REQUEST FOR APPLICATIONS – FEDERAL FUNDS

The State of Nebraska, Department of Health and Human Services, Division of Children and Family Services ("DHHS") Economic Assistance Program, is issuing this Request for Applications (“RFA”) for the purposes of entering into grant agreement(s) ("subaward" or "subawards") and awarding federal funds to an eligible and qualified entity to increase food bank capacity (FBC). A more detailed description may be found in Project Description, Section 2.

The resulting subaward from this RFA is subject to and shall follow federal regulation, as set forth herein. Subrecipients receiving subawards may only be paid up to the actual and allowable costs (as defined herein) of completing the Project Description, Section 2. No Subawards resulting from this RFA will be fee-for-service contracts, regardless of the method of payment, and no Subrecipient may keep a profit from its subaward. More detail about the terms of this funding is set forth in Terms, Section 5, below.

A copy of this RFA may be found online at DHHS’ website at http://dhhs.ne.gov/Pages/Grants-and-Contract-Opportunities.aspx. Until final Subawards are signed, all other information pertinent to this RFA, including but not limited to any amendments or addenda, will be posted on the DHHS website.

<table>
<thead>
<tr>
<th>RFA #</th>
<th>RELEASE DATE</th>
<th>APPLICATION DUE DATE</th>
<th>POINT OF CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>5622</td>
<td>August 22, 2022</td>
<td>SEPTEMBER 12, 2022</td>
<td><a href="mailto:DHHS.RFAResponses@nebraska.gov">DHHS.RFAResponses@nebraska.gov</a></td>
</tr>
</tbody>
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<tr>
<th>INITIAL PERIOD OF PERFORMANCE</th>
<th>TOTAL FUNDING AVAILABLE</th>
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<tbody>
<tr>
<td>OCTOBER 1, 2022 THROUGH JUNE 30, 2023</td>
<td>$17,500,000</td>
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1. RFA OVERVIEW

1.1. Funding Information

<table>
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<tr>
<th>Federal Agency Name</th>
<th>Assistance Listing Program Name</th>
<th>Assistance Listing Number</th>
<th>Federal Award Date</th>
<th>Federal Award Identifier Number (FAIN)</th>
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<tbody>
<tr>
<td>U.S. Department of the Treasury</td>
<td>American Rescue Plan Act</td>
<td>21.027</td>
<td>March 11, 2021</td>
<td>SLFPR3145</td>
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The total anticipated available funds for Subaward(s) under this RFA is $17,500,000.00 [seventeen million five hundred thousand and 00/100 dollars]. A total award of this amount of funds is not guaranteed, but is subject to the Applications received, to actual money awarded to DHHS from the Federal Awarding Agency, and to DHHS’ discretion. DHHS may establish a cap on total amount of funds that any one Applicant, or Applicants acting jointly, may request. Any cap shall be set forth in the Applications Instructions, Section 4.4, below. The total funds may be split among multiple Subrecipients in the discretion of DHHS.

1.2. Period of Performance

The Period of Performance is the time during which a successful Applicant may incur costs to carry out the work authorized under this RFA and the resulting Subaward. See the definitions in 2 CFR § 200.1 or 45 CFR § 75.2. The initial Period of Performance for this RFA is from October 1, 2022 to June 30, 2023. This period may be extended by DHHS as allowable by the Federal Funding Agency. If state funds are involved in the award, this may also determine whether DHHS may extend a Period of Performance.

For the initial Period of Performance, all costs must be liquidated (i.e., spent) by August 15, 2023, and invoiced to DHHS by August 31, 2023. These dates are dependent on federal periods of allowability and DHHS’ own ability to timely process payments. They may be subject to change; final dates will be included in the final Subaward between the parties. If an Applicant believes it cannot meet these deadlines, it should not apply for funding under this RFA. Obligation and liquidation deadlines may be extended as allowed by the Federal Funding Agency, but no extensions are guaranteed. Future Periods of Performance, as allowed by DHHS, may have different obligation and liquidation deadlines.

1.3. Applicable Law

Because the funds to support the activities under this RFA involve federal funds, usage of these funds is subject to federal law, in addition to any applicable state law. The Uniform Grant Guidance, 2 CFR §§ 200 et seq. (“UGG”) applies to subawards funded from the United States Department of Agriculture (USDA), the Department of Housing and Urban Development (HUD), the Department of Labor (DOL), the Environmental Protection Agency (EPA) or other federal agencies. The United States Department of Health and Human Services (HHS) has adopted the UGG, but has implemented and re-codified it at 45 CFR §§ 75 et seq. (“HHSGG”); for awards funded by HHS, those regulations apply. Throughout this RFA, both the UGG and the HHSGG will be cited, although they are substantially similar.

The HHSGG shall apply to this RFA if it awards funds from block grants authorized by the Omnibus Budget Reconciliation Act of 1981, unless Nebraska statute or regulation has established provisions for the payment costs and services; in all other respects, as provided herein, those block grant subawards are governed by 45 CFR §§ 96 et seq.

Additional federal and state statutes and regulations may apply to the funding contained herein. These may be included in Additional Program Requirements, Section 5.7, below, as well as in the Subaward itself.

Further information about allowable costs and activities may be set forth herein.
1.4. Award of Funding

DHHS will evaluate Applications in the manner set forth herein. An Intent to Subaward will be posted on the DHHS Website with selected Applicants. Funds will be awarded through a written agreement, termed a Subaward, which will incorporate this RFA by reference. No promise for funds is binding on DHHS, and no funds will be paid to any Applicant until a Subaward has been executed by both the Applicant and DHHS.

Awards may be renewed for an additional one (1) year period, subject to DHHS’ discretion. Obligation and liquidation deadlines may be extended as allowed by the Federal Funding Agency, but no extensions are guaranteed. Future Periods of Performance, as allowed by DHHS, may have different obligation and liquidation deadlines.

2. PROJECT DESCRIPTION

2.1. Background and Purpose

The Nebraska Legislature appropriated to DHHS funds from the American Rescue Plan Act (ARPA) to support food banks in their distribution of food, improvements to infrastructure and equipment, and construction of increased capacity.

As the U.S. continues to respond to public health and economic conditions resulting from the COVID-19 pandemic, they have also experienced severe impacts from the pandemic and resulting recession. ARPA funding was appropriated to respond to the pandemic and its economic effects. Specifically, ARPA provides that funds may be used to respond to the public health emergency or its negative economic impacts, including assistance to households and nonprofits.

The State and Local Fiscal Recovery Program, which is part of ARPA, included a list of enumerated eligible uses to provide assistance to households or populations facing negative economic impacts due to COVID-19. Food assistance was at the top of this list.

2.2. Project Description

DHHS, Division of Children and Family Services is issuing this RFA for the purposes of supporting nonprofit organizations that focus on food distribution in ten or more Nebraska counties and qualify for The Emergency Food Assistance Program administered by the U.S. Department of Agriculture to purchase and distribute food, infrastructure, and equipment and for construction of increased capacity.


Successful applicants will develop a project that includes one or more of the following:

- Purchase and distribution of food
- Infrastructure improvements to support food distribution
- Equipment upgrades to support food distribution
- Efforts to increase capacity of the organization

2.3. Reporting Requirements

Reports will be due on a quarterly basis, and include narrative updates on progress and accomplishments, data regarding people served, and expenditures with narrative.
3. RFA PROCEDURE

This RFA seeks Applications to complete activities allowable under the funding source identified in 1.2, above. All Applications must conform to all instructions, conditions, and requirements included in this RFA. Applicants should carefully examine this RFA, as well as the requirements on the state or federal funds involved. Applications that DHHS determines do not conform to the requirements of this RFA, or Applications from ineligible entities, may be considered non-responsive and rejected without scoring.

3.1. RFA Point of Contact (“POC”)

Office of Procurement and Grants
PO Box 94926
Lincoln, NE 68508
DHHS.RFAResponses@nebraska.gov

From the date the RFA is issued until the Intent to Subaward is issued, communication from the Applicant or prospective Applicant is limited to the POC listed above (but see exceptions, below). After the Intent to Subaward is issued, the Applicant may communicate with individuals DHHS has designated as responsible for negotiating the Subaward on behalf of DHHS. No member of the state government, employee of the state, or member of the Evaluation Committee is empowered to make binding statements regarding this RFA. The POC will issue any clarifications or opinions regarding this RFA in writing. Only the POC has the authority modify the RFA, answer questions, or render opinions on behalf of DHHS. Applicants shall not have any communication with or attempt to communicate or influence any Evaluator.

The following exceptions to these restrictions are permitted:

1. The email submission of the Application to the designated email address designated in Submission of Applications, Section 3.4.
2. Contact made pursuant to pre-existing contracts, subawards, or obligations.
3. Contact required by the schedule of events, or an event scheduled later by the RFA POC; and
4. Contact required for negotiation and execution of the final subaward.

DHHS reserves the right to reject an Applicant’s application, withdraw an Intent to Subaward, or terminate a Subaward if DHHS determines there has been a violation of these procedures.
3.2. Schedule of Events

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>DATE/TIME</th>
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<tbody>
<tr>
<td>1. Release RFA</td>
<td>August 22, 2022</td>
</tr>
<tr>
<td>2. Last day to submit written questions</td>
<td>August 29, 2022</td>
</tr>
<tr>
<td>3. State responds to written questions through RFA “Addendum” and/or “Amendment” to be posted to the Internet at: <a href="http://dhhs.ne.gov/Pages/Grants-and-Contract-Opportunities.aspx">http://dhhs.ne.gov/Pages/Grants-and-Contract-Opportunities.aspx</a></td>
<td>September 2, 2022</td>
</tr>
<tr>
<td>4. Application Review Period Begins (Application due date)</td>
<td>September 12, 2022</td>
</tr>
<tr>
<td>5. Evaluation Period</td>
<td>September 13-September 19</td>
</tr>
<tr>
<td>7. Period of Performance Start*</td>
<td>October 1, 2022</td>
</tr>
</tbody>
</table>

*The Period of Performance start may occur before a Subaward is finalized, agreed to, and executed by the parties. Because this is just the period during which costs are allowable, it does not reflect that any agreement between DHHS and any successful Applicant has gone into effect or is binding in any way. No binding agreement has been made between DHHS and any Applicant until a Subaward is fully executed by both parties.

3.3. Written Questions and Answers

Questions regarding information needed for an application, as well as the meaning or interpretation of any RFA provision, must be submitted in writing to POC via email and clearly marked “RFA Number 5622; Questions.” The POC is not obligated to respond to questions that are received late, as set forth in the Schedule of Events.

Applicants should present, as questions, any assumptions upon which the Application is or might be developed. Applications will be evaluated without consideration of any known or unknown assumptions of an Applicant. The Subaward will not incorporate any known or unknown assumptions of an Applicant.

Questions must be sent via e-mail to DHHS.RFAResponses@nebraska.gov. DHHS recommends that Applicants submit questions using the following format:

<table>
<thead>
<tr>
<th>RFA Section Reference</th>
<th>RFA Page Number</th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</table>

Written answers will be posted at the DHHS Website per the Schedule of Events. Written answers will become part of this RFA.

3.4. Submission of Applications

Applicants must submit a complete Application, including all the parts required herein, in one of three ways:
1. Electronically via email to DHHS.RFAResponses@nebraska.gov. The subject of the email shall indicate “RFA # (with the appropriate number filled in): Response of [Name of Organization].” The email shall include the Application as a single Portable Document Format (PDF) or multiple PDFs. Failure to provide the Application in the correct format may result in DHHS being unable to read or open the Application and thus rejecting it without Evaluation. The email shall request a read receipt. A read receipt will be supplied to the Applicants upon receipt of the email by DHHS’ Office of Procurement and Grants. The Office of Procurement and Grants shall not forward the Applications to the program until the beginning of the Application Review Period.

2. Submission directly to the POC via United States Postal Service mail. The Application shall be sent to the POC’s address listed above in Point of Contact, Section 3.1. The Application itself shall remain sealed and shall not be opened until the beginning of the Application Review Period.

3. Hand delivered responses or responses delivered by FedEx or UPS should be delivered to:

   ATTN: Office of Procurement and Grants
   DHHS - 3rd Floor Reception Desk
   301 Centennial Mall South
   Lincoln, NE 68509

   The Application itself shall remain sealed and shall not be opened until the beginning of the Application Review Period.

Regardless of submission method, Applicants must use the forms supplied by DHHS in this RFA unless specifically otherwise indicated herein. All Applications must be received by the beginning of the Application Review Period, as stated in the Schedule of Events, Section 3.2.

3.5. Evaluation Committee

Applications are evaluated by members of an Evaluation Committee(s). The Evaluation Committee(s) will consist of individuals selected at the discretion of DHHS. All members of the Evaluation Committee will disclose to DHHS any potential conflicts of interest before evaluation. Members with a conflict will be removed from the Evaluation Committee before scoring.

Any contact, attempted contact, or attempt to influence an evaluator that is involved with this RFA may result in the rejection of this Application and further administrative actions.

3.6. Evaluation of Applications

All complete Applications that are responsive to the RFA will be evaluated. DHHS reserves the right to evaluate Applicants and award funds in a manner utilizing criteria selected at DHHS’ discretion and in the best interest of meeting the objectives of the funding involved. The Evaluation will be conducted by the following method:

**TOP SCORING METHOD**

DHHS will initially evaluate all Applications to determine whether the Applicant is an eligible entity; whether the Application meets the minimum requirements of this RFA; and whether the Applicant poses risk of noncompliance with federal statutes, regulations, and the terms and conditions of the Subaward, such that DHHS should not award funding. DHHS will award to the top scoring Applicant or Applicants, as DHHS determines and as funding allows. DHHS will conduct a fair, impartial, and comprehensive evaluation of all Applications in accordance with the predetermined criteria based on the Application. The Applicant’s responses to the Forms will be scored through a point method set forth below. DHHS will evaluate on the following categories with a maximum point potential for each:

1. **Applicant’s Organizational Overview.** Applicants will receive high scores if they have a defined and clear organizational structure; organizational experience in federal grants; qualified and capable
personnel with experience in federal grants or equivalent credentials or experience; or can otherwise demonstrate that they will be a reliable subrecipient who will use all awarded funds in a manner consistent with law and the requirements of this RFA. (50 points)

| Does the application include a clear definition of the organizational structure of the organization? | 0-10 |
| Does the application include a description of the organization’s experience working with federal grants? | 0-15 |
| Does the application include a description of the personnel who will be responsible for the project, and do those personnel have experience in federal grants or equivalent credentials or experience? | 0-25 |

2. **Applicant’s Work Plan.** Applicants will receive higher scores if their work plan responds to the Project Description and meets the goals or objectives of the federal funding and RFA, as well as evidencing the ability to meet expected outcomes, adhere to reporting deadlines or other deadlines, and complete any required evaluation activities. DHHS exercises sole discretion as to whether the Application adequately addresses the purposes and objectives of the federal funding DHHS has received. (100 points)

| Does the application include a clear description of the objectives, activities, and expected outcomes of the project? | 0-25 |
| Are the numbers of people/households to be served, services or activities to be delivered, and expected outcomes realistic within the project period (December 1, 2022-June 30, 2024)? | 0-25 |
| Did the application include a description of how the applicant will substantively determine whether the project is successful? | 0-25 |
| Did the application offer a substantive response to the purpose of the funding, as described in the Background & Purpose section of the RFA? | 0-25 |

3. **Applicant’s Budget.** Applicants will receive higher scores if the budget is tailored to the work plan and utilizes allowable direct and indirect costs. Total request for funding itself will not determine score; rather, Applicants will be scored based on whether budget accurately reflects allowable costs of completing the work set forth in the work plan. (25 points)

| Is the budget tailored to the work plan - does the budget make sense in the context of the work plan? | 0-8 |
| Does the budget utilize only allowable direct and indirect costs? | 0-8 |
| Does the budget reasonably reflect allowable costs of completing the work? | 0-9 |

There are 175 total points available for Applications under this RFA.

DHHS may award to a single top Applicant, or may award to multiple top scoring Applicants, in its sole discretion. If all Applicants meet the minimum requirements and are meritorious, DHHS may also elect to award to all Applicants.

3.7. **Late Applications**

Applications received after the time and date of the Application opening will be considered late Applications. Late Applications will be rejected. All Applications must be electronically or physically received by the date and time of the Application Opening. The State is not responsible for Applications that are late or lost regardless of cause or fault. It is the Applicant’s responsibility to ensure Applications are received timely.

3.8. **Corrections**

An Applicant may correct a mistake in an application prior to the time of opening by giving written notice to the POC of intent to withdraw the Application for modification, or to withdraw the Application completely. Changes in an Application after the Evaluation Period has begun are acceptable only if the change is made to correct a minor error. Whether an error is minor shall be determined by DHHS.
3.9. Grievance and Protest Procedures

All grievances must follow the DHHS Subaward Grievance/Protests Procedures, available on the DHHS website. Grievances must be filed timely.

3.10. Competition / Joint Efforts

Applicants may cooperate or submit Applications jointly, but all such Applications must clearly identify the Applicants involved, the roles each will have administering the subaward, and that they are eligible for the subaward, as set forth herein. Applicants may create a legal entity or describe a plan for the creation of a legal entity, as a cooperative or joint venture if the entity itself is eligible for the subaward and all Applicants are also eligible. DHHS shall determine the proper method for any resulting subaward, should the joint Applicants be selected for funding.

3.11. DHHS Reservations of Authority During Application and Evaluation Process

After Evaluation of the Applications, or at any point in the RFA process, DHHS may take one or more of the following actions:

1. Amend the RFA
2. Extend the time of or establish a new Application opening time (i.e., allowing additional time to submit applications)
3. Waive deviations or errors in the RFA process and in Applications that are not material, do not compromise the RFA process or an application, and do not improve an Applicant’s position
4. Accept or reject a portion of or all of an application
5. Accept or reject all applications
6. Withdraw the RFA; or
7. Elect to reissue the RFA.

DHHS reserves the right to adjust the Applicant’s budget with successful Applicants after the Intent to Subaward is issued. DHHS also reserves the right to adjust the Work Plan with Applicant to meet the requirements of the grant, Federal Funding Agency, law, or to meet DHHS programmatic needs. DHHS also reserve the right to apply additional conditions based on the successful Application and the result of a pre-award risk assessment. If a scoring method is used to rank applications to determine funding amounts, all adjustments shall have no bearing on rank.

If DHHS rejects all Applications, it may enter either reissue an RFA with the same or different specifications and terms, or it may negotiate a single or multiple Subawards with individual Applicants or non-Applicants.

4. APPLICATION INSTRUCTIONS

4.1. Application Contents

A complete, responsive Application must contain the following completed documents:
1. Form 1 – Application Form and Cover Sheet
2. Form 2 – Organization Overview
3. Form 3 – Applicant’s Work Plan
4. Form 4 – Applicant’s Budget

Applications that do not contain all of the required sections will be rejected. An editable Microsoft Word formatted document of the Forms will be posted on the DHHS Website, which Applicants may fill in and submit.
4.2. Applicant’s Organizational Overview

The Applicant’s Organization Overview section shall contain the following information about the Applicant. If the Application is a cooperative or joint venture between two or more entities, all information required in this section shall be provided for all entities, even if a new legal entity has been created or is planned to be created for the purposes of the Subaward.

Applicants must provide the following elements as part of the application submission:

- Form 2- Applicant’s Organization

1. **Organization Information.** Applicant’s full legal name, including any other “doing business as” names, or any previous names the organization used. A Unique Entity Identifier (UEI) number shall be provided. A parent UEI number shall also be provided, if applicable.

2. **Summary of Federal Grants Experience.** A description of Applicant’s previous experience with receiving federal funds. This shall include, but not be limited to, experience receiving federal funds as a recipient or a subrecipient. Applicant should describe and demonstrate knowledge of the Uniform Grant Guidance / HHS Grants Guidance (as applicable), as well as any specific experience with the particular federal program and funding source that funds this RFA.

3. **Summary of Programmatic Experience.** A description of Applicant’s experience with the type of programming or work contained in the Project Description, or other relevant work. Applicants must demonstrate qualification for The Emergency Food Assistance Program administered by the United States Department of Agriculture and food distribution in ten or more counties in the State of Nebraska.

4. **Personnel and Management.** Applicant should identify individuals employed by Applicant, on its board of directors, or otherwise affiliated with Applicant, who have a demonstrated knowledge or experience with federal grants, the Uniform Grant Guidance or the HHS Grants Guidance, programmatic experience, or other relevant experience.

5. **Agreements Terminated or Costs Disallowed.** Applicant must provide a summary of any agreements executed within the last five (5) years with federal awarding agencies or pass-through entities (either as grant agreements, cooperative agreements, subawards, or contracts) that:
   - Were terminated for cause; or
   - Where Specific Conditions were placed on Applicant (see 2 CFR § 200.208 or 45 CFR § 75.207).

If an Applicant has been disbarred by the United States Federal government, it is not eligible to receive funding under this RFA.

4.3. Applicant’s Work Plan

Applicants must provide the following elements as part of the application submission:

- Form 3- Applicant’s Work Plan (work plan template provided)

The Work Plan must respond in detail to the Project Description. It must contain a description of the work activities Applicant is proposing to complete under the RFA. It should contain an understanding of the requirements for the project under the applicable federal or state funding sources (or both), and, as applicable, descriptions of timelines, outcome/process measures, and program evaluation activities.

4.4. Applicant’s Budget

Applicants must provide the following elements as part of the application submission:

- Form 4- Applicant’s Budget (budget template provided)
The budget must correlate to the activities of the work plan. It must contain a description of the expenses for the activities the Applicant is proposing under the RFA. It should contain an understanding of the cost principles under the applicable federal or state funding sources (or both).

Each budget should contain only costs that are allowable under the applicable federal statutes, regulations, terms, and conditions of this RFA. Applicants will not be allowed to change their budgets once submitted to DHHS, unless the POC specifically requests, in writing, budget changes. Budgets may be modified as required by DHHS or in agreement between DHHS and the Applicant after the Intent to Subaward is announced. Applicants should not rely on budget changes or modifications in submitting their proposed budget but should be able to perform the program activities consistent with their budget.

If an Applicant has or has prepared a cost allocation plan for this subaward, it may submit it along with the Application.

If Applicants plan to charge indirect costs other than through a cost allocation plan, Applicants thus must provide one of the following along with their budget: 1) A current federally approved indirect cost rate agreement; 2) A currently approved indirect cost rate agreement with DHHS; or 3) A calculation of *de minimis* indirect costs consistent with federal rules. DHHS may provide a calculator to aid programs in calculating *de minimis* indirect costs, upon request.

Indirect costs and cost allocation plans may also be negotiated after the Intent to Subaward. As consistent with law, Applicants may voluntarily opt to take a lower indirect rate than their approved agreement, or indirect cost calculation, allows.

5. TERMS

Applicants must be aware of the following terms when submitting their applications. These terms will be included in the resulting Subaward between the parties, as well.

5.1. Addenda

The following Addenda will be incorporated into any Subaward with a selected Applicant. They are available online at the DHHS Website:

- Addendum A - DHHS Standard Terms – Subawards
- Addendum B - DHHS Insurance Requirements – Subawards

DHHS reserves the right to amend these terms at any time during the RFA; to negotiate the terms with selected Applicants; to amend or change these terms for any subsequent Subaward signed and executed by the parties; or any combination of the above. Terms required by federal or state law will not be negotiated, and if an Applicant cannot agree to these terms, DHHS may withdraw or modify the Intent to Subaward and take any of the actions set forth herein.

5.2. Budget Changes

The final Subaward may contain terms to allow a Subrecipient to modify a budget, with or without approval from DHHS. Applicants should not, however, rely on this when submitting budgets.

5.3. Direct Costs

Under this Subaward, DHHS shall only pay for actual and allowable costs (as defined in this section) incurred during the Period of Performance.

To be allowable, all costs must be:

- Necessary for the performance of the Subaward activities.
- Reasonable, as provided in 2 CFR § 200.404 or 45 CFR § 75.404.
- Allocable to the federal award, as provided in 2 CFR § 200.405 or 45 CFR § 75.405.
• Consistent with all other requirements of the Cost Principles in 2 CFR § 200 Subpart E or 45 CFR § 75 Subpart E; and
• Consistent with all other law, regulation, policy, or other requirements applicable to the state or federal funds involved.

To be actual, all costs must be finalized and spent by the appropriate dates set forth in the Subaward.

Particular Federal Funding Agencies may have additional requirements and stipulations regarding allowable costs under that particular funding.

Applicants should be aware that direct personnel costs must be consistent with 45 CFR § 75.430 or 2 CFR § 200.430, as applicable. These costs must be able to be backed by sufficient documentation or must be shown to be allocable to the award via an alternative, allowable method, such as a random moment time study.

5.4. Indirect Costs

Federal law defines indirect costs as “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.” 2 CFR § 200.1 and 45 CFR § 75.2. All indirect costs may only be paid if they are consistent with the UGG or HHSGG, as applicable. As provided in 2 CFR § 200.414 and 45 CFR § 75.414, indirect costs may only be paid from a federal grant if paid through a federally approved rate or a rate negotiated between DHHS and the Applicant. If the Applicant has never had a federally approved indirect rate, it may charge indirect costs as consistent with the federal rules for de minimis indirect costs.

Cost Allocation plans may set forth a direct allocation of all costs under a subaward or may allocate only a portion of those costs along with an indirect rate. Subrecipients may not, however, charge items as direct costs and also as indirect costs.

5.5. Program Income

Any revenue generated by the Subaward is Program Income (see definition in 2 CFR § 200.1 or 45 CFR § 75.2). Program Income requires an accounting of its use and must be handled in accordance with 2 CFR § 200.307 or 45 CFR § 75.307. As per the Notice of Award for the federal funds involved in this RFA or from other regulation, all program income generated by the Subawards awarded as a result of this RFA must be handled under the deduction method. Please see the regulations cited above for more detail.
6. GLOSSARY OF TERMS

All terms shall have the meaning as set forth in 2 CFR §§ 200 et seq. or 45 CFR §§ 75 et seq. unless otherwise specifically set forth herein.

**Agent/Representative:** A person authorized to act on behalf of another.

**Amend:** To alter or change by adding, subtracting, or substituting.

**Amendment:** A written correction or alteration to a document.

**Applicant:** Non-Federal Entity that has applied for funding under this RFA.

**Application:** The written proposal submitted by the Applicant applying for funding under this RFA, which is composed of Forms 1 through 5.

**Application Due Date:** The date the RFA must be submitted to DHHS, and if not submitted by that time, rejected.

**DHHS Website:** www.dhhs.ne.gov.

**Evaluation:** The process of examining an Applicant after opening to determine the Applicant’s responsibility, responsiveness to requirements, and to ascertain other characteristics of the Application that relate to determination of the successful award.

**Evaluation Committee:** Committee(s) appointed by DHHS that advises and assists DHHS in the evaluation of Applications.

**Evaluator:** An individual on the Evaluation Committee who advises and assists in the evaluation of Applications.

**HHS Grants Guidance (“HHSGG”):** The regulations codified at 45 CFR §§ 75 et seq., a re-codified version of the UGG, which provide the general administrative requirements for grant funding flowing down from the federal Department of Health and Human Services. See also Uniform Grant Guidance.

**Intent to Subaward:** A document noting the results of the RFA evaluation process, and any identified Applicant(s) with whom DHHS intends to award federal funds, but not a binding agreement with any promise to award.

**Mandatory/Must:** Required, compulsory, or obligatory.

**May:** Discretionary, permitted; used to express possibility.

**Must:** See Mandatory/Must and Shall/Will/Must.

**Non-Responsive:** When an application does not meet the minimum requirements of this RFA.

**Point of Contact (“POC”):** The person designated to receive communications and to communicate.

**Request for Applications (“RFA”):** Written solicitation of competitive applications for federal grant funding.

**Shall/Will/Must:** An order/command; mandatory.

**Should:** Expected; suggested, but not necessarily mandatory.
Subaward: In addition to the definition in 2 CFR § 200.1 and 45 CFR § 75.2, Subaward means the Grant Agreement executed, pursuant to the terms of the RFA, with the Non-Federal Entity.

Subrecipient: In addition to the definition in 2 CFR § 200.1 and 45 CFR § 75.2, Subrecipient means the Non-Federal Entity that has executed a Subaward with DHHS.

Uniform Grants Guidance ("UGG"): The regulations codified at 2 CFR §§ 200 et seq., which provide the general administrative requirements for grant funding flowing down from the federal government. See also HHS Grants Guidance.

Will: See Shall/Will/Must.
FORM 1 – APPLICATION COVER SHEET

Instructions: This form must be signed and returned, along with the application materials, before the Application Due Date, to the POC or designated email address, as applicable.

<table>
<thead>
<tr>
<th>RFA #</th>
<th>RELEASE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5622</td>
<td>August 22, 2022</td>
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</table>

<table>
<thead>
<tr>
<th>APPLICATION DUE DATE</th>
<th>POINT OF CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER 12, 2022</td>
<td><a href="mailto:DHHS.RFAResponses@nebraska.gov">DHHS.RFAResponses@nebraska.gov</a></td>
</tr>
</tbody>
</table>

CERTIFICATION AND GUARANTEE OF COMPLIANCE

By signing this Application Cover Sheet, the Applicant guarantees compliance with the provisions stated in this Request for Application and certifies that all information contained in this Application is accurate. This Application is submitted pursuant to the terms of the RFA, and if the Applicant is awarded funding, it will be incorporated into the Subaward between the parties. I understand that if anything in this Application conflicts with the RFA or with the subsequent Subaward, the Subaward and RFA shall govern as set forth in the Subaward.

ORGANIZATION*: _________________________________________________________________________

ORGANIZATION UEI NUMBER: _________________ PARENT UEI (IF APPLICABLE): _________________

COMPLETE ADDRESS: ___________________________________________________________________
_____________________________________________________________________________________

CONGRESSIONAL DISTRICT: ____________________

TELEPHONE NUMBER: ___________________________ EMAIL ADDRESS: _________________________

_____ I CERTIFY THAT THIS ORGANIZATION IS AN “ELIGIBLE ORGANIZATION” AS DEFINED BY THIS RFA.

_____ I CERTIFY THAT THIS ORGANIZATION IS NOT PRESENTLY DEBARRED OR SUSPENDED.

SIGNATURE: __________________________________________________________________________

TYPED NAME & TITLE OF SIGNER: _________________________________________________________

*Name must match UEI Number.
FORM 2 – APPLICANT’S ORGANIZATION

Organization Information. Applicant's full legal name, including any other “doing business as” names, or any previous names the organization used.

A Unique Entity Identifier (UEI) number shall be provided. A parent UEI number shall also be provided, if applicable.

Summary of Federal Grants Experience. A description of Applicant’s previous experience with receiving federal funds. This shall include, but not be limited to, experience receiving federal funds as a recipient or a subrecipient. Applicant should describe and demonstrate knowledge of the Uniform Grant Guidance / HHS Grants Guidance (as applicable), as well as any specific experience with the particular federal program and funding source that funds this RFA.

Summary of Programmatic Experience. A description of Applicant’s experience with the type of programming or work contained in the Project Description, or other relevant work. Applicants must demonstrate qualification for The Emergency Food Assistance Program administered by the United States Department of Agriculture and food distribution in ten or more counties in the State of Nebraska.

Personnel and Management. Applicant should identify individuals employed by Applicant, on its board of directors, or otherwise affiliated with Applicant, who have a demonstrated knowledge or experience with federal grants, the Uniform Grant Guidance or the HHS Grants Guidance, programmatic experience, or other relevant experience.

Agreements Terminated or Costs Disallowed. Applicant must provide a summary of any agreements executed within the last five (5) years with federal awarding agencies or pass-through entities (either as grant agreements, cooperative agreements, subawards, or contracts) that:

- Were terminated for cause; or
- Where Specific Conditions were placed on Applicant (see 2 CFR § 200.208 or 45 CFR § 75.207).

If an Applicant has been disbarred by the United States Federal government, it is not eligible to receive funding under this RFA.
FORM 3 – APPLICANT’S WORK PLAN

The Work Plan must respond in detail to the Project Description. It must contain a description of the work activities Applicant is proposing to complete under the RFA. It should contain an understanding of the requirements for the project under the applicable federal or state funding sources (or both), and, as applicable, descriptions of timelines, outcome/process measures, and program evaluation activities.

<table>
<thead>
<tr>
<th>Category (from list in Section 2.2)</th>
<th>Objectives</th>
<th>Outputs</th>
<th>Timeframe</th>
<th>Performance Measures</th>
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<tbody>
<tr>
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<td></td>
<td>How much will you do?</td>
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<td></td>
<td></td>
<td></td>
<td>How will you know anyone is better off?</td>
</tr>
</tbody>
</table>

|                                    |            |         |           | How much will you do?|
|                                    |            |         |           | How will you know anyone is better off? |
FORM 4 – APPLICANT’S BUDGET

The budget must correlate to the activities of the work plan. It must contain a description of the expenses for the activities the Applicant is proposing under the RFA. It should contain an understanding of the cost principles under the applicable federal or state funding sources (or both).

Each budget should contain only costs that are allowable under the applicable federal statutes, regulations, terms and conditions of this RFA. Applicants will not be allowed to change their budgets once submitted to DHHS, unless the POC specifically requests, in writing, budget changes. Budgets may be modified as required by DHHS or in agreement between DHHS and the Applicant after the Intent to Subaward is announced. Applicants should not rely on budget changes or modifications in submitting their proposed budget but should be able to perform the program activities consistent with their budget.

If an Applicant has or has prepared a cost allocation plan for this subaward, it may submit it along with the Application.

If Applicants plan to charge indirect costs other than through a cost allocation plan, Applicants must provide one of the following along with their budget: 1) A current federally approved indirect cost rate agreement; 2) A currently approved indirect cost rate agreement with DHHS; or 3) A calculation of de minimis indirect costs consistent with federal rules. DHHS may provide a calculator to aid programs in calculating de minimis indirect costs, upon request.

Indirect costs and cost allocation plans may also be negotiated after the Intent to Subaward. As consistent with law, Applicants may voluntarily opt to take a lower indirect rate than their approved agreement, or indirect cost calculation, allows.

<table>
<thead>
<tr>
<th>Line Item</th>
<th>Amount requested</th>
<th>Description</th>
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<tr>
<td>Personnel</td>
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<td>Other Expenses</td>
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<tr>
<td>Indirect costs</td>
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<table>
<thead>
<tr>
<th>Total requested</th>
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<tbody>
<tr>
<td>Amount needed to begin the project</td>
<td></td>
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</tbody>
</table>