



**TEXAS**  
**Health and Human Services**

**Cecile Erwin Young, Executive Commissioner**

**Request for Applications (RFA)  
For**

**Zoonosis Control Animal Friendly Spay and Neuter Grant  
Program for Cats and Dogs  
RFA No. HHS0009329**

**Date of Release: March 8, 2021  
Responses Due: April 6, 2021 by 10:30 AM Central Time**

**NIGP Class/Item Codes:  
961/86 Veterinary Services**

Table of Contents

**Article I. Executive Summary, Definitions, and Authority**..... 4

    1.1 Executive Summary ..... 4

    1.2 Definitions ..... 4

    1.3 Authority ..... 6

**Article II. Scope of Grant Award** ..... 7

    2.1 Program Background..... 7

    2.2 Grant Award and Term..... 7

        2.2.1 Available Funding ..... 7

        2.2.2 Grant and Contract Term..... 7

    2.2.3 Eligible Applicants ..... 8

    2.4 Program requirements and scope ..... 10

    2.4.1 Expenditure Proposal ..... 10

    2.5 Performance Measures ..... 10

    2.6 Prohibitions ..... 10

    2.7 Standards ..... 11

    2.8 Data Use Agreement ..... 12

    2.9 No Guarantee of Volume, Usage or Compensation ..... 12

**Article III. Administrative Information**..... 13

    3.1 Schedule of Events ..... 13

    3.2 Changes, Amendment, or Modification to Solicitation ..... 13

    3.3 Irregularities ..... 13

    3.4 Inquiries..... 13

        3.4.1 Sole Point of Contact..... 13

        3.4.2 Prohibited Communications ..... 14

        3.4.3 Questions ..... 14

        3.4.4 Clarification Request Made By Respondent ..... 15

        3.4.5 Responses ..... 15

    3.5 Solicitation Response Composition..... 15

    3.6 Solicitation Response Submission and Delivery..... 15

        3.6.1 Deadline..... 15

        3.6.2 Labeling..... 16

        3.6.3 Delivery for Individual Submission ..... 16

        3.6.4 Alterations, Modifications, and Withdrawals..... 17

**Article IV. Solicitation Response Evaluation and Award Process** ..... 18

    4.1 Generally -evaluation criteria ..... 18

    4.2 Eligibility Screening..... 18

    4.3 Evaluation..... 18

    4.4 Final Selection..... 18

    4.5 Negotiation and Award ..... 19

    4.6 Questions or Requests for Clarification By the System Agency..... 19

**Article V. Narrative Proposal** ..... 20

    5.1 Narrative Proposal..... 20

        5.1.1 Executive Summary..... 20

**Article VI. Required Respondent Information** ..... 21

    6.1 Administrative Entity Information ..... 21

    6.2 Litigation and Contract History..... 21

    6.3 Conflicts ..... 21

    6.4 Grant Application Disclosure ..... 22

    6.5 Affirmations, Certifications, and Exhibits..... 22

    6.6 HUB ..... 22

<b>Article VII. Expenditure Proposal .....</b>	<b>23</b>
7.1 Expenditure Proposal .....	23
<b>Article VIII. General Terms and Conditions .....</b>	<b>24</b>
8.1 General Conditions.....	24
8.1.1 Costs Incurred.....	24
8.1.2 Contract Responsibility .....	24
8.1.3 Public Information Act - Respondent Requirements Regarding Disclosure .....	24
8.1.4 News Releases.....	26
8.1.5 Additional Information.....	26
<b>Article IX. Submission Checklist.....</b>	<b>27</b>
<b>Article X. List of Exhibits, Attachments, and Forms.....</b>	<b>28</b>

# ARTICLE I. EXECUTIVE SUMMARY, DEFINITIONS, AND AUTHORITY

## 1.1 EXECUTIVE SUMMARY

The Health and Human Services Commission (HHSC) on behalf of the Department of State Health Services (DSHS or Department) Zoonosis Control Branch (Program) announces the expected availability of Animal Friendly funding for the State Fiscal year (FY) 2021. This funding is for Spay and Neuter Projects, and to make grants eligible for organizations that sterilize dogs and cats owned by the general public at minimal or no cost. This Request for Application (RFA) is not limited to this source of funding if other sources become available for this Project.

To be considered for award, Respondents must execute **Exhibit A, HHS Solicitation Affirmations**, 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 Grantee Uniform Terms and 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.

**“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."]

**“Budget”** means a financial schedule documented in the contract that describes how funds will be used and/or describes the basis for reimbursement for the provision of contracted services. Types of budget may include categorical (line item), fee for service, or lump sum.

**“Client”** means a member of the target population to be served by the Respondent’s organization. For the purposes of this grant, a client is a member of the general public, who owns a dog or cat.

**“Cost Reimbursement”** means a payment mechanism by which contractors are reimbursed for allowable costs incurred up to the total award amount specified in the contract. Costs must be incurred in carrying out approved activities and must be based on an approved eight-category line-item (categorical) budget. Amounts expended in support of providing services and goods, if any, in accordance with the contract terms and conditions must be billed on a monthly basis for reimbursement, unless otherwise specified in the contract. Reimbursement is based on actual allowable costs incurred that comply with the cost principles applicable to the grant.

“ESBD” means the Electronic State Business Daily, the electronic marketplace where State of Texas contract opportunities over \$25,000 are posted. The ESBD may currently be accessed at <http://www.txsmartbuy.com/sp>.

“Health and Human Services Commission” or “HHSC” has the same meaning as the definition in **Exhibit B**.

“HUB” has the same meaning as the definition in **Exhibit B**.

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

“Local Non-Profit Veterinary Medical Association (VMA)” means an organization set up by and comprised of several volunteer veterinarians in their immediate region for the purpose of presenting continuing education, planning group activities, or discussing issues common to their professional field.

“Owner” means a person which feeds, shelters, harbors, and has possession or control of an animal or responsibility to control an animal.

“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.

“Releasing Agency” means a public or private animal pound, shelter, or humane organization. The term does not include an individual who occasionally renders human assistance or shelter in the individual’s home to a dog or cat.

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

“Solicitation” means this RFA including any exhibits and Addenda, if any.

“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.”

“Sterilization” means the surgical removal of the reproductive organs of a dog or cat or the use of nonsurgical methods and technologies approved by the United States Food and Drug Administration or the United States Department of Agriculture to permanently render the animal unable to reproduce.

“System Agency” has the same meaning as the definition in **Exhibit B**.

“TxGMS” means the Texas Grant Management Standards (TxGMS) that are the standards included in Texas Administrative Code, Title 1, Part 1, Chapter 5, Subchapter A, Federal and Intergovernmental Coordination, concerning uniform grant management standards for state agencies.

“Work Plan” means a plan that describes how services will be delivered to the eligible population and includes specifics such as what types of clients will be served, who will be responsible for the work, timelines for completion of activities, and how services will be evaluated when complete. To be an enforceable part of the contract, details from the work plan must be approved by DSHS and incorporated in the contract.

### **1.3 AUTHORITY**

The System Agency is requesting applications under, and governed by, Texas Health and Safety Code § 828.014, Dog and Cat Sterilization and Texas Administrative Code, Title 25, Part 1, Chapter 169, Subchapter E, Section 169.102, Department of State Health Services Animal Friendly Account.

*(The remainder of this page is intentionally left blank)*

## ARTICLE II. SCOPE OF GRANT AWARD

### **2.1 PROGRAM BACKGROUND**

Due to pet overpopulation in Texas, over half a million animals are euthanized annually at a cost of over \$20 million dollars. These figures do not include animals that are abandoned and die from starvation, disease, or trauma. Stray animals represent public health threats through a variety of diseases such as rabies, toxoplasmosis, plague, and parasitic infections. Failure to sterilize pets is irrefutably a major cause of pet overpopulation. The cost of the sterilization is considered cost prohibitive to many pet owners. As a response to these problems, the 75th Texas Legislature designated that funds derived from the sale of Animal Friendly license plates are to be used for sterilization programs.

In an effort to reduce pet overpopulation, Animal Friendly Program funds will be made available for community-based programs for the spaying and neutering or sterilizations of cats and dogs.

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

#### **2.2.1 Available Funding**

The total amount of state funding available for the Zoonosis Control Program Animal Friendly Grant is approximately \$200,000.00 and it is DSHS's intention to make multiple awards to eligible Respondents. One (1) grant award per contract year will be awarded per approved applicant for the sterilization of dogs and/or cats for a minimum amount of \$5,000. Award amounts are at the sole discretion of DSHS, but typically range from \$15,000-\$30,000 annually.

Large requests for state funding may not be fully funded in order to ensure that funds are available for the broadest possible array of communities and programs.

Grants awarded as a result of this RFA will be funded on a cost reimbursement basis. Under the cost reimbursement method of funding, grant recipients are required to finance operations with their own working capital with grant payments made by DSHS to reimburse the grant recipients for actual cash disbursements to be supported by adequate documentation.

#### **2.2.2 Grant and Contract Term**

The initial contract term resulting from the grant award will begin on or about August 31, 2021 for a 12-month period. Continued funding of the contract in the second year of the initial contract period is contingent upon the availability of funds and the satisfactory performance of the contractor during the prior contract period. This contract may be renewed up to one (1) additional one-year period, with renewal initiated at the sole discretion of DSHS. Funding may vary and is subject to change with each renewal.

Contracts awarded under this RFA and any anticipated contract renewals are contingent upon the continued availability of funding. DSHS reserves the right to alter, amend or withdraw this RFA at any time prior to the execution of a contract if funds become unavailable through lack of appropriations, budget cuts, transfer of funds between programs or agencies, amendment of the appropriations act, Health and Human Services agency consolidations, or any other disruption of current appropriations. If a contract has been fully executed and these circumstances arise, the provisions of the Termination Article in the contract Uniform Terms and Conditions will apply.

### **2.2.3 ELIGIBLE APPLICANTS**

Eligible applicants include:

1. A private (for-profit or non-profit) entity;
2. A public releasing agency (animal shelter);
3. An organization that is qualified as a charitable organization under Internal Revenue Code Section 501(c) and that must provide animal welfare services or services that provide for the sterilization of dogs and cats owned by the general public at minimal or no cost as its primary purpose; or
4. A local non-profit veterinary medical association that has an established program for sterilizing animals owned by the general public at minimal or no cost.

Eligible applicants must also comply with the criteria listed below:

1. If applicable, organizations submitting a request for application must agree that they are in compliance with Texas Health and Safety Code § 828.002. “Requirements for Adoption,” and § 828.003, “Sterilization Agreement.”  
(<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.828.htm>)
2. Respondent must be established as an appropriate legal entity, as described in the paragraph above and according to state statutes and must have the authority and be in



good standing to do business in Texas and to conduct the activities described in the RFA.

3. Respondent must have a Texas business address. A post office box may be used when the application is submitted, but the Respondent must conduct business at a physical location in Texas prior to the date that the contract is awarded.
4. Respondent must be in good standing with the U.S. Internal Revenue Service.
5. Respondent is not eligible to apply for funds under this RFA if currently debarred, suspended, or otherwise excluded or ineligible for participation in Federal or State assistance programs.
6. In compliance with Comptroller of Public Accounts and Statewide Procurement Division rules, a name search will be conducted using the websites listed in this section prior to the development of a contract.

A Respondent is not considered eligible to contract with DSHS, 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 at <https://www.sam.gov/SAM/>.
  - b) The Office of Inspector General (OIG) List of Excluded Individuals/Entities Search at <https://oig.hhsc.state.tx.us/oigportal2/Exclusions>
  - 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.
  - e) [Texas Comptroller Public Accounts \(CPA\) Franchise Tax Check](#).
7. Respondents must be listed at <https://direct.sos.state.tx.us/acct/acct-login.asp>, if they are Professional Corporations, Professional Associations, Texas Corporations, and/or Texas Limited Partnership Companies. Secretary of State (SOS).
  8. Contractor must have access to or maintain a computer, e-mail, and the internet throughout the contract period.

Respondent is not considered eligible to apply unless the Respondent meets the eligibility conditions to the stated criteria listed above at the time the application is submitted. Respondent must continue to meet these conditions throughout the selection and funding process. DSHS expressly reserves the right to review and analyze the documentation submitted and to request additional documentation and determine the Respondent's eligibility to compete for the contract award.

## 2.4 PROGRAM REQUIREMENTS AND SCOPE

To meet the mission and objectives of Zoonosis Control for Animal Friendly Grant Program, Respondent must:

- a) Sterilize dogs and cats owned by Texas residents based on the Grantee's approved funding request.
- b) Have access to or maintain a computer, e-mail, and the internet throughout the contract period.
- c) Submit quarterly performance measure reports utilizing Appendix C, Zoonosis Quarterly Performance Measure Report. Submit quarterly performance measure reports after the work has been done to the DSHS Program.

### 2.4.1 EXPENDITURE PROPOSAL

Using Form B – Expenditure Proposal, Respondents 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 DSHS.
- c. Utilize the DSHS template provided as Form B and per the instructions outlined in **Article VII – Expenditure Proposal**

## 2.5 PERFORMANCE MEASURES

DSHS will monitor the performance of contracts awarded under this RFA. All services and deliverables under the contract shall be provided at an acceptable quality level and in a manner consistent with acceptable industry standard, custom, and practice.

## 2.6 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. Vehicles or equipment for government agencies that are for general agency use and/or do not have a clear nexus to terrorism prevention, interdiction, and

- disruption (i.e. mobile data terminals, body cameras, in-car video systems, or radar units, etc. for officers assigned to routine patrol);
- e. Weapons, ammunition, tracked armored vehicles, weaponized vehicles or explosives (exceptions may be granted when explosives are used for bomb squad training);
  - f. Admission fees or tickets to any amusement park, recreational activity or sporting event;
  - g. Promotional gifts;
  - h. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel or where pre-approved for working events;
  - i. Membership dues for individuals;
  - j. Any expense or service that is readily available at no cost to the grant project;
  - k. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
  - l. Fundraising;
  - m. Statewide projects;
  - n. Any other prohibition imposed by federal, state, or local law; and
  - o. The acquisition or construction of facilities.

## **2.7 STANDARDS**

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 *Texas Grant Management Standards (TxGMS)*, and all statutes, requirements, and guidelines applicable to this funding.

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 HHSC Civil Rights Office website at: <https://hhs.texas.gov/about-hhs/your-rights/civil-rights-office>.

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 Executive Order 13279, and its implementing regulations at 45 CFR Part 87 or 7 CFR Part 16, which provide that any organization that participates in programs funded by direct financial assistance from the U.S. Dept. of Agriculture or 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.

## **2.8 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 the Data Use Agreement (DUA) attached as **Exhibits F, DUA Government Entity and F-1, Texas HHS System Data Use Agreement**.

Applicant submits the applicable DUA(s), and **Exhibit F-2, Texas HHS System Data Use Agreement Attachment 2, Security and Privacy Inquiry (SPI)**, with its Grant Application.

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

The System Agency makes no guarantee of volume, usage, or total compensation to be paid to any Respondent 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.

## ARTICLE III. ADMINISTRATIVE INFORMATION

### 3.1 SCHEDULE OF EVENTS

EVENT	DATE/TIME
Solicitation Release Date	March 8, 2021
Deadline for Submitting Questions	March 15, 2021 by 2PM
Tentative Date Answers to Questions Posted	March 22, 2021
<b>Deadline for Submission of Solicitation Responses [NOTE: Responses must be RECEIVED by HHSC by the deadline.]</b>	April 6, 2021 by 10:30AM CT
Anticipated Notice of Award	June 1, 2021
Anticipated Contract Start Date	August 31, 2021

**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 Grants website](#). Any dates listed after the Solicitation Response deadline will occur at the discretion of the System Agency and may occur earlier or later than scheduled without notification on the [HHS Grants website](#).

### 3.2 CHANGES, AMENDMENT, OR MODIFICATION TO SOLICITATION

The System Agency reserves the right to change, amend or modify any provision of this Solicitation, or to withdraw this Solicitation, at any time prior to award, if it is in the best interest of the System Agency and will post on the [HHS Grants website](#). It is the responsibility of Respondent to periodically check the [HHS Grants website](#) to ensure full compliance with the requirements of this Solicitation.

### 3.3 IRREGULARITIES

Any irregularities or lack of clarity in this Solicitation should be brought to the attention of the Sole 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 Sole Point of Contact

All requests, questions or other communication about this Solicitation shall be made in writing to the System Agency's Point of Contact addressed to the person listed below (Sole Point of Contact). All communications between Respondents and other System Agency staff members concerning the Solicitation are strictly prohibited, unless noted elsewhere in this RFA. **Failure to comply with these requirements may result in disqualification of Respondent's Solicitation Response.**

Name: Amy Pearson, CTCD  
Title: PCS Grants Specialist  
Address: Procurement & Contracting Services, HHSC, 1100 West 49<sup>th</sup> St, MC2020  
Building S, Austin, TX 78756  
Phone: (512) 406-2638  
Email: [amy.pearson@hhs.texas.gov](mailto:amy.pearson@hhs.texas.gov)

**However, if expressly directed in writing by the Sole Point of Contact, Respondent may communicate with another designated System Agency representative, e.g., during contract negotiations, if any.**

### 3.4.2 Prohibited Communications

All communications between Respondents and other System Agency staff members concerning the Solicitation may not be relied upon and Respondent should send all questions or other communications to the Sole 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 Respondent's Solicitation Response.**

### 3.4.3 Questions

The System Agency will allow written questions and requests for clarification of this Solicitation. Questions must be submitted in writing and sent by U.S. First class mail or email to the Sole Point of Contact listed in **Section 3.4.1** above. Respondents' names will be 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; and
- f. Question.

**Note: Questions or other written requests for clarification must be received by the Sole Point of Contact by the deadline set forth in Section 3.1, Schedule of Events above. However, the System Agency, at its sole discretion, may respond to questions or other written requests received after the deadline. 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 Respondent

Respondents must notify the Sole 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 the [HHS Grants website](#). The System Agency reserves the right to amend answers prior to the deadline of Solicitation Responses. Amended answers may be posted on the [HHS Grants website](#). It is Respondent's responsibility to check the [HHS Grants website](#) or contact the Sole Point of Contact for updated responses. The System Agency also reserves the right to decline to answer any question or questions or to provide a single consolidated response of all questions they choose to answer in any manner at the System Agencies sole discretion.

## 3.5 SOLICITATION RESPONSE COMPOSITION

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).

## 3.6 SOLICITATION RESPONSE SUBMISSION AND DELIVERY

### 3.6.1 Deadline

Solicitation 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**

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

SOLICITATION NO.: HHS009329  
 SOLICITATION NAME: Zoonosis Control Animal Friendly Grant Program  
 SOLICITATION RESPONSE DEADLINE: April 6, 2021 by 10:30AM  
 PURCHASER NAME: Amy Pearson, CTCD  
 RESPONDENT’S NAME: \_\_\_\_\_

The System Agency will not be held responsible for any Solicitation Response that is mishandled prior to receipt by the System Agency. Respondent has the responsibility to mark appropriately and deliver the Solicitation Response to the System Agency by the specified date and time. The System Agency will not be responsible for any technical issues that result in late delivery, inappropriately identified documents, or other submission error that may lead to disqualification (including substantive or administrative) or nonreceipt of the Respondent’s application.

**3.6.3 Delivery for Individual Submission**

Respondent must correctly deliver Solicitation Responses by the method below. Solicitation Responses submitted by any other method (e.g., facsimile, telephone, email) will NOT be considered.

Respondent shall submit responsive applications via USB on two USB drives – One (1) labeled “Original” and One (1) labeled “Copy”- to the correct mailing address that is dependent upon mailing method identified in this section:

- a. Each USB must contain one file named “Original Proposal” that contains the Respondent’s entire proposal in searchable portable document format (PDF).
- b. In accordance with **Section 8.1.3**, if applicable, one additional file named “Public Information Copy” that contains the Respondent’s entire proposal in searchable PDF.

U.S. Postal Service	Overnight/Express Mail or Hand Delivery
HHSC Procurement and Contracting Services (PCS) Bid Room Attn: Amy Pearson, PCS Grants Specialist P.O. Box 149166 Austin, TX 78714-9166	HHSC Procurement and Contracting Services (PCS) Bid Room Attn: Amy Pearson, PCS Grants Specialist 1100 West 49 <sup>th</sup> Street; Mail Code 2020 Building S Austin, TX 78756



**NOTE:** All Solicitation Applications become the property of HHSC after submission and will not be returned to Applicant. It is the Applicant's responsibility to appropriately mark and deliver the Solicitation Application to HHSC by the specified date. A U.S. Postal Service (USPS) postmark; a mail receipt with the date of mailing, stamped by the USPS; a dated shipping label, invoice of receipt from a commercial carrier; or, any other documentation in lieu of the on-site time stamp by submission deadline may not be considered an eligible application under this Solicitation.

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

Prior to the Solicitation submission deadline, a Respondent may: (1) withdraw its Solicitation Response by submitting a written request to the Sole Point of Contact identified in **Section 3.4.1**; or (2) modify its Solicitation Response by submitting a written amendment to the Sole Point of Contact identified in **Section 3.4.1**. The System Agency may request Solicitation Response Modifications at any time.

*(The remainder of this page is intentionally left blank)*

## ARTICLE IV. SOLICITATION RESPONSE EVALUATION AND AWARD PROCESS

### **4.1 GENERALLY -EVALUATION CRITERIA**

A three-step selection process will be used:

- a. Eligibility screening;
- b. Evaluation based upon specific selection criteria; 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 this RFA and other factors deemed relevant by HHSC and DSHS. Refer to **Exhibit G Evaluation Tool**.

#### **4.3.1 Specific Selection Criteria**

Grant applications shall be evaluated based upon:

1. Respondent Background (Form F) – 10%
2. Target Area (Forms E, G, and I) – 35%
3. Strategy of Marketing (Form G) – 25%
4. Coordination and Collaboration (Form G) – 10%
5. Target Cost Estimate (Form B) – 20%

### **4.4 FINAL SELECTION**

DSHS intends on making multiple awards. After initial screening for eligibility, application completeness, and initial scoring of the elements listed above in **Section 4.3**, 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 DSHS Executive Commissioner, who will make the final award approval.

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

## 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, the decision of the DSHS, and the limitations stated in Section 2.2. 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 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 E, Exceptions Form in this proposal and submitted to HHSC for consideration. HHSC will accept or reject each proposed exception. HHSC will not consider exceptions submitted separately from the Applicant's proposal or at a later date.**

HHSC will post to the [HHS Grants 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.

## ARTICLE V. NARRATIVE PROPOSAL

### 5.1 NARRATIVE PROPOSAL

#### 5.1.1 Executive Summary

The grant narrative proposal consists of Forms E through I. Each form must be completed in its entirety and in accordance with the instructions on each form.

Provide a high-level overview of the Respondent's approach to meeting the RFA's requirements using **Form E**: Executive Summary. The summary must demonstrate an understanding of the program requirements and scope of the grant (Section 2.4 of the RFA). The summary must demonstrate an understanding of the goals and objectives of the grant.

*(The remainder of this page is intentionally left blank)*

## **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.

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

Respondent must include in its Solicitation Response a complete disclosure of any alleged or significant contractual failures.

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 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 with a value of \$1 million dollars or more or awarded a Contract that would require the successful respondent to register as a lobbyist under Texas Government Code Chapter 305 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 GRANT APPLICATION DISCLOSURE**

In an effort to maximize state resources and reduce duplication of effort, HHSC, at its discretion, may require the Respondent to disclose information regarding the application for or award of state, federal, and/or local grant funding by the Respondent or Community Collaborative member organization within the past two years.

#### **6.5 AFFIRMATIONS, CERTIFICATIONS, AND EXHIBITS**

Respondent must complete and return all of the following affirmations, assurances, certifications, and exhibits. A complete list of exhibits is included as **Article X**.

- a. Exhibit A, Affirmations and Solicitation Acceptance;
- b. Exhibit D - Certification Regarding Lobbying
- c. Exhibit E, Exceptions Form, if applicable;

#### **6.6 HUB**

If a successful Respondent chooses to contract for goods and services using the funding awarded in this grant, HHSC encourages the Respondent to use HUBs to provide those goods and services where possible.

*(The remainder of this page is intentionally left blank)*

## ARTICLE VII. EXPENDITURE PROPOSAL

### 7.1 EXPENDITURE PROPOSAL

Form B – Expenditure Proposal of this RFA includes the template for submitting the Expenditure Proposal.

Using **Form B – Expenditure Proposal**, Respondents must:

1. Demonstrate project costs outlined in the Expenditure Proposal are reasonable, allowable, allocable, and developed in accordance with applicable state and federal grant requirements.
2. Identify costs to be requested from DSHS.
3. Utilize the DSHS template provided as Form B and per the instructions outlined below.

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.

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 TxGMS and federal grant guidance found in 2 CFR Part 200, as modified by TxGMS, 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.

## 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 - Respondent Requirements Regarding Disclosure**

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

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

- a. Mark Original Proposal:
  1. Mark the Original Proposal, on the top of the front page, the words “CONTAINS CONFIDENTIAL INFORMATION” in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font or larger); and
  2. Identify, adjacent to each portion of the Solicitation Response that Respondent claims is exempt from public disclosure, the claimed exemption from disclosure (NOTE: no redactions are to be made in the Original Proposal);
- b. Certify in Original Proposal - HHS Solicitation Affirmations (attached as **Exhibit A** to this Solicitation):



Certify, in the designated section of the Affirmations and Solicitation Acceptance, Respondent's confidential information assertion and the filing of its Public Information Act Copy; and

c. Submit Public Information Act Copy of Proposal:

Submit a separate "Public Information Act Copy" of the Original Proposal (in addition to the original and all copies otherwise required under the provisions of this Solicitation). The Public Information Act Copy must meet the following requirements:

1. The copy must be clearly marked as "Public Information Act Copy" on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font or larger);
2. Each portion Respondent claims is exempt from public disclosure must be redacted (blacked out); and
3. Respondent must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in Subsection (c) of this section must be identical to those set forth in the Original Proposal as required in Subsection (a)(2), above. The only difference in required markings and information between the Original Proposal and the "Public Information Act Copy" of the proposal will be redactions - which can only be included in the "Public Information Act Copy." There must be no redactions in the Original Proposal.

**By submitting a response to this Solicitation, Respondent agrees that, if Respondent does not mark the Original Proposal, provide the required certification in the Affirmations and Solicitation Acceptance, and submit the Public Information Act Copy, Respondent's proposal will be considered to be public information that may be released to the public in any manner including, but not limited to, in accordance with the Public Information Act, posted on the System Agency's public website, and posted on the Legislative Budget Board's public website.**

**If any or all Respondents submit partial, but not complete, information suggesting inclusion of confidential information and failure to comply with the requirements set forth in this section, System Agency, in its sole discretion and in any solicitation, reserves the right to (1) disqualify all Respondents that fail to fully comply with the requirements set forth in this section, or (2) to offer all Respondents that fail to fully comply with the requirements set forth in this section additional time to comply.**

Respondent should not submit a Public Information Act Copy indicating that the entire proposal is exempt from disclosure. Merely making a blanket claim that the entire proposal is protected from disclosure because it contains any amount of confidential, proprietary, trade secret, or privileged information is not acceptable, and may make the entire proposal subject to release under the PIA.

Proposals should not be marked or asserted as copyrighted material. If Respondent asserts a copyright to any portion of its proposal, by submitting a proposal, Respondent agrees to reproduction and posting on public websites by the State of Texas, including the System Agency and all other state agencies, without cost or liability.

The System Agency will strictly adhere to the requirements of the PIA regarding the disclosure of public information. As a result, by participating in this solicitation process, Respondent acknowledges that all information, documentation, and other materials submitted in the proposal in response to this Solicitation may be subject to public disclosure under the PIA. The System Agency does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the PIA and by rulings of the Office of the Texas Attorney General. Respondents are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. The System Agency assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondents.

For more information concerning the types of information that may be withheld under the PIA or questions about the PIA, please refer to the Public Information Act Handbook published by the Office of the Attorney General of Texas (OAG) or contact the OAG's Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To access the Public Information Act Handbook, please visit the attorney general's website at <http://www.texasattorneygeneral.gov>.

#### **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

This checklist is provided for Respondent's convenience only and identifies documents that are requested in this Solicitation.

### **Original Solicitation Response Package**

The Solicitation Package must include the Solicitation Response in one of the approved submission methods identified in **Section 3.6**.

**a. Administrative Information (Forms A and D2)**

Form A	Face Page
Form C	Contact Person Information
Form D	Administrative Information
Form D1	Governmental Entity
Form D2	Non-Profit or For-Profit Entity

**b. Narrative Proposal Forms (Forms E through I) (Article V)**

Form E	Executive Summary
Form F	Applicant Background
Form G	Assessment Narrative
Form H	Financial Management and Administration Questionnaire
Form I	Conflicts and Litigation History

**c. Expenditure Proposal (Article VII)**

Form B	Expenditure Proposal
--------	----------------------

**d. Applicable Exhibits (Section 6.5)**

Exhibit A	HHS Solicitation Affirmations
Exhibit B	Grantee.UTC.VERSION.2.16.1.final.032619.080619
Exhibit C	DSHS Assurances
Exhibit D	Certification Regarding Lobbying
Exhibit E	Exceptions_Form_2020
Exhibit F	Texas HHS System Data Use Agreement - Governmental Entity Version
Exhibit F-1	Texas HHS Data Use Agreement v.8.5 October 23, 2019
Exhibit F-2	Texas HHS System Data Use Agreement Attachment 2, Security and Privacy Inquiry (SPI)
Exhibit G	Evaluation Tool

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

### **EXHIBITS**

Exhibit A	HHS Solicitation Affirmations
Exhibit B	Grantee UTC_VERSION_2_16_1_final_032619_080619
Exhibit C	DSHS Assurances
Exhibit D	Certification Regarding Lobbying
Exhibit E	Exceptions_Form_2020
Exhibit F	Texas HHS System Data Use Agreement- Governmental Entity Version
Exhibit F-1	Texas HHS Data Use Agreement v.8.5 October 23, 2019
Exhibit F-2	Texas HHS System Data Use Agreement Attachment 2, Security and Privacy Inquiry (SPI)
Exhibit G	Evaluation Tool

### **FORMS**

Form A	Face Page
Form B	Expenditure Proposal
Form C	Contact Person Information
Form D	Administrative Information
Form D1	Governmental Entity
Form D2	Non-Profit or For-Profit Entity
Form E	Executive Summary
Form F	Applicant Background
Form G	Assessment Narrative
Form H	Financial Management and Administration Questionnaire
Form I	Conflicts and Litigation History

### **APPENDICES**

Appendix A	Program Requirements
Appendix B	Client Information
Appendix C	Zoonosis Quarterly Performance Measures Report