

STATE OF OREGON



COVER PAGE

OREGON DEPARTMENT OF EDUCATION
NATIONAL SCHOOL LUNCH PROGRAM
EQUIPMENT GRANTS, FY 2021

Request for Grant Applications (“RFA”)

Date of Issue: January 4, 2022

Closing Date: February 17, 2022

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In compliance with the Americans with Disabilities Act of 1990, this RFA may be made available in alternate formats such as Braille, large print, audiotope, oral presentation, or disk. To request an alternate format, call the Oregon Department of Education at (503) 947-5600.

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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 funding of equipment that will:

- Improve the nutrition of meals served in school meal programs; and
- Improve the safety of food served in school meal programs; and
- Support the establishment, maintenance or expansion of the School Breakfast Program.

Additional details are included in the Scope of Activities section.

1.2 GRANT AMOUNT AND DURATION

Agency anticipates the award of multiple Grant Agreements (each a “Grant”) from this RFA. The performance period for this Grant is June 1, 2021 to September 30, 2023. The initial award phase including solicitation and obligation will end September 30, 2023.

The amount of each Grant will be between \$1,001 and \$50,000. Grant Funds not expended by successful Applicant by September 30, 2023 will be returned to the United States Department of Agriculture (“USDA”) Food and Nutrition Service (“FNS”).

All procurement and expenditure activities must be completed no later than September 30, 2023.

1.3 ELIGIBILITY

To be eligible for a Grant under this RFA, Applicants must be a School Food Authority (“SFA”) with a previously approved State Agency-Sponsor Agreement on file to operate the National School Lunch Program (“NSLP”) and that would otherwise be operating NSLP in SY 2021-2022, may continue to access NSLP Equipment Assistance Grants while utilizing the flexibilities granted under the current Summer Food Service Program (“SFSP”)/ Summer Seamless Option (“SSO”) Nationwide Waiver.

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
Questions/ requests for clarification due	January 31, 2022	1:00 PM
Answers to questions/ requests for clarification issued (approximate)	February 3, 2022	
Closing (Applications due)	February 17, 2022	1:00 PM
Issuance of notice of award (approximate)	March of 2022	
Unused Grant Funds returned to Agency must be returned to FNS	After September 30, 2023	

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 Federal Award Fiscal Year (2021) National School Lunch Program Equipment Assistance Grants for School Food Authorities.

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.
- “Eligible Entity” means an entity that meets the criteria in Section 1.3.
- “Equipment” per 2 CFR Part 200.33 means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or

5,000. For the FY 2021 Equipment Assistance Grant, Congress has specified that the threshold for the purchase of equipment cannot be lower than \$1,000.

- “Evaluation Committee” means the group of people who will evaluate and score Applications submitted in response to this RFA.
- “High Need School(s)” means schools in underserved areas, schools with limited access to other resources, and schools with aged food service equipment.
- “National School Lunch Program” means the federal program under which participating schools operate a nonprofit lunch program.
- “School” includes, but is not limited to, elementary, middle, and high schools, and Residential Child Care Institutions (“RCCIs”), such as juvenile detention facilities or long-term care facilities as detailed in 7 CFR 210.2
- “School Breakfast Program” means the program authorized by section 4 of the Child Nutrition Act of 1966.
- “School Food Authority (“SFA”) means the governing body which is responsible for the administration of one or more schools; and has the legal authority to operate the Program therein or be otherwise approved by FNS to operate the Program.
- “Smarter Lunchroom Strategy” means the research-based strategies that can increase participation in school meal programs, reduce food waste, and increase consumption of healthy foods. It provides a snapshot of how many strategies are currently in place in a lunchroom and which ones the lunchroom can work toward.
- -“Summer Seamless Option” combines features of the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and the Summer Food Service Program (SFSP). The purpose of the Option is to feed children in low-income areas during the summer months. During SY 2021-22 NSLP sponsors may operate SSO under USDA COVID-19 waivers.
- “State” means the state of Oregon.
- “Quote” refers to a document that a vendor/supplier submits to a potential client with a proposed price for the vendor/supplier goods and/or services.

2.3 OVERVIEW

2.3.1 CHILD NUTRITION PROGRAMS

The Office of Child Nutrition Programs belongs to the Agency’s Office of Child Nutrition, Pupil, Transportation, and Fingerprinting.

2.3.2 BACKGROUND

The U.S. Department of Agriculture (“USDA”) allocated \$30 million to State agencies for the purpose of competitively awarding equipment assistance grants to eligible program sponsors participating in the SBP and NSLP: \$261,848.00 is allocated to Oregon.

2.4 SCOPE OF ACTIVITIES

The USDA requires that States focus on awarding funds to Applicants which will purchase new equipment, renovating equipment, or replacing equipment that improve the quality of school meals. Total costs must include all ancillary costs including installation. In Oregon, equipment purchased with grant dollars should also address the following:

- Serve healthier meals;
- Improve the food safety; and
- Support the establishment, maintenance or expansion of the School Breakfast Program.

A successful Applicant may use grant funds to pay ancillary costs associated with the purchase of new, such as taxes or installation costs, and those ancillary costs may be included with the price of equipment in order to reach the Application minimum amount of \$1,001.

USDA has expressed preference that grant funds be used only on tangible property. Examples of acceptable equipment include, but not limited to, items used to prepare, cook, display, transport, or dispose of food (e.g. beverage chillers, ovens, or salad bars, but not cafeteria furniture, utensils, containers, or cleaning fluids).

Administrative costs, including indirect costs are not an allowable expense.

Applicant's funding request for equipment must be necessary, reasonable, and allocable.

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/SNP/Pages/Grants.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 number;
- 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.

3.1.1 Application Due Date

Applications and all required submittal items must be received by the SPC via email 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.

3.1.2 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 in mail or by common carriers or by transmission errors or delays or mistaken delivery. Consider contacting the SPC by phone to confirm receipt. Be sure to allow time for resubmission before Closing. Applications submitted by any means not authorized may be rejected. The following submission option(s) is permitted for this RFA:

Email. An electronic version of the complete Application must be emailed to the SPC. Only complete Applications submitted by Closing will be scored. Agency recommends immediately contacting the SPC by phone or email to confirm receipt.

3.1.3 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 number.

3.1.4 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.

3.2.1 Application and Certification Sheet

Applicant must complete and submit the application form, along with all assurances, found on the Agency website at <https://www.oregon.gov/ode/students-and-family/childnutrition/SNP/Pages/Grants.aspx>. Applicant should use definitive verbs 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.

All Applications are public record and are subject to public inspection after Agency issues the notice of award.

3.2.2 Smarter Lunchroom Scorecard and Smarter Lunchroom Summary

Applicant must submit its Smarter Lunchroom Scorecard and a Smarter Lunchroom Summary as part of the Application packet.

3.2.3 Cover Letter

A cover letter is required to be submitted per SFA that submits more than one (1) Application. The cover letter must detail in numerical order the priority for the requested equipment.

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.

4.2 EVALUATION CRITERIA

Responsive Applications meeting the requirements outlined in the Application Requirements section will be evaluated by an Evaluation Committee. Evaluators will assign a score of 0 to 10 for each evaluation criterion listed below in this section.

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.

SCORING RUBRIC					
Not Provided	Very Limited	Somewhat Limited	Moderate	Strong	Very Strong
0	2	4	6	8	10
Response requirements are absent.	Response provides very few details to meet the criteria requirement.	Response is unclear and lacks enough evidence to meet the criteria requirement.	Response provides moderate detail and conveys potential to meet the criteria requirement.	Response provides good detail and strong evidence to meet the criteria requirement.	Response exceeds expectations and provides good detail and provides a solid plan to meet project outcomes.

4.2.1 Evaluation Item 1 - High need for equipment request

- How well does Applicant describe the high need for the requested equipment?
- As applicable, how old and what is the current condition of the equipment that needs to be replaced?

4.2.2 Evaluation Item 2 - Healthier Meals and Improved Food Safety

- How well does Applicant describe how the requested equipment will improve the nutrition and quality of meals?
- How well does Applicant describe how the requested equipment will improve the safety of meals served?
- How well does Applicant describe how the requested equipment will contribute directly or indirectly toward improving or expanding participation in the School Breakfast and National School Lunch Program?

4.2.3 Evaluation Item 3 – Lunchroom Strategy

- How well does the Applicant describe how the lunchroom strategy, including the Smarter Lunchroom Scorecard and Smarter Lunchroom Summary, provides convenience and appeal to students?

4.2.4 Evaluation Item 4 – Applicant’s Plan and Capacity

- How well does the Applicant describe its plan and capacity for carrying out the requirements of the RFA?

4.2.5 Evaluation Item 5 - Leveraging other financial incentives or funding.

- To what extent has the Applicant identified other funding sources (State/local funding or Federal/State/ local financial incentives) for the requested equipment?

4.3 POINT AND SCORE CALCULATIONS

Scores are the values (0 through 10) assigned by each evaluator. Points are the total possible values for each section as listed in the table on the next page.

EVALUATION CRITERIA	POINTS POSSIBLE
Evaluation Item 1: High need for equipment requests.	
<ul style="list-style-type: none"> • How well does Applicant describe its need for the requested equipment? • As applicable, how old and what is the current condition of the equipment that needs to be replaced? 	10
Evaluation Item 2: Healthier Meals and Improved Food Safety	
<ul style="list-style-type: none"> • How well does Applicant describe how the requested equipment will improve the nutrition and quality of meals, improve the safety of meals served and contribute directly or indirectly, toward improving or expanding participation in the School Breakfast/Meals Program? • How well does Applicant describe how the requested equipment will improve the safety of meals served? • How well does Applicant describe how the requested equipment will contribute directly or indirectly toward improving or expanding participation in the School Breakfast and National School Lunch Program? 	10
Evaluation Item 3 Lunchroom strategy	
<ul style="list-style-type: none"> • How well does the Applicant describe how the lunchroom strategy, including the Smarter Lunchroom Scorecard and Smarter Lunchroom Summary, provides convenience and appeal to students? 	10
Evaluation Item 4 Applicant’s Plan and Capacity	
<ul style="list-style-type: none"> • How well does the Applicant describe its plan and capacity for carrying out the requirements of the RFA? 	10
Evaluation Item 5: Leveraging other financial incentives or funding.	
<ul style="list-style-type: none"> • To what extent has the Applicant identified other funding sources (State/local funding or Federal/State/local financial incentives) for the requested equipment? 	10
TOTAL EVALUATED POINTS POSSIBLE	50

4.4 PREFERENCE POINTS

Separate from the evaluated Application, preference points will also be awarded and added to an Applicant’s total number of evaluated points. The preference point categories are as follows:

- Free and reduced price meal eligibility of enrolled students ;
- Recipient of a Previous NSLP Equipment Grant; and
- Meals prepared onsite.

PREFERENCE POINTS		POINTS POSSIBLE
Preference points based on free and reduced-price meal eligibility of enrolled students (e.g., schools in underserved areas, schools with limited access to other resources). Each school site will receive the following points based on the free and reduced-price meal eligibility percentage of enrollment based on the SY 2019-20 October Claim Data.		10
<i>Free and Reduced-Price Eligibility Percentage</i>	Points	
90 percent or more up to or equal to 100 percent	10	
80 percent or more but less than 90 percent	8	
70 percent or more but less than 80 percent	6	
60 percent or more but less than 70 percent	4	
50 percent or more but less than 60 percent	2	
Less than 50 percent	0	
Preference points awarded to schools based on whether they have <u>previously been awarded an NSLP Equipment Grant.</u>		10
<i>NSLP Equipment Grant History</i>	Points	
School has never been awarded an equipment grant	10	
School has been previously awarded a grant but not within the last five (5) program years	5	
School has been awarded a grant within the last 5 program years (FY15 – FY19)		0
Preference points awarded to schools <u>for which meals are prepared on site using district-owned equipment or through this grant, will be able to start preparing meals on site without a school-to-school agreement or vended or food service management contract.</u>		10
TOTAL PREFERENCE POINTS AVAILABLE		30

Evaluated Points (50) + Preference Points (30) = Total Points Possible (80)

4.5 RANKING OF APPLICANTS

The SPC will total the evaluated and preference 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.

4.6 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.

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 announce on its website the names of the successful Applicants Agency is awarding a Grant, subject to successful negotiation of any negotiable provisions.

5.2 SUCCESSFUL APPLICANT SUBMISSION REQUIREMENTS

The following are required before a Grant Agreement can be executed.

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.

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

By submitting an Application, Applicant agrees to comply with the requirements of the RFA, including the terms and conditions of the Sample Grant (Attachment A), with the exception of those terms reserved for negotiation. Applicant must review the attached Sample Grant and note exceptions. Unless Applicant notes exceptions in its Application, Agency intends to enter into a Grant with the successful Applicant substantially in the form set forth in the Sample Grant. It may be possible to negotiate some provisions of the final Grant; however, many provisions cannot be changed. Applicant is cautioned that Agency believes modifications to the standard provisions constitute increased risk and increased cost to the State. Therefore, Agency may consider the scope of requested exceptions in the evaluation of Applications.

Any Application that is conditioned upon Agency's acceptance of any other terms and conditions may be rejected. Any subsequent negotiated changes are subject to prior approval of the Oregon Department of Justice.

In the event the parties have not reached mutually agreeable terms within 30 calendar days, Agency may terminate negotiations and commence negotiations with the next highest-ranking Applicant.

5.4 EQUIPMENT ORDERING

Equipment shall be ordered starting 30 – 45 calendar days after the grant award. Applicants will notify ODE Procurement and Grant Manager if applicant is unable to order equipment within this time frame requesting an extension from the Grant Manager (or authorized representative).

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.

The successful Applicant must follow all Federal, state and local procurement laws when

purchasing equipment with Grant Funds.

Federal Regulations. Attachment C Federal Requirements is incorporated into this RFA and will be included in the resulting Grant(s).

The successful Applicant will follow

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 CHECKLIST DISCLAIMER

Any checklists that may be contained in this RFA are provided only as a courtesy to prospective Applicant. Agency makes no representation as to the completeness or accuracy of any Checklist. Prospective Applicant is solely responsible for reviewing and understanding the RFA and complying with all the requirements of this RFA, whether listed in a checklist or not. Neither the State nor Agency is liable for any claims, or subject to any defenses, asserted by Applicant based upon, resulting from, or related to, Applicant's failure to comprehend all requirements of this

RFA.

SECTION 7: LIST OF ATTACHMENTS

ATTACHMENT A: SAMPLE GRANT

ATTACHMENT B: FEDERAL REQUIREMENTS

ATTACHMENT C: CHECKLIST