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Health and Human Services

Cecile E. Young, Executive Commissioner

Request for Applications (RFA)

*Grant for
HHSC Family Violence Program
Special Nonresidential Projects
RFA No. HHS0011080*

APPLICATION SUBMISSION DEADLINE

June 28, 2022 by 10:30 a.m. Central Time

NIGP Codes:

952-18 - Child Care Services, Including Food Programs

952-37 - Emergency Shelter Services

952-59 - Human Services (Not Otherwise Classified)

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**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 the Family Violence Program Special Nonresidential Projects.

The purpose of this program is to promote self-sufficiency, long-term independence, and safety from Family Violence and Dating Violence to Survivors and their children statewide to reduce the negative impacts of Family Violence on families and communities.

The HHSC Family Violence Program seeks applications to provide Special Nonresidential Projects (SNRP), including innovative non-residential direct services or community education services, to unserved and underserved victims of Family Violence, as part of HHSC’s plan for delivering Family Violence services in Texas, entitled [Creating a Safer Texas: Access to Safety, Justice, and Opportunity](#), hereafter called the [State Plan](#). HHSC’s plan for providing Family Violence services is developed pursuant to [Human Resource Code Section 51.0021Texas Human Resource Code \(HRC\) Section 51.0021](#). SNRP funding is targeted to support communities who have historically faced marginalization as outlined in the State Plan.

In addition, the proposed SNRPs must also address the disparate impacts and emergent needs of unserved and underserved survivors of Domestic Violence resulting from the COVID-19 public health emergency, pursuant to [Section 2204 of the American Rescue Plan \(ARP\) Act of 2021](#). The main purpose is to help mitigate and further prevent health impacts in marginalized and underserved communities that have been affected by COVID-19 or who face disparate impacts because of living in communal housing settings.

The total amount of funding available for the Family Violence Program SNRP grant is **\$5,814,519 which must be expended in Federal Fiscal Years 2023 and 2024, with \$2,907,259 budgeted annually**. Awards will be comprised of federal Family Violence Prevention and Services Act (FVPSA) funding as well as ARP funding. Grantees are required to match 20 percent of their FVPSA award; ARP funds are exempt from any match requirement. It is HHSC's intention to make multiple awards. Awards will be funded between the range of \$100,000 to \$250,000 per year, for each grant award, subject to negotiation and the availability of funds. Based on the availability of funds, HHSC may renew or extend the grant term as necessary to complete the mission of the grant program contingent upon renewals or extensions of the grant program do not exceed 3 years.

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:	Family Violence Program Special Nonresidential Projects
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RFA No.:	HHS0011080
Deadline for Applications:	June 28, 2022 at 10:30 AM Central Time
Deadline for Submitting Questions or Requests for Clarifications:	May 31, 2022 at 5:00 PM Central Time
Estimated Total Available Funding:	\$5,814,518
Estimated Total Number of Awards:	Multiple
Estimated Max Award Amount:	\$250,000
Match Required, if any:	20% of the FVPA portion of their award
Anticipated Project Start Date:	October 1, 2022
Length of Project Period:	2 years
Eligible Applicants:	<p>Not debarred of receiving any federal or state funds at the time of the award; and</p> <p>An eligible public or private nonprofit organization with a current 501(c)(3) status and who best demonstrates the ability to deliver services to victims of Family Violence and/or Dating Violence as outlined in this RFA.</p>

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 for Applications**, for further details.

1.2 DEFINITIONS AND ACRONYMS

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

Refer to all exhibits to this RFA for additional definitions.

“American Rescue Plan” or “ARP” means a supplemental federal funding source that may be used to prepare, prevent, or respond to the economic and health effects of the COVID-19 pandemic to reduce exposure or risk of COVID-19.

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

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

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

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

“CFR” means the Code of Federal Regulations which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

“Client” means a member of the target population to be served by the Applicant's organization. For the purposes of this grant, a “Client” is a Survivor of Family Violence or Dating Violence.

“Dating Violence” means violence committed by an individual against another individual with whom that person has or has had a dating relationship and that is intended to result in physical harm, bodily injury, assault, or sexual assault; a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault; or intended to inflict emotional harm, including an act of emotional abuse.

“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.

“Domestic Violence” means the same as Family Violence.

“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 [2 CFR § 200.1](#) for Capital assets, Computing devices, General purpose equipment, Information technology systems, Special purpose equipment, and Supplies.

“Family” or “Families” means a household including one or more caregivers or parents that is currently caring for at least one child under the age of eighteen (18) years.

“Family Violence” means an act by a member of a family or household against another member of the family or household that: (a) is intended to result in physical harm, bodily injury, or assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, or assault, but does not include defensive measures to protect oneself; or (b) is intended to inflict emotional harm, including an act of emotional abuse. ([Texas Human Resources Code, Chapter 51, Sec. 51.002\(2\)](#))

“Family Violence Center” means a Family Violence Shelter Center and a Family Violence Nonresidential Center, as defined in the [Texas Human Resources Code, Sections 51.002\(4\) and 51.002\(5\)](#).

“Family Violence Prevention and Services Act” or “FVPSA” is the primary federal funding source authorized at [42 U.S.C. §10401](#), et seq., dedicated to the support of emergency shelter and related assistance for victims of Family Violence, Domestic Violence, and Dating Violence and their children and from which these grants will be funded.

“File Transport Protocol (FTP)” is a standard network protocol used for the transfer of computer files between a client and server on a computer network.

“FVNet” is a secure HHSC database that is used by the HHSC Family Violence Program to collect grantees’ data each month. FVNet accepts de-identified data in the format as outlined in **Attachment B, FVNet File Upload Data Format Guide**.

“Good Standing” means that any operation subject to [Texas Human Resource Code, Chapter 42](#) is in full compliance with applicable provisions and related administrative rules.

“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.

"HHSC Enterprise Portal" means a portal that allows awarded Applicants to access the HHSC FVNet application in one place.

"Health and Human Services (HHS) Grant Website" means the electronic marketplace where HHSC grant contract opportunities are located. The HHS Grant Website may be accessed at <https://apps.hhs.texas.gov/pcs/rfa.cfm>.

"Human Trafficking" The United States Department of Justice generally classifies human trafficking into two major categories:

- A. Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act is 17 or younger.
- B. Labor trafficking involves the recruitment, harboring, transportation, provision, or obtainment of a person through the use of force, fraud, or coercion for the purpose of involuntary servitude, peonage, debt bondage, or slavery.

"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" means an Applicant organization's Project Contact, Fiscal Contact, and Executive Director and/or any other key stakeholders in the Proposed Project.

"Match" is the non-federal share of costs the Grantee is required to contribute to accomplish the purpose of the Grant Project. Match applies to FVPSA funds but is not required for ARP funds.

"Primary Prevention" means research and programs, designed for and directed to nonclinical populations at risk, that seek to promote and lay a firm foundation for mental, behavioral, or physical health so that psychological disorders, illness, or disease will not develop. Aims to prevent disease or injury before it occurs.

"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.

"Respondent" means the entity responding to this Solicitation. May also be referred to as "Applicant."

"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.”

"Rural Community" is defined as a population, housing, and territory not included within an urbanized area or urban cluster.

"Secondary Prevention" means intervention for individuals or groups that demonstrate early psychological or physical symptoms, difficulties, or conditions (i.e. subclinical problems), which is intended to prevent the development of more serious dysfunction or illness. Aims to reduce the impact of a disease or injury that has already occurred.

"Special Nonresidential Project" or "SNRP" means a project funded by the System Agency that provides Family Violence services to an underserved or unserved population or geographic area or provides prevention programming to a prescribed population.

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

"Successful Applicant" means an organization that receives a grant award as a result of this Solicitation. May also be referred to as "Contractor," "Grantee," "Awarded Applicant," "Subrecipient," or "Grant Recipient."

"Survivor" means an individual who has experienced Family Violence, Domestic Violence, or teen Dating Violence as defined in this section of the RFA.

"System Agency" means HHSC, the party to any Grant Agreement resulting from the RFA.

"TAC" means the [Texas Administrative Code](#). The TAC is a compilation of all state agency rules in Texas. There are 17 titles in the TAC. Each title represents a category and related agencies are assigned to the appropriate title. TAC is maintained by the Texas Secretary of State (SOS) and may be accessed on the SOS website at [https://texreg.sos.state.tx.us/public/readtac\\$ext.viewtac](https://texreg.sos.state.tx.us/public/readtac$ext.viewtac)

"Tertiary Prevention" means intervention for individuals or groups with already established psychological or physical conditions, disorders, or diseases. Tertiary interventions include attempts to minimize negative effects, prevent further disease or disorder related to complications, prevent relapse, and restore the highest physical or psychological functioning possible. Aims to soften the impact of an ongoing illness or injury that has lasting effects over time.

["Texas eGrants"](https://txapps.texas.gov/tolapp/egrants/search.htm) is the electronic marketplace where State of Texas grant contract opportunities may be located. The Texas eGrants may be accessed at <https://txapps.texas.gov/tolapp/egrants/search.htm>.

["TxGMS"](#) means the Texas Grant Management Standards published by the Texas Comptroller of Public Accounts.

1.3 STATUTORY AUTHORITY

The System Agency is requesting applications under Chapter 531 of the Texas Government Code and Chapter 51 of the Texas Human Resources Code. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

Federal funding for this Grant Project is authorized under the Family Violence Prevention and Services Act, as amended and codified in [42 U.S.C. Section 10401 et seq.](#), and [Section 2204 of the American Rescue Plan Act of 2021](#). All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law. Federal funding awarded to the System Agency is through the program listed below:

Federal Grant Program:	Family Violence Prevention and Services Program
Federal Awarding Agency:	Department of Health and Human Services Administration for Children and Families
Funding Opportunity No.:	HHS-2021-ACF-ACYF-FVPS-1962 ARP Award # 2102TXFVC6
Assistance Listing Number and Program Title:	93.671 Family Violence Prevention and Services Act Formula Grants for States and Native American Tribes and Tribal Organizations

1.4 STANDARDS

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

SECTION II. SCOPE OF GRANT PROJECT

2.1 PURPOSE

This funding opportunity invites grant applications requesting funding for the Family Violence Program (FVP) Special Nonresidential Projects (SNRP). The purpose of the FVP SNRP funding is to provide supportive services to Survivors of Family or teen Dating Violence, as well as increase prevention efforts of Family Violence within communities across Texas. The purpose is also to prevent, prepare for, respond to, and recover from the economic and health effects of the COVID-19 pandemic, particularly for those underserved populations who have been disproportionately impacted and face marginalization as outlined in the Texas State Plan for Family Violence services.

The ARP supplemental award provides flexibility in how the funding is used to prevent, prepare for, and respond to the COVID-19 public health emergency as needs evolve within the community. Funding may support a wide range of in-scope activities including counseling, mobile advocacy, telehealth, peer support, shelter and temporary housing, rental assistance and nominal relocation expenses, supplies, and equipment and software to assist in carrying out remote services. Funding may also be utilized to help promote staff, as referenced in **Section 2.3, Item J**, mental wellness to address burnout, stress, vicarious trauma, etc. for staff that may have been impacted by COVID-19, while serving their communities.

2.2 PROGRAM BACKGROUND

The FVP, operating within Health, Development, and Independence Services Division of HHSC, promotes self-sufficiency, long-term independence, and safety from Family Violence and Dating Violence through contracted services with statewide service providers and community-based organizations. The overarching goal of the FVP is to reduce the incidence and impact of Family Violence on individuals, families, and communities in Texas.

[Chapter 51 of the Texas Human Resources Code](#) defines a Family Violence Special Nonresidential Project as one that is operated by a public or private nonprofit organization and provides at least one specialized Family Violence service. All HHSC Family Violence Special Nonresidential Projects must follow rules set forth under [Title 1 of the Texas Administrative Code \(TAC\), Chapter 379, Subchapter C](#).

2.3 ELIGIBLE POPULATION

The eligible population to be served under this RFA consists of individuals who are:

- A. Older Adult Survivors- Adults aged 65 years or older;
- B. Survivors who cannot meet their basic needs or those of their family;
- C. Survivors with mental health needs;
- D. Survivors of Human Trafficking who are also Family Violence Survivors;
- E. Communities of Color:
 1. Asian Pacific Islander

- 2. African American
- 3. Latinx (gender-neutral term for people of Latin American heritage)
- 4. Indigenous/Native American
- F. Survivors residing in Rural Communities;
- G. Survivors with a disability;
- H. Survivors identifying as Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ);
- I. Youth
 - 1. Survivors of Dating or Family Violence
 - 2. Children who witness Family Violence; and
- J. Staff who directly serve Survivors of Family or Dating Violence (*must utilize ARP funding for this service. See Section 5.3 Grant Funding Prohibition, letter O.*)

2.4 ELIGIBLE SERVICE AREAS

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

Services offered across Texas, both in rural and urban areas.

2.5 ELIGIBLE ACTIVITIES

The purpose of the FVP SNRP program is to fund specialized Family Violence services that address a need in the community as identified in **Section 2.5.3, Need for Service** of this RFA and as outlined in [Texas Human Resources Code, Chapter 51](#). This includes but is not limited to community education, and primary prevention of Family Violence, Domestic Violence, and teen Dating Violence, through innovative community-based projects and/or direct nonresidential services for unserved or underserved populations. This also includes activities that prevent, prepare for, respond to, and recover from the impacts from the COVID-19 pandemic, particularly disparate impacts to unserved or underserved populations. By submitting a response to this Solicitation, Applicants represent and warrant that they are willing to enter into a written Grant Agreement with HHSC based on the terms and conditions set forth therein.

2.5.1 Allowable Services with FVPSA SNRP Funding

In developing proposals in response to this RFA, Applicants will be required to complete attached **Forms A** through **F** to identify how they will provide one or more of the following services:

- A. Community Education - Education and awareness on Family Violence, Domestic Violence and/or teen Dating Violence that targets an underserved or unserved population as identified in **Section 2.5.3, Need for Service**, of this RFA.
- B. Primary Prevention - The goal of Primary Prevention is to stop intimate partner violence before it begins by addressing factors in the social environment that influence perpetration, victimization, and bystander behaviors. Effective Primary Prevention programming requires (a) community planning to define desired outcomes, (b) leadership of culturally appropriate prevention efforts, and (c) meaningful evaluation processes.

Primary Prevention is a process based on implementing programs on a four-level, socio-ecological model to better understand violence and the effect of potential prevention strategies. Individuals as well as their influencers (e.g., young people and their peers, parents, teachers, and mentors) build and practice the tools necessary to form healthy relationships. On the organizational, community, and societal level, Primary Prevention is also working towards changing community attitudes and values that promote violence (gender stereotypes, etc.), and societal norms (organizational and legislative policy, laws, etc.) that promote Domestic Violence. Secondary and Tertiary Prevention modalities are allowable under this RFA.

Awarded Applicants may opt to implement any Family Violence Primary Prevention curricula of their choice; however, programs should at a minimum:

1. Be comprehensive and include multiple factors that reduce the risk of Family Violence;
2. Include multiple teaching methods that focus on increasing awareness and understanding;
3. Provide enough sessions to produce the desired effects. Research shows that changes in attitudes and behaviors needs at least 5-9 sessions;
4. Foster strong, stable, positive relationships between adults and peers;
5. Be implemented at a time which will have maximal impact in the participant's life;
6. Be culturally appropriate and tailored to the community. Programs should have clear goals and objectives and include a systematic evaluation to determine the effectiveness of the program; and
7. Use staff who are sensitive, competent, and have sufficient training, support, and supervision before implementing programs.

C. Organizational Capacity Building - Projects that will assist in capacity building for staff directly working with Survivors of Family Violence and/or Dating Violence through comprehensive readiness and training processes for serving underserved populations. Applicant's project must also include a direct service component.

D. Direct Services - Services for victims of Family Violence, Domestic Violence, or Dating Violence or their children, to include one or more of the allowable FVPSA-funded activities listed below, and consistent with the need identified in Section **2.5.3, Need for Service**, of this RFA.

1. Specialized Children's Services - Specialized services for children exposed to Family Violence in unserved/underserved populations, including age-appropriate counseling and supportive services; or specialized services for children who have experienced Dating Violence.
2. Non-Traditional Direct Services - Assistance locating and securing affordable permanent housing and homelessness prevention services; and

transportation, childcare, respite care, job training and employment services, financial literacy services and education, financial planning, and related economic empowerment services.

3. Mobile Family Violence Programming – the development and implementation of best practices in utilizing mobile advocacy and direct services. This could include but is not limited to:
 - i. Utilizing a community health worker model of engaging community leaders to work directly within underserved communities in order to provide education and individualized service provision;
 - ii. Targeted community outreach using peer support models; or
 - iii. Programming that includes in-home services.
4. Innovative Specialized Services – Projects that utilize trauma-informed innovative techniques to support or enhance the wellbeing and/or mental health of Survivors of Family Violence.

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

2.5.2 Allowable Services with ARP Funding

In addition to FVPSA-funded services in Section 2.5.1, Applicants will also be required to identify how they will provide one or more of the following ARP services to address recovery from the COVID-19 pandemic:

- A. PREPARE - Activities that assist Domestic Violence Survivors by providing supportive services, shelter options, and supplies, which will reduce the exposure and risk of COVID-19.
 1. Outreach and education to local Domestic Violence programs and tribes on strategies that reduce COVID-19 transmission, using existing materials where available. **Please note that grantees are expected to use materials from federal agencies and/or local public health departments.**
 2. Dissemination of educational materials and resources to local Domestic Violence programs and tribes on precautions to prevent, contain, mitigate, or reduce exposure and risk of COVID-19. **Please note that Grantees are expected to use materials from federal agencies and/or local public health departments.**
 3. Provision, on a regular basis, of immediate shelter and related supportive services to adult and youth victims of Family Violence, Domestic Violence, or Dating Violence, and their dependents, including paying for the operating and administrative expenses of the facilities for such shelter. These FVPSA supplemental funds can be used to provide temporary refuge in conjunction

with supportive services in compliance with applicable state or tribal law or regulations and includes:

- a. Housing provisions including assistance locating and securing safe and affordable permanent housing and homelessness prevention services;
 - b. Rental subsidies;
 - c. Temporary refuge or lodging in individual units such as apartments (which is not required to be owned, operated or leased by the program);
 - d. Safe homes; and
 - e. Hotel or motel vouchers.
4. Strengthening of partnerships with local and state public health authorities, local and state human services agencies, emergency services managers, health care providers, housing and homelessness services, culturally specific community-based organizations, tribes, and Domestic Violence programs to improve emergency operations and related outcomes for victims and their dependents.
- B. PREVENT - Activities that include assessing needs of Survivors and providing them supportive services during the COVID-19 public health emergency. Centers may provide training, information, and assistance necessary to ensure the continuity of Domestic Violence services. Please note that the provision of remote services continues to be an allowable activity.
1. Assessing, reviewing, updating, and/or implementing emergency operations plan and plans to address increasing and/or shifting service demands, remote services operational capacity, potential provider closures, and staff unavailability due to illness, caretaking, or other reasons related to the COVID-19 public health emergency;
 2. Activities include counseling for direct service staff to address burnout, vicarious trauma, stress, etc.;
 3. Activities that build capacity to provide core shelter and supportive services through flexible and Survivor-centered approaches that are adaptable to changing program, community, and Survivor needs (e.g., mobile advocacy, flexible funding, non-congregate sheltering options);
 4. Development of safety plans, and supporting the efforts of victims of Family Violence, Domestic Violence, or Dating Violence to make decisions related to their ongoing safety and well-being during the COVID-19 public health emergency;
 5. Provision of individual and group counseling, peer support groups, and referral to community-based services to assist Family Violence, Domestic Violence, and Dating Violence victims, and their dependents in recovering from the effects of violence during COVID-19 public health emergency;

6. Provision of services for children exposed to Family Violence, Domestic Violence, or Dating Violence, including age-appropriate counseling, supportive services, and services for the non-abusing parent that support that parent's role as a caregiver, which may, as appropriate, include services that work with the non-abusing parent and child together, during the COVID-19 public health emergency; and
 7. Enhancement of capacity to provide culturally and linguistically appropriate services during the COVID-19 public health emergency and address racial disparities exacerbated by the public health emergency.
- C. RESPOND - Activities and technical assistance for ensuring the continuity of Domestic Violence services during the COVID-19 public health crisis which includes responding to issues including adapting to fluctuating needs and circumstances. Please note that the provision of remote services continues to be an allowable activity:
1. Provision of services, training, technical assistance, and outreach to increase awareness of Family Violence, Domestic Violence, and Dating Violence and increase the accessibility of Family Violence, Domestic Violence, and Dating Violence services;
 2. Provision of advocacy, case management services, and information and referral services concerning issues related to Family Violence, Domestic Violence, or Dating Violence intervention and prevention, including—
 - a. Assistance in accessing related federal and state financial assistance programs;
 - b. Legal services and other advocacy to assist victims and their dependents in navigating court processes, including, but not limited to, restraining orders, child custody, eviction, and Domestic Violence-related firearm removal;
 - c. Medical advocacy, including provision of referrals for appropriate health care services (including mental health and substance use services), but which shall not include reimbursement for any health care services;
 - d. Assistance locating and securing safe and affordable permanent housing and referrals to homelessness prevention services;
 - e. Provision of transportation, childcare, respite care, job training and employment services, financial literacy services and education, financial planning, and related economic empowerment services;
 - f. Issuance of gift cards with ARP funds is allowable contingent upon the center maintaining source documentation for the purchases made with the gift cards (i.e. maintaining purchase receipt, invoice, etc.).

- g. Parenting classes and other educational services for victims and their dependents; and
 - h. Advocacy to assist victims in safely and effectively navigating human services systems and processes, including, but not limited to child welfare and child support enforcement services.
3. Provision of direct crisis intervention services, including counseling, mobile advocacy, telehealth, peer support, and in-person assistance. Mobile advocacy allows for advocates to work out in the community in order to support Domestic Violence Survivors wherever it is safe and convenient for the Survivor.

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

2.5.3 Need for Services

The primary focus of the Family Violence SNRP funding is to provide services to Survivors of Family or teen Dating Violence, increase prevention efforts of Family Violence within communities, and address the disparate impacts of the COVID-19 pandemic on marginalized communities. To meet the mission and objectives of the Proposed Project, Applicants must seek to:

- A. Provide supportive services to Survivors of Domestic Violence/teen Dating Violence or provide prevention services to bolster community support/response for Domestic Violence/teen Dating Violence;
- B. Ensure services are provided in a culturally responsive manner and are culturally and linguistically sensitive;
- C. Expand services to unserved and underserved communities as identified in this RFA;
- D. Develop innovative strategies to provide outreach to culturally specific communities;
- E. Utilize best trauma-informed practices to engage and serve unserved or underserved communities in Texas;
- F. Fulfill an unmet need in the service area with regards to Family Violence or teen Dating Violence; and
- G. Address disparate impacts and unmet needs as a result of the COVID-19 pandemic.

2.6 PROGRAM REQUIREMENTS

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

Public or private nonprofit organizations are the only entities eligible to submit proposals

in response to this solicitation. Applicants must propose to provide at least one of the specialized Family Violence services identified in **Section 2.5, Eligible Activities**.

An Applicant is not considered eligible to contract with HHSC, regardless of the funding source, if a name match is found on any of the following lists:

- A. The General Services Administration’s (GSA) System for Award Management (SAM) for parties excluded from receiving federal contracts, certain subcontracts and from certain types of federal financial and non-financial assistance and benefits;
- B. The Office of Inspector General (OIG) List of Excluded Individuals/Entities Search;
- C. Texas Comptroller of Public Accounts (CPA) Debarment List;
- D. Iran, Sudan, & Foreign Terrorist Organizational Check and Boycott Israel, prior to award, the grantor must check the divestment lists in accordance with the Texas Government Code; and
- E. Texas Comptroller Public Accounts (CPA) Franchise Tax Check.

2.7 REQUIRED REPORTS

The System Agency will monitor Grantee’s performance, including, but not limited to, thorough review of financial and programmatic reports and performance measures under any Grant Agreement awarded as a result of this RFA. Grantees are responsible for maintaining detailed source documentation for FVPSA and ARP funding separately. Grantees will submit a monthly invoice to track the breakdown for each funding source separately. Grantees shall determine their costs based on records that accurately reflect incurred expenditures that are based on actual work performed. Each Grantee awarded a Grant Agreement as a result of this RFA must submit the following reports that include expenditures for both fund sources by the noted due dates:

REPORT	DUE DATE
Financial Status Report – Monthly	The 15 th of each month following the month being reported.
Performance Report – Annual	October 15, 2023 and October 15, 2024.
Data Report – Monthly	The 5 th of each month following the month being reported.

Awarded Applicants shall submit to HHSC all required data as outlined in Attachment A, FVNet Data Element Guide. If the due dates of any reports fall on a weekend or official State holiday, it shall be submitted the next business day. HHSC may review, approve, or require modification to the reporting requirement at its discretion. The agreed upon format

will be determined prior to submission of the required report. Awarded Applicants will be provided with reporting template post-award.

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

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

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.

HHSC will monitor the performance of grants awarded under this RFA. All services and deliverables under the grant award shall be provided at an acceptable quality level and in a manner consistent with acceptable industry standard, custom, and practice. Successful Applicants shall be responsible for all performance measures outlined in this RFA. Performance measures shall be reported on a monthly, quarterly, or annual basis as determined by HHSC.

Performance measures include but are not limited to:

- A. The reporting of unduplicated Clients served, dates of services, and the types of services provided with FVPSA funding.
- B. The reporting of unduplicated Clients served, dates of services, and the types of services provided with ARP funding.
- C. Output Measures. For a complete list of required measurement data, refer to **Attachment A, FVNet Data Element Guide**. Any performance measure data submitted to HHSC shall be transferred to HHSC through HHSC's secure file transport protocol portal (FTP), FVNet.
- D. Successful Applicants must ensure that computer equipment used for data entry meets minimum requirements established by HHSC for efficient connection to the client data reporting system and HHSC's secure FTP portal, FVNet.

Additional performance measures may be added by HHSC as needed. 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.

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. The Applicant shall be responsible for monitoring the function and evaluation of the program and the quality of all services provided in relation to this RFA. Awarded Applicants must evaluate the project in accordance with the goals and objectives as established by the Applicant and outlined on **Form C, Narrative Proposal**.

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. Failure to meet the performance measure targets may include one or more of the following actions: technical assistance, require a corrective action plan or improvement plan, revise grant terms and/or provisions, withhold or reduce payments, or additional adverse actions as allowed under **Exhibit B, HHS Uniform Terms and Conditions - Grant**.

If requested by System Agency, the Grantee shall report on the progress towards completion of the Grant project and other relevant information as determined by System Agency during the Grant Project Period. To remain eligible for renewal funding, if any, the Grantee must be able to show the 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.

2.9 FINANCIAL STATUS REPORTS (FSRs)

Except as otherwise provided, for Grant Agreements with categorical budgets, Grantee shall submit monthly FSRs to System Agency by the 15th day of the month for System Agency review and financial assessment for both FVPSA and ARP expenditures. Through submission of a FSR, Grantee certifies that (1) any applicable invoices have been reviewed to ensure all grant-funded purchases of goods or services have been completed, performed, or delivered in accordance with Grant Agreement requirements; (2) all Grantee-performed services have been completed in compliance with the terms of the Grant Agreement; (3) that the amount of the FSR added to all previous approved FSRs does not exceed the maximum liability of the Grant Award; and (4) all expenses shown on the FSR are allocable, allowable, actual, reasonable, and necessary to fulfill the purposes of the Grant Agreement.

2.10 FINAL BILLING SUBMISSION

Unless otherwise directed by the System Agency, Grantee shall submit a reimbursement or payment request as a final close-out invoice not later than forty-five (45) calendar days

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

2.11 DATA USE AGREEMENT

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

In order to ensure the safety of adult, youth, and child victims of Family Violence, or Dating Violence, and their families by protecting the confidential and private information, data, or digital data of such victims and their families, Grantee shall comply with the following laws and regulations:

- A. [Texas Human Resources Code Chapter 51 Family Violence Centers](#);
- B. [Texas Family Code Chapter 93 Confidential and Privileged Communications](#);
- C. [Title 1 of the Texas Administrative Code, Chapter 379 Family Violence Program](#);
- D. Family Violence Prevention and Services Act (FVPSA) Grant funds pursuant to [\(42 U.S.C. §10406\(c\)\(6\)\)](#);
- E. Health Insurance Portability and Accountability Act (HIPAA) of 1996, if Grantee collects and/or shares Client protected health information; and
- F. All other State and federal laws and rules that may be applicable for the protection of Client data.

If Grantee collects and/or shares protected health information, Grantee shall comply with the HHS Data Use Agreement in **Exhibit C, HHS Data Use Agreement (DUA)**. Grantee shall not report any personally identifiable data to HHSC FVP for the purpose of program reporting requirements through the HHSC FVNet file transfer portal. All data shall be de-identified. Grantee shall only transmit data to the HHSC FVNet and shall not be able to access or extract any data from the portal. By being granted access to the HHSC Enterprise Portal and FVNet, Grantee agrees to comply with the HSHC Acceptable Use Policy (AUP) and Acceptable Use Agreement (AUA). Grantee is required to notify the HHSC Family Violence Program and to terminate FVNet access within forty-eight (48) hours if an employee is separated from the Grantee's organization or no longer authorized to access the HHSC Enterprise Portal and FVNet.

SECTION III. APPLICANT ELIGIBILITY REQUIREMENTS

3.1 LEGAL AUTHORITY TO APPLY

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

Each applicant may only submit one Grant Application.

3.2 APPLICATION SCREENING REQUIREMENTS

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

Applications will be reviewed for eligibility requirements listed in **Section 2.6, Program Requirements** and minimum qualifications in this section, as well as for submission packet completeness. All complete Applications meeting the eligibility requirements and minimum qualifications will move to the Evaluation stage.

3.3 GRANT AWARD ELIGIBILITY

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

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

3.4 GRANTS FOR POLITICAL POLLING PROHIBITED

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

SECTION IV. PROJECT PERIOD

4.1 PROJECT PERIOD

HHSC will award one or more cost reimbursement grant award(s) under this Solicitation. The Project Period is anticipated to be October 1, 2022 through September 30, 2024. No

pre-award spending will be allowed. Reimbursement will only be made for those allowable expenses that occur within the term of the grant. Funds not expended prior to September 30, 2023 can be utilized for allowable expenditures during the second year of the grant (October 1, 2023-September 30, 2024), with HHSC approval and an HHSC-approved budget revision. Based on the availability of state and federal funds, HHSC may renew or extend the grant term as necessary to complete the mission of the grant program contingent upon renewals or extensions of the grant program does not exceed 3 years.

Based on the availability of funds, HHSC may renew the Successful Applicants at the same funding levels for one additional one-year term or as necessary to complete the mission of the procurement.

Successful Applicants will be notified of their selection to receive a grant. HHSC may enter into negotiations with Successful Applicants to determine final award amounts.

4.2 PROJECT CLOSEOUT

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

SECTION V. GRANT FUNDING AND REIMBURSEMENT INFORMATION

5.1 GRANT FUNDING SOURCE AND AVAILABLE FUNDING

The total amount of Federal funding available for the Family Violence Program SNRP grant program is **\$5,814,519** for the entire Project Period. The total amount of Federal FVPSA funding is \$3,148,503 and Federal ARP funding is \$2,666,016. It is the System Agency's intention to make multiple awards to applicants that successfully demonstrate their ability to fund specialized Family Violence services that address a need in the community and help mitigate and/or prevent the disparate impacts that underserved communities have faced during the COVID-19 pandemic.

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

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

5.2 NO GUARANTEE OF REIMBURSEMENT AMOUNTS

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

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

5.3 GRANT FUNDING PROHIBITIONS

Several restrictions apply to these grant funds, under Federal FVPSA program rules, [45 CFR Part 1370](#), and the funding limitations stipulated in Section [51.003\(a\) of Chapter 51, Texas Human Resources Code](#). The restrictions are as follows:

- A. Any use of Grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
- B. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- C. No direct cash payments or issuance of gift cards to victims of Family Violence, or Dating Violence, or their dependents, are allowed with FVPSA funds. FVPSA does not allow issuance of gift cards or contributing these funds to a program participant's savings account as part of any "matched savings account" or any program participation incentive;
- D. No fees shall be charged to program participants to receive services funded under this RFA;
- E. The payment of wages to any individual as a social service is not allowed;
- F. 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;
- G. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
- H. Vehicles for general agency use; to be allowable, vehicles must have a specific use related to Project objectives or activities;

- I. 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;
- J. Costs of promotional items, and memorabilia, including models, gifts, and souvenirs;
- K. 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;
- L. Any expense or service that is readily available at no cost to the grant Project;
- M. Costs of organized fundraising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or to obtain contributions, are considered unallowable costs for reimbursement with these funds;
- N. 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](#);
- O. Reimbursement for any health care and/or medical services, with the exception of mental, behavioral, psychological and/or wellness treatments which are allowable under ARP funding;
- P. Any other prohibition imposed by federal, state, or local law; and
- Q. 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 is defined as the non-federal share of costs the Grantee is required to contribute to accomplish the purpose of the Grant Project. Match must be treated consistently with grant funds and used only for allowable and allocable purposes. **Match is required for the FVPSA portion of the Grantee's award and ARP funding is exempt from Match.**

SNRP grants awarded under this announcement are subject to a 20% Match requirement under FVPSA. With respect to the cost to be incurred by the entity in carrying out the project for which the funds are awarded, the Successful Applicant will make available (directly or through donations from public or private entities) non-Federal contributions in an amount that is not less than \$1 for every \$5 of Federal funds provided under the award.

The non-Federal contributions required may be in cash or in kind. Federal funds may not be used as Match.

Applicants are not required to certify matching funds as part of the application process. However, Awarded Applicants must report Match on the monthly expense reports described in **Section 2.9, Financial Status Reports (FSRs)**.

All matching funds and contributions must meet all the following criteria:

- A. Are verifiable from the Grantee's records;
- B. Are not included as contributions for any other state or federal award;
- C. Are necessary and reasonable for accomplishment of Grant Project objectives;
- D. Are allowable under the Grant Agreement;
- E. Are not paid by the State or federal government; and
- F. Are provided for in the approved Grant Project Budget.

Donations: The value of donated services may be used to meet cost sharing or matching requirements. If a third party donates supplies, the contribution will be valued at the market value of the supplies at the time of donation. If a third party donates the use of equipment or space in a building, but retains title, the contribution will be valued at the fair rental rate of the equipment or space. If a third party donates equipment, building, or land, and title passes to Grantee, the treatment of the donated property will be determined based on TxGMS, Cost Sharing or Matching Section.

Unrecovered indirect costs, including indirect costs on cost sharing or matching, may be included as part of cost sharing or matching. Unrecovered indirect cost means the difference between the amount charged to the award and the amount which could have been charged to the award under the Applicant's indirect cost rate.

Refer to Title [2 CFR Subtitle A, Chapter II, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#) and [TxGMS](#) issued by the Texas Comptroller of Public Accounts for additional Match information and requirements.

5.5 PAYMENT METHOD

Grant Agreement(s) awarded under this RFA will be funded on a cost reimbursement basis for reasonable, allowable, and allocable Grant Project direct costs, and only to the extent that Match is committed and reported by the grant recipient. Under the cost reimbursement payment method, Grantee is required to finance operations and will only be reimbursed for actual, allowable, and allocable costs incurred on a monthly basis and supported by adequate documentation. FVPSA and ARP expenditures must be tracked and reported

separately. No additional payments will be rendered unless an advanced payment is approved.

SECTION VI. APPLICATION FORMS AND EXHIBITS 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 C, Narrative Proposal** attached to this RFA, Applicants shall provide an executive summary and describe their proposed activities, processes, and methodologies to satisfy all objectives described in **Section II, Scope of Grant Project**, including the Applicant's supporting data, Project approach and activities, organizational capacity, performance management, target population, and a summary that demonstrates an understanding of the goals and objectives of the grant. Applicants should identify all proposed tasks to be performed, including all Project activities, during the Grant Project Period. Applicants must complete and submit all required attachments.

6.2 REQUESTED BUDGET

Attached **Form D, FY23 Budget Proposal Template** and **Form E, FY24 Budget Proposal Template**, of this RFA are the templates 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 will submit a single budget template per year that has separate line items for each FVPSA and ARP proposed expenses.**

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, **Form D, FY23 Budget Proposal Template** and **Form E, FY24 Budget Proposal 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 for each FVPSA and ARP funding sources. Matching funds must also be identified in the Requested Budget for the FVPSA portion of the award.

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 Form D, FY 23 Budget Proposal Template and Form E, FY24 Budget Proposal Template are mandatory. Applicants that fail to submit a Requested Budget as set forth in this RFA with their Application will be disqualified.

6.3 INDIRECT COSTS

Applicants must have an approved indirect cost rate (ICR) or request the de minimis rate to recover indirect costs. All Applicants are required to complete and submit **Form F, HHS System Indirect Cost Rate Questionnaire**, with required supporting documentation. The questionnaire initiates the acknowledgment or approval of an ICR for use with the System Agency cost-reimbursable grant award. Entities declining the use of indirect cost cannot recover indirect costs on any System Agency award or use unrecovered indirect costs as Match.

HHS typically accepts the following approved ICRs:

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

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

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

For Applicants requesting to negotiate an ICR with HHS, the ICR Proposal Package will be provided by the HHS Federal Funds Indirect Cost Rate Group to successful Grantees. The ICR Proposal Package must be completed and returned to the HHS Federal Funds Indirect Cost Rate Group no later than three (3) months post-award.

The HHS Federal Funds Indirect Cost Rate group will contact applicable Grantees after Grant Agreement execution to initiate and complete the ICR process. Grantees should respond within thirty (30) business days or the request will be cancelled, and indirect costs may be disallowed.

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

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

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

6.4 ADMINISTRATIVE APPLICANT INFORMATION

Using **Form A, Face Page, and Form B, Entity Information, Conflicts and Contract Litigation History** attached to this RFA, Applicant must provide satisfactory evidence of its ability as an organization to manage and coordinate the types of activities described in this RFA.

A. Litigation and Contract History

Applicant must include 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, HHS Solicitation Affirmations. 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.

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	May 16, 2022
Applicant Conference Attendance is Optional	May 23, 2022 at 3:00 PM Central Time
Deadline for Submitting Questions or Requests for Clarification	May 31, 2022 at 5:00 PM Central Time

Date Answers to Questions or Requests for Clarification Posted	June 7, 2022
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.	June 28, 2022 by 10:30 AM Central Time
Anticipated Notice of Award	August 1, 2022
Anticipated Project Start Date	October 1, 2022

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 will be published by posting an addendum to the [HHS Grants RFA](#) website. After the Deadline for Submission, 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: Ross Hoffpauir

Title: Grant Specialist, HHSC Procurement and Contracting Services

Email: Ross.hoffpauir01@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 established in **Section 7.1, Schedule of Events**, or as may be amended in Addenda, if any, posted to the HHS Grants RFA websites.

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

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

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

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

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

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

7.4 AMBIGUITY, CONFLICT, DISCREPANCY, CLARIFICATIONS

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

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

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

7.5 RESPONSES TO QUESTIONS OR REQUESTS FOR CLARIFICATION

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 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 or assumptions by submitting questions or requests for clarification pursuant to **Section 7.3, RFA Questions and Requests for Clarification**. Please also see **Exhibit G, Exceptions Form**.

No exception, nor any other term, condition, or provision in an Application that differs, varies from, or contradicts this RFA, will be considered to be part of any Grant Agreement resulting from this RFA unless expressly made a part of the Grant Agreement in writing by the System Agency.

7.8 APPLICANT CONFERENCE

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, it is strongly encouraged.

APPLICANT CONFERENCE INFORMATION:

Registration can be completed using GoToWebinar, link below:

<https://attendee.gotowebinar.com/register/4674552118264445197>

Webinar ID

473-967-131

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.

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 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 D, FY23 Budget Proposal Template and Form E, FY24 Budget Proposal Template**, 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**, 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:

- 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 D, FY23 Budget Proposal Template and Form E, FY24 Budget Proposal Template**, 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**. 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 packages must be clearly labeled with the following:

- A. RFA Number;
- B. RFA Title;
- C. Application Response Deadline;
- D. Sole Point of Contact’s name; and
- E. Applicant’s legal name.

Applicants are solely responsible for ensuring 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: Response Coordinator Tower Building Room 108 1100 West 49 th Street; Mail Code 2020 Austin, TX 78756	Health and Human Services Commission Attn: Response Coordinator Procurement & Contracting Services Building 1100 West 49 th Street; Mail Code 2020 Austin, TX 78756

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.

8.4 APPLICATION COMPOSITION

All Applications must:

- A. Be responsive to all RFA requirements;
- B. Be clearly legible;
- C. Be presented using font type Verdana, Arial, or Times New Roman, font size 12 pt., with one (1) inch margins and 1.5 line spacing; the sole 12-point font size exception is no less than size 10 pt. for tables, graphs, and appendices;

- D. Include page numbering for each section of the proposal; and
- E. Include signature of Applicant’s authorized representative on all exhibits and forms requiring a signature. Copies of the Application documents should be made after signature.

8.5 APPLICATION ORGANIZATION

The complete Application files’ .pdf must:

- A. Be organized in the order outlined in the **Section XIII, Submission Checklist**, and include all required sections (e.g., “Administrative Information,” “Narrative Proposal,” “Exhibits to be Submitted with Application,” and “Addenda”)
 - 1. **Form D, FY23 Budget Proposal Template and Form E, FY24 Budget Proposal Template**, is to be submitted in its original Excel format; and
 - 2. Each Application section must have a cover page with the Applicant’s legal name, RFA number, and Name of Grant identified.
- B. Include all required documentation, exhibits, and forms completed and signed, as applicable. Copies of forms are acceptable, but all copies must be identical to the original. All exhibits must be submitted and obtained directly from the posted RFA package; previous versions and copies are not allowed or acceptable.

8.6 APPLICATION WITHDRAWALS OR MODIFICATIONS

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

- A. Withdraw its Application by submitting a written request to the Sole Point of Contact; or
- B. Modify its Application by submitting an entirely new submission, complete in all respects, using 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:

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

9.2 INITIAL COMPLIANCE SCREENING OF APPLICATIONS

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

At the sole discretion of HHSC, 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**, or **Form D, FY23 Budget Proposal Template and Form E, FY24 Budget Proposal 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 factors required by [Texas Human Resources Code, Sections 51.004, et seq.](#) following scoring criteria using **Exhibit F, Evaluation Tool**.

Scoring Criteria: Qualified Applications shall be evaluated based upon:

- A. Project Workplan (45%): demonstrates all of the requirements listed in the Project Work Plan within **Form C, Narrative Proposal** of this request for Applications;
- B. Financial Stability (20%): at the time of the application, reflects financially viable. Criteria based on responses to **Form C, Narrative Proposal, Form D, FY23 Budget Proposal Template** and **Form E, FY24 Budget Proposal Template**;
- C. Programmatic Stability (20%): at the time of the application, reflects the experience and expertise to meet all programmatic requirements and deliver the services as outlined in this RFA. Criteria based on responses to **Form C, Narrative Proposal**; and
- D. Organizational Capacity (15%): at the time of application, demonstrates the organizational capacity to fulfill the requirements of this RFA.

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 generally releases from liability and waives all claims against any party providing information about the Applicant at the request of System Agency.

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

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

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

- A. Notices of termination;
- B. Cure notices;
- C. Assessments of liquidated damages;
- D. Litigation;
- E. Audit reports; and

- F. Non-renewals of grants or contracts based on Applicant's unsatisfactory performance.

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

9.6 COMPLIANCE FOR PARTICIPATION IN STATE CONTRACTS

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

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/> to determine 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 or Unique Identity Number, as required by SAM.gov) provided by Applicant will be used to conduct these checks. At System Agency's sole discretion, applicants found to be barred, prohibited, or otherwise excluded from award of a Grant Agreement may be disqualified from further consideration under this solicitation, pending satisfactory resolution of all compliance issues.

Checks include:

A. State of Texas Debarment and Warrant Hold

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

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

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

<https://sam.gov/content/exclusions>

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>

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

C. 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>

D. 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 System Agency will make final funding decisions based on Applicant eligibility, evaluation rankings, the funding methodology above, and: geographic distribution across the state, state priorities, reasonableness, and availability of funding.

All funding recommendations will be considered for approval by the HHSC Health, Developmental, and Independence Services (HDIS) Deputy Executive Commissioner, or their designee.

10.2 NEGOTIATIONS

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

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

The final funding amount and the provisions of the grant award will be determined at the sole discretion of HHSC staff.

HHSC may announce tentative or apparent grant recipients once the HDIS Deputy Executive Commissioner has given approval to initiate negotiation and execute grant awards.

Any exceptions to the requirements, terms, conditions, or certifications in the RFA or attachments, Addendums, or revisions to the RFA or General Provisions, sought by the Applicant must be specifically detailed in writing by the Applicant on Exhibit G, Exceptions Form in this proposal and submitted to HHSC for consideration. HHSC will accept or reject each proposed exception. HHSC will not consider exceptions submitted separately from the Applicant's proposal or at a later date.

10.3 DISCLOSURE OF INTERESTED PARTIES

Subject to certain specified exceptions, [Section 2252.908 of the Texas Government Code](#), Disclosure of Interested Parties, applies to a contract of a state agency that has a value of \$1 million or more; requires an action or vote by the governing body of the entity or agency

before the contract may be signed; or is for services that would require a person to register as a lobbyist under [Chapter 305 of the Texas Government Code](#).

One of the requirements of [Section 2252.908](#) is that a business entity (defined as “any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation”) must submit a Form 1295, Certificate of Interested Parties, to the System Agency at the time the business entity submits the signed contract.

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

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

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

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

10.4 EXECUTION AND ANNOUNCEMENT OF GRANT AGREEMENT(S)

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

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

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

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

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

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 Family Violence Program SNRP services.

11.2 TEXAS HISTORICALLY UNDERUTILIZED BUSINESSES (HUBS)

If a successful Applicant chooses to contract for goods and services using the funding awarded in this grant, HHSC encourages, but does not require, the Applicant to use HUBs to provide those goods and services where possible. See, e.g., [2 CFR 200.321](#).

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

SECTION XII. APPLICATION CONFIDENTIAL OR PROPRIETARY INFORMATION

12.1 TEXAS PUBLIC INFORMATION ACT – APPLICATION DISCLOSURE REQUIREMENTS

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

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

A. **Mark Original Application:**

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

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

- C. **Submit Public Information Act Copy of Application:** Submit a separate “Public Information Act Copy” of the Original Application (in addition to the original and all copies otherwise required under the provisions of this RFA). The Public Information Act Copy must meet the following requirements:
1. The copy must be clearly marked as “Public Information Act Copy” on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font);
 2. Each portion Applicant claims is exempt from public disclosure must be redacted (blacked out); and
 3. Applicant must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in **Subsection (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, 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.

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 (completed and signed), Form D, FY23 Budget Proposal Template, and Form E, FY24 Budget Proposal Template (completed), will be disqualified. See Section 9.2, Initial Compliance Screening of Applications for further detail.

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

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

A. Administrative Information

- 1. Form A: Face Page _____
- 2. Form B: Entity Information, Conflicts, and Contract Litigation History _____

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

- 1. Form C: Narrative Proposal _____

C. Requested Budget (Budget Templates are 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 Budget Templates will be disqualified.)

- 1. Form D: FY23 Budget Proposal Template _____
- 2. Form E: FY24 Budget Proposal Template _____

D. Indirect Costs

- 1. Form F: HHS Indirect Cost Rate (ICR) Questionnaire _____

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

- 1. Exhibit A: HHS Solicitation Affirmations _____

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

- 2. Exhibit C: HHS Data Use Agreement (DUA) _____
- 3. Exhibit C-1: Security and Privacy Inquiry (SI), Attachment 2 to DUA _____
- 4. Exhibit E: Federal Funding Accountability and Transparency Act (FFATA) _____
- 5. Exhibit G: Exceptions Form (if applicable) _____
- 6. Exhibit H: Assurances – Non-Construction Programs _____
- 7. Exhibit I: Certification Regarding Lobbying _____

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

SECTION XIV. LIST OF FORMS AND EXHIBITS ATTACHED TO RFA

Attachments

Attachment A- FVNet Data Element Guide

Attachment B- FVNet File Upload Data Format Guide

Forms

Form A – Face Page

Form B – Entity Information, Conflicts, and Contract Litigation History

Form C – Narrative Proposal

Form D – FY23 Budget Proposal Template

Form E – FY24 Budget Proposal Template

Form F – HHS Indirect Cost Rate (ICR) Questionnaire

Exhibits

Exhibit A – HHS Solicitation Affirmations

Exhibit B – HHS Uniform Terms and Conditions – Grant

Exhibit C – HHS Data Use Agreement (DUA)

Exhibit C-1 – Security and Privacy Inquiry (SPI), Attachment 2 to DUA

Exhibit D – HHS Online Bid Room

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

Exhibit F – Evaluation Tool

Exhibit G – Exceptions Form

Exhibit H – Assurances – Non-Construction Program

Exhibit I – Certification Regarding Lobbying