



# **TEXAS**

## **Health and Human Services**

**Dr. Courtney Phillips, Executive Commissioner**

**Request for Applications (RFA)  
For**

**Family Violence Program Shelter and Nonresidential Services  
RFA No. HHS0003800**

**Date of Release: Monday, April 15, 2019  
Responses Due: Thursday, May 23, 2019 by 2 p.m. Central  
Time**

NIGP Class/Item Code:  
952-18-Child Care Services, Including Food Programs  
952-37-Emergency Shelter Services  
952-59 Human Services (Not otherwise Classified)

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## **ARTICLE I. EXECUTIVE SUMMARY, DEFINITIONS, AND AUTHORITY**

### **1.1 EXECUTIVE SUMMARY**

The Family Violence Program (FVP) of HHSC seeks applications from eligible family violence center applicants for the provision of contracted family violence shelter center services that operate 24 hours a day and nonresidential center services as part of HHSC's plan for delivering family violence services in Texas. HHSC's plan for providing family violence services is developed pursuant to [Human Resource Code \(HRC\) Section 51.0021](#).

In developing the plan under this section, the department shall consider the geographic distribution of services and the local need for services, including the need for increasing services for underserved populations. Under HRC, Section 51.003(a) HHSC is required to contract for services with family violence centers with consideration given to the plan for family violence services under Section 51.0021. The contract eligibility requirements for family violence centers is set forth by [HRC, Section 51.004\(a\)-\(c\)](#).

To be considered for award, Applicants must execute **Exhibit A, Affirmations and Solicitation Acceptance**, of this Solicitation and provide all other required information and documentation as set forth in this Solicitation.

### **1.2 DEFINITIONS**

Refer to **Exhibit B, HHSC Uniform Terms and Conditions-Grant and Exhibit G, HHSC Special Conditions** for additional definitions. Additionally, as used in this Solicitation, unless the context clearly indicates otherwise, the following terms and conditions have the meanings assigned below:

**"Addendum"** means a written clarification or revision to this Solicitation issued by the System Agency.

**"Applicant"** - the entity responding to this RFA and is the organization with which HHSC contracts, to which HHSC disburses grant funds, and that will handle any funds to be distributed. May also be referred to as "Lead Applicant" or "Respondent".

**"Apparent Awardee"** means an organization that has been selected to receive a grant award through response to this RFA but has not yet executed a grant agreement or contract. May also be referred to as "Apparent Grant Recipient" or "Apparent Grantee." ]

**"Client"** means a member of the target population to be served by the Applicant's organization. For the purposes of this grant, a client is a survivor of family violence and/or dating violence that is being served by a family violence center.

**"Data Use Agreement"** means the terms and conditions attached to this Solicitation at **Exhibit E** describing Grantee's obligations with respect to the creation, receipt,

maintenance, use, handling, disclosure, and/or access to Confidential Information by a Grantee.

"Dating Violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

"Domestic Violence" means a felony or misdemeanor crime of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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

"Family Violence" means an act by a member of a family or household against another member of the family or household that: (a) is intended to result in physical harm, bodily injury, or assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, or assault, but does not include defensive measures to protect oneself; or (b) is intended to inflict emotional harm, including an act of emotional abuse. HRC, Section 51.002(2)

"Family Violence Center" means a family violence shelter center and a family violence nonresidential center, as defined in HRC, Section 51.002.

"Family Violence Prevention and Services Act (FVPSA)" is the primary federal funding source authorized at 42 U.S.C. §10401, et seq., dedicated to the support of emergency shelter and related assistance for victims of family violence, domestic violence, dating violence and their children and from which these contracts will be funded.

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

"FVNet" is a secure HHSC database that is used by the HHSC Family Violence Program to collect contractors' data each month. FVNet accepts de-identified data in the format as outlined in **Attachment B, FVNet Data Format Guide**.

"Health and Human Services Commission" "HHSC" or "System Agency" means the administrative agency established under Chapter 531, Texas Government Code or its designee.

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

"Key Personnel" means a Respondent organization's Project Contact, Fiscal Contact, and Executive Director and/or any other key stakeholders in the Proposed Project.

"Nonresidential Center" means a nonresidential family violence center that is operated by a public or private nonprofit organization and provides comprehensive nonresidential services to victims of family violence.

"Project" means the work and activities for which grant funding is awarded and information is provided as part of the response to this Solicitation. During the open application period and before selection of grant recipients are made, the Project will be known as the Proposed Project.

"RFA" means this Request for Applications (RFA) including any Exhibits and Addenda, if any.

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

"Satellite Shelter" means an additional shelter that a HHSC- funded family violence shelter center is a program that provides comprehensive residential and nonresidential services to victims of family violence.

"Service Day" means each day that family violence services were provided to a client through a HHSC funded family violence center. Example: If you have 5 clients and each received services on Monday and Tuesday this would equal to 10 service days. 5 client's x 2 days (Monday and Tuesday) = 10 service days

"Shelter Center" means a family violence shelter center is a program that is operated by a public or private nonprofit organization and provides comprehensive residential and nonresidential services to victims of family violence.

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

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

"Survivor" means an individual who has experienced domestic violence, family violence and/or dating violence as defined in this Section of the RFA.

"System Agency" means the Texas Health and Human Services Commission, its officers, employees or authorized agents.

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

### **1.3 AUTHORITY**

The System Agency is requesting applications under Title 10, Subtitle D and Chapter 531 of the Texas Government Code and the Texas Human Resources Code Chapter 51.

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## ARTICLE II. SCOPE OF GRANT AWARD

### **2.1 PROGRAM BACKGROUND**

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

Texas Human Resources Code, (HRC) Chapter 51 authorizes the HHSC FVP to promote development of and access to locally based and supported nonprofit services for victims of family violence throughout the state by contracting with family violence centers throughout Texas.

The Family Violence Program of HHSC seeks applications from eligible family violence center applicants for the provision of contracted family violence shelter center services that operate 24 hours a day and nonresidential center services that meet the requirements set forth by HRC, Section 51.004. HHSC shall consider the geographic distribution of services and the local need for services, including the need for increasing services for underserved populations when making awards under this RFA. All HHSC Family Violence Centers must follow rules set forth in [Chapter 379, Subchapter B or D of the Texas Administrative Code](#).

### **2.2 GRANT AWARD AND TERM**

#### **2.2.1 Available Funding**

The total amount of state funding available for the Family Violence Shelter and Nonresidential Services Program grant is \$26,150,500.00 and it is HHSC's intention to make multiple awards. Funds under this announcement have been made available to States through the Temporary Assistance for Needy Families (TANF), CFDA 93.558; Social Services Block Grant (SSBG), CFDA 93.667; Texas State General Revenue funds; and the Family Violence Prevention and Services Act (FVPSA) Grant funds, CFDA 93.671.

Funds made available under the FVPSA must be used to supplement and not supplant other federal, state, and local public funds expended to provide services and activities that promote the objective of the FVPSA (42 U.S.C. §10406(c)(6)).

The total amount of funding available will be awarded to multiple family violence centers to provide either 24 hours a day shelter services or nonresidential center services. HHSC will reserve up to \$450,000 to be awarded for satellite shelters to family violence centers who also apply for funding to support a fully operational 24 hours a day shelter services. Awards will be based on the following factors:



**24 hours a day shelter:**

A minimum base of \$115,000, plus an HHSC service day value. HHSC service days only apply to HHSC funded centers. For family violence centers that have HHSC service days, the service day count will reflect an average of services days provided from September 1, 2015-August 31, 2018. Applicants are required to submit supporting documentation that verifies the organizations average number of HHSC services days for the time period of September 1, 2015-August 31, 2018.

For family violence centers that have not been funded by HHSC, the award amount will be \$115,000. After the first two years of service under an HHSC contract, the allocation of funds will be based upon a funding formula that takes into account a base amount plus a HHSC service day average. For the purposes of this RFA, all 24-hour shelter organizations previously funded by HHSC for family violence services that merged with another HHSC funded family violence 24-hour shelter will receive two base amounts. The following table provides guidance for the award ranges:

| <b>3 Year HHSC Service Day Average<br/>(September 1, 2015-August 31, 2018)</b> | <b>Award Amount (base(s) + service days) for each Fiscal Year<br/>(September 1-August 31)</b> |
|--|---|
| 0-999  | \$115,000-\$155,000   |
| 1,000-3,999  | \$155,001- \$200,000  |
| 4,000-9,999  | \$200,001- \$300,000  |
| 10,000-14,999  | \$300,001-363,000   |
| 15,000-19,999  | \$363,001-438,000   |
| 20,000-29,999  | 438,001-545,000   |
| 30,000-39,999  | 545,001-680,000   |
| 40,000-49,999  | 680,001-800,000   |
| 50,000-79,999  | \$800,001-1,189,999   |
| 80,000 +   | \$1,190,000 +   |

**Nonresidential Center:**

A minimum base of \$65,000, plus a HHSC service day dollar value. HHSC service days only apply to HHSC funded centers. For family violence centers that have HHSC service days, the service day count will reflect an average of services days provided from September 1, 2015-August 31, 2018. Applicants are required to submit supporting documentation that verifies their average number of services days for the time period of September 1, 2015-August 31, 2018.

For family violence centers that have not been previously funded by HHSC, the award amount will be \$65,000. After the first two years of service under an HHSC contract, the allocation of funds will be based upon a funding formula that takes into account a base amount plus a service day average. The following table provides guidance for the award ranges:

| <b>3 Year HHSC Service Day Average (September 1, 2015-August 31, 2018)</b> | <b>Award Amount (base + service days) for each Fiscal Year (September 1-August 31)</b> |
|--|--|
| 0-399  | \$65,000-\$96,000  |
| 400-799  | \$96,001-\$99,999  |
| 800-1,999  | \$100,000-\$119,999  |
| 2,000 +  | \$120,000 +  |

**Satellite Shelters:**

Satellite shelters will be funded at an additional base amount of \$45,000 for each satellite. HHSC may fund up to one (1) satellite shelters for each shelter funded by HHSC in fiscal year 2018 that meet all satellite requirements as set forth by [TAC §379.202](#) and [§379.203](#).

**Merged Family Violence Organizations:**

For the purposes of this RFA, all 24-hour shelter organizations previously funded by HHSC for family violence services that merged with another HHSC funded family violence 24-hour shelter will be funded with two base amounts of \$115,000 each for a total base amount of \$230,000. Service days for both shelters will be considered when determining the award amount for each fiscal year.

**Funding Restrictions**

Several restrictions apply to these contract funds, under federal Social Services Block Grant (SSBG) and [45 CFR Part 1370](#), and the funding limitations stipulated in [Human Resources Code \(HRC\), Chapter 51, § 51.003\(a\)](#). The restrictions are as follows:

- A. No direct cash payments to victims of family violence, domestic violence, or dating violence or their dependents, are allowed with these funds. This includes the issuance of gift cards or contributing these funds to a program participant’s savings account as part of any “matched savings account” or any program participation incentive;
- B. No income eligibility standards shall be imposed on any program participant, with respect to eligibility for assistance or services under this RFA;
- C. No fees shall be charged to program participants to receive services funded under this RFA;
- D. Costs of organized fundraising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or to obtain contributions, are considered unallowable costs for reimbursement with these funds;
- E. Construction is not an allowable activity or expenditure covered by these funds;
- F. The provision of room and board (other than costs during rehabilitation, room and board provided for short term as an integral subordinate part of a social service, or temporary emergency shelter provided as a protective service) is not allowed with these funds;
- G. The purchase or improvement of land or buildings is not allowed with these funds;
- H. The payment of wages to any individual as a social service is not allowed;

- I. The provision of medical care (except family planning and rehabilitation services) unless the medical care is an integral but subordinate component of a social service, is not allowed with these funds;
- J. Social services provided in and by employees of a hospital, nursing facility, or prison are not an allowable use of these funds; and
- K. All restrictions on the use of federal funds related to unallowable activities or costs under [2 CFR Part 200](#), formerly OMB Circular A-122, are applicable to these funds.

**Funding Limitations under Chapter 51, Human Resources Code**

Per HRC, Section 51.003 contracts with family violence centers shall not initially provide for more than 75 percent of the cost of the family violence center program.

To be in compliance with HRC, Section 51.003, HHSC will use the following declining scale:

| <b>Contract Year</b> | <b>Maximum Level of FVP Funding</b> |
|----------------------|-------------------------------------|
| First year           | 75%                                 |
| Second year          | 74%                                 |
| Third year           | 72%                                 |
| Fourth year          | 69%                                 |
| Fifth year           | 65%                                 |
| Sixth year           | 60%                                 |
| Subsequent years     | 50%                                 |

Contracts awarded under this RFA are subject to a 20% match requirement for the federal FVPSA portion of the contract award (42 USC §10406(c)(4)). With respect to the cost to be incurred by the entity in carrying out the project for which the funds are awarded, the Contractor will make available (directly or through donations from public or private entities) non-Federal contributions in an amount that is not less than \$1 for every \$5 of Federal funds provided under the award. The required non-Federal contributions may be cash or in-kind.

Grants awarded as a result of this RFA will be funded on a cost reimbursement basis, and only to the extent that match is committed and reported by the grant recipient in accordance with the specifications outlined in Section 7.1. Under the cost reimbursement method of funding, grant recipients are required to finance operations with their own working capital with grant payments made by HHSC to reimburse the grant recipients for actual cash disbursements to be supported by adequate documentation.

**2.2.2 Grant Term**

HHSC will award multiple cost reimbursement contracts under this application process. The contract period will begin on the effective date stated in the Contract, which is anticipated to be September 1, 2019, and will end August 31, 2021.

Based upon the availability of federal and state funds, HHSC may renew the awarded contractors for two (2) additional two-year terms as necessary to complete the mission of the procurement. The two (2) additional two-year terms are as follows:

- A. Year 3-4 (September 1, 2021 through August 31, 2023)
- B. Year 5-6 (September 1, 2023 through August 31, 2025)

Reimbursement will only be made for those allowable expenses that occur within the term of the grant. No pre-award spending will be allowed.

Successful Applicants will be notified of their selection to receive a grant. Per Section 4.5, Negotiation and Award of this RFA, HHSC may enter into negotiations with Successful Applicants to determine final award amounts.

### **2.3 ELIGIBLE APPLICANTS**

In order to be awarded a contract as a result of this RFA, an Applicant must:

- A. Be public or private nonprofit organization with a current 501(c)(3) status (including faith-based and charitable organizations, community-based organizations, tribal organizations, and voluntary associations) that assists victims of family violence, domestic violence, or dating violence, and their dependents, and that best demonstrates the ability to deliver effective services concerning family violence, domestic violence, or dating violence;
- B. Not debarred from receiving any federal or state funds at the time of the contract award;
- C. Eligible under HRC, Section 51.004 as applicable and identified in this RFA in section 2.4; and
- D. All Applicants must have a Data Universal Numbering System (DUNS) number at the time of application in order to be considered for an award. A DUNS number may be acquired at no cost online at: <http://www.dnb.com/get-a-duns-number.html>.

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

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

## 2.4 PROGRAM REQUIREMENTS

To meet the mission and objectives of the Family Violence Shelter and Nonresidential Program Applicants must meet the requirements outlined below, as applicable:

### **Minimum Qualifications to be Eligible for a Shelter Center Contract**

The Applicant must:

- A. Meet the criteria outlined in [HRC, Section 51.004\(a\)](#) for a family shelter center;
- B. Provide temporary lodging and direct delivery of services for adults and their dependents;
- C. Have been in actual operation offering shelter services 24 hours a day, with a capacity for not less than five (5) persons for a least one year before the date on which the contract is awarded;
- D. Demonstrate that the center is providing the services described in Section 5.1.2 of this RFA, and as listed in HRC, Section 51.005(b)(3);
- E. Demonstrate that the center, through the services it provides, is addressing a need for services in the community consistent with the plan for family violence services under HRC, Section 51.0021; and
- F. Submit an application in response to this RFA on forms required by the department, in addition to other required documents, as listed in **Article X** of this RFA.

### **Minimum Qualifications to be Eligible for a Nonresidential Center Contract:**

The Applicant must:

- A. Meet the criteria outlined in [HRC Section 51.004\(b\)](#), for a nonresidential center;
- B. Provide, as its primary purpose, direct delivery of services to adult victims of family violence;
- C. Demonstrate as system of referring victims of family violence to at least one family violence shelter center or other safe temporary lodging;
- D. Have been operating and providing comprehensive services, including the services described by [HRC, Section 51.005\(b\)\(3\)](#), to victims of family violence for at least one year before the date on which the contract is awarded;
- E. Demonstrate that the center is providing the services described in Section 5.1.2 of this RFA, and as listed in HRC, Section 51.005(b)(3);
- F. Demonstrate that the center, through the services it provides, is addressing a need in the community consistent with the plan for family violence services under [HRC, Section 51.0021](#), and as listed in Section 5.1.2 of this RFA; and
- G. Submit an application in response to this RFA on forms prescribed by the department, in addition to other required documents, as listed in **Article X** of this RFA.

### **Minimum Qualifications to be Eligible to receive Satellite Shelter Funding**

The Applicant must:

- A. Have previously provided family violence services under an HHSC contract. Be a current Health and Human Services Commission (HHSC) contractor in good standing pursuant to [1 TAC §379.202](#);
- B. Develop, maintain, and comply with written policies and procedures that describe the relationship between the center and the satellite shelter;
- C. Ensure the satellite shelter meets all satellite shelter requirements in [1 TAC §379.203](#) of this division; and
- D. Submit an application in response to this RFA on forms prescribed by the department, in addition to other required documents, as listed in Article X of this RFA.

Applicants must meet these requirements throughout the entirety of the application process and, if chosen for grant award, must continue to meet them through the entirety of the grant funding period.

## 2.5 SCOPE

The purpose of the HHSC Family Violence Program’s shelter and nonresidential center funding is to assist in the provision of core comprehensive family violence services, outlined below, that address a need in the community through direct service delivery to victims of family violence, domestic violence, dating violence and their children. The anticipated form of contract that Awarded Applicants will be required to execute with HHSC to participate in the Family Violence Program SNRP is included at **Appendix D, Contract Template**. By submitting a response to this Solicitation, Applicants represent and warrant that they have read and understood the contract template set forth at **Appendix D**, and are willing to enter into a written contract with HHSC based on the terms and conditions set forth therein.

In developing proposals in response to this RFA, Applicants will be required to complete attached **Forms A through F** to address the following:

- A. Compliance with all applicable sections of [1 TAC Chapter 379](#) during the entire contract period, if awarded a contract;
- B. Delivery of required services to victims of family violence that include:
  1. Twenty-four (24) hour a day shelter, except that a family violence nonresidential center may provide access to a 24 hour a day shelter;
  2. Twenty-four (24) hour a day crisis hotline, except that a family violence nonresidential center may provide access to a 24 hour a day crisis hotline;
  3. Access to emergency medical care;
  4. Intervention services, including: safety planning, understanding and support, information, education, referrals, and other resource assistance;
  5. Access to emergency transportation;
  6. Legal assistance in the civil and criminal justice systems, including: identifying individual needs, legal rights, legal options, and providing support and accompaniment in pursuing those options;
  7. Information about educational arrangements for children;

8. Information about training for and seeking employment;
  9. Cooperation with criminal justice officials;
  10. Community education;
  11. A referral system to existing community services; and
  12. A volunteer recruitment and training program.
- C. Collaborate, coordinate, and develop a relationship with the Texas Department of Family and Protective Services staff within the applicant's service area.

### **2.5.1 Unmet Need**

The Applicant must address how they meet an unmet geographic or service need in their community and describe all the counties in which services will be provided. Services may be provided directly through the organizations shelter, nonresidential center, administrative office, satellite office, or through utilizing a mobile advocate.

### **2.5.2 Client Service Provisions**

Awarded Applicants must be able to serve survivors of family violence, domestic violence, and dating violence and their children, within the following parameters:

1. Awarded Applicants shall ensure that there is evidence that the family violence center provides services that encourage self-sufficiency and effectively use community resources;
2. All survivors must enter into services voluntarily;
3. Awarded Applicants shall not charge a fee for participating in a program or for any program-related participation costs;
4. Awarded Applicants shall provide services to family violence victims and their children without regard to their economic status, race, gender, religion, previous history of receiving services, or sexual orientation;
5. Faith-based organizations must take steps to completely separate the presentation of any program with religious content from the presentation of the federally funded program by time or location in such a way that it is clear that the two programs are separate and distinct. Refer to “Understanding the Regulations Related to the Faith-Based and Neighborhood Partnerships Initiative”, available at [www.hhs.gov/partnerships/about/regulations/](http://www.hhs.gov/partnerships/about/regulations/);
6. The Drug-Free Workplace Act of 1988 (41 U.S.C. § 8102 et seq.) requires that all organizations receiving grants from any federal agency agree to maintain a drug-free workplace; and
7. The Pro-Children Act of 2001, 20 U.S.C. §7191-7194 imposes restrictions on smoking in facilities where federally funded children’s services are provided.

### **2.5.3 Program Monitoring**

The Applicant shall be responsible for monitoring the function of the program and the quality of all client services provided.

## 2.5.4 Program Database

The Applicant shall maintain a secure database for all program activities including, but not limited to the Clients served, services delivered directly to Clients, and demographic information.

The information to be included in the Program Database must include, at a minimum, all of the data elements outlined in **Appendix A: FVNet Data Element Guide**.

The Applicant must provide data in the format as outlined in **Appendix B: FVNet Data Format Guide**.

All Clients shall be assigned a unique identifier. The Client's social security number, protected health information, or other personally identifiable information shall not be used as an identifier.

Data submitted to HHSC shall be transferred to HHSC through HHSC's secure file transport protocol portal (FTP) that HHSC makes available to Awarded Applicants via secure login to FVNet. Contractor must ensure that computer equipment used for data entry meets minimum requirements established by HHSC for efficient connection to the client data reporting system and HHSC's secure FTP portal, FVNet.

In order to be approved for database upload to HHSC's FVNet, all Awarded Applicants must set up user accounts for the HHSC portal. Access to the HHSC Portal by Awarded Applicant personnel is subject to agreement to HHSC's then-current required terms and conditions, which may be amended by HHSC. In addition, access to and use of the HHSC FVNet by Awarded Applicant is subject to and governed by the HHSC Data Use Agreement. Any person given permission to enter or view Family Violence Program data must strictly adhere to all HHSC contract terms and conditions and the applicable rules in 1 TAC, Part 15, §379, [Subchapter B](#) and [Subchapter D](#), for confidentiality, security, and integrity of program data.

Contractor is responsible for entering all data into the database or other data reporting tools in accordance with [1 TAC Chapter §379](#).

## 2.6 REPORTING REQUIREMENTS

### 2.6.1 Program Reporting Requirements

On a monthly basis, due on or before the 5<sup>th</sup> of each month, the Awarded Applicant shall submit to HHSC all required data as outlined in **Appendix A- FVNet Data Element Guide**. Data submitted monthly will reflect the services provided by the program for the preceding month.

On an annual basis, due on or before September 15<sup>th</sup> of each year, the Awarded Applicant shall submit an Annual Narrative Report that captures overall performance, successes, challenges, and key programmatic updates.

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



## **2.6.2 Financial Reporting Requirements**

Payments will be made to Awarded Applicants on monthly basis in accordance to Code of Federal Regulations (C.F.R.) Title 2, Subtitle A, Chapter II-Part 200:

[C.F.R. Title 2, Subtitle A, Chapter II-Part 200](#)

Awarded Applicants must submit monthly invoices that reflect 1/12<sup>th</sup> of the budgeted award amount on a form designed by HHSC by the 5<sup>th</sup> day of the month for expenses which were incurred for the previous month.

Awarded Applicants must submit a quarterly expense report on a form prescribed by HHSC by the 30<sup>th</sup> of the month following the last quarter month in which expenditures were reported with supporting documentation as requested by HHSC. The reporting quarters are:

- A. Quarter 1- September-November
- B. Quarter 2- December-February
- C. Quarter 3- March-May
- D. Quarter4- June-August

Awarded Applicants must submit an annual funding report on a form prescribed by HHSC by September 30<sup>th</sup> of each year, that identifies actual program expenses, non-HHSC resources, required match, and documentation of the percentage of HHSC funding utilized for the program.

## **2.6.3 Match Report Requirements**

### **2.6.3.1. Federal Match Requirements**

Matching funds may be provided through local philanthropic, private, or city or county funds, pooled or braided funds from partner organizations, donated resources, or in-kind contributions committed specifically for the proposed project. Federal funds may not be used as match.

Applicants are not required to certify matching funds as part of the application process. However, the FVPSA federal portion of the award must ultimately be matched on a one dollar for every five-dollar basis by the awarded applicant.

The value of donated materials, professional services, and volunteer time is to be calculated in accordance with [Uniform Grant Management Standards, Subpart C, § .24](#).

Awarded Applicants must report match on the quarterly expense reports and annual funding report described in Section 2.6.2.

## 2.7. EXPENDITURE PROPOSAL

In attached **Forms G and H, Expenditure Proposal Templates** Applicants must:

- A. Demonstrate project costs outlined in the Expenditure Proposal are reasonable, allowable, allocable, and developed in accordance with applicable state and federal grant requirements;
- B. Identify costs to be requested from HHSC;
- C. Must develop a budget, where costs may be allocated to any of the following categories the Applicant identifies during its budget development process:
  1. Salaries;
  2. Fringe Benefits;
  3. Travel;
  4. Equipment;
  5. Supplies;
  6. Professional/Contracted Services;
  7. Other cost items such as those listed in **Appendix C, FVP Budget Guidance**; and
  8. Indirect Costs
- D. If Applicant is applying for satellite or shelter "A" funding, expenditures for satellite or shelter "A" must be clearly identified in the cost proposal.

Indirect costs are incurred for a common or joint purpose and are not readily chargeable to a specific cost objective (common costs that benefit the entire organization). An Indirect Cost Rate is a rate for charging indirect cost - generally a percentage of direct cost or Modified Total Direct Cost.

Applicant must complete **Exhibit F: HHS System Indirect Cost Rate Questionnaire (ICRQ)** and submit with required supporting documentation as referenced in the ICRQ. This questionnaire will initiate the use of approval of an indirect cost rate for an Awardee Applicant.

HHS will recognize the following pre-approved Indirect Cost Rates:

1. Federally Approved Cost Allocation Plan
2. Federally Approved Indirect Cost Rate Agreement
3. State of Texas Cognizant Agency Indirect Cost Rate

If Applicant does not have one of the options listed above, then Applicant may be eligible for the 10% de minimis or a negotiated indirect cost rate. Note: An Applicant that has previously received an approved Indirect Cost Rate is not eligible for the 10% de minimis. The HHS System Contract Oversight and Support (COS) will outreach an Awardee Applicant after contract award to complete the Indirect Cost Rate process.

The Applicant must base the budget and funding request on the Scope of Work. Applicants may reference **Appendix C: FVP Budget Guidance** for clarification.

## 2.8 PERFORMANCE MEASURES

HHSC will monitor the performance of contracts awarded under this RFA. Monitoring will be conducted for fiscal, programmatic, and administrative requirements of the contract, [HRC Chapter 51](#), and [1 TAC, Chapter 379](#). All services and deliverables shall be provided at an acceptable quality level and in a manner consistent with HHSC contract and program requirements and the HHS Uniform Terms and Conditions.

Awarded Applicants must meet or exceed the following performance measures:

- A. 65% or more of family violence survivors who have contact with your family violence program, will have strategies for enhancing their safety; and
- B. 65% or more of family violence survivors who have contact with your family violence program, will have knowledge of available community resources.

Acceptable quality level will be the standards provided in this Section 2, Applicants accepted offer, or the final negotiated standard whichever is most advantageous to the client or HHSC. HHSC reserves the right to impose remedies that will be included in the contract resulting from this RFA. Remedies that HHSC may impose include, but are not limited to:

- A. Written corrective action plans;
- B. Additional reporting requirements;
- C. Withholding/offsetting payments; and
- D. Termination or suspension of the contract.

Performance measures and the associated remedies will be negotiated and approved by HHSC based on the response presented by Applicant and any negotiated standard.

## 2.9 PROHIBITIONS

Grant funds may not be used to support the following services, activities, and costs:

- A. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- B. Lobbying;
- C. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
- D. Weapons, ammunition, tracked armored vehicles, weaponized vehicles or explosives (exceptions may be granted when explosives are used for bomb squad training);
- E. Admission fees or tickets to any amusement park, recreational activity or sporting event;
- F. Promotional gifts;
- G. Any expense or service that is readily available at no cost to the grant project;
- H. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;

- I. Fundraising;
- J. Any other prohibition imposed by federal, state, or local law;
- K. The acquisition or construction of facilities; and
- L. Direct payment to any survivor of family violence, domestic violence, or dating violence, or to any dependent of such survivor.

## 2.10 STANDARDS

### 2.10.1 Uniform Administrative Requirements, Cost Principles, and Audit Requirements

Grantees must comply with the requirements applicable to this funding source cited in the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements* for Federal Awards (2 CFR 200); the *Uniform Grant Management Standards (UGMS)*, and all statutes, requirements, and guidelines applicable to this funding.

### 2.10.2 Nondiscrimination

Grantees are required to conduct Project activities in accordance with federal and state laws prohibiting discrimination. Guidance for adhering to non-discrimination requirements can be found on the Health and Human Services Commission (HHSC) Civil Rights Office website at: <http://www.hhs.state.tx.us/aboutHHS/CivilRights.shtml>.

Upon request, a Grantee must provide the HHSC Civil Rights Office with copies of all the Grantee's civil rights policies and procedures. Grantees must notify HHSC's Civil Rights Office of any civil rights complaints received relating to performance under the contract no more than 10 calendar days after receipt of the complaint. Notice must be directed to:

HHSC Civil Rights Office  
701 W. 51st Street, Mail Code W206  
Austin, TX 78751  
Phone Toll Free (888) 388-6332  
Phone: (512) 438-4313  
TTY Toll Free (877) 432-7232  
Fax: (512) 438-5885

A Grantee must ensure that its policies do not have the effect of excluding or limiting the participation of persons in the Grantee's programs, benefits or activities on the basis of national origin, and must take reasonable steps to provide services and information, both orally and in writing, in appropriate languages other than English, in order to ensure that persons with limited English proficiency are effectively informed and can have meaningful access to programs, benefits, and activities.

Grantees must comply with regulations at 45 CFR Part 87 or, which provide that any organization that participates in programs funded by direct financial assistance from the U.S. Dept. of Health and Human Services must not, in providing services, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief.

Grantees must also comply with 45 CFR Part §1370.5, which provides that any Grantee receiving funding through this RFA must not in providing services, discriminate against a program beneficiary or prospective program beneficiary on the basis of sex; race, color, and national origin; disability; age; religion; actual or perceived sex, including gender identity; or actual or perceived sexual orientation

### **2.10.3 Grievance Procedure Requirements**

Grantee must ensure that all client informational material and grievance policies include the HHSC Ombudsman's office contact information and complaint language listed below:

*If you have a complaint that is not resolved to your satisfaction, you can contact the HHS Office of the Ombudsman by calling 1-877-787-8999, selecting a language, and then Option 3, or by making an online submission at <https://hhs.texas.gov/about-hhs/your-rights/office-ombudsman>.*

### **2.10.4 Building Codes and Safety Requirements**

Grantee's facilities must be in good repair and in compliance with applicable local health, fire, electrical and building safety codes. Grantee's facilities must be in compliance with the Americans with Disabilities Act (ADA) to ensure accessibility for persons with physical disabilities.

## **2.11 DATA USE AGREEMENT**

By entering into a Grant Agreement with the System Agency as a result of this Solicitation, Respondent agrees to be bound by the terms of **Exhibit E: Data Use Agreement** and **Exhibit E-1: Security and Privacy Inquiry (SPI)**.

## **2.12 NO GUARANTEE OF VOLUME, USAGE OR COMPENSATION**

The System Agency makes no guarantee of volume, usage, or total compensation to be paid to any Applicant under any awarded Grant, if any, resulting from this Solicitation, any awarded Grant is subject to appropriations and the continuing availability of funds.

The System Agency reserves the right to cancel, make partial award, or decline to award a Grant under this Solicitation at any time at its sole discretion.

There should be no expectation of additional or continued funding on the part of the Grant Recipient. Any additional funding or future funding may require submission of an application through a subsequent RFA.

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## ARTICLE III. ADMINISTRATIVE INFORMATION

### 3.1 SCHEDULE OF EVENTS

| EVENT  | DATE/TIME                            |
|--|--------------------------------------|
| Solicitation Release Date  | Monday, April 15, 2019               |
| Respondent Conference (optional)   | Friday, April 26, 2019               |
| Deadline for Submitting Questions  | Wednesday, May 1, 2019 at 2:00 PM CT |
| Answers to Questions Posted  | Monday, May 6, 2019                  |
| <b>Deadline for submission of Solicitation Responses [NOTE: Responses must be RECEIVED by HHSC by the deadline.]</b> | Thursday, May 23, 2019 at 2:00 PM CT |
| Anticipated Contract Start Date  | September 1, 2019                    |

**Note:** These dates are a tentative schedule of events. The System Agency reserves the right to modify these dates at any time upon notice posted to the HHS Grant Opportunities website and [Texas eGrants](#). Any dates listed after the RFA Response deadline will occur at the discretion of the System Agency and may occur earlier or later than scheduled without notification on the HHS Grant Opportunities website and [Texas eGrants](#).

### 3.2 CHANGES, AMENDMENT OR MODIFICATION TO SOLICITATION

The System Agency reserves the right to change, amend or modify any provision of this RFA, or to withdraw this RFA, at any time prior to award, if it is in the best interest of the System Agency and will post such on the HHS Grant Opportunities website and Texas eGrants website. It is the responsibility of Respondent to periodically check the HHS Grant Opportunities website and Texas eGrants website to ensure full compliance with the requirements of this RFA.

### 3.3 IRREGULARITIES

Any irregularities or lack of clarity in this RFA should be brought to the attention of the Point of Contact listed in **Section 3.4.1** as soon as possible so corrective addenda may be furnished to prospective Respondents.

### 3.4 INQUIRIES

### 3.4.1 Point of Contact

All requests, questions or other communication about this RFA shall be made in writing to the HHSC's Procurement Project Manager addressed to the person listed below. All communications between Applicants and other System Agency staff members concerning the RFA are strictly prohibited, unless noted elsewhere in this RFA. **Failure to comply with these requirements may result in disqualification of Applicants' response to this RFA.**

Name: Michele Rivers, CTCD, CTCM  
Title: Purchaser  
Address: 1100 W. 49<sup>th</sup> Street, Austin, Texas 78756  
Phone: 512-406-2449  
Email: Michele.Rivers@hhsc.state.tx.us

### 3.4.2 Prohibited Communications

All communications between Applicant and other System Agency staff members concerning the Solicitation may not be relied upon and Applicant should send all questions or other communications to the point-of contact. This restriction does not preclude discussions between affected parties for the purposes of conducting business unrelated to this Solicitation. **Failure to comply with these requirements may result in disqualification of Applicants' Solicitation Response.**

### 3.4.3 Questions

HHSC allows written questions and requests for clarification of this RFA. Questions must be submitted in writing, by U.S. First Class mail or e-mail, to the Point of Contact listed in **Section 3.4.1**. Applicants' names are removed from questions in any responses released. Questions shall be submitted in the following format. Submissions that deviate from this format may not be accepted:

- A. Identifying Solicitation number
- B. Section Number
- C. Paragraph Number
- D. Page Number
- E. Text of passage being questioned
- F. Question

**Note: Questions or other written requests for clarification must be received by the Point of Contact by the deadline set forth in Section 3.4.1 above. Please provide entity name, address, phone number; fax number, e-mail address, and name of contact person when submitting questions.**



### 3.4.4 Clarification request made by Applicant

Applicants must notify the Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specifications, omission or other error in the Solicitation in the manner and by the deadline for submitting questions.

### 3.4.5 Responses

Responses to questions or other written requests for clarification may be posted on HHS Grants website and Texas eGrants. The System Agency reserves the right to amend answers prior to the deadline of RFA Responses. Amended answers may be posted on HHS Grants website and Texas eGrants. It is Applicant's responsibility to check HHS Grant Opportunities website and Texas eGrants or contact the Point of Contact for updated responses. The System Agency also reserves the right to provide a single consolidated response of similar questions at the System Agencies sole discretion.

### 3.4.6 Applicant Conference

The System Agency will conduct an **optional** pre-submittal respondent conference on April 26, 2019 at 10:00 a.m. Central Time. Respondents may call into the conference by dialing (415) 655-0052 and entering passcode 380-432-637. The respondent conference is **optional**.

To participate in the webinar, Applicants must register at:  
<https://attendee.gotowebinar.com/register/1732105045735969538>  
Webinar ID: 593-235-235

## 3.5 SOLICITATION RESPONSE COMPOSITION

### 3.5.1 Generally

All Applications must be:

- A. Clearly legible;
- B. Sequentially page-numbered and include the respondents name at the top of each page;
- C. Organized in the sequence outlined in **Article IX** - Submission Checklist;
- D. In Arial or Times New Roman font, size 12 or larger for normal text, no less than size 10 for tables, graphs, and appendices;
- E. Blank forms provided in the Attachments must be used (electronic reproduction of the forms is acceptable; however, all forms must be identical to the original form(s) provided); do not change the font used on forms provided;
- F. Correctly identified with the RFA number and submittal deadline;
- G. Responsive to all RFA requirements; and
- H. Signed by an authorized official in each place a signature is needed (copies must be signed but need not bear an original signature).

### **3.5.2 Submission in Separate Parts**

- A. Administrative Information, including all forms;
- B. Narrative Proposal, including all forms;
- C. Expenditure Proposal; and
- D. Applicable Exhibits and Required Forms.

Paper documents (i.e. the original and all hard copies) must be separated by parts. Electronic submissions must be separated by electronic medium used for submission (i.e. flash drive).

The entire RFA Response – all separated paper documents and electronic copies – must then be submitted in one package to HHSC at the address listed in **Section 3.6.3**. The number of copies and directions for submitting an "Original" and "Copies" are outlined in **Article IX**.

## **3.6 SOLICITATION RESPONSE SUBMISSION AND DELIVERY**

### **3.6.1 Deadline**

RFA Responses must be received at the address in **Section 3.6.3** time-stamped by the System Agency no later than the date and time specified in **Section 3.1**.

### **3.6.2 Labeling**

RFA Responses shall be placed in a sealed box and clearly labeled as follows:

RFA NO.: HHS0003800

RFA NAME: Family Violence Program Shelter and Nonresidential Services

RFA RESPONSE DEADLINE: Thursday, May 23, 2019 at 2:00PM CT

PURCHASER: Michele Rivers, CTCD, CTCM

APPLICANT'S NAME:

The System Agency will not be held responsible for any Solicitation Response that is mishandled prior to receipt by the System Agency. It is Applicants' responsibility to mark appropriately and deliver the Solicitation Response to the System Agency by the specified date and time.

### **3.6.3 Delivery**

The Applicant must deliver RFA Responses by one of the methods below to the address noted. RFA Responses submitted by any other method (e.g. facsimile, telephone, email) will NOT be considered.

To be delivered by U.S. Postal Service, overnight or express mail, or hand delivery to:

HHSC Procurement and Contracting Services (PCS)  
Bid Room  
Attn: Michele Rivers, CTCD, CTCM  
1100 W. 49<sup>th</sup> Street, MC 2020  
Service Building (Building S)  
Austin, Texas 78756

**Note: All RFA Responses become the property of HHSC after submission and will not be returned to Respondent.**

#### **3.6.4 Alterations, Modifications, and Withdrawals**

Prior to the RFA submission deadline, an Applicant may:

- (1) withdraw its RFA Response by submitting a written request to the Point of Contact identified in **Section 3.4.1**; or
- (2) modify its RFA Response by submitting a written amendment to the Point of Contact identified in **Section 3.4.1**.

The System Agency may request RFA Response Modifications at any time.

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**ARTICLE IV. SOLICITATION RESPONSE EVALUATION AND  
AWARD PROCESS**

**4.1 GENERALLY**

HHSC will perform an initial screening of all applications received. Unsigned applications and applications that do not include all required forms and sections are subject to rejection without further evaluation. In addition, applicants will be evaluated based on the following:

- A. Eligibility and risk screening;
- B. Evaluation based upon specific selection criteria as outlined in Section 4.3 of this Request for Applications; and
- C. Final Selection based upon State priorities.

**4.2 ELIGIBILITY SCREENING**

Applications will be reviewed for minimum qualifications and completeness. All complete applications meeting the minimum qualifications will move to the Evaluation stage.

**4.3 EVALUATION**

Applications will be evaluated and scored in accordance with the factors required by HRC, Chapter 51 and other factors deemed relevant by HHSC.

**4.3.1 Specific Selection Criteria**

Grant applications shall be evaluated based upon:

|                     | <b>Criterion Considered</b>  |     |
|---------------------|--|-----|
| Unmet need          | The Applicant’s ability to address an unmet geographical location and/or service delivery need.  | 25% |
| Project Work Plan   | The Applicant’s demonstrates <u>all</u> of the requirements listed in the Project Work Plan, Section 5.1.2 of this request for Applications. | 30% |
| Financial Stability | The financial position of the Applicant, at the time of the application, reflects that the Applicant is financially viable.                  | 15% |

|                         | Criterion Considered   |     |
|-------------------------|--|-----|
| Programmatic Stability  | The programmatic position of the Applicant, at the time of the application, reflects that the Applicant has the experience and expertise to deliver the programmatic requirements of this RFA. | 15% |
| Organizational Capacity | The Applicant's demonstrates the organizational capacity to fulfill the requirements of this RFA.  | 15% |

#### 4.4 FINAL SELECTION

HHSC intends on making multiple awards. After initial screening for eligibility, application completeness, and initial scoring of the elements listed above in **Section 4.3**, using **Appendix F, Evaluation Tool**, a selection committee will look at all eligible applicants to determine which proposals should be awarded in order to most effectively accomplish state priorities. The selection committee will recommend grant awards to be made to the HHSC Executive Commissioner, who will make the final award approval.

HHSC will make all final funding decisions based on eligibility, geographic distribution across the state, state priorities, reasonableness, and availability of funding.

#### 4.5 NEGOTIATION AND AWARD

The specific dollar amount awarded to each successful Applicant will depend upon the merit and scope of the Application, the recommendation of the Selection Committee, and the decision of the Executive Commissioner. Not all Applicants who are deemed eligible to receive funds are assured of receiving an award.

The negotiation phase will involve direct contact between the successful Applicant and HHSC representatives via phone and/or email. During negotiations, successful Applicants may expect:

- A. An in-depth discussion of the submitted proposal and budget; and
- B. Requests from HHSC for clarification or additional detail regarding the submitted Application.

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

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

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

HHSC will post to eGrants Website and may publicly announce a list of Applicants whose Applications are selected for final award. This posting does not constitute HHSC's agreement with all the terms of any Applicant's proposal and does not bind HHSC to enter into a contract with any Applicant whose award is posted.

#### **4.6 QUESTIONS OR REQUESTS FOR CLARIFICATION BY THE SYSTEM AGENCY**

The System Agency reserves the right to ask questions or request clarification from any Respondent at any time during the application process.

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## ARTICLE V. NARRATIVE PROPOSAL

### 5.1 NARRATIVE PROPOSAL

#### 5.1.1 Executive Summary

On **Form C: Applicant's Application**, provide a high-level overview of the Applicant's approach to meeting the RFA's requirements. The summary must demonstrate an understanding of the goals and objectives of the grant.

#### 5.1.2 Project Work Plan

The Applicant shall develop and present with its Application an Applicant Background narrative and a proposed Project Work Plan, which include information on the Applicant.

The Applicant Background is detailed in **Form A: Face Page** and **Form B: Entity Information, Conflicts and Contract Litigation** and the Project Work Plan is comprised of **Form C through Form F** of this RFA. The Project Work Plan must include the Applicants planned approach to accomplishing the following:

- A. Demonstrate an ability to comply with all applicable sections of [1 TAC Chapter 379](#) during the entire contract period, if awarded a contract;
- B. Describe how the Applicant provides, as its primary purpose, services to victims of family violence that include:
  1. Twenty-four (24) hour a day shelter, except that a family violence nonresidential center may provide access to a 24 hour a day shelter;
  2. Twenty-four (24) hour a day crisis hotline, except that a family violence nonresidential center may provide access to a 24 hour a day crisis hotline;
  3. Access to emergency medical care;
  4. Intervention services, including: safety planning, understanding and support, information, education, referrals, and other resource assistance;
  5. Access to emergency transportation;
  6. Legal assistance in the civil and criminal justice systems, including: identifying individual needs, legal rights, legal options, and providing support and accompaniment in pursuing those options;
  7. Information about educational arrangements for children;
  8. Information about training for and seeking employment;
- C. Describe how the Applicants cooperates with criminal justice officials;
- D. Demonstrate how the Applicant provides community education on the dynamics of family violence and services available;
- E. Describe how the Applicant maintains and updates a referral system to existing community services;
- F. Demonstrates that the Applicant has a volunteer recruitment and training program;
- G. Demonstrate an ability to meet or exceed the established family violence program performance measures;

1. Performance Measures- Shelter and nonresidential centers funded by HHSC must meet the following performance measures:
  - a. 65% or more of family violence survivors who have contract with your family violence program, will have strategies for enhancing their safety.
  - b. 65% or more of family violence survivors who have contract with your family violence program, will have knowledge of available community resources.
- H. Demonstrate an ability to collaborate, coordinate, and develop a working relationship with the Texas Department of Family and Protective Services staff local to the applicant's service area;
- I. Demonstrate that the center, through the services it provides, is addressing an unmet need in the applicant's community; and
- J. Demonstrate an ability to cooperate with the Department of Family and Protective Services.

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## **ARTICLE VI. REQUIRED RESPONDENT INFORMATION**

### **6.1 ADMINISTRATIVE ENTITY INFORMATION**

Respondent must provide satisfactory evidence of its ability to manage and coordinate the types of activities described in this Solicitation. As a part of the Solicitation Response requested in **Article III**, Respondent must provide the following information in **Article IX**.

### **6.2 LITIGATION AND CONTRACT HISTORY**

Respondent must include in its Solicitation Response a complete disclosure of any alleged or significant contractual failures in **Form B: Entity Information, Conflicts and Contract Litigation**.

In addition, Respondent must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Respondent or in which Respondent has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify Respondent.

Solicitation Response may be rejected based upon Respondent's prior history with the State of Texas or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual obligations.

### **6.3 CONFLICTS**

Respondent must certify, in **Form B: Entity Information, Conflicts and Contract Litigation**, that it does not have any personal or business interests that present a conflict of interest with respect to the RFA and any resulting contract. Additionally, if applicable, the respondent must disclose all potential conflicts of interest. The respondent must describe the measures it will take to ensure that there will be no actual conflict of interest and that its fairness, independence and objectivity will be maintained. The System Agency will determine to what extent, if any, a potential conflict of interest can be mitigated and managed during the term of the contract. Failure to identify actual and potential conflicts of interest may result in disqualification of a Solicitation Response or termination of a contract.

Please include any activities of affiliated or parent organizations and individuals who may be assigned to this Contract, if any.

Additionally, pursuant to Section 2252.908 of the Texas Government Code, a successful respondent awarded a contract greater than \$1 million dollars, or that requires an action or vote of the governing body, must submit a disclosure of interested parties to the state agency at the time the business entity submits the signed contract. Rules and filing instructions may be found on the Texas Ethics Commissions public website and additional instructions will be given by HHSC to successful respondents.

#### **6.4 AFFIRMATIONS AND CERTIFICATIONS**

Respondent must complete and return all of the following listed forms and exhibits. Exhibits are listed following **Article IX**.

- A. Exhibit A: Affirmations and Solicitation Acceptance
- B. Exhibit C: Federally Required Forms
  - a. Exhibit C-1: Assurances – Non Construction Programs
  - b. Exhibit C-2: Certification Regarding Lobbying
  - c. Exhibit C-3: Federal Funding Accountability and Transparency Act (FFATA) Certification
- C. Exhibit D: Exceptions Form

**The remainder of this page is intentionally left blank.**

## **ARTICLE VII. EXPENDITURE PROPOSAL**

### **7.1 EXPENDITURE PROPOSAL**

Attached **Form G: FY 2020 Expenditure Proposal Template** and **Form H: FY 2021 Expenditure Proposal Template** of this RFA includes the template for submitting the Expenditure Proposal. Respondents must complete this form and place it in a separate, sealed package, clearly marked with the respondent's name, the RFA number, and the RFA submission date.

Respondents must base their Expenditure Proposal on the Scope of Work described in **Article II**. This section should include any business, economic, legal, programmatic, or practical assumptions that underlie the Expenditure Proposal. HHSC reserves the right to accept or reject any assumptions. All assumptions not expressly identified and incorporated into the contract resulting from this RFA are deemed rejected by HHSC.

Respondents must demonstrate that project costs outlined in the Expenditure Proposal are reasonable, allowable, allocable, and developed in accordance with applicable state and federal grant requirements. If Applicant is applying for satellite or shelter A funding, expenditures for satellite or shelter A must be clearly identified in the budget templates.

Respondent must utilize the HHSC template provided and identify costs to be requested from HHSC and costs to be matched. Costs must be broken out to a degree that is sufficient to determine if costs are reasonable, allowable, and necessary for the successful performance of the project.

Costs will be reviewed for compliance with UGMS and federal grant guidance found in 2 CFR Part 200, as modified by UGMS, with effective given to whichever provision imposes the more stringent requirement in the event of a conflict.

Costs included in the Expenditure Proposal will be entered into budget tables and supported by narrative descriptions describing the need for the requested cost and a calculation demonstrating how the cost was arrived at.

Matching funds must also be identified in the Expenditure Proposal, including anticipated matching funds. Matching funds may be provided through local philanthropic, private, or city or county funds, pooled or braided funds from Collaborative partner organizations, donated resources, or in-kind contributions committed specifically for the proposed project. Federal funds may not be used as match.

The value of donated materials, professional services, and volunteer time is to be calculated in accordance with Section 24, Subpart C, of UGMS.

## **ARTICLE VIII. GENERAL TERMS AND CONDITIONS**

### **8.1 GENERAL CONDITIONS**

#### **8.1.1 Costs Incurred**

Respondents understand that issuance of this Solicitation in no way constitutes a commitment by any System Agency to award a contract or to pay any costs incurred by a Respondent in the preparation of a response to this Solicitation. The System Agency is not liable for any costs incurred by a Respondent prior to issuance of or entering into a formal agreement, contract, or purchase order. Costs of developing Solicitation Responses, preparing for or participating in oral presentations and site visits, or any other similar expenses incurred by a Respondent are entirely the responsibility of the Respondent, and will not be reimbursed in any manner by the State of Texas.

#### **8.1.2 Contract Responsibility**

The System agency will look solely to Respondent for the performance of all contractual obligations that may result from an award based on this Solicitation. Respondent shall not be relieved of its obligations for any nonperformance by its contractors.

#### **8.1.3 Public Information Act**

Solicitation Responses are subject to the Texas Public Information Act (PIA), Texas Government Code Chapter 552, and may be disclosed to the public upon request. Subject to the PIA, certain information may be protected from public release. Respondents who wish to protect portions of the Solicitation Response from public disclosure should familiarize themselves with this law. Information pertaining to the Solicitation will be withheld or released only in accordance with the PIA.

#### **8.1.4 News Releases**

Prior to final award a respondent may not issue a press release or provide any information for public consumption regarding its participation in the procurement. Requests should be directed to the HHSC Point of Contact Identified in **Article III**.

#### **8.1.5 Additional Information**

By submitting a proposal, the Respondent grants HHSC the right to obtain information from any lawful source regarding the respondent's and its directors', officers', and employees': (1) past business history, practices, and conduct; (2) ability to supply the goods and services; and (3) ability to comply with contract requirements. By submitting a proposal, a respondent generally releases from liability and waives all claims against any party providing HHSC information about the respondent. HHSC may take such information into consideration in evaluating proposals.

## ARTICLE IX. SUBMISSION CHECKLIST

All required elements of a responsive Application must be included as required in the checklist provided below. Any Solicitation Response received without these or any other documents required under this RFA may be deemed nonresponsive and may not be considered for a grant award by Contract. All Exhibits, Forms and Attachment can be found in the uploaded zipped file posted with the RFA.

### **Original Solicitation Response Package**

The Solicitation Package must include the "Original" Solicitation Response in **hard-copy**, consisting of the six (6) parts and subparts listed below and described in greater detail in the corresponding RFA section referenced in parentheses next to the listed part or subpart. Each part and subpart must be marked by separate cover pages but packaged together and clearly labeled "Original" on each.

#### **1. Administrative Information (Forms A and B)**

- a. Form A: Face Page \_\_\_\_\_
- b. Form B: Entity Information, Conflicts and Contract Litigation \_\_\_\_\_

#### **2. Narrative Proposal Forms (Forms C through F) (Section 2.5)**

- a. Form C: Applicant's Application; and Application Attachments (requested in Form C) \_\_\_\_\_
- b. Form E: FVP Counties and Services Chart \_\_\_\_\_
- c. Form F: Facility Readiness Form \_\_\_\_\_

#### **3. Expenditure Proposal (template included) (Article VII)**

- a. Form G: FY 2020 Expenditure Proposal Template \_\_\_\_\_
- b. Form H: FY 2021 Expenditure Proposal Template \_\_\_\_\_

#### **4. Applicable Exhibits (to be included in Solicitation Package) (Section 6.5)**

- a. Exhibit A: Affirmations and Solicitation Acceptance \_\_\_\_\_
- b. Exhibit C-1: Assurances – Non-Construction \_\_\_\_\_
- c. Exhibit C-2: Certification Regarding Lobbying \_\_\_\_\_
- d. Exhibit C-3: Fiscal Federal Funding Accountability and Transparency Act (FFATA) Certification \_\_\_\_\_
- e. Exhibit D: Exceptions Form \_\_\_\_\_
- f. Exhibit E: Data Use Agreement \_\_\_\_\_
- g. Exhibit E-1: Security and Privacy Inquiry (SPI) \_\_\_\_\_
- h. Exhibit F: HHS System Indirect Cost Rate Questionnaire (ICRQ) \_\_\_\_\_

#### **5. Appendixes- (Guidance Documents)**

- a. Appendix A: FVNet Data Element Guide
- b. Appendix B: FVNet Data Format Guide
- c. Appendix C: FVP Budget Guidance
- d. Appendix D: FY20-21 FVP Shelter and Nonresidential Contract Template

- e. Appendix E: Data Use Agreement FAQ
- f. Appendix F: Evaluation Tool

## **6. Addenda**

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### **Copies of Solicitation Response Package**

The Respondent must provide the following: one (1) **hard copy** marked “Original” and one (1) **electronic** copy marked “Copy” for Solicitation Responses. Electronic copies must be submitted on a USB Drive, with each of the five required parts of the Solicitation Response contained in a separate electronic folder, named to match the separate parts of the “Original” Solicitation Response.

## **ARTICLE X. LIST OF FORMS, EXHIBITS, AND ATTACHMENTS**

**Form A: Face Page**

**Form B: Entity Information, Conflicts and Contract Litigation**

**Form C: Applicant's Application**

**Application Attachments listed in Form C**

**Form E: FVP Counties and Services Chart**

**Form F: Facilities Readiness Form**

**Form G: FY2020 Expenditure Proposal Template**

**Form H: FY2021 Expenditure Proposal Template**

**Exhibit A: Affirmations and Solicitation Acceptance**

**Exhibit C: Federally Required Forms**

**Exhibit C-1: Federal Assurance and Certification**

**Exhibit C-2: Certification Regarding Lobbying**

**Exhibit C-3: Federal Funding Accountability and Transparency Act (FFATA)  
Certification**

**Exhibit D: Exception Form**

**Exhibit E: Data Use Agreement**

**Exhibit E-1: Security and Privacy Inquiry (SPI)**

**Exhibit F: HHS System Indirect Cost Rate Questionnaire (ICRQ)**