

ATTACHMENT A-2
FEDERALLY FUNDED GRANTS

A. Funding/Reimbursement Structure

Supplemental Nutrition Assistance Program (SNAP) Outreach is a Federal program funded under the United States Department of Agriculture (USDA), Food and Nutrition Services (FNS). State SNAP agencies have the option to contract out for program informational activities (outreach). State SNAP agencies are reimbursed 50% for allowable administrative program costs that are reasonable and necessary to operate approved T-SNAP Outreach activities conducted by contract agencies. Reimbursement is subject to the availability of Federal funds. State selected contractors can receive 50 percent reimbursement for allowable program and administrative costs including program informational activities, but not including recruitment activities.

Pursuant to the terms of the contract between the New York State Office of Temporary and Disability Assistance (OTDA), the State SNAP Agency, and the [CONTRACTOR], the Contractor will be required to bill OTDA according to the terms of this contract and OTDA will reimburse costs incurred by the Contractor for T-SNAP Outreach at 50% Federal share for allowable T-SNAP Outreach costs. All costs must be allowable, reasonable, and necessary. Only non-Federal funds may be dedicated to draw down Federal reimbursement for the Federal T-SNAP Outreach Program. Non-Federal funds designated for Federal T-SNAP Outreach may not be used as a match for any other program. Non-Federal funds may include cash donations from non-Federal third parties such as charitable foundations/organizations. The donation or contribution may not be claimed to another Federal program or used to match another Federal program. All costs reimbursed under the T-SNAP Outreach must be valid obligations of the Contractor. Federal reimbursement for T-SNAP Outreach is subject to the availability of Federal funds.

The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to their performance under this contract (hereinafter, collectively, "the records"). The records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter the end date of the contract.

Contractor accepts fiscal responsibility for activities funded as part of the Federal T-SNAP Outreach Program and will be liable for repayment of unallowable costs as determined by OTDA and/or FNS. The Contractor will cooperate with OTDA in regards to appeals of disallowances or other actions taken by FNS and will promptly return federal funds for which there has been a disallowance or deferral resulting from an audit by OTDA or FNS.

The Contractor will submit reports with the frequency, content and form required by OTDA or FNS as communicated by OTDA.

B. Reimbursement Policy for T-SNAP Outreach

1. Federal reimbursement will be based on total expenditures, no advances will be available. For Contractor to be reimbursed 50 percent of expenditures, all costs must be reasonable, necessary, and allowable. Only non-Federal funds may be used to access the reimbursement. The non-Federal funds may include cash donations from non-Federal third parties such as charitable foundations/organizations. The non-Federal funds can not include private cash donations from an individual(s).
2. The Federal Office of Management and Budget (OMB) and USDA rules and regulations for the T-SNAP Outreach program define what costs are allowable for T-SNAP Outreach as set forth below:

Reasonable costs are those that:

- Provide a program benefit generally commensurate with the amount incurred;
- Are in proportion with other program costs for the function; and,
- Have a high priority relative to other demands; and
- Are what a prudent person would incur in like circumstances.

Necessary costs are those that:

- Are needed to carry out essential functions;
- Cannot be avoided without adverse impact on program operations;
- Do not duplicate existing efforts. Administrative expenses are deemed allowable if they are related to the operational costs for outreach, including all direct program and administrative expenses that are reasonable and necessary to operate approved outreach activities.
- Are the net cost after applicable credits. Example: An organization receives a 5 percent discount for paying for an item with cash that has a list price of \$100, so the organization only pays \$95. The organization must identify the cost of the item as \$95 in the SNAP budget.

Allowable expenses include:

- Salaries and benefits of personnel involved in direct outreach and administrative support;
- Office equipment, supplies, postage, duplication costs;
- Development of outreach materials when no other appropriate materials exist;
- Lease or rental costs;
- Maintenance expenses;
- Other itemized administrative costs; and,
- Charges for travel for the purpose of fulfilling the approved outreach plan based on official State, local or travel regulations.

3. Contractor will not be reimbursed for any activities that are deemed unallowable or outside of the approved contract.

Unallowable costs for reimbursement are the following:

- Bad debts, uncollected accounts or claims, and related costs;
- Contributions to an emergency reserve or similar provision for unforeseen events (contingencies). (Note: These are not insurance payments which are allowable.);

- Contributions and donations (usually these are political in nature);
- Costs that are primarily for entertainment, amusement or social activities. (Note: Meals are cited in the Office of Management and Budget (OMB) regulations as unallowable but within the context of training, meals might be allowable.)
- Fines, violations or penalties for failure to comply with Federal, State, or Local laws. Costs of general government, such as the Governor's office. Costs which may be directly charged to a Federal grant may be allowable; such as if a person assigned to the Governor's office devotes 100 percent of his/her time to food stamps. Each situation, however, must be judged on its own merit.
- Payments to third parties and other losses not covered by insurance (indemnification).
- Losses not covered by insurance. (Note: See Indemnification above. These costs are similar, but not the same.)
- Legislative expenses.
- Shortfalls in one grant cannot be charged to another Federal grant (Recovery of Costs under Federal Funding Agreements). (Note: This is not the same as charging two Federal grants for a share of the costs of the activity if both agencies benefit from the activity funded. However, an allocation basis must be established for sharing the costs in proportion to the benefit each receives.)
- Alcoholic beverages.
- Advertising and public relations unless used for recruitment of staff, acquisition of material for the grant, or publishing the results of the grant. (Note: Paid media buys for educational purposes such as to promote the nutrition benefits of SNAP via an outreach program are not precluded by this provision, but note that radio, television and billboard advertisements that promote SNAP benefits and enrollment are unallowable costs under SNAP regulations.)
- Alumni activities.
- Commencement and convocations.
- Legal fees which result from a failure to follow Federal, State, or Local Laws. If certain conditions are met, the Federal government may allow some legal fees.
- Executive lobbying.
- Goods and services for private use.
- Housing and personal living expenses.
- Interest, fund raising, and investment management. For interest there are exceptions. If interest costs shown, it will be examined in light of the exceptions.
- Any and all political party expenses.
- All costs incurred prior to the approval of the outreach plan (pre-agreement costs).
- Scholarships and student aid.
- Student activity costs.
- Travel within New York State is allowable but with restrictions as to amount and level of transportation cost (for example, no first-class tickets).

Contractor will conduct federal T-SNAP Outreach Program activities in compliance with all applicable federal laws, rules, and regulations including Civil Rights and federal OMB regulations including Title 2 CFR Part 215 (OMB Circular A-110), 2 CFR Part 230 (OMB Circular A-122) and 7 CFR Part 3019.

Contractor agrees that its program activities covered by this contract will enhance and supplement existing programs, rather than supplanting such programs, and will operate in conjunction with such existing programs.

Civil Rights Assurance

As a condition of receipt of Federal funding for T-SNAP Outreach , the Contractor agrees that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), Section 504 of the Rehabilitation Act of 1973, the Food Stamp Act of 1977, as amended; all provisions required by the implementing regulations of the Department of Agriculture (USDA) (7 CFR Part 15); Department of Justice Enforcement Guidelines (28 CFR Parts 42 and 50.3); and Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, political beliefs, religion or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which the Contractor receives Federal funding from USDA. The Contractor agrees to compile data, maintain records, and submit reports as required, to permit effective enforcement of nondiscrimination law(s) and permit authorized USDA personnel during hours of program operation to review such records, books, and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, FNS, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Contractor, and any subcontractors, as long as it receives funding from USDA.

ASSURANCE REGARDING FELONY CONVICTION OR TAX DELINQUENT STATUS

All applicants must comply with sections 738 and 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (P.L. 112-55) **Section 738** (Felony Provision) None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agency of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency (USDA Food and Nutrition Service) is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interest of the Government.

Section 739 (Tax Delinquency Provision) None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that (has) any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency (USDA Food and Nutrition Service) is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government The applicant will attest to the above by completing and returning the "Statement of Assurance Regarding Felony Convictions or Tax Delinquent Status" listed below and contained in this application package.