Contract and Request for Proposal Review Sheet

Background

Grantees will submit draft contracts to the Office of Family Assistance (OFA), before third-party signature, in accordance with the Cooperative Agreement. As stated in the Code of Federal Regulations, it is expected that grantees follow their organizations procurement procedures in executing contracts. Also, as stated in the Funding Opportunity Announcement (FOA), "Please note that ACF encourages maximum competition for the awarding of funds. If contractors are not specified in the application materials, the grantee must compete sub-contracts or enter into contracts in a manner that is consistent with the grantee's procurement policy." Contracts should include the following elements in order to gain OFA approval.

Grantees will also submit requests for proposals (RFPs) to OFA, before they are released to the public, in accordance with the Cooperative Agreement. These documents should include information related to as many of the following elements as possible so the future contracting expectations are clear.

Elements needed for a quality contract (compiled from the HHS Grants Policy Statement, pgs. II-78 – 79):

- ID PI/PD responsible for programmatic activity of subrecipient with roles and responsibilities
- Procedures for directing and monitoring contract
    - Activities to be performed, including data entry expectations into PAGES
    - Clear and measurable objectives tied to activities above and what happens if goals are not met by the subcontractor
    - What to include in status reports, when due
    - What other ways will you monitor to make sure the subrecipient is doing what they need to (i.e. site visits, record auditing, PAGES data review, etc.)?
- Procedures to be followed regarding funding
    - Dollar ceiling with clear reasoning for amount
    - Method and schedule of payment (ie. monthly reimbursement)
    - Type of supporting documentation (invoice with monthly report)
    - Procedures for review and approval of grant funds (How/When will invoice be paid?)
- Different policies of the subrecipient (have to align with HHS policy)
    - Most cases this line does not apply
- Incorporation of public policy requirements (This is largely referring to funding restrictions found in Section 2005 (a) (other than paragraph (6)) of the Social Security Act (42 U.S.C. § 1397d(a)) in the Funding Opportunity Announcement and requirements of the Cooperative Agreement).
    - Cooperation with federal evaluation and/or its designated contractor(s) including the implementation of random assignment
    - Grant funds cannot be used as wages
    - Resumes of key personnel must be sent to OFA for prior approval
    - Documents created by subrecipients must contain the funding statement, disclaimer, and HPOG logo and be sent to OFA for prior approval. Electronic media must also contain the above elements, as well as links to the official HPOG website and social media accounts.
        - Funding Statement and Disclaimer: "This document was supported by Grant [number of grant] from the Administration for Children and Families, U.S. Department of Health &

Human Services (HHS). Its contents are solely the responsibility of the authors and do not necessarily represent the official views of HHS."

- Grantees must assure that subrecipients comply/sign the applicable assurances and certifications (ie. SF-424B Assurances and Certification Regarding Lobbying)

- Provisions for research subrecipient
  - Provisions regarding intangible property and copyrights 45 CFR 74.36 (for institutions of higher education, hospitals, other nonprofit organizations, and commercial organizations) or 45 CFR 92.34 (for state, local, and tribal governments)
- Other Provisions (regarding program income, publications, reporting, record retention, audits)
  - These provisions would need to be included in this section if not addressed earlier (see above)

Approval Process: Request for Proposals (RFP)

Draft RFPs will be submitted to OFA for approval. The grantee will upload the draft RFP to GrantSolutions as a Grant Note using the naming convention *RFP NAME MM YYYY Draft* (e.g. RFP Soft Skills 10 2015 Draft).

OFA will note approval for the RFP in GrantSolutions or send needed edits. Once OFA has approved the draft RFP, the grantee can release the RFP to the public. The final RFP should be uploaded to GrantSolutions as a Grant Note using the naming convention *RFP NAME MM YYYY Final* (e.g. RFP Soft Skills 10 2015 Final).

Approval Process: Contract

When submitting a draft contract to OFA for approval, the grantee will upload the following to GrantSolutions as a Grant Note using the naming convention *Contract NAME MM YYYY Draft* (e.g. Contract South CC 10 2015 Draft).

- Explanation of compliance with organizational procurement procedures
  - A statement confirming this is a named party from the original HPOG grant application

    OR
  - A copy of the organization's procurement procedures/ policy (only for the first contract ever submitted) and then a written explanation detailing the steps taken by the organization in following that procedure (this will be submitted each time a new contract is competed)
- Draft contract containing all stated elements above
- Subcontract budget aligning with the statement of work and totaling the contract dollar ceiling

OFA will note approval for the contract in GrantSolutions or send needed edits. Once OFA has approved the draft contract, the grantee can execute the contract. This signed contract should then be uploaded to GrantSolutions as a Grant Note using the naming convention *Contract NAME MM YYYY Signed* (e.g. Contract South CC 10 2015 Signed).