



Department of
Job and Family Services

Ted Strickland, Governor
Douglas E. Lumpkin, Director

REQUEST FOR GRANT AGREEMENTS
Feed Ohio:
Summer Food Service Program Support

RFGA: R-1011-21-8033

Issued By:
The Ohio Department of Job and Family Services

November 16, 2009

**Feed Ohio: Summer Food Service Program Support
Request for Grant Applications (RFGA)
RFGA: R-1011-21-8033**

TABLE OF CONTENTS

SECTION I: PURPOSE

1.1	Purpose.....	1
1.2	Background.....	2
1.3	Project Objectives.....	3
1.4	Time Frames & Funding Source.....	3

SECTION II: SCOPE OF WORK & DELIVERABLES

2.1	Scope of Work.....	3
2.2	Specifications of Deliverables.....	4
2.3	Compensation Schedule.....	6

SECTION III: APPLICANT QUALIFICATIONS

3.1	Required Applicant Qualifications.....	6
3.2	Staff Experience and Capabilities.....	7

SECTION IV: TIMETABLE INFORMATION & COMMUNICATION INSTRUCTIONS

4.1	Anticipated Procurement Timetable.....	7
4.2	Start Work Date.....	8
4.3	Internet Question and Answer Period; RFGA Clarification Opportunity.....	9
4.4	Communication Prohibitions.....	10

SECTION V: PROPOSAL FORMAT

5.1	Proposed Work Plan.....	11
5.2	Required Proposal Information.....	12
5.3	Required Certifications.....	13
5.4	Format for Organizing the Proposal.....	13
	A. Overall Proposal Organization.....	13
	B. Technical Proposal Details.....	14
	C. Project Budget.....	16
	D. Travel Reimbursement.....	18
	E. Proposal Costs.....	18
	F. Subcontractor Identification & Participation.....	18

SECTION VI: PROPOSAL EVALUATION & SELECTION CRITERIA

6.1 Scoring of Proposals.....19
6.2 Technical Proposal Score Sheet.....19
 A. Phase I. Review—Initial Qualifying Criteria.....19
 B. Phase II. Review—Criteria for Scoring the Technical Proposal.....19
 C. Phase III. Scoring—Project Budget.....20
6.3 Review Process Caveats.....20
6.4 Final Applicant Recommendation.....21
6.5 Applicant Selection Restriction.....21
6.6 Interview.....21

SECTION VII: RULES

7.1 Confidentiality.....22
7.2 Ethical & Conflict of Interest Requirements.....22
7.3 Mandatory Disclosures of Governmental Investigations.....22
7.4 Mandatory Contract Performance Disclosure.....22
7.5 Health Insurance Portability & Accessibility Act (HIPAA) Requirements.....23
7.6 (Deleted)23
7.7 Proposal Clarifications.....23
7.8 Waiver of Minor Proposal Errors.....23
7.9 State Contracts.....23
7.10 Contractual Requirements.....23
7.11 Prevailing Wage.....24
7.12 Unresolved Findings for Recovery (O.R.C. 9.24).....24
7.13 Protest Procedures.....25

SECTION VIII. ATTACHMENTS AND THEIR USES

A. Required Applicant Information and Certifications.....26
B. Request for Taxpayer Identification Number (W-9) Form.....26
C. Declaration of Material Assistance Form.....26
D. ODJFS Model Grant Agreement.....26
E. Technical Proposal Score Sheet.....26
F. Project Budget Form.....26
G. Applicant Proposal Check List.....26

SECTION IX: APPENDICES

A. Definition of Infrastructure
B. Applicant Library
C. Sample Monthly Report *(included as a reference)*
D. Sample Monthly Invoice Cover Page and Detailed Summary *(included as a reference)*
E. ODE 2009 SFSP Sponsor List
F. Reimbursable Grant Relationship Explanation

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SECTION I: PURPOSE

1.1 Purpose

In an effort to reduce childhood hunger and increase the number of youth engaged in summer learning and enrichment programs in Ohio, the Ohio Department of Job and Family Services (ODJFS) releases this Request for Grant Applications (RFGA) on behalf of the Governor's Office of Faith-Based and Community Initiatives (GOFBCI). Multiple grant awards will be made to eligible organizations who meet the requirements of this RFGA for the program herein referred to as "Feed Ohio." These eligible organizations include faith-based organizations, community organizations, school districts, recreation centers and other organizations that were also approved SFSP sponsors during the summer of 2009. Feed Ohio grants will enable approved 2009 Ohio Department of Education (ODE) SFSP sponsors to establish new sites and strengthen infrastructure and programming at existing sites in communities throughout the state during the summer of 2010.

Only organizations that were approved SFSP sponsors in 2009 and in good standing with ODE may apply (Please see Appendix E for a list of 2009 SFSP sponsors who may apply for this funding opportunity). Applicants may not be seriously delinquent in any of the Child and Adult Care Food Programs. Applicants must develop and implement enrichment programs focused on academic, social, decision-making and leadership skills development before, during or after the SFSP meals at new and existing sites included in their proposals. Applicants must identify at least one new SFSP site (at a location where a site has not previously existed), in order to be eligible for this funding opportunity. In addition to the required new site, grantees may also request grant funds to support programming or strengthen the infrastructure at existing SFSP sites.

Feed Ohio grantees selected through this RFGA process must begin providing services by June 2010 and maintain services for a minimum of six weeks. Grantees **MUST** provide academic, social, decision-making and leadership skills development activities that are proven to reduce high-risk behaviors among youth, before, during or after the SFSP meal. The enrichment program must be free, accompany the SFSP meal, and last at least one hour. In addition, Feed Ohio grantees will be encouraged to collaborate with local growers to include local foods in the SFSP program and/or strengthen the Feed Ohio enrichment program.

Through this Feed Ohio RFGA, selected organizations will receive funding for building the infrastructure and programmatic offerings of new and existing SFSP sites. The actual number of grants to be awarded will be determined by the number of qualifying applications for funding received by ODJFS in response to this RFGA and the amount of available funds. The Feed Ohio grants will increase the effectiveness of the SFSP by helping sponsors overcome the initial barriers and costs of running an SFSP site. Feed Ohio funds will reimburse grantees for:

- costs associated with establishing and/or strengthening the infrastructure of SFSP sites;
- costs associated with the development of community awareness campaign;
- costs associated with developing and implementing an enrichment program at SFSP sites.

This RFGA is released by and the subsequent grant agreement(s) will be with ODJFS, which acts as the fiscal agent for GOFBCI. This grant program is in line with GOFBCI's mission to enhance the capacity of faith-based and community-based organizations, encourage effective partnerships among and between public agencies and faith-based and community organizations who share common vision, and measure the impact of these partnerships to reduce the suffering of citizens in need.

Projects selected through this RFGA may be awarded funds of up to \$12,500.00 per site for the entire grant period (award date through October 1, 2010). Applicants should make every effort to ensure costs per site do not exceed this amount. However, if per-site costs in excess of \$12,500.00 are requested, applicants **must** include a detailed justification for such costs along with the Project Budget Form (see **Attachment F**) in order to be considered. Decisions on whether to award funds over \$12,500.00 will be made by ODJFS, and all such decisions will be final. ODJFS reserves the right to award funds above the \$12,500.00 cap only after all other qualifying applications have been funded and funding remains available.

The per-site cap does not include the overall administrative costs associated with managing the grant (Please see **Attachment F**, Project Budget Form for additional information). Further, ODJFS reserves the right to award funding to selected applicants in amounts less than requested (including requests for \$12,500.00 or less) if ODJFS determines that portions of the requested budget are inappropriate or excessive. Please refer to **Appendix A** for acceptable and unallowable infrastructure costs. Funds **may only** be awarded and used in strict accordance with all applicable Temporary Assistance for Needy Families (TANF) [or other] regulations (Please see **Appendix B**, Applicant Library, for information on TANF).

Any funding through this grant should not be viewed as a continuous source of program support; it is intended to assist applicants with service provision as described in this RFGA, while building the organization's capacity for sustainability after the grant end date. Sites must meet all of the eligibility requirements set forth by ODE and the United States Department of Agriculture (USDA) in order to qualify for funding.

1.2 Background

GOFBCI is working to fulfill Governor Ted Strickland's goal to provide services to Ohio's most vulnerable citizens through Feed Ohio, a program that will help develop infrastructure and enrichment programs around SFSP sites. SFSP is a program sponsored by USDA and administered by ODE to ensure that children from low-income families receive nutritious meals during the summer months.

Children who face hunger are vulnerable to social and academic setbacks, thus making them more likely to continue living in poverty. In 2008, less than 20% of Ohio's children who received the free and reduced-priced USDA National School Lunch Program also participated in the SFSP. As of 2008, participation in the SFSP increased by 1.7%, however, Ohio ranked 37th in the nation in SFSP participation. According to the Food Research and Action Center, "If Ohio was able to boost participation to serve 40 percent of eligible low-income children; the State would feed an additional 148,210 children and gain \$9,741,074 in federal nutrition funds". (Please see **Appendix B**, Applicant Library to access the Food Research and Action Center's *Hunger Doesn't Take a Vacation: Summer Nutrition Status Report 2009*.)

In previous years, the Feed Ohio Project has provided funding to establish and support programming at nearly sixty sites in Ohio's vulnerable communities. Through funding made possible by the Feed Ohio project, over 100,000 meals have been served and over 2,000 children have participated in Feed Ohio enrichment programs.

1.3 Project Objectives

GOFBCI intends to fulfill the following objectives through the Feed Ohio SFSP grants:

- A. Improve outcomes for youth by keeping children engaged during the summer months with a variety of academic, social and development supports;
- B. Increase the number of eligible children who utilize the SFSP in Ohio and provide reports to track attendance at sites;
- C. Develop and support SFSP sites throughout the State of Ohio as determined by the MR-81 data available from ODE (See **Appendix B**); and,
- D. Improve SFSP sponsor/site sustainability by defraying initial site infrastructure costs.

1.4 Time Frames & Funding Source

ODJFS is seeking to enter into contractual agreements with eligible organizations to fund up to 40 new and self-sustaining SFSP sites in conjunction with a summer enrichment program from approximately April 5, 2010 to October 1, 2010. This project is a TANF funded project.

- **CAVEATS: ODJFS is under no obligation to issue a grant award(s) as a result of this solicitation if, in the opinion of ODJFS and the proposal review team, none of the proposals are responsive to the objectives and needs of the Department. ODJFS reserves the right to not select any applicant(s) should ODJFS decide not to proceed. Changes in this RFGA of a material nature will be provided via the agency website. All applicants are responsible for obtaining any such changes without further notice by ODJFS.**

SECTION II: SCOPE OF WORK & DELIVERABLES

2.1 Scope of Work

GOFBCI is working to increase the number of SFSP sites throughout Ohio. The selected grantees (approved 2009 SFSP sponsors in good standing with ODE) will assist GOFBCI with this goal in the following ways:

- A. Working with ODE during the spring and summer of **2010** to obtain SFSP site approval. Grantees must retain ODE site certification throughout the grant period [**Important Note: If ODE shuts down the SFSP site for any reason, the closure must be reported to GOFBCI within two business days. Failure to maintain an ODE-certified SFSP site will result in partial or total cancellation of the grant agreement and any/all further funding.**];
- B. Attending all mandatory trainings, conference calls and meetings during the spring and summer of 2010 as instructed by GOFBCI;
- C. Creating and implementing community awareness and outreach strategies throughout the spring of 2010 in order to publicize the SFSP sites and accompanying enrichment programs within the

- community. This will promote site attendance and allow community awareness of each SFSP site;
- D. Operating ODE-approved SFSP sites for a minimum of six weeks beginning in June 2010;
 - E. Selecting and implementing an age-appropriate enrichment program based on research and outcomes based curricula to accompany the SFSP meal;
 - F. Completing reports (as instructed by GOFBCI) that will track attendance, project impact and other relevant data regarding Feed Ohio project;
 - G. Submitting reports on a monthly basis, as specified by GOFBCI;
 - H. Expecting and being prepared for scheduled and unscheduled GOFBCI visits to SFSP sites;
 - I. Developing and implementing a plan for sustainability for Summer 2011; and,
 - J. Developing and implementing a plan to collaborate with local growers to expand the use of local foods in the SFSP program and/or to and/or strengthen the variety of social, academic, life skills and leadership activities in the Feed Ohio enrichment program. **NOTE: Grantees will not be required to do this, but are encouraged to do so. Proposals including plans to collaborate with local growers will be awarded additional points during Phase II, B. of the scoring process.**

2.2 Specifications of Deliverables

Under the terms of any ODJFS Feed Ohio grant agreement, selected grantees will be required to, at minimum:

- A. Retain status of open or enrolled sites for a minimum of six (6) weeks (beginning in June 2010) during the summer of 2010. If ODE shuts down the SFSP site for any reason, the closure needs to be reported to GOFBCI within two business days;
- B. Purchase necessary **equipment and supplies** (excluding food) in order to develop the infrastructure of the SFSP sites so sites can appropriately accommodate the expected number of children by the opening day of the site in June 2010. Please see **Appendix A** for a definition of infrastructure and examples of acceptable and unacceptable infrastructure items;
- C. Execute an **age-appropriate enrichment program** at each proposed site before, during or after the SFSP meal that will last at least one hour. The enrichment program must be based on a proven outcomes- and research-based curriculum and provide social, academic and physical enrichment activities that are proven to reduce high-risk behaviors among youth. The program activities must be prepared during spring 2010 and ready for use by the opening day of the site in June 2010;
- D. Publicize the SFSP sites and accompanying enrichment programs at appropriate places throughout the project period;
- E. Attend all mandatory ODE and GOFBCI trainings;

1. The appropriate representatives from the grantee's organization as directed by ODE must attend all ODE trainings. Attendance will be required in order to certify each SFSP sponsor and sites so that they may receive USDA reimbursement for meals; and,
 2. At minimum, one representative from the grantee's organization and each site enrichment Program Director must attend the mandatory grantee orientation and all subsequent mandatory conference calls and meetings.
- F. Provide GOFBCI with attendance reports that document the project's performance in increasing the number of children receiving SFSP meals and participating in the enrichment program; and,
- G. Provide GOFBCI with a monthly report and end-of-summer report for the grant period. Grantees must utilize the reporting system specified by GOFBCI for reporting and monitoring program performance. This report will help GOFBCI determine the impact of this grant on SFSP participation. GOFBCI will provide a template for the monthly and end-of-summer reports. Grantees are expected to develop and implement a plan to monitor, track and evaluate program participation.

Monthly reports must be received no later than the 15th day of the following month, unless extenuating circumstances exist and notification of the delay has been provided to the GOFBCI Project Manager. The year-end report must be received no later than 30 days after the site closing date.

The reports must include at minimum:

1. The number of children who have participated in the enrichment program on a daily basis. The selected grantees must have children who participate in enrichment program "sign-in" on a daily basis. All children 18 years of age and younger are eligible for the program if they are eligible to participate in the SFSP at this site;
2. A record of daily attendance, average weekly attendance, average summer attendance, total number of children at site, and total number of children at site for at least half of the length of the enrichment program;
3. In addition to attendance records, the selected grantees must provide an "end-of-summer report" that must include, at minimum, the following:
 - Reflections on GOFBCI trainings and training strategies implemented during the program;
 - Overall curriculum reflection;
 - Site preparedness regarding the ability to accommodate the expected number of children at the site;
 - Plans to continue and expand during the Summer of 2011; and,
 - Grantee progress and completion of project deliverables.

NOTE: State level supervision of all activities of the selected applicants will be performed by GOFBCI.

In summary, grantees MUST use this grant award for one or more of the following purposes:

- costs associated with establishing and/or strengthening the infrastructure of SFSP sites;
- costs associated with the development of community awareness campaign & programming for new and/or existing SFSP sites;
- costs associated with developing and implementing an enrichment program at SFSP sites.

2.3 Compensation Schedule

Selected applicants may be eligible to receive a capital advance payment less than or equal to **twenty percent (20%)** of their approved SFY10 budget amount (Project Start Date – June 30, 2010). Any such capital advance payment must be spent within **three business days** of receiving the funds. Documentation of expenses must be sent to GOFBCI within five business days of the issuance of the capital advance. **Unexpended** funds remaining from the capital advance must be returned to the State prior to the submission of the first monthly invoice. NOTE: Advances will not be made as a standard feature of these awards. Grantees must submit a written request for an advance to ODJFS, specifying the amount requested with a full explanation of the need for the advance. If the request is approved by ODJFS, the grantee will be responsible for proper federal documentation of all expenditures made using the capital advance.

Grantees will be compensated by reimbursement on a biweekly basis for actual expenses incurred after documentation of the capital advance expenses is received. Grantees will send GOFBCI a record of their expenses and proof of payment for those expenses on the GOFBCI invoice document by the 15th and 30th of each month. GOFBCI retains the right to hold invoices until the receipt of monthly and/or year-end reports that substantiate the request for reimbursement (Please see **Appendices C and D** for templates of the reports and invoices.).

Acceptable documentation of payment includes, but is not limited to, invoices marked paid in full, cancelled checks, receipts, and bank statements. All invoices are subject to examination and nonpayment if expenses do not fill the specific needs of the project and/or fit into the agreed budget. In addition, payment will not be authorized without an accompanying monthly or year-end report.

Please see Appendix F, *Reimbursable Grant Relationship Explanation*, for additional information.

SECTION III: APPLICANT QUALIFICATIONS

NOTE: Applicants' proposals must address all the following minimum qualifications as well as organizational and staff experience and capabilities:

3.1 Required Applicant Qualifications

In order to be considered for the (grant) agreements expected to result from this RFGA, ODJFS requires that interested applicants **must** meet, at minimum, **all** the following qualification requirements:

- A. Include all required affirmative statements and certifications, signed by the applicant's responsible representative, as described in **Attachment A and C**;
- B. Prior to scoring applications, ODJFS and GOFBCI will confirm that applicants are eligible for this grant opportunity by affirming they were an approved 2009 SFSP sponsor and are currently in good standing with ODE. In addition, applicants can not be delinquent in any of the Child and

Adult Food Care Programs (Please see **Appendix E** for a list of 2009 SFSP sponsors who may apply for this funding opportunity.);

- C. Provide a list of proposed site(s) that clearly identifies the required new site and, if applicable, existing sites proposed for funding through this RFGA. The applicant must identify at least one NEW SFSP site for funding for this RFGA; and,
- D. Identify the outcomes and research-based curriculum/curricula that will be utilized for the program.

Applicants that do not meet ALL the above experience and qualifications will be disqualified from further consideration for grant award.

3.2 Staff Experience and Capabilities

The applicant must demonstrate significant expertise by assigning staff to key leadership roles for this project. Key positions will require profiles and resumes or curriculum vitae of staff, if identified. The applicant must, at minimum:

- A. Identify, if possible, staff the applicant considers key to the project’s success. If it is not possible for the applicant to specifically name project staff at the time of proposal submission, applicants must include a statement affirming that all staff will meet the following qualifications:
 - 1. A site enrichment Program Director for each site, who is/will be a paid employee and has, at minimum, at least one year of experience working with children in a school setting, after-school program, enrichment program, or camp setting; and,
 - 2. Key enrichment program staff members who have had at least six months experience working with children in a school setting, after-school program, or camp setting.
- B. Identify all support staff roles (support staff do not need to be named at this time/prior to grant award) and provide a justification for each staffing position; and,
- C. Provide an affirmative statement that, if awarded a grant, the applicant will ensure the safety of all participants by conducting background and sex offender registry checks on all paid and volunteer staff members. (Costs associated with background checks may be included in the project budget. However, grant funds may not be used for drug testing and drug screening costs.)

ODJFS will require a key personnel clause in the resulting grants stating that any person identified as critical to the success of the project may not be removed without reasonable notice to ODJFS, and replacements will not be made without ODJFS approval.

SECTION IV: TIMETABLE INFORMATION & COMMUNICATION INSTRUCTIONS

4.1 Anticipated Procurement Timetable

DATE	EVENT/ACTIVITY
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November 16, 2009	ODJFS Releases RFGA to Potential Applicants on ODJFS Web Site; Q&A Period Opens <ul style="list-style-type: none"> - RFGA becomes active - Applicants may submit inquiries for RFGA clarification
January 11, 2010	Applicant Q&A Period Closes, 10 a.m. (for inquiries for RFGA Clarification) <ul style="list-style-type: none"> - No further inquiries for RFGA clarification will be accepted
January 19, 2010	ODJFS provides Final Applicant Question & Answer Document (estimated)
February 8, 2010 3:00 P.M.	APPLICANT PROPOSALS MUST BE RECEIVED BY ODJFS, OFFICE OF LEGAL AND ACQUISITION SERVICES BY THIS DEADLINE. <ul style="list-style-type: none"> - This is the proposal opening date, beginning the ODJFS process of proposal review. LATE PROPOSALS WILL NOT BE CONSIDERED. THERE WILL BE NO EXCEPTIONS MADE.
February 18, 2010	ODJFS Issues Grant Award Notification Letters (estimated) <ul style="list-style-type: none"> - Applicants that submitted proposals in response to this RFGA will be sent letters stating whether their proposal was accepted for award of the grant
April 5, 2010	Implementation* (estimated—following notification of all contractual and funding approvals) <ul style="list-style-type: none"> - ODJFS contracts are not valid and effective until the state Office of Budget Management approves the purchase order.
October 1, 2010	Project Completion - All work must be completed and approved by ODJFS Contract Manager

ODJFS reserves the right to revise this schedule in the best interest of the State of Ohio and/or to comply with the State of Ohio procurement procedures and regulations.

*** According to requirements of Ohio Revised Code (ORC) 126.07, ODJFS contractual agreements are not valid and enforceable until the Office of Budget and Management (OBM) certifies the availability of appropriate funding, as indicated by the approval of the Purchase Order (P.O.). The selected applicants may neither perform work nor submit an invoice for payment for work performed for this project for any time period prior to the P.O. approval date. The GOFBCI Grant Manager will notify the selected applicants when the requirements of ORC Section 126.07 have been met.**

4.2 Start Work Date

The selected applicant must be able to begin work no later than seven (7) working days after the time funds are encumbered and approved by the Office of Budget & Management. The selected applicant will be notified by the GOFBCI project manager when work may begin. **Any work begun by the applicant prior to this notification will NOT be reimbursable by the State of Ohio.**

4.3 Internet Question and Answer Period; RFGA Clarification Opportunity

Potential applicants may ask clarifying questions regarding this RFGA via the Internet during the Q&A Period as outlined in Section 4.1, Anticipated Procurement Timetable. To ask a question, potential applicants must use the following Internet process:

- * **Access the ODJFS Web Page at <http://jfs.ohio.gov/>**
- * **Select “About us” on the front page;**
- * **Select “Doing Business with ODJFS;”**
- * **Select “Requests for Proposals, Letterhead Solicitations, & Other Invitations;”**
- * **RFGA Number [R1011218033](#);**
- * **Select “Ask a Question about this RFGA” function;**
- * **Follow the instructions to send an e-mail question.**

Questions about this RFGA must reference the relevant part of this RFGA, the heading for the provision under question, and the page number of the RFGA where the provision can be found. The potential applicant must also include the name of a representative of the potential applicant, the company name and business phone number. ODJFS may, at its option, disregard any questions which do not appropriately reference an RFGA provision or location, or which do not include identification for the originator of the question. ODJFS will not respond to any questions submitted after **10:00 a.m.** on the date the Q&A period closes.

ODJFS responses to all questions asked via the Internet will be posted on the Internet website dedicated to this RFGA, for reference by all potential applicants. Potential applicants will not receive personalized or individual e-mail responses. Clarifying questions asked and ODJFS responses to them comprise the “ODJFS Q&A Document” for this RFGA. If possible, ODJFS will post an interim Q&A Document, without identifying the applicants asking questions, as well as the final version (in which all applicants that posed questions will be identified). ODJFS strongly encourages applicants to ask questions as early as possible in the Q&A period so that interim answers can be posted with sufficient time for the possibility of applicants’ follow-up questions.

Applicant proposals in response to this RFGA are to take into account any information communicated by ODJFS in the Final Q&A Document for the RFGA. **It is the responsibility of all potential applicants to check this site on a regular basis for responses to questions, as well as for any amendments or other pertinent information regarding this RFGA.**

Accessibility to the ODJFS Q&A Document will be clearly identified on the website dedicated to this RFGA, once that document is made available.

IMPORTANT: Requests from potential applicants for copies of previous RFGAs, past applicant proposals, score sheets or contracts for this or similar past projects, are Public Records Requests (PRRs), and are not clarification questions regarding the present RFGA. PRRs submitted in accordance with directions provided in Section 4.4, Communication Prohibitions, will be honored. The posted time frames for ODJFS responses to Internet questions for RFGA clarification do not apply to PRRs.

Applicants are to base their RFGA responses, and the details and costs of their proposed projects, on the requirements and performance expectations established in this RFGA for the future contractual agreements, NOT on details of any current or past related agreement. Requirements under a current project may or may not be required by ODJFS under any future agreement, and so may not be useful

information for applicants who choose to respond to the RFGA. If applicants ask questions about existing or past agreements using the Internet Q&A process, ODJFS will use its discretion in deciding whether to provide answers. Interested applicants should also refer to RFGA Section 1.4, Time Frames and Funding Source, for related information.

There is an established time period for the Applicant Q&A process (see Section 4.1, Anticipated Procurement Timetable, above). ODJFS will only answer those questions submitted within the stated time frame for submission of applicant questions, and which pertain to issues of RFGA clarity, and which are not requests for public information. ODJFS is under no obligation to acknowledge questions submitted through the Q&A process if those questions are not in accordance with these instructions.

Should applicants experience technical difficulties accessing either the ODJFS website where the RFGA and its related documents are published, they may contact the ODJFS Office of Legal and Acquisition Services, RFGA/RLB Unit, at (614) 728-5693 for guidance.

4.4 Communication Prohibitions

If interested applicants have a need to communicate regarding this RFGA, they must contact **ODJFS** using one of the mechanisms provided for in **Sections 4.3, Internet Question and Answer Period/RFGA Clarification Opportunity, or 4.4, Communication Prohibitions, of this RFGA.** Applicants are cautioned that communication attempts that do not comply with these instructions will not be answered and may cause the applicant's proposal to be disqualified. ODJFS will not consider any proposals submitted to any address other than the one provided in Section 5.2 of this RFGA. Applicant proposals must be submitted to ODJFS in strict accordance with proposal submission instructions provided in **Section 5.2, Required Proposal Information.**

From the issuance date of this RFGA until an actual contract is awarded to a applicant, there may be no communications concerning the RFGA between any applicant that expects to submit a proposal and any employee of ODJFS in the issuing office, or any other ODJFS employee, or any other individual regardless of their employment status, who is in any way involved in the development of the RFGA or the selection of the grantee.

The only exceptions to this prohibition are as follows:

1. Communications conducted pursuant to Section 4.3, Internet Q&A Period;
2. As necessary any pre-existing or on-going business relationship between ODJFS and an applicant that could submit a proposal in response to this RFGA;
3. As part of any vendor' applicant conference or teleconference conducted by the State, **if** ODJFS decides, at its sole discretion, to offer such an event for training or informational purposes prior to the proposal/application due date;
4. As part of any applicant interview process or proposal clarification process initiated by ODJFS, which ODJFS deems necessary in order to make a final selection;
5. If it becomes necessary to revise any part of this RFGA, ODJFS will post those revisions, amendments, etc., to the website dedicated to this RFGA;* and

6. Any Public Records Request (PRR) made through the ODJFS Office of Legal & Acquisition Services.

**** Important Notes:**

Note 1. Amendments to the RFGA or to any documents related to it will be accessible to interested applicants through the original web page established for the RFGA. All interested applicants must refer to that web page regularly for amendments or other announcements. ODJFS may not specifically notify any applicant of changes or announcements related to this RFGA except through the website posting. It is the affirmative responsibility of interested applicants to be aware of and to fully respond to all updated information posted on this web page. Questions regarding SFSP site requirements, nutrition program requirements, etc. are not the purview of ODJFS or GOFBCI. For questions relating to the aforementioned matters, please contact ODE.

Note 2. Questions regarding SFSP site requirements, SFSP site approval processes, nutrition program requirements, etc., are not the purview of either ODJFS or GOFBCI; all questions related to such matters must be directed to ODE.

ODJFS is not responsible for the accuracy of any information regarding this RFGA that was obtained or gathered through a source other than the Q&A process described in this RFGA. Any attempts at prohibited communications by applicants may result in the disqualification of those applicants' proposals.

SECTION V: PROPOSAL FORMAT

5.1 Proposed Work Plan

Applicant proposals are to include, at minimum, the following administrative structures and technical approach for the proposed work plan. The applicant shall:

- A. State the key objectives of each proposed site. [NOTE: Applicants are not to simply restate the objectives as identified in Section 1.3 of this RFGA, but to specify the objectives the proposed project is designed to address.];
- B. Provide a technical approach and work plan to be implemented as well as a proposed timeline for the project. Applicants must explain in writing the need for an SFSP site at their proposed locations. Sites must meet all of the eligibility requirements set forth by ODE and USDA in order to qualify for funding;
- C. Provide a current organizational chart (including any subcontractors) and specified the duties of the key management and administrative personnel who will be assigned or hired to perform work on this project;
- D. Provide a timeline for each component of the scope of work and the project overall including the staff hours for personnel involved. Include a Table of Organization (including SFSP sites, enrichment Program Directors at each site, and other paid and volunteer staff), and a chart showing the number of hours devoted to the project by the Applicant and the enrichment

Program Directors at each site. The applicant must provide the percentage of time each key management person will devote to the project;

- E. Develop work plans that outline the physical infrastructure needs for the applicant's proposed SFSP sites. Please see **Appendix A** for a definition of "infrastructure" and acceptable and unacceptable infrastructure costs. Physical infrastructure DOES NOT include capital improvements, perishable or nonperishable food products;
- F. Develop a work plan for the physical set up and design for each SFSP site and accompanying enrichment program; and,
- G. Provide a detailed description of the curriculum and how it will be used to meet the goals of the project. The description must include information on how the curriculum/curricula will be used to develop and provide academic, social, decision-making and leadership skills to participants before, during or after the SFSP meal.

5.2 Required Proposal Information

ODJFS requires proposal submissions in both paper and electronic format. The proposal must be prepared and submitted in accordance with instructions found in this Section. The proposal submission must be comprised of:

Five (5) paper copies (one signed original and four copies) and one CD-ROM copy of the Application (including Project Budget and all other required components of the application). It is the applicant's affirmative responsibility to ensure that all copies and all formats of the application are identical. Any pages or documents omitted from any or all copies can negatively affect the applicant's score and possibly result in disqualification. In the event of any discrepancies or variations between copies, ODJFS is under no obligation to resolve the inconsistencies, and may make its scoring and award decisions accordingly, including the decision to disqualify the applicant.

The applicants' total proposal submissions (both the technical and project budget and required documents) must be received by ODJFS complete no later than 3:00 p.m., local time on **February 8, 2010**. Faxes or e-mailed submissions will not be accepted. **Proposals must be addressed to:**

**Office of Legal & Acquisition Services
Ohio Department of Job and Family Services
30 East Broad Street, 31st Floor
Columbus, Ohio 43215-3414
ATTN: RFGA/RFP Unit**

The entire proposal should be converted into one single secure .pdf document saved to the CD-ROM submitted to ODJFS. If the proposal's size necessitates more than a single .pdf document to contain the entire proposal, vendors must send the CD-ROM copy of the proposal, but use the fewest separate .pdf documents possible. The hard-copies and the CD-ROM must be clearly labeled with the applicant's name, submission date, and the name and RFGA number for this project.

All proposal submissions must be received, complete, at the above address, via mail or hand delivery by the above date and time. Materials received separately from an applicant's proposal submission (e.g.,

letters of recommendation from past customers of the applicant's services) will not be added to the proposal nor considered in the review and scoring process. Materials received after the date and time as stated above will not be included in any previous submissions, nor will they be considered. ODJFS is not responsible for proposals incorrectly addressed or for proposals delivered to any ODJFS location other than the address specified above. No confirmation of mailed proposals can be provided.

For hand delivery on the due date, applicants are to allow sufficient time for traffic incidents, downtown parking considerations, as well as for possible security checks at both the lobby of the Rhodes State Office Tower (address as stated above) and again on the 31st Floor. All proposals must be received **no later than the specified deadline, both time and date**, by the Office of Legal and Acquisition Services (OLAS), on the 31st Floor of the Rhodes Tower. Proposals may be submitted at any time prior to that deadline, during normal working hours, excluding weekends and state holidays. **ODJFS is not responsible for proposals delivered to any address other than the address provided above. No late proposals will be considered.**

Submission of a proposal indicates acceptance by the applicant of the conditions contained in this RFGA, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between ODJFS and the applicant selected.

5.3 Required Certifications

The following forms are attached and MUST be completed and included with the submission of the proposal.

- A. Required Applicant Information & Certification Form (**Attachment A**)
- B. Request for Taxpayer Identification Number (W-9) Form (**Attachment B**)
- C. Declaration of Material Assistance Form (**Attachment C**)
- D. Applicant Proposal Check List (**Attachment G**)

5.4 Format for Organizing the Proposal

A. Overall Proposal Organization

A sample Technical Proposal Score Sheet is provided as **Attachment E.** of this RFGA. **Applicants are strongly encouraged to use the Score Sheet to check their proposals for quality, compliance, and completeness prior to submission.**

The applicant's Technical Proposal must contain the following components (organized in four (4) primary tabs and divided into sub-tabs) as described below. Any other information thought to be relevant, but not applicable to a specific RFGA section number/letter must be provided as an appendix to the proposal and so marked as an additional tab. ODJFS reserves the right not to review submitted appendices which includes information/materials not required in the RFGA. All pages beyond Tab 1 shall be sequentially numbered.

Applicants must organize their Technical Proposals in the following order:

- Tab 1** Required Applicant Info. & Certifications Document (see **Attachment A**)
Request for Taxpayer Identification Number (W-9) Form (see **Attachment B**)

Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization (see **Attachment C**)
Applicant Proposal Check-List (see **Attachment G**)

Tab 2 Applicant Qualifications

Sub-Tab 2a. Required Applicant Qualifications

Sub-Tab 2b. Staff Experience and Capabilities

Tab 3 Scope of Work and Specifications of Deliverables

Sub-Tab 3a. Deliverable A

Sub-Tab 3b. Deliverable B

Sub-Tab 3c. Deliverable C

Sub-Tab 3d. Deliverable D

Sub-Tab 3e. Deliverable E

Sub-Tab 3f. Deliverable F

Sub-Tab 3g. Deliverable G

Tab 4 Proposed Work Plan

Sub-Tab 4a. Requirement A

Sub-Tab 4b. Requirement B

Sub-Tab 4c. Requirement C

Sub-Tab 4d. Requirement D

Sub-Tab 4e. Requirement E

Sub-Tab 4f. Requirement F

Sub-Tab 4g. Requirement G

All pages in the Technical Proposal must be sequentially numbered, with the exception of Tab 1 contents.

NOTE: Applicants are required to submit one CD-ROM copy of their entire proposal package in non-rewriteable CD format including any required or voluntary attachments to it.

B. Technical Proposal Details

The applicant's Technical Proposal must contain the following components, at minimum. It is mandatory that applicant proposals be organized in the following order and that wherever appropriate, sections/portions of the applicant proposal make reference by section number/letter to those RFGA requirements to which they correspond.

1. (Tab 1)

Required Applicant Information & Certifications

Request for Taxpayer Identification Number (W-9) Form

Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Org.

Applicant Proposal Check-List (see Attachment G)

In this section, the applicant is required to provide required information and certifications of eligibility for state contract awards, as described in **Attachment**

A. to this RFGA, entitled “Required Applicant Information & Certifications Document.” Applicants may, at their discretion, either print **Attachment A.**, complete and sign it (in blue ink), and return it as the content of their Proposal Tab 1; or they may provide all the required information and certifications (each fully re-stated from **Attachment A.**) on their own letterhead, properly signed (in blue ink), and use that document as the content of their Proposal Tab 1. Applicants who fail to provide all information and certifications as described in **Attachment A.** in their Proposal Tab 1 risk disqualification.

The applicant must attach the **Request for Taxpayer Identification Number (W-9) Form**, which is provided as **Attachment B.** to this RFGA, completed with an original signature in blue ink.

Applicants are required to provide a declaration regarding material assistance to a terrorist organization or an organization that supports terrorism as identified by the U.S. Department of State Terrorist Exclusion List and described in **Attachment C, Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization.** Applicants MUST print **Attachment C.**, complete and sign it (in blue ink), and return it as the content of their Proposal Tab 1. Applicants who fail to provide a signed and completed **Attachment C.** risk disqualification. This form may also be accessed and printed at the Ohio Department of Public Safety, Division of Homeland Security’s Website at <http://www.homelandsecurity.ohio.gov>.

The signed originals of the above referenced forms (**RFGA Attachments A., B., and C.**) are to be provided in the applicant’s original proposal; photocopies of the completed and signed forms must also be provided with each of the required copies.

Applicants are to complete the Applicant Proposal Check List (**Attachment G**) with precise page numbers in their proposals where necessary information can be found by the State. These page numbers will be used both as an indication by the applicant that their proposal is complete and by the State to conveniently locate information in the proposals.

In the event that the applicant proposes the use of any subcontractors, information on the subcontractor(s) and letters of commitment as required by Section 5.4 F., Subcontractor Identification and Participation Information should also be provided in Tab 1.

2. **(Tab 2)**
Applicant Experience & Qualifications

a. Required Applicant Qualifications (**Sub-Tab 2 a.**)

The applicant must include information on the required experience of the applicant, as described in **Section 3.1**, of this RFGA. This must include a list of proposed sites that clearly identifies new and existing sites and identify and

describe the proposed curriculum/curricula that will be utilized for the program. Applicants must include all required affirmative statements and certifications, signed by the applicant's responsible representative, as identified in **Attachments A and C**;

b. **Staff Experience and Capabilities (Sub-Tab 2 b.)**

Under this section, the applicant is required to include resumes, education, and experience of the Program Director and all key staff (if identified) for this project, as well as describe any appropriate supplemental and support staff (including any subcontractors) to be involved, as described in **Section 3.2**, of this RFGA. If the applicant has not yet filled the enrichment and support staff positions, they must submit statements affirming all staff hired will meet or exceed the qualifications listed in Section 3.2 of this RFGA.

3. **(Tab 3)**
Proposed Work Plan

This section should describe in detail [in the order as outlined (A-G)] the applicant's proposed work plan as specified in Section 5.1, Proposed Work Plan of this RFGA.

4. **(Tab 4)**
Scope of Work & Specifications of Deliverables

This section should describe in detail how the applicant proposes to perform each tasks of the scope of work identified in Sections 2.1, Scope of Work and in Section 2.2, Specifications of Deliverables, of this RFGA. The responses must address each element separately. Applicants should place their responses for each Deliverable identified in Section 2.2 behind separate sub-tabs as described above.

C. **Project Budget**

In calculating their proposed budget, applicants must consider costs resulting from each deliverable listed in Section 2.2 of this RFGA as well as all program costs, primary and incidental, necessary to complete all program activities (whether or not it is explicitly identified by ODJFS in this RFGA). Applicants **MUST** complete the Project Budget Form, provided as **Attachment F** to this RFGA according to instructions, sign it, and submit it fully completed as specified in the RFGA.

Grants awarded through this project will be for awards of \$12,500.00 per site for the entire grant period (award date – October 1, 2010). Applicants should make every effort to ensure costs per site do not exceed this amount. However, if per site costs in excess of \$12,500.00 are deemed necessary to the scope of work and deliverables defined in this RFGA, applicants must include a detailed justification for such costs with the Project Budget Form in order to be considered.

Note: Because the funded projects will operate over a six-month period that spans two

state fiscal years (SFYs), applicants' budgets must be divided accurately between them. Project activities that occur between the project start date and June 30, 2010, occur in State Fiscal Year 2010 (SFY10); and project activities that occur between July 1, 2010 and the project end-date, October 1, 2010, occur in SFY11.

Administrative costs associated with this grant should not exceed 15% of the total project budget. Administrative costs include costs associated with administering the program that are not related to direct service delivery. These costs include fiscal related costs (accounting, invoicing, etc.), contractual costs, reporting, and other solely administrative activities. Programmatic costs are costs associated with delivering services to the targeted population and may include the salaries of individuals performing the direct service delivery (such as program aides or enrichment program staff).

The per-site cap does not include the overall administrative costs associated with managing the grant (administrative costs may not exceed 15% of the total budget amount). Further, ODJFS reserves the right to award funding to selected applicants in amounts less than requested (including requests for \$12,500.00 or less) if ODJFS determines that portions of the requested budget are inappropriate or excessive. Please refer to **Appendix A** for acceptable and unallowable infrastructure costs. Funds **may only** be awarded and used in strict accordance with all applicable TANF (or other) regulations. (Please see Section **Appendix B**, Applicant Library, for information on TANF).

Funds awarded through this grant should not be viewed as a continuous source of program support; this funding is intended to assist applicants with service provision as described in this RFGA, while building the organization's capacity for sustainability after the grant end date. All services charged to the grant award by the selected applicants must be TANF-eligible (**A description can be found in Appendix B, Applicant Library**).

ODJFS may, at its sole discretion, based on the quality of the justification offered, either award at the requested amount, or at a lesser amount, at the \$12,500 per-site maximum or disqualify the proposal.

Applicants are to only show expenses directly related to the proposal project (travel not to be included) and include a budget narrative and justification which clearly display how approximate costs and allocations were determined for each site. Budget and budget item descriptions MUST support the objectives outlined for the project as well as any &/or all grant applicant's proposed program activities.

Funds provided through the Feed Ohio grant may be used for infrastructure and programmatic costs such as project staff salary and benefit costs, purchase of appliances and equipment, marketing, outreach, and enrichment program supplies. Capital improvements or repairs necessary per health code standards are not reimbursable through this project. This includes floor, roofing and building repairs. Budgets must contain three (3) quotes for all proposed equipment purchases \$500.00 to demonstrate that the requested amounts are reasonable, customary and the best value.

For the purpose of this RFGA, equipment is defined as an article of nonexpendable, tangible property having a useful life of more than one year, with a value that equals or exceeds \$500.00. Examples of equipment include office equipment and furnishings, refrigerators, sports and playground equipment, information technology equipment and systems, and reproduction and printing equipment.

Insurance is not an allowable project cost and grantees must agree to obtain agency appropriate insurance for the project. Grantees are responsible for ensuring they maintain current coverage and agree to indemnify and hold harmless the State of Ohio for any claims arising due to non-compliance with this policy.

At the applicant's discretion, additional documentation may also be included with the completed **Attachment F.**, as explanatory information, but when making the applicant selections and when executing the agreement, ODJFS will consider only the dollar amounts displayed on the Project Budget Form.

Applicants are to use their professional comprehension of the effort required to perform those services and to propose an all-inclusive budget for performing all necessary activities. The budget line items proposed in the applicant's Project Budget will be the compensation in effect throughout the agreement period, as described in Section 1.4, Time Frames & Funding Source, of this RFGA.

In calculating their total proposed budget, applicants must consider cost resulting from each deliverable listed in Section 2.2 of this RFGA, as well as all program costs, primary and incidental, necessary to complete all program activities (whether explicitly identified by ODJFS in this RFGA or not).

D. Travel Reimbursement

Travel costs directly related to the programmatic activities should be folded into the overhead, per diem, or the hourly rates and not to be listed separately. Administrative transportation expenses (e.g. travel to SFSP sites and organizational meetings) are not allowable.

E. Proposal Costs

Costs incurred in the preparation of this proposal are to be borne by the applicant, and ODJFS will not contribute in any way to the costs of the preparation. Any costs associated with interviews will be borne by the applicant and will not be ODJFS' responsibility (see Section 6.6, below).

F. Subcontractor Identification & Participation

Any applicants proposing to use a subcontractor for any part of the work described in this RFGA must clearly identify the subcontractor(s) and their tasks in their proposals. The proposal must include a letter from the proposed subcontractor(s), signed by a person authorized to legally bind the subcontractor, indicating the following:

1. The subcontractor's legal status, federal tax ID number, and principle business address;

2. The name, phone number, and fax number of a person who is authorized to legally bind the subcontractor to contractual obligations;
3. A complete description of the work the subcontractor will do;
4. A commitment to do the work, if the applicant is selected; and,
5. A statement that the subcontractor has read and understands the RFGA, the nature of the work, and the requirements of the RFGA.

SECTION VI: PROPOSAL EVALUATION & SELECTION CRITERIA

6.1 Scoring of Proposals

ODJFS will enter into agreements with those applicants that best demonstrate the ability to meet requirements as specified in this RFGA. Applicants submitting a response will be evaluated based on the capacity and experience demonstrated in their Technical Proposal and Project Budget. All proposals will be reviewed and scored by a Proposal Review Team (PRT), comprised of staff from GOFBCI, and their designees. Applicants should not assume that the review team members are familiar with any current or past work activities with ODJFS. Proposals containing assumptions, lack of sufficient detail, poor organization, and lack of proofreading and unnecessary use of self-promotional claims will be evaluated accordingly. PRT members will be required to sign disclosure forms to establish that they have no personal or financial interest in the outcome of the proposal review and grantee selection process.

Selection of the applicants will be based upon the criteria specified in this RFGA. Any proposals not meeting the requirements contained this RFGA will be scored accordingly, may not be scored, or may be held pending receipt of required clarifications. The PRT reserves the right to reject any and all proposals, in whole or in part, received in response to this request. The review team may waive minor defects that are not material when no prejudice will result to the rights of any applicant or to the public. In scoring the proposals, ODJFS will score in three phases:

6.2 Technical Proposal Score Sheet

A. **Phase I. Review—Initial Qualifying Criteria**

In order to be fully reviewed and scored, proposals submitted must pass the following Phase I. Review. **Any “no” for the listed Phase I. criteria will eliminate a proposal from further consideration. Please refer to Attachment E, Technical Proposal Score Sheet for a complete listing of initial disqualifiers.**

B. **Phase II. Review—Criteria for Scoring the Technical Proposal**

The PRT will then score those qualifying technical proposals, not eliminated in Phase I. Review, by assessing how well the applicant meets the requirements as specified in Sections II, III, IV, and V of this RFGA. Using the score sheet for Phase II scoring (see **Attachment E.** of this RFGA for specific evaluation criteria), the PRT will read, review, discuss and reach consensus on the final technical score for each qualifying technical proposal.

IMPORTANT: Before submitting a proposal to ODJFS in response to this RFGA, applicants are strongly encouraged to use the Technical Proposal Score Sheet (Attachment E.) and the above technical performance scoring information to review their proposals for completeness, compliance and quality.

All the remaining qualified Technical Proposals which meet the minimum required score as specified in Phase II, A., of the Technical Proposal Score Sheet (see **Attachment E.**) will be given additional consideration for including a detailed description of how they plan to collaborate with local growers to expand the SFSP and/or the Feed Ohio enrichment program (These additional points shall be given in Phase II, B., of the score sheet.). Any other proposals which do not meet the minimum required score in Phase II will be disqualified from further consideration and their corresponding Project Budgets will neither be scored nor considered.

For those technically qualified applicants who meet the minimum required score in Phase II, A. Review, their final Phase II technical score will be the sum of the score they earned in Phase II, A. plus any additional points received for demonstrating local grower collaboration in Phase II, B., of the score sheet. That sum plus the applicant's project budget score (in Phase III Review) will be considered as the Grand Total Score for the applicant's project proposal.

C. Phase III. Scoring—Project Budget

The applicant's Project Budget will be reviewed and scored by the PRT. Applicants' projects must at least meet the minimum Phase II technical score in order for their project proposal to remain in consideration for grant award.

If project budgets of technically qualifying applicants (as determined by the scoring process described in this section and by the Technical Proposal Score Sheet, **Attachment E.** to this RFGA) are in excess of any funding limits for this project, or seem excessive or unnecessary, ODJFS may, at its sole discretion, negotiate with technically qualifying applicants for revised project budgets. ODJFS will then consider those applicants' revised project budgets which are within the budget according to the evaluation process described in this section, above, and in the Technical Proposal Score Sheet, **Attachment E.**, for determination of grant awards.

6.3 Review Process Caveats

ODJFS may, at its sole discretion, waive minor errors or omissions in applicants' Technical Proposal and/or Project Budgets/forms when those errors do not unreasonably obscure the meaning of the content.

ODJFS reserves the right to request clarifications from applicants to any information in their Technical and/or Project Budgets/forms, and may request such clarification as it deems necessary at any point in the proposal review process. Any such requests for proposal clarification when initiated by ODJFS, and applicants' verbal or written response to those requests, shall not be considered a violation of the communication prohibitions contained in Section 4.4 of this RFGA. Such communications are expressly permitted when initiated by ODJFS, but are at the sole discretion of ODJFS.

Should ODJFS determine a need for interviewing applicants prior to making a final selection, results to interview questions shall be scored in a manner similar to the process described in Section 6.1, Scoring of Proposals, above. Such scored results may be either added to those applicants' proposal scores, or will replace certain criteria scores, at the discretion of ODJFS. The standards for scoring the interviews and the method used for considering the results of the interviews shall be applied consistently for all applicants participating in the interview process for that RFGA.

ODJFS reserves the right to negotiate with applicants for adjustments to their proposals should ODJFS determine, for any reason, to adjust the scope of the project for which this RFGA is released. Such communications are not violations of any communications prohibition, and are expressly permitted when initiated by ODJFS, but are at the sole discretion of ODJFS.

Any applicant deemed not responsible, or any submitting a proposal deemed not to be responsive to the terms of this RFGA, shall not be awarded the contract.

6.4 Final Applicant Recommendation

The PRT will recommend to the Director of ODJFS the technically qualified applicant offering the proposal most advantageous to ODJFS, as determined by the processes and requirements established in this RFGA. In the event that two or more of the applications have a score which is tied after final calculation of the technical proposal and the project budget, the proposal with the higher score in the technical proposal will prevail. A recommendation for funding will designate proposals in descending order of the sum total point scores agreed to by the PRT in Phase II and III. Although an applicant(s) may meet or exceed the minimum scoring threshold, a grant award shall not be guaranteed. ODJFS reserves the right to fund sites based on proposal scores, targeted quantity of SFSP sites and available funding.

6.5 Applicant Selection Restriction

Any applicant deemed not responsible, or submitting a proposal deemed not to be responsive to the terms of this RFGA, shall not be awarded the resulting grant.

6.6 Interview

Applicants submitting proposals may be required to participate in an in-depth interview as part of the evaluation process. The interview, if necessary, may include participants from ODJFS and/or other state or county staff or other representatives it may appoint, as appropriate. ODJFS reserves the right to select from responding applicants for interviews and may not interview all applicants submitting proposals. The applicant shall bear all costs of any scheduled interview.

SECTION VII: RULES

Through this section of the RFGA, ODJFS notifies applicants seeking award of a grant of certain conditions and requirements which may affect their eligibility or willingness to participate in any procurement (RFGA, RLB, etc.) process; or their eligibility to be awarded a grant; and of requirements that would be in effect should they be awarded an agreement.

7.1 Confidentiality

All contracts will require that the grantee maintain the confidentiality of information and records which state and federal laws, rules, and regulations require to be kept confidential.

7.2 Ethical & Conflict of Interest Requirements

- A. No grantee or individual, company or organization seeking a contract shall promise or give to any ODJFS employee anything of value that is of such character as to manifest a substantial and improper influence upon the employee with respect to his or her duties;
- B. No grantee or individual, company or organization seeking a contract shall solicit any ODJFS employee to violate any of the conduct requirements for employees;
- C. Any grantee acting on behalf of ODJFS shall refrain from activities which could result in violations of ethics and/or conflicts of interest. Any grantee or potential grantee who violates the requirements and prohibitions defined here or of Section 102.04 of the ORC is subject to termination of the contract or refusal by ODJFS to enter into a contract; and
- D. ODJFS employees and grantees who violate Sections 102.03, 102.04 2921.42 or 2921.43 of the ORC may be prosecuted for criminal violations.

7.3 Mandatory Disclosures of Governmental Investigations

Each proposal must indicate whether the applicant and any of the proposed subcontractor(s) has been the subject of any adverse regulatory or adverse administrative governmental action (federal, state, or local) with respect to applicant's performance of services similar to those described in this RFGA. If any such instances are disclosed, applicant must fully explain, in detail, the nature of the governmental action, the allegations that led to the governmental action, and the results of the governmental action including any legal action that was taken against applicant by the governmental agency. While disclosure of any governmental action in response to this section will not automatically disqualify an applicant from consideration, such governmental action and a review of the background details may result in a rejection of the applicant's proposal at the sole discretion of ODJFS. The decision by ODJFS on this issue will be based on a determination of the seriousness of the matter, the matter's potential impact on the applicant's performance of the work, and the best interests of ODJFS.

7.4 Mandatory Contract Performance Disclosure

Each proposal must disclose whether the applicant's performance, or the performance of any of the proposed subcontractor(s), under contracts for the provision of services that are the same or similar to those to be provided for the project which is the subject of this RFGA has resulted in any "formal claims" for breach of those contracts. For purposes of this disclosure, "formal claims" means any claims for breach that have been filed as a lawsuit in any court, submitted for arbitration (whether voluntary or involuntary, binding or not), or assigned to mediation. If any such claims are disclosed, applicant shall fully explain the details of those claims, including the allegations regarding all alleged breaches, any written or legal action results from those allegations, and the results of any litigation, arbitration or mediation regarding those claims, including terms of any settlement. While disclosure of any formal claims in response to this section will not automatically disqualify an applicant from consideration, at the sole discretion of ODJFS, such claims and a review of the background details may

result in a rejection of the applicant's proposal. ODJFS will make this decision based on its determination of the seriousness of the claims, the potential impact that the behavior that led to the claims could have on the applicant's performance of the work, and the best interests of ODJFS.

7.5 Health Insurance Portability & Accessibility Act (HIPAA) Requirements

As a condition of receiving a contract from ODJFS, the grantee, and any subcontractor(s), will be required to comply with 42 U.S.C. Sections 1320d through 1320d-8, and to implement regulations at 45 C.F.R. Section 164.502 (e) and Sections 164.504 (e) regarding disclosure of protected health information under the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

Protected Health Information (PHI) is information received by the grantee from or on behalf of ODJFS that meets the definition of PHI as defined by HIPAA and the regulations promulgated by the United States Department of Health & Human Services, specifically 45 CFR 164.501 and any amendments thereto. The selected applicant can reasonably anticipate HIPAA language in the contract that results from this RFGA.

In the event of a material breach of grantee obligations under this section, ODJFS may at its option terminate the contract according to provisions within the contract for termination.

7.6 Deleted

Not applicable to this RFGA.

7.7 Proposal Clarifications

ODJFS reserves the right to request clarifications from applicants of any information in their Technical and/or Budget proposals/forms, and may request such clarification as it deems necessary at any point in the proposal review process.

7.8 Waiver of Minor Proposal Errors

ODJFS may, at its sole discretion, waive minor errors or omissions in applicants' Technical and/or Budget proposals/forms when those errors do not unreasonably obscure the meaning of the content.

7.9 State Contracts

Proposals must list any current contracts the applicant has with State of Ohio agencies. The list must indicate the purpose of the contract, the amount of the contract, the time period covered by the contract, and the percentage of the project completed. Applicants must complete a copy of the Required Applicant Information and Certifications Document (provided as **Attachment A.**) to report this information and include the completed document in the applicant's proposal as specified in **Section 5.4, A.**, of this RFGA.

7.10 Contractual Requirements

- A. Any contract resulting from the issuance of this RFGA is subject to the terms and conditions as provided in the model grant, which is included as **Attachment D.** of this RFGA;

- B. Many of the terms and conditions contained in the model contract (See **Attachment D.**) are required by state and federal law; however, the applicant may propose changes to the model contract by annotating the model, and returning it with the applicant's proposal submission. Any changes are subject to ODJFS review and approval;
- C. Payments for any and all services provided pursuant to the contract are contingent upon the availability of state and federal funds;
- D. All aspects of the contract apply equally to work performed by any and all subcontractors;
- E. The grantee, and any subcontractor(s), will not use or disclose any information made available to them for any purpose other than to fulfill the contractual duties specified in the RFGA. The grantee, and any subcontractor(s), agrees to be bound by the same standards of confidentiality that apply to the employees of ODJFS and the State of Ohio. Any violation of confidentiality will result in an immediate termination of the contract, and may result in legal action;
- F. As a condition of receiving a contract from ODJFS, the grantee, and any subcontractor(s), shall certify compliance with any court order for the withholding of child support which is issued pursuant to Section 3113.217 of the ORC. The grantee, and any subcontractor(s), must also agree to cooperate with ODJFS and any Ohio Child Support Enforcement Agency in ensuring that the grantee or employees of the grantee meet child support obligations established under state law;
- G. By signing a contract with ODJFS, a applicant agrees that all necessary insurance is in effect; and
- H. The selected grantee shall be required to comply with prevailing wage standards, as established in ORC 4115.03 to 4115.16.

7.11 Prevailing Wage

Any contract resulting from the issuance of this solicitation is subject to the terms and conditions as provided in the model grant, which is provided as **Attachment D.** to this RFGA. Potential applicants are strongly encouraged to read the model grant and to be fully aware of ODJFS' contractual requirements. Additionally, the selected grantee will be required to comply with prevailing wage standards, as established in ORC 4115.03-4115.16.

7.12 Unresolved Findings for Recovery (R.C. 9.24)

ORC Section 9.24 prohibits ODJFS from awarding a contract to any entity against whom the Auditor of State has issued a finding for recovery, if the finding for recovery is "unresolved" at the time of award. By submitting a proposal, the applicant warrants that it is not now, and will not become, subject to an "unresolved" finding for recovery under R.C. 9.24 prior to the award of any contract arising out of this RFGA, without notifying ODJFS of such finding. ODJFS will review the Auditor of State's website prior to completion of evaluations of proposals submitted pursuant to this RFGA. ODJFS will not evaluate a proposal from any applicant whose name, or the name of any of the subcontractors proposed

by the applicant, appears on the website of the Auditor of the State of Ohio as having an “unresolved” finding for recovery.

7.13 Protest Procedures

Any potential, or actual, applicant objecting to the award of a grant resulting from the issuance of this RFGA may file a protest of the award of the grant, or any other matter relating to the process of soliciting the proposals. Such a protest must comply with the following guidelines:

- A. A protest may be filed by a prospective or actual bidder objecting to the award of a grant resulting from this RFGA. The protest shall be in writing and shall contain the following information:
1. The name, address, and telephone number of the protestor;
 2. The name and number of the RFGA being protested;
 3. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
 4. A request for a ruling by ODJFS;
 5. A statement as to the form of relief requested from ODJFS; and
 6. Any other information the protestor believes to be essential to the determination of the factual and legal questions at issue in the written protest.
- B. A timely protest shall be considered by ODJFS, if it is received by ODJFS’ Office of Legal & Acquisition Services, within the following periods:
1. A protest based on alleged improprieties in the issuance of the RFGA or any other event preceding the closing date for receipt of proposals which are apparent or should be apparent prior to the closing date for receipt of proposals shall be filed no later than 3:00 p.m. the closing date for receipt of proposals, as specified in Section 4.1, Anticipated Procurement Time Table, of this RFGA.
 2. If the protest relates to the announced intent to award the grants, the protest shall be filed no later than 3:00 p.m. of the tenth (10th) calendar day after the issuance of formal letters sent to all responding applicants regarding the State’s intent to make the awards. **The date on these ODJFS letters to responding applicants is the date used to determine if a protest regarding the intent to award is submitted by the end of the protest period.**
- C. An untimely protest may be considered by ODJFS if ODJFS determines that the protest raises issues significant to the department’s procurement system. An untimely protest is one received by ODJFS’ Office of Legal & Acquisition Services after the time periods set forth in Item B. of this section.
- D. All protests must be filed at the following location:
- Chief Legal Counsel
ODJFS Office of Legal & Acquisition Services
30 East Broad Street, 31st Floor
Columbus, Ohio 43215-0423

- E. When a timely protest is filed, a contract award shall not proceed until a decision on the protest is issued or the matter is otherwise resolved, unless the Director of ODJFS determines that a delay will severely disadvantage the Department. The applicant(s) who would have been awarded the contract shall be notified of the receipt of the protest.
- F. ODJFS' Office of Legal Services shall issue written decisions on all timely protests and shall notify any applicant who filed an untimely protest as to whether or not the protest will be considered.

SECTION VIII. ATTACHMENTS AND THEIR USES

- A. **Required Applicant Information and Certifications** (*To be completed & included in proposal packet as specified in Sec. 5.4, B.*)
- B. **Request for Taxpayer Identification Number (W-9) Form** (*To be completed & included in proposal packet as specified in Sec. 5.4, B.*)
- C. **Declaration of Material Assistance Form** (*To be completed & included in proposal packet as specified in Sec. 5.4, B.*)
- D. **ODJFS Model Grant Agreement** (*for reference purposes*)
- E. **Technical Proposal Score Sheet** (*For applicant self-evaluation purposes...do not submit*)
- F. **Project Budget Form** (*To be completed & included in cost proposal packet as specified in Sec. 5.4, C.*)
- G. **Applicant Proposal Check List** [*For applicant to include location (page number) of each scored item of Attachment E. [To be included in applicant's submission.]*]

SECTION IX. APPENDICES

- A. **Definition of Infrastructure**
- B. **Applicant Library**
- C. **Sample Monthly Report** (*included as a reference*)
- D. **Sample Monthly Invoice Cover Page and Detailed Summary** (*included as a reference*)
- E. **ODE 2009 SFSP Sponsor List**
- F. **Reimbursable Grant Relationship Explanation**