectively as GROs.

1.1.3. DFPS will be awarding funds to Completed Accreditation and Pursing Accreditation Applicants.

1.1.4 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:	Qualified Residential Treatment Program Accreditation
RFA No.:	HHS0014980
Deadline Submission for Applications:	December 12, 2024 by 10:30 a.m. Central Time
Deadline for Submitting Questions or Requests for Clarifications:	November 15, 2024 by 5:00 p.m. Central Time
Estimated Total Available Funding:	\$854,600.00
Estimated Total Number of Awards:	Multiple
Estimated Max Award Amount:	\$100,000.00
Match Required, if any:	None
Anticipated Project Start Date:	Upon execution of Grant Contract in 2025

Length of Project Period:	From the date of Grant execution through August 31, 2025.
Eligible Applicants:	Refer to Section 2.3, Eligible Population.

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.

["24-Hour Residential Child Care \(RCC\)"](#) is an operation that provides the care, custody, supervision, assessment, training, education, or treatment of an unrelated child or children (17 years old or younger) for 24 hours a day.

["Accreditation"](#) is the process by which an approved federal Accreditation Entity certifies that a residential facility meets acceptable standards of care.

["Accreditation Entity"](#) includes the following three entities approved by DFPS for the purpose of this RFA:

1. The Commission on Accreditation of Rehabilitation Facilities (CARF) at <http://carf.org/> .
2. The Council on Accreditation (COA) at <https://coanet.org/> .
3. The Joint Commission on Accreditation of Healthcare Organizations (JCAHO) at <https://www.jointcommission.org/>.

["Accreditation Process"](#) is completing all requirements for achievement of certification for Accreditation through an Accreditation Entity.

["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.

["Apparent Grant Recipient"](#) is an organization selected to receive a grant award through response to this RFA but has not yet executed a Grant Contract.

"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 Contract 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 Contract, 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 DFPS-approved Budget executed in the final Grant Contract.

"Child Care Regulation" or "CCR" are regulations required by Texas Health and Human Services to protect children by regulating and educating child care providers. Child Care Regulation responsibilities include:

1. Regulating all child-care operations and child-placing agencies to protect the health, safety, and well-being of children in care.
2. Permitting and monitoring operations and agencies for compliance with state regulation standards, rules, and laws.
3. Investigating complaints alleging violations of minimum standards in childcare and residential child care operations.
4. Informing parents and the public about child care, including how specific child care and residential child care operations are complying with minimum standards of care.
5. Giving childcare providers technical assistance on meeting CCR minimum standards, rules, and laws.

"Children" are members of the target population served by the Applicant's organization. For the purposes of this RFA, Children is a child or youth with the most complex emotional, behavioral, and mental health needs who is in the conservatorship of DFPS and placed within the DFPS continuum of care.

"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 \$10,000. See §200.1 for Capital assets, Computing devices, General purpose Equipment, Information technology systems, Special purpose Equipment, and Supplies.

[“Family First Transition Act”](#) or [“FFTA”](#) is the spending bill designed to support States and tribes in their implementation of the 2018 Family First Prevention Services Act.

[“Grant Contract”](#) means the Contract entered into by DFPS 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 Contract awarded under this RFA. May also be referred to as [“Subrecipient”](#) or [“Contractor.”](#)

[“General Residential Operation”](#) or [“GRO”](#) is a 24-hour Residential Child Care (RCC) operation that provides child care for seven or more Children or young adults. The care may include Treatment Services and/or programmatic services. These operations include formerly titled emergency shelters, operations providing basic child care, Residential Treatment Centers, and halfway houses.

[“HHS CCR”](#) is Health and Human Services Child Care Regulations.

[“Indirect Cost”](#) means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Indirect Costs represent the expenses of doing business that are not readily identified with the Grant Project responsive to this RFA but are necessary for the general operation of the organization and the conduct of activities it performs.

[“Indirect Cost Rate”](#) is a device for determining in a reasonable manner the proportion of Indirect Costs each program should bear. It is the ratio (expressed as a percentage) of the Grantee’s Indirect Costs to a Direct Cost base.

[“Key Personnel”](#) is an Applicant organization’s Project contact, fiscal contact, executive director, and any other key stakeholders in the Project.

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

“Project Period” is the initial period of time set forth in the Grant Contract 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 Contract effective date and ends on the Grant Contract 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.

“Qualified Residential Treatment Program” or “QRTP” means an HHS licensed GRO that provides a time-limited clinical intervention, which includes placement into and service delivery for Children by qualified accredited residential facilities with highly trained, experienced, and qualified staff.

“Residential Treatment Center” or “RTC” is a General Residential Operation for seven or more Children or young adults that exclusively provides Treatment Services for Children with emotional disorders.

“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 DFPS and any other state agency, its officers, employees, or authorized agents.

“Texas Juvenile Justice Department” or “TJJJ,” see <https://www.tjjd.texas.gov/>.

“Treatment Services” is a specialized type of child care services designed to treat and/or support Children with emotional disorders, intellectual and developmental disabilities, pervasive developmental disorder, and primary medical needs.

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

“Uniform Terms and Conditions” or “UTCs” is the DFPS terms and conditions that govern any Application to this RFA or any grant Contract resulting from this RFA.

1.3 STATUTORY AUTHORITY

DFPS is requesting Applications under the 2020-2021 General Appropriations Act, H.B. 1, 86th Legislature, Regular Session, 2019, Article IX, Section 13.02, Report of Additional Funding.

In August 2020, prior to the start of the 87th Regular Legislative Session, DFPS sent a Request to Exceed to the Legislative Budget Board (LBB) and Office of the Governor (OOG) to request permission to expend federal [Family First Transition Act](#) (FFTA) funds for QRTP Accreditation grant program. The LBB and OOG granted permission to use \$1.5 million for this purpose.

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

2.1.1 The purpose of this grant is to provide supplemental funds to HHS licensed GROs that have achieved, are maintaining, or are pursuing Accreditation.

2.1.2 DFPS is awarding these funds to further the goal of increasing the number of Qualified Residential Treatment Programs (QRTPs), which will provide more 24-Hour Residential Child Care (RCC) options for DFPS Children.

2.1.3 To receive funding through this RFA, the Applicant can apply for either:

A. Completed Accreditation.

Applicants who have completed Accreditation and will use these grant funds for reimbursement of allowed costs incurred after October 1, 2019, and to maintain their Accreditation.

B. Pursuing Accreditation.

Applicants who will be or are pursuing Accreditation and will use these grant funds to complete their Accreditation.

2.2 PROGRAM BACKGROUND

[The Family First Prevention Services Act](#) (FFPSA) was passed under the Bipartisan Budget act of 2018. DFPS then released an FFPSA Strategic Plan in September 2020 which included a high-level plan for the implementation of a QRTP pilot. The intent of the QRTP is to increase and improve placement

options for Children in DFPS conservatorship with the most complex treatment needs.

QRTP is a new DFPS residential treatment placement program type that will provide 24-Hour Residential Child Care (RCC) services for Children in DFPS conservatorship with the most complex mental health and behavioral health needs.

Children who require placement into a QRTP will receive time-limited and qualified individualized treatment by accredited GROs. Children will receive six months of post discharge support to assist them and their families in achieving long term permanency, stability, and success.

In April 2022, DFPS released a QRTP Open Enrollment to solicit contractors to provide 24-Hour QRTP services to DFPS Children. As part of that Open Enrollment, Contractors must be Accredited. The intent of this grant is to incentivize Accreditation in order to meet enrollment requirements to become a contracted QRTP provider to serve Texas Children in DFPS conservatorship. Another purpose of this grant is to defray costs for Contractors to obtain or maintain Accreditation. It is not a requirement of this grant to be a contracted DFPS QRTP Contractor.

2.3 ELIGIBLE POPULATION

To be awarded a grant as a result of this RFA, an Applicant must meet the following requirements:

2.3.1 Be licensed by HHSC CCR as a GRO providing Treatment Services or RTC (GROs);

2.3.2 HHS license must be in good standing with HHS CCR;

2.3.3 Have completed Accreditation or be pursuing Accreditation from one of the three Accreditation Entities approved by DFPS (See **Section 1.2, Definitions and Acronyms**); and

2.3.4 Agree that they intend to provide placement and services for Children involved with HHSC, DFPS or TJJD.

2.4 ELIGIBLE SERVICE AREAS

The service areas eligible for Project funding under this RFA are any areas across the state of Texas.

2.5 ELIGIBLE ACTIVITIES

2.5.1 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 Contract awarded as a result of this RFA.

2.5.2 Grantees will receive financial support to assist with costs associated with the Accreditation as allowable under federal guidelines in the Family First Transition Act funds. This may include Accreditation related costs listed below:

- A.** Fees to the Accreditation Entity;
- B.** Providing technical assistance needed to plan for new program requirements due to Accreditation;
- C.** Paying staff and/or consultant costs tied directly to Accreditation Process, that includes salary, travel, fringe benefits, and preparing standard-compliant policies, procedures, and protocols;
- D.** Costs of supplies, controlled assets, Equipment, and software; and
- E.** Incidentals which are directly associated with the cost of Accreditation.

2.6 PROGRAM REQUIREMENTS

If awarded a grant, as part of the Grant Contract, both Completed Accreditation and Pursuing Accreditation Applicants will execute and agree to:

2.6.1 Use the full amount of the award solely toward Accreditation expenditures;

2.6.2 Expend full grant amount no later than September 30, 2025;

2.6.3 Timely submit required or requested financial documents to ensure grant funding can be applied toward or reimbursed for its intended purpose; and

2.6.4 Timely submit the required reports.

A. Completed Accreditation:

Annual Report – Annual written report must be submitted to DFPS to report any status changes to Accreditation Process and include an updated **Form E, Financial Proposal**.

B. Pursuing Accreditation:

(1) Quarterly Report –

Quarterly narrative summary must be submitted to DFPS to report progress on Accreditation status and projected date for completion; and

C. Annual Report (see Subsection 2.6.4, A. above).

D. Deadlines

2.7 MONITORING

Grant Contract(s) awarded as a result of this RFA are subject to DFPS' performance monitoring activities throughout the duration of the Grant

REPORT	DUE DATE
Quarterly Report	Dependent upon grant execution, Accreditation status, and projected date of completion
Annual Report	Dependent upon grant execution, and any status changes to Accreditation Process

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

If requested by DFPS, the Grantee will report on the progress towards completion of the Grant Project and other relevant information as determined by DFPS 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.

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 Contract that is the subject of this RFA and is eligible to receive awards. Further, Applicant certifies it will continue to maintain any required legal authority and eligibility throughout the entire duration of the grant term, if awarded. All requirements apply with equal force to Applicant and, if the recipient of an award, Grantee and its subGrantees or subcontractors, if any.

Each Applicant may only submit one Grant Application.

3.2 APPLICATION SCREENING REQUIREMENTS

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

3.2.1 Community-based nonprofit; or

3.2.2 Privately owned entities that have an organizational mission focused on child welfare services, and that meet the qualifications in **Section 2.3, Eligible Population.**

3.3 GRANT AWARD ELIGIBILITY

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

3.3.1 All of its identified subsidiaries intending to participate in the Grant Contract 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;

3.3.2 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;

3.3.3 They will remain in good standing and eligible to conduct its business in Texas and will comply with all applicable requirements of the Texas Secretary of State and the Texas Comptroller of Public Accounts;

3.3.4 Is currently in good standing with all licensing, permitting, or regulatory bodies that regulate any or all aspects of Applicant's operations; and

3.3.5 Is not delinquent in taxes owed to any taxing authority of the State of Texas as of the date of this Grant Contract.

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 Contract pursuant to this prohibition.

Section IV – Contract Term

4.1 CONTRACT TERM

The Contract Term is anticipated to be through August 31, 2025 with no extensions.

4.2 CONTRACT CLOSEOUT

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

Section V. Grant Funding and Reimbursement Information

5.1 GRANT FUNDING SOURCE AND AVAILABLE FUNDING

The total amount of State funding available for this grant program is \$854,600.00 for the entire Project Period. It is DFPS' intention to make multiple awards to Applicants that successfully demonstrate that they have obtained accreditation or are pursuing accreditation.

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. Apparent Grant Recipients may not be funded to the full extent of Applicant's requested Budgets to ensure grant funds are available for the broadest possible array of communities and programs.

Expenses incurred prior to the Grant Contract execution date may be reimbursed.

Reimbursement will only be made for actual, allowable, and allocable expenses that occur or occurred within the Contract Term.

5.2 NO GUARANTEE OF REIMBURSEMENT AMOUNTS

There is no guarantee of total reimbursements to be paid to any Grantee under any Grant Contract, 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 Contract 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:

5.3.1 Any use of grant funds to replace (supplant) funds that have been Budgeted for the same purpose through non-grant sources;

5.3.2 Inherently religious activities such as prayer, worship, religious instruction, or proselytization;

5.3.3 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;

5.3.4 Any portion of the salary of, or any other compensation for, an elected or appointed government official;

5.3.5 Vehicles for general agency use; to be allowable, vehicles must have a specific use related to Project objectives or activities;

5.3.6 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;

5.3.7 Costs of promotional items, and memorabilia, including models, gifts, and souvenirs;

5.3.8 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;

5.3.9 Membership dues for individuals;

5.3.10 Any expense or service that is readily available at no cost to the Grant Project;

5.3.11 Any activities related to fundraising;

5.3.12 Equipment and other capital expenditures such as capital improvements, property losses and expenses, real estate purchases, mortgage payments, remodeling, the acquisition or construction of facilities, or other items that are unallowable pursuant to 2 CFR 200.439;

5.3.13 Any other prohibition imposed by federal, state, or local law; and

5.3.14 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 COST SHARING OR MATCH

Match is defined as the non-state share of costs the Grantee is required to contribute to accomplish the purpose of the Grant Project. No Match is required under the program.

5.5 PAYMENT METHOD

Upon execution of a Grant Contract, if any, resulting from this RFA, DFPS may disperse to Grantee a one-time initial advance payment of 100 percent of the funding awarded.

Section VI. Application Exhibits and Forms for Submission

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

Applicants must provide the following information as part of their Response.

6.1.1 Completed Accreditation.

The Applicant with completed Accreditation will need to submit **Form F, Completed Accreditation Narrative Proposal.**

6.1.2 Pursuing Accreditation.

The Applicant pursuing Accreditation will need to submit **Form G, Pursuing Accreditation Narrative Proposal.**

6.2 FINANCIAL PROPOSAL

Applicant will need to submit detailed account of all allowable expenses (see **Section 2.5, Eligible Activities**) on **Form E, Financial Proposal** and this form is mandatory. Applicants that fail to submit as set forth in this RFA with their Application will be disqualified.

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

If selected for a grant award under this RFA, only DFPS-approved items in the requested Financial Proposal may be considered eligible for reimbursement.

6.3 ADMINISTRATIVE APPLICANT INFORMATION

Applicant must provide satisfactory evidence of its ability to manage and coordinate the types of activities described in this RFA.

6.3.1 Applicant

Use **Form A, Face Page** to complete basic information about the Applicant and Project, including the signature of the authorized representative.

6.3.2 Non-Profit or For-Profit Information

Complete **Form B, Non-Profit or For-Profit Entity Information** if Applicant is a non-profit or for-profit entity.

6.3.3 Administrative Information

Use **Form D, Administrative Information** to provide information regarding identification and contract or grant history of the Applicant, executive management, Project management, governing board members, and principal officers.

Respond to each request for information or provide the required supplemental document behind this form. If Applications require multiple pages, identify the supporting documentation with the applicable request.

6.3.4 Litigation and Contract History

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

Applicant must disclose any civil or criminal litigation or investigation pending over the last five years that involves Applicant or in which Applicant has been judged guilty or liable.

Under **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.

6.3.5 Internal Controls Questionnaire

Applicant must complete **Form C, Internal Control Structure Questionnaire (ICSQ) for Cost Reimbursement Grant** 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 website	October 29, 2024
Applicant Conference Attendance is Optional	November 4, 2024, at 10:00 a.m. Central Time
Deadline for Submitting Questions or Requests for Clarification	November 15, 2024, by 5:00 p.m. Central Time
Tentative Date Answers to Questions or Requests for Clarification Posted	November 27, 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.	December 12, 2024, by 10:30 a.m. Central Time
Anticipated Notice of Award	February 2025
Anticipated Project Start Date	Upon execution of Grant Contract in 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 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 will be made by email **only** to the Grant Specialist designated as HHSC's Sole Point of Contact listed below:

Name	Barbara Logan
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) 406-2483
Email	Barbara.Logan@hhs.texas.gov

Applicants will 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 will 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

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

7.3.2 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

7.3.3 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 number⁴
- 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 or DFPS 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

7.4.1 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.

7.4.2 Each Applicant submits its Application at its own risk.

7.4.3 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 Contract or not:

- A.** Will have waived any claim of error or ambiguity in the RFA and any resulting Grant Contract;
- B.** Will not contest the interpretation by the HHSC or, as applicable, DFPS of such provision(s); and
- C.** Will not be entitled to additional reimbursement, relief, or time by reason of any ambiguity, conflict, discrepancy, exclusionary specification, omission, or other error or its later correction.

7.5 RESPONSES TO QUESTIONS OR REQUEST FOR CLARIFICATIONS

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

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

7.6 CHANGES, AMENDMENT OR MODIFICATION TO RFA

HHSC or, as applicable, DFPS 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 exception by submitting **Exhibit F, Exceptions Form or** 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 Contract resulting from this RFA unless expressly made a part of the Grant Contract in writing by the DFPS.

7.8 APPLICANT CONFERENCE

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

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

7.8.3 The conference may be held by webinar, conference call or both. Attendees are required to sign a conference attendance log and those joining via conference call are required to send an email to the Sole Point of Contact (see **Section 7.2, Sole Point of Contact**) advising of participation in the conference. Whether signing the conference attendance log in person or sending email notification, each attendee must provide his/her name, attendee's company name, and attendee email address.

7.8.4 All questions and requests for clarification must be presented in writing at the conference. Reference **Section 7.3, RFA Questions and Requests for Clarification** for the required format and information to be included.

7.8.5 During the conference, HHSC or, as applicable, DFPS may provide responses; however, HHSC or, as applicable, DFPS will consolidate the official responses to all questions and requests for clarifications received during the conference and include in an Addendum posted on the HHS Grants RFA website.

7.8.6 HHSC or, as applicable, DFPS reserves the right to amend responses to questions and requests for clarification after posting 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.

7.8.7 Webinar Information:

The conference will be held through GoToWebinar, which may be accessed at <https://attendee.gotowebinar.com/register/8164826454541798236>

Webinar Instructions:

- A.** Enter Webinar ID: 841-841-243
- B.** Enter Attendee’s business email.
- C.** To register, the participants must have the following information ready.
 - (1) First and last name of each attendee/registrant
 - (2) E-mail address for the attendee/registrant
 - (3) Applicant’s legal name
 - (4) Job title of attendee/registrant

Section VIII. Application Organization and Submission Requirements

8.1 APPLICATION RECEIPT

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 Contract that may result from the submission of an Application.

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 Contract 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, email) will not be considered and will be disqualified.

8.3.1 Submission Option #1 HHS Online Bid Room: Applicants will upload the following documents to the Online Bid Room utilizing the procedures in **Exhibit D, HHS Online Bid Room. File Size Limitation:** Restriction to 250MB per file attachment.

- A.** One (1) copy marked as “Original Application” that contains the Applicant’s entire Application in a Portable Document Format (“.pdf”) file.

- B. One (1) copy of the completed **Form E, Financial Proposal**, in its original Excel format.
- C. 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.

8.3.2 Submission Option #2 Sealed Package with USB Drives:

Applicants will submit each of the following on separate USB drives:

- A. One (1) USB drive with the complete Application file marked as "Original Application" in a Portable Document Format (".pdf") file. Include the USB in a separate envelope within the sealed Application package and mark the USB and envelope with "Original Application." USB drive must include the completed **Form E, Financial Proposal**, in its original Excel format.
- B. 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) Application Response Deadline
- (4) Sole Point of Contact's name
- (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
Health and Human Services Commission ATTN: Barbara Logan	Health and Human Services Commission ATTN: Barbara Logan

Overnight/Express/Priority Mail	Hand Delivery
<p style="text-align: center;">Tower Building Room 108 1100 W. 49th St., MC 2020 Austin, Texas 78756</p>	<p style="text-align: center;">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:

8.5.1 Be responsive to all RFA requirements;

8.5.2 Be clearly legible;

8.5.3 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;

8.5.4 Include page numbering for each section of the proposal; and

8.5.5 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 .pdf must:

8.6.1 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,”)

A. Form E, Financial Proposal, 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.

8.6.2 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:

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

8.7.2 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 THREE STEP SELECTION PROCESS

9.1.1 Application screening to determine whether the Applicant meets the minimum requirements of this RFA;

9.1.2 Evaluation based upon specific criteria; and

9.1.3 Final selection based upon State priorities and other relevant factors in **Section 10.1, Final Selection**.

9.2 INITIAL COMPLIANCE SCREENING OF APPLICATIONS

9.2.1 All Applications received by the Deadline for Submission of Applications 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 under **Section 3.2, Application Screening Requirements**.

9.2.2 At the sole discretion of HHSC, in coordination with DFPS, 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.

9.2.3 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.

9.2.4 Any disqualifying factor set forth in this RFA does not constitute an informality (e.g., **Exhibit A, HHS Solicitation Affirmations v. 2.4**, or **Form E, Financial Proposal**).

9.2.5 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

DFPS 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. DFPS reserves the right to select qualified Applications received in response to this RFA without discussion of the Applications with Applicants.

9.4 EVALUATION CRITERIA

Applications will be evaluated and scored in accordance with the following scoring criteria using **Exhibit E, Evaluation Tool** and the scoring percentage criteria that the Qualified Applicants will be evaluated is:

9.4.1 Experience/Personnel Qualifications (30%)

9.4.2 Methodology and Approach (50%)

9.4.3 Administration and Management (20%)

9.5 PAST PERFORMANCE

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

9.5.2 DFPS 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.

9.5.3 DFPS, at its sole discretion, may also initiate investigations or examinations of Applicant performance based upon media reports. Any

negative findings, as determined by DFPS in its sole discretion, may result in DFPS removing the Applicant from further consideration for award.

9.5.4 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.

9.5.5 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.

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

- A.** If applicable, Applicant has an unfavorable report or grade on the CPA Vendor Performance Tracking System (VPTS) and can be accessed at <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>;
- B.** Applicant is currently under a corrective action plan;
- C.** Applicant has had repeated, negative vendor performance reports;
- D.** Applicant has a record of repeated non-responsiveness to vendor performance issues;
- E.** Applicant has contracts or purchase orders that have been cancelled in the previous 12 months for non-performance or substandard performance; or
- F.** Any other performance issue that demonstrates that awarding a Grant Contract 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 Contract 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 DFPS's sole discretion, Applicants found to be barred, prohibited, or otherwise excluded from award of a Grant Contract may be disqualified from further consideration under this solicitation, pending satisfactory resolution of all compliance issues.

Checks include:

9.6.1 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).

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

9.6.3 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.

9.6.4 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.texas.gov/exclusions>

9.6.5 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 and DFPS reserve/s the right to conduct additional checks to determine eligibility to receive a Grant Agreement.

Section X. Award of Grant Contract Process

10.1 FINAL SELECTION

DFPS intends on making multiple awards. After initial screening for eligibility and Application completeness, and initial evaluation against the criteria listed in **Section 9.4, Evaluation Criteria**, DFPS 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, DFPS may consult with internal and external subject matter experts.

DFPS will make final funding decisions based on Applicant eligibility, evaluation rankings, the funding methodology above, geographic distribution across the state, state priorities, reasonableness, availability of funding, cost-effectiveness, and other relevant factors.

10.2 NEGOTIATIONS

10.2.1 After selecting Applicants for award, DFPS may engage in negotiations with selected Applicants.

10.2.2 As determined by DFPS, the negotiation phase may involve direct contact between the selected Applicant and HHS representatives by virtual meeting, by phone and/or by email.

10.2.3 Negotiations should not be interpreted as a preliminary intent to award funding unless explicitly stated in writing by DFPS and is considered a step to finalize the Application to a state of approval and discuss proposed grant activities.

10.2.4 During negotiations, selected Applicants may expect an in-depth discussion of the submitted Application and Requested Budget and requests from DFPS for revised documents, clarification or additional detail regarding the Applicant's submitted Application.

10.3 DISCLOSURE OF INTERESTED PARTIES

10.3.1 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.

10.3.2 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 DFPS at the time the business entity submits the signed contract.

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

10.3.4 The Form 1295 involves an electronic process through the Texas Ethics Commission (TEC) and is on the TEC public website at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm.

10.3.5 Additional instructions and information to be used to process the Form 1295 will be provided by the DFPS to the potential Grantee(s). Grantee may contact Sole Point of Contact or designated Contract Manager for information needed to complete Form 1295.

10.3.6 If the potential Grantee does not submit a completed, certified and signed TEC Form 1295 to the DFPS with the signed Grant Contract, the DFPS is prohibited by law from executing a contract, even if the potential Grantee is otherwise eligible for award.

10.4 EXECUTION AND ANNOUNCEMENT OF GRANT CONTRACT(S)

10.4.1 DFPS intends to award multiple Grant Contracts as a result of this RFA.

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

10.4.3 The funding amount and the provisions of the grant will be determined at the sole discretion of DFPS.

10.4.4 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.

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

Section XI. General Terms and Conditions

11.1 GRANT APPLICATION DISCLOSURE

In an effort to maximize state resources and reduce duplication of effort, DFPS, 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.

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, DFPS encourages Applicant to use HUBs to provide goods and services.

For information regarding the Texas HUB program, refer to CPA's website at <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 Contracts 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 DFPS

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:

12.1.1 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);

12.1.2 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

12.1.3 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 (12.1.3) of this section** must be identical to those set forth in the Original Application as required in **Subsection 12.1.1 (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.

12.1.4 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 DFPS's public website, and posted on the Legislative Budget Board's public website.

12.1.5 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, DFPS, 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.

12.1.6 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.

12.1.7 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 DFPS and all other state agencies, without cost or liability.

12.1.8 DFPS 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. DFPS 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. DFPS assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Applicants.

12.1.9 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 CONTRACT 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.

Section XIII. Submission Checklist

13.1 HHSC, in coordination with DFPS, 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.

13.2 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.

13.3 Applications that do not include Exhibit A, HHS Solicitation Affirmations v. 2.4 (completed and signed), and Form E, Financial Proposal (completed), will be disqualified. See Section 9.2, Initial Compliance Screening of Applications for further detail.

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

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

13.5.1 Administrative Information

- A.** Form A, Face Page _____
- B.** Form B, Non-Profit or For-Profit Entity Information _____
- C.** Form C, Internal Control Structure Questionnaire Cost for Reimbursement Grant _____
- D.** Form D, Administrative Information _____

13.5.2 Narrative Proposal

- A.** Form F, Completed Accreditation Narrative Proposal _____
- B.** Form G, Pursuing Accreditation Narrative Proposal _____

13.5.3 Financial Proposal

A. Form E, Financial Proposal (PDF) _____

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

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

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

Per Section 9.2, Initial Compliance Screening of Applications , Exhibit A is mandatory and must be completed, signed and submitted for the Application to be considered responsive. Applications received without Exhibit A or with an unsigned Exhibit A may be disqualified.

B. Exhibit F, Exceptions Form, if applicable _____

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

Section XIV. List of Exhibits and Forms Attached to RFA

EXHIBITS

Exhibit A, HHS Solicitation Affirmations v. 2.4

Exhibit B, DFPS Grant Uniform Terms and Conditions

Exhibit C, DFPS Grant Supplemental and Special Conditions

Exhibit D, Online Bid Room Instructions

Exhibit E, Evaluation Tool

Exhibit F, Exceptions Form

FORMS

Form A, Face Page

Form B, Non-profit Entity or For-Profit Entity Information (if applicable)

Form C, Internal Control Structure Questionnaire for Cost Reimbursement Grants

Form D, Administrative Information

Form E, Financial Proposal

Form F, Completed Accreditation Narrative Proposal

Form G, Pursuing Accreditation Narrative Proposal