

STATE OF OREGON



COVER PAGE

OREGON DEPARTMENT OF EDUCATION

FARM TO CHILD NUTRITION PROGRAM EDUCATION GRANT

Request for Grant Applications (“RFA”)

Date of Issue: September 22, 2023

Closing Date and Time: November 3, 2023 at 4pm PST

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SECTION 1: GENERAL INFORMATION

1.1 PURPOSE

The State of Oregon, acting by and through its Department of Education, (“Agency”), is issuing this Request for Grant Applications (“RFA”) for the Farm to Child Nutrition Program Education Grant.

The Oregon Farm to Child Nutrition Program Education Grants provides funding to eligible entities (See section II Eligibility Information) through a competitive process to help pay the costs incurred to provide food-based, agriculture-based or garden-based educational activities in a school district or center-based programs for children in the Child and Adult Care Food Program.

Eligible entities that receive an Oregon Farm to Child Nutrition Education Grant shall use the grant for costs directly associated with educational activities offered to children enrolled in either a public school or public charter school within a school district. Sponsors and programs serving students who participate in the Child and Adult Care Food Program (“CACFP”), or Summer Food Service Program (“SFSP”) are eligible as well.

As directed by the legislature, when awarding grants preference shall be given to entities that propose educational activities that:

- (A) Are well designed;
- (B) Promote healthy food activities;
- (C) Have clear educational objectives;
- (D) Involve parents or the community;
- (E) Are connected to a school district’s farm-to-school procurement activities; and
- (F) Are culturally relevant to the students being served by the grant moneys.

The Oregon Department of Education (“ODE”) consults with the Oregon Department of Agriculture (“ODA”) to develop the grant program and assembles a grant selection committee of education, nutrition and dietetics, agricultural and industry and nonprofit leaders in Oregon when possible. ODE distributes and manages these funds.

Since 2022, ODE has gone through an extensive evaluation process and sought multiple rounds of input and feedback from applicants, grantees and non-applicants. Through this evaluation process, the grant will now have two separate tracks:

1. **Capacity Building Mini Grant:** \$2,000 -\$15,000.
 - A simplified application process for a single school or site, to start or fortify a school garden or complete a small Farm to CNP starter-project such as field trips.
 - All Oregon schools and sites that participate in the ODE Child Nutrition Programs are eligible to apply.
2. **Capacity Sustaining Full Grant:** \$15,001-\$100,000.
 - District, multi-site or statewide coordination, larger scale impact. Proven track record, sustaining successful model programs that have demonstrated capacity for managing grants over \$25,000.
 - Combined total sites that serve 40% or more free or reduced lunch are eligible

There are two distinct, separate applications for each of the above tracks. Only one Application is allowed for this RFA. **Successful Applicants will only be awarded ONE of the above grants.**

1.2 GRANT AMOUNT AND DURATION

\$3,000,000 is available during the 2023-2025 biennium for the grant program described in this RFA. This amount is subject to change. Agency anticipates the award of multiple Grant Agreements (each a “Grant”) from this RFA. The initial term of each Grant is anticipated to be 2 years, from September 1, 2023, to June 30, 2025. Applicants are encouraged to submit applications for activities taking place during that period. The amount of each Oregon Farm to Child Nutrition Program Education Grant awarded by the Agency in any biennia will be at least \$2,000 and no more than \$100,000. Grant award amounts will be as follows:

1. **Capacity Building Mini Grant:** \$2,000 -\$15,000.
2. **Capacity Sustaining Full Grant:** \$15,001-\$100,000.

The delivery of the educational activities must take place during the 2023-2025 biennium. A successful Applicant may start utilizing funds retroactive to September 01, 2023, provided they have attended the training or watched the training recording and have a fully executed agreement. All activities must be completed, funds expended, and expenses incurred by June 30, 2025. However, ODE reserves the right to be able to move funds to subsequent biennium without penalty to the Applicant if they are late in getting the grant executed in a timely fashion.

1.3 ELIGIBILITY

To be eligible for a Grant under this RFA, Applicants must meet the following criteria:

- Applicant must be in Good Standing with ODE Child Nutrition Program (“CNP”); and be one of the following entity types:
 - School Districts;
 - Nonprofit Organizations;
 - Education Service Districts;
 - Federally recognized Indian tribes, schools overseen by the Bureau of Indian Education;
 - Commodity commissions or councils recognized under Oregon Revised Statute (“ORS”) 576.051 to 577;
 - Soil and water conservation districts organized under ORS 568.210 to 568.455 and ORS 568.900 to 568.933;
 - Providers of Center-based programs for children in the Child & Adult Care Food Program (“CACFP”) & Summer Food Service Program (“SFSP”); or
 - Producers of food produced or processed in Oregon, including farmers, ranchers and seafood harvesters.

1.3.1 Fiscal Agent Requirements

Applicants may collaborate with other organizations for the delivery of educational activities and may subcontract with those organizations to do so; however, applicants

must be the fiscal agent and responsible for managing (including meeting reporting deadlines) awarded funds.

Applicants must specify in the application who will be managing the project. Specifically, which organization. If there are multiple partners managing this grant, applicants must specify how the partner organizations work with each other and who is responsible for which project objectives. Applicants should consider preparing a Scope of Work (“SOW”) or a Memorandum of Understanding (“MOU”) to ensure agreed upon deliverables, payment, and expectations.

Fiscal agents are responsible for the following:

- Ensuring that any subcontractor who receives funding for services provided under this grant comply with the terms and conditions of the Oregon Farm to Child Nutrition Education Grant;
- Overseeing the delivery of food-based, agriculture-based, or garden-based educational activities to children enrolled in either a public school or public charter school within a school district or participating in CACFP or SFSP sponsored organization;
- Ensuring that the educational activities offered satisfy the criteria identified in OAR 581-017-0432, the Request for Applications (“RFA”)/application, and any related guidance documents produced by the Oregon Department of Education;
- Maintaining all records regarding the educational activities offered and costs paid with grant funds;
- Delivering those records and any completion reports regarding the funded educational activities and the expenditure of grant funds to the Oregon Department of Education; and
- Training Webinar: Upon successful award of the grant, the Project Director (person who manages the grant) must attend a live webinar or view a recorded version. The webinar will cover the Electronic Grant Management (“EGMS”) system and claim submission process and overall grant management.

The grantee may lose its eligibility to apply for an Oregon farm to CNP Education Grant during the succeeding biennium, or to may cease to receive grant dollars previously awarded, if the grantee does not:

- Comply with the applicable provisions of Oregon Laws 2019, chapter 336, section 431 – (Enrolled House Bill 2579);
- Comply with the provisions of Oregon Administrative Rule (“OAR”) 581-017-0432 to 581-017-0447;
- Comply with the grant criteria included in the Program Guidelines for the Oregon Farm to Child Nutrition Program Education Grant and any related guidance documents produced by the Oregon Department of Education;
- Spend the entire amount of the grant by submitting reimbursement claims, detailed in Section IV award during the biennium for which the grant was awarded; and
- Spend the majority of the grant award on food-based, agriculture-based, or garden-based educational activities for the benefit of children enrolled in a public school or other qualified recipients (see allowable and unallowable expenses in Section 3.2).

1.4 SCHEDULE

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change.

Event	Date	Time
Pre-Application conference	October 2, 2023	11:00am-12:00pm
Questions/ requests for clarification due	October 13, 2023	4:00pm
Answers to questions/ requests for clarification issued (approximate)	October 20, 2023	
Closing (Applications due)	November 3, 2023	4:00pm
Issuance of notice of award (approximate)	December 1, 2023	
Mandatory webinar for grant awardees posted online	December 8, 2023	
Request for Start-up Funds due	Two weeks from the date of award notification	

1.5 SINGLE POINT OF CONTACT (SPC)

The SPC for this RFA is identified on the Cover Page, along with the SPC’s contact information. Applicants must direct all communications related to any provision of the RFA, whether about the technical requirements of the RFA, Grant requirements, the RFA process, or any other provision only to the SPC.

SECTION 2: AUTHORITY AND SCOPE

2.1 AUTHORITY

Agency is issuing this RFA pursuant to its authority under Oregon Laws 2019, chapter 336, section 431 (enrolled House bill 2579).

2.2 DEFINITION OF TERMS

For the purposes of this RFA, capitalized words will refer to the following definitions:

- “Addendum” or “Addenda” means an addition to, deletion from, a material change in, or general interest explanation of this RFA.
- “Applicant” means an entity who submits an Application in response to this RFA.
- “Application” means a written response to this RFA.
- “Closing” means the date and time specified in this RFA as the deadline for submitting Applications.
- “Evaluation Committee” means the group of people who will evaluate and score Applications submitted in response to this RFA.

- “Good Standing” means the Grantee, is in good standing with ODE Child Nutrition Programs. If Applicant is a Sponsor of a federal Child Nutrition Program, they are following the federal regulations for the specific Program they are approved to operate. 7 CFR 210 (NSLP), 7 CFR 225 (SFSP) and 7 CFR 226 (CACFP). Also, if former Education Grant awardee, has spent all of their previously awarded funds in a timely manner.
- “Project Director” means the individual who manages and is the person in charge or main contact of the grant.
- “State” means the state of Oregon.

2.3 OVERVIEW

2.3.1 Office of Child Nutrition, Fingerprinting and Transportation (“OCRAFT”), Child Nutrition Program

This agency oversees Federal Child Nutrition Programs for the State of Oregon.

2.3.2 BACKGROUND

Oregon Department of Education Child Nutrition Programs (“ODE CNP”) oversees Federal Child Nutrition Programs for the State of Oregon and has offered grants aimed at increasing good, agriculture and garden-based education for Oregon students since 2012.

2.3.3 GOALS

The State of Oregon has an ambitious goal that every Early Childcare Education (“ECE”) and K-12 public student in Oregon has access to standards-aligned, inclusive, experiential, culturally affirming food, agriculture, and garden-based education. ODE CNP allows all CNP Sponsors a non-competitive grant for reimbursement of Oregon grown or processed food. This Education grant is available to teach Oregon children about where that food comes from.

2.4 SCOPE OF ACTIVITIES

Eligible entities that receive an Oregon Farm to Child Nutrition Education Grant shall use the grant for costs directly associated with educational activities offered to children enrolled either a public school or public charter school within a school district. Sponsors and programs serving students who participate in the Child and Adult Care Food Program (“CACFP”), or Summer Food Service Program (“SFSP”) are eligible as well.

2.4.1 Technical Assistance and Coaching

Technical Assistance is provided by ODE Farm to school program at farmtoCNP@ode.oregon.gov, as well as the Oregon Farm to School and School Garden Network Hubs. Links are available in the resources section of the grant webpage.

SECTION 3: PROCESS AND REQUIREMENTS

3.1 GRANT PROCESS

3.1.1 Public Notice

The RFA, including all Addenda and attachments, is published on Agency's website at <https://www.oregon.gov/ode/students-and-family/childnutrition/F2S/Pages/education.aspx>. RFA documents will not be mailed to prospective Applicants.

Agency will advertise all Addenda on its website. Prospective Applicants are solely responsible for checking Agency's website to determine whether any Addenda have been issued. Addenda are incorporated into the RFA by this reference.

3.1.2 Questions/ Requests for Clarification

All inquiries, whether relating to the RFA process, administration, deadline, or method of award, or to the intent or technical aspects of the RFA must:

- Be emailed to the SPC;
- Reference the RFA name;
- Identify Applicant's name and contact information;
- Refer to the specific area of the RFA being questioned (e.g., page, section, paragraph number, etc.); and
- Be received by the due date and time for questions/requests for clarification identified in the Schedule.

3.1.3 Pre-Application Conference

A pre-Application conference will be held at the date and time listed in the Schedule. Prospective Applicants' participation in this conference is highly encouraged but not mandatory.

The purpose of the pre-Application conference is to:

- Provide an additional description of the project;
- Explain the RFA process; and
- Answer any questions Applicants may have related to the project or the process.

Statements made at the pre-Application conference are not binding upon Agency. Applicants may be asked to submit questions in writing.

3.1.3.1 Attendance at Pre-Application Conference

A pre-Application conference will be held on the date and time listed in Section 1.4 Schedule. Applicants can access the pre-Application conference link by visiting the Agency's website at: <https://www.oregon.gov/ode/students-and-family/childnutrition/F2S/Pages/education.aspx>.

3.1.4 Application Due Date

Applications and all required submittal items must be received by the SPC on or before Closing. Applications received after Closing will not be accepted. All Application modifications or withdrawals must be completed prior to Closing.

Applications received after Closing are considered LATE and will NOT be accepted for evaluation. Late Applications will be returned to the respective Applicant or destroyed.

3.1.5 Application Submission

Applicant is solely responsible for ensuring its Application is received by the SPC in accordance with the RFA requirements before Closing. Agency is not responsible for any delays by transmission errors or delays or mistaken delivery. Applications submitted by any means not authorized may be rejected. The following submission option(s) is permitted for this RFA:

Smartsheet submission. An electronic version of the complete Application must be submitted via the Agency Smartsheet application found on Agency's website: <https://www.oregon.gov/ode/students-and-family/childnutrition/F2S/Pages/education.aspx>. Only complete Applications submitted by Closing will be scored.

3.1.6 Modification or Withdrawal of Applications

Any Applicant who wishes to modify or withdraw an Application already received by Agency must do so prior to Closing. Applicant must submit its modification or request to withdraw to the SPC using one of the manners listed in the Application Submission section. Modifications must denote the specific change(s) to the Application submission. All requests must reference the RFA name.

3.1.7 Application Rejection

Agency may reject an Application for any of the following reasons:

- Applicant fails to substantially comply with all prescribed RFA procedures and requirements;
- Applicant makes any contact regarding this RFA with State representatives such as State employees or officials other than the SPC or those the SPC authorizes, or initiates inappropriate contact with the SPC;
- Applicant attempts to inappropriately influence a member of the Evaluation Committee; or
- Application is conditioned on Agency's acceptance of any other terms and conditions or rights to negotiate any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the RFA or Addenda.

3.2 APPLICATION REQUIREMENTS

Application must address each of the items listed in this section and all other requirements set forth in this RFA. Applicant must describe how activities will be completed. An Application that merely offers to fulfill the project will be considered non-responsive to this RFA and will not be considered further. The following must be submitted as a part of the Application. No other materials, photos or attachments will be accepted.

- Complete, signed Application for either the Capacity Building Mini Grant *or* the Capacity Sustaining Full Grant;
- Excel budget worksheet; and
- Up to three letters of support (optional)

3.2.1 Application

Applicant must complete, sign and submit the application form provided in Attachment D for the Capacity Building Mini Grant and Attachment E for the Capacity Sustaining Full Grant. Applicant should use definitive verbs in their narrative to describe what Applicant “will” do rather than aspirational verbs such as “hopes”, “expects”, “intends”, “plans”, or similar verbs that do not express a firm commitment to undertake a specific action. An Application must include all signatures to be considered complete.

3.2.2 Budget Worksheet

Applicant must complete and submit a detailed budget utilizing Attachment F that clearly identifies reasonable costs associated with fulfilling the RFA.

NOTE: Administrative costs, including indirect costs are allowable up to 25% of awarded amount.

3.2.2.1 Allowable Expenses

"Allowable Expenses" for this Grant include but are not limited to the following:

- Labor and benefits costs for individuals engaged in the planning and implementation of agriculture, food and garden-based educational activities, including regular staff, special-event support, or outside experts (to carry out specific grant activities), paid as hourly wages, salaries, benefits or contractual costs;
- Materials, equipment and supplies for the delivery of agriculture, food and garden-based educational activities, such as seeds, shovels, gloves, soil, compost bin materials, cooking equipment for classroom demonstrations, etcetera;
- Costs associated with supplies and materials are inclusive in this amount and include, but are not limited to, items such as Oregon products for taste tests, school garden supplies, curriculum materials and others listed above.
- Contractual obligations such as landscape design consultant, etcetera;
- Travel expenses for field trips to farms, ranches, gardens, docks, food processing facilities, or other sites relevant to food, gardens, and agriculture;
- The educational activities may include education and outreach to families in addition to students;
- Activities include, but are not limited to, outdoor activities, classroom nutrition, food or agricultural lessons, farm field trips, school garden lessons and activities, engagements and activities in the cafeteria or meal site setting, such as, taste tests and other similar activities;
- Miscellaneous costs including any required insurance costs;
- Grant funds must be directly spent on costs associated with the planning, coordination, administration, and implementation of food-, agriculture-, or garden-based educational activities to children in National School Lunch Program (“NSLP”),

Child and Adult Care Food Program (“CACFP”) or Summer Food Service Program (“SFSP”) programs;

- Costs associated with supplies and materials are inclusive in this amount and include, but are not limited to, items such as Oregon products for taste tests, school garden supplies, curriculum material and other items listed above; and
- Indirect costs such as indirect rates and overhead such as internet, electricity, etcetera, not directly relating to education not exceeding 25% of the total grant award.

3.2.2.2 Unallowable Expenses

NOTE: Regardless of the type of product or service purchased, all funds must be spent in accordance with federal, state and local procurement statutes and regulations. Products or services must be competitively procured through free and open competition to ensure maximum value returned for funds expended. Funds not spent in accordance with procurement guidelines will not be reimbursed. "Unallowable Expenses" for this Grant include but are not limited to the following to the following:

- Capital equipment: This grant will not cover purchased items that are permanent structures;
- Any claim for reimbursement that contains incorrect or false information; and
- Expenditures which have not been spent in accordance with federal, state and local statutes and regulations.
- Costs incurred prior to the effective start date of the project

3.2.3 Letters of Reference (optional)

Provide up to 3 letters of reference from current or former client firms for similar projects performed for any clients within the last 5 years. References must verify the quality of previous, related projects. No other materials, photos or attachments will be accepted.

Agency may check to determine if references provided support Applicant’s ability to comply with the requirements of this RFA. Agency may use references to obtain additional information, break tie scores, or verify any information needed. Agency may contact any reference (submitted or not) to verify Applicant’s qualifications.

3.3 Start-up Funds

Grantees may request to receive up to 25% of their grant award as start-up funds. Grantees will have two weeks from the date of award notification to request start-up funds.

Requirements for start-up funds include the following:

- Grantee must include an itemized, detailed description, budget narrative, of how the start-up funds will be used.
- A Successful Applicant, upon approval and receipt of start-up funds, must complete and submit the Excel Reimbursement Worksheet, including all items purchased with the funds, located in the resources section of the grant website.
- Detailed backup documentation listing items purchased with start-up funds (e.g. invoices, receipts, etc.) must be provided to the Agency grant manager within 4 months

of receipt of start-up funds. Subsequent reimbursement funds will be withheld if appropriate documentation is not submitted and received within 4 months or may be held until appropriate documentation is received.

- Start-up funds must be spent and justified as outlined in this RFA before submitting regular or additional reimbursement claims.
- Grantees who request and are approved for start-up funds must show proof of Crime Protection Coverage greater or equal to the start-up fund amount.

SECTION 4: EVALUATION

4.1 RESPONSIVENESS DETERMINATION

Applications received prior to Closing will be reviewed for responsiveness to all RFA requirements. If the Application is unclear, the SPC may request clarification from Applicant. However, clarifications may not be used to rehabilitate a non-responsive Application. If the SPC finds the Application non-responsive, the Application may be rejected, however, Agency may waive minor mistakes in its sole discretion. ODE may reject any proposals received if the project scope is unallowable or fails to demonstrate the capacity to operate this grant.

4.2 EVALUATION CRITERIA

Responsive Applications meeting the requirements outlined in the Application Requirements section will be evaluated by an Evaluation Committee. Each Grant track has its own scoring criteria, outlined in Attachment B and Attachment C. Evaluators will assign a score for each evaluation criterion in Attachment B or C, according to the track for which you apply.

SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of Applications. A response to a clarification request must be to clarify or explain portions of the already submitted Application and may not contain new information not included in the original Application.

4.2.1 Capacity Building Mini Grant Evaluation Criteria

Applicants pursuing the Capacity Building Mini Grant should refer to Attachment B of this RFA for detailed information on the evaluation criteria.

4.2.2 Capacity Sustaining Full Grant Evaluation Criteria

Applicants pursuing the Capacity Sustaining Full Grant should refer to Attachment C of this RFA for detailed information on the evaluation criteria.

4.3 POINT AND SCORE CALCULATIONS

Scores are the values assigned by each evaluator. Points are the total possible values for each section as listed in the table found in Attachment A for the Capacity Building Mini Grant and Attachment B for the Capacity Sustaining Full Grant. The SPC will average all scores for each evaluation criterion.

Applications will be processed in two rounds. The first round will process Applications for the Capacity Building Mini Grants. Applications for the Capacity Building Mini Grants will be evaluated, scored and awards identified. This round will be capped at \$750,000. The second round will process Applications for the Capacity Sustaining Full Grant. Applications for the Capacity Sustaining Full Grant will be evaluated, scored and awards identified with the remaining funds. Both Grant initiative path intent to award notifications will be released according to the schedule in Section 1.4. The total award for both grants will be \$3,000,000.

4.3.1 Capacity Building Mini Grant Points

Applicants pursuing the Capacity Building Mini Grant should refer to Attachment B of this RFA for detailed information on the possible points for each criterion.

4.3.2 Capacity Sustaining Full Grant Points

Applicants pursuing the Capacity Sustaining Full Grant should refer to Attachment C of this RFA for detailed information on the possible points for each criterion.

4.4 RANKING OF APPLICANTS

The SPC will total the points for each Application. SPC will determine rank order for each respective Application, with the highest point total receiving the highest rank, and successive rank order determined by the next highest point total.

In the event that the total requested funding of all applications received is less than the available budgeted amount for the Farm to Child Nutrition Education Grants, ODE may elect to forego the application scoring and ranking process. Instead, each applicant's funding request for equipment will be reviewed to ensure it is necessary, reasonable, and allocable and funds will be awarded accordingly.

4.5 NEXT STEP DETERMINATION

Agency may conduct additional rounds of competition if in the best interest of the State. Additional rounds of competition may consist of, but will not be limited to:

- Establishing a competitive range
- Presentations/ demonstrations/ additional submittal items
- Interviews

If Agency elects to conduct additional round(s), Agency will provide written notice to all Applicants describing the next step. At any time, Agency may dispense with the selected additional round and: (1) issue an award to the highest-ranking Applicant; (2) elect to conduct an additional round of competition; or (3) cancel the RFA.

SECTION 5: AWARD AND NEGOTIATION

5.1 AWARD NOTIFICATION PROCESS

5.1.1 Award Consideration

Agency, if it awards a Grant, will award a Grant to the highest-ranking Applicant(s) based upon the scoring methodology and process described in the Evaluation section. Agency may award less than the full scope described in this RFA.

In the case of a tie, Agency may conduct additional rounds as listed in Section 4.5 and may elect to prioritize projects in remote, under-funded areas. If the Applications exceed the \$3 million allocation, Agency may award to the top ranked Applicant in each region under the Capacity Sustaining Full Grant only using the Regional Solutions map:
<https://olis.oregonlegislature.gov/liz/2013R1/Downloads/CommitteeMeetingDocument/3406>.

If funding is not sufficient to fund all applications that merit awards, ODE reserves the right to fund applications at lesser amounts than requested. ODE may choose to fund partial aspects of a project. Depending on the quality and quantity of the Applications received in response to this RFA, ODE may open another Application period later this biennium. ODE is not obligated to award any or all available funds to applicants under this application process.

ODE will NOT score Applications if the total Application(s) amount comes in under the allotted amount available for the Education Grant and award the grants to the recipients as long as the applicant is eligible to receive the grant, and their costs are allowable.

AGENCY RESERVES THE RIGHT TO NOT SELECT ANY OR ALL APPLICANTS UNDER THIS RFA IF AGENCY DETERMINES IN ITS SOLE DISCRETION THAT A SELECTION SHOULD NOT BE MADE.

5.1.2 Notice of Award

Agency will notify all Applicants in writing that Agency is awarding a Grant to the selected Applicant(s) subject to successful negotiation of any negotiable provisions.

5.2 SUCCESSFUL APPLICANT SUBMISSION REQUIREMENTS

5.2.1 Business Registry

If selected for award, Applicant must be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the Grant. The selected Applicant must submit a current Oregon Secretary of State Business Registry number or an explanation if not applicable.

All corporations and other business entities (domestic and foreign) must have a Registered Agent in Oregon. For more information, see Oregon Business Guide, How to Start a Business in Oregon and Laws and Rules: <http://www.filinginoregon.com/index.htm>.

5.2.2 Insurance

Prior to execution of a Grant, the apparent successful Applicant must secure and demonstrate to Agency proof of insurance coverage meeting the requirements identified in the RFA or as otherwise negotiated.

Failure to demonstrate coverage may result in Agency terminating negotiations and commencing negotiations with the next highest-ranking Applicant. Applicant is encouraged to consult its insurance agent about the insurance requirements contained in Insurance Requirements (Exhibit B of Attachment A) prior to Application submission.

For informational purposes, Oregon Department of Administrative Services Risk Management maintains a [Commercial Insurance Agency Resource List](#). The list can be found at the following website: <https://www.oregon.gov/das/risk/pages/index.aspx> under Contracts and Risk Assessment.

In the event the successful Applicant has not met the insurance requirements within 30 calendar days, Agency may terminate the award and award to the next highest-ranking Applicant.

5.2.3 Taxpayer Identification Number

The apparent successful Applicant must provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed [W-9 form](#). Agency will not disburse any Grant funds until Agency has a properly completed W-9.

5.3 GRANT NEGOTIATION

After selection of a successful Applicant(s), Agency may enter into a Grant agreement with the successful Applicant(s). By submitting an Application, Applicant agrees to comply with the requirements of the RFA, including the terms and conditions of the Sample Grant Agreement (Attachment A), with the exception of those terms listed below for negotiation.

Agency will direct Contract negotiations towards discussing, refining, and finalizing ONLY the Scope of Work and the following terms and conditions:

- Method of Payment
- Term of Contract and Contractor's performance schedule
- Pricing
- Insurance requirements and amounts

Attempts to negotiate any other terms and conditions of the Grant Agreement will result in the termination of negotiations and a termination of the award.

SECTION 6: ADDITIONAL INFORMATION

6.1 GOVERNING LAWS AND REGULATIONS

This RFA is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFA, evaluation, or award is the Circuit Court of Marion County for the State of Oregon; provided, however, if a proceeding must be brought in a federal forum, then it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this section be construed as a waiver by the State of

Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States, or otherwise, to or from any claim or from the jurisdiction of any court.

6.2 OWNERSHIP/ PERMISSION TO USE MATERIALS

All Applications submitted in response to this RFA become the property of Agency. By submitting an Application in response to this RFA, Applicant grants the State a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Application solely for the purpose of evaluating the Application, negotiating a Grant, if awarded to Applicant, or as otherwise needed to administer the RFA process, and to fulfill obligations under Oregon Public Records Law (ORS 192.311 through 192.478).

6.3 CANCELLATION OF RFA; REJECTION OF APPLICATIONS; NO DAMAGES

Agency may reject any or all Applications in whole or in part, or may cancel this RFA at any time when the rejection or cancellation is in the best interest of the State or Agency, as determined by Agency. Neither the State nor Agency is liable to any Applicant for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFA, award, or rejection of any Application.

6.4 COST OF SUBMITTING AN APPLICATION

Applicant must pay all the costs in submitting its Application, including, but not limited to, the costs to prepare and submit the Application, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with protests.

6.5 GRANT AWARD REALLOCATION

All activities must be completed, and all expenses incurred must be received by June 30, 2025. All funds must be processed in ODE's Electronic Grant Management System ("EGMS") by July 30, 2025 or the funds will be liquidated. Agency must ensure that funds are expended and therefore, once grants are executed, Agency retains the right to transfer unspent funds to other grantees based on need and first-come, first-served basis, with approved new budget, not to exceed \$150,000 per Grantee. An Amendment must be in place prior to the expenditure of any increase in funds.

SECTION 7: LIST OF ATTACHMENTS

ATTACHMENT A: SAMPLE GRANT AGREEMENT

ATTACHMENT B: CAPACITY BUILDING MINI GRANT EVALUATION CRITERIA & POINTS

ATTACHMENT C: CAPACITY SUSTAINING FULL GRANT EVALUATION CRITERIA & POINTS

ATTACHMENT D: CAPACITY BUILDING MINI GRANT SAMPLE APPLICATION

ATTACHMENT E: CAPACITY SUSTAINING FULL GRANT SAMPLE APPLICATION

ATTACHMENT F: BUDGET WORKSHEET

ATTACHMENT G: SAMPLE BUDGET