State of Oregon



Cover Page

OREGON DEPARTMENT OF EDUCATION

**FARM TO SCHOOL COMPETITIVE REIMBURSEMENT GRANT FOR REIMBURSEMENT OF OREGON FOODS**

Request for Grant Applications (“RFA”)

Date of Issue: May 20, 2024

Closing Date and Time: June 16, 2025, 3:00 PM PST

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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, audiotape, oral presentation, or computer disk. To request an alternate format, call the Oregon Department of Education at (503) 947-5600.

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1. GENERAL INFORMATION
   1. INTRODUCTION

The State of Oregon, acting by and through its Department of Education (“Agency”), is issuing this Request for Grant Applications (“RFA”) to provide funding for a competitive reimbursement grant in the Farm to School program under ORS 336.431 and OAR 581-017-0720 (the “Grant(s)”). Agency anticipates awarding multiple Grants per round of competition from this RFA ranging from $2,500.00 - $150,000.00 (the “Grant Funds”). Program funding fluctuates as funds not used from the Farm to CNP Non-Competitive Reimbursement Grant will be added to this program’s Grant Funds. The Performance Period for the resulting Grants is retroactive to the start of the funding period: July 1, 2023 to June 30, 2025.

* 1. ELIGIBILITY

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

* + 1. Must be one of the following types of entities:
       1. School district, public charter school;
       2. A provider of center-based programs for children in the Child and Adult Care Food Program; or
       3. An entity that provides meals through the Summer Food Service Program.
    2. Must also:
       1. Be the recipient of the Farm to CNP Non-Competitive Reimbursement Grant for reimbursement of Oregon foods; and
       2. Have a zero balance of its initial Farm to CNP Non-Competitive Reimbursement Grant for reimbursement of Oregon foods award.
  1. SCHEDULE

Applicants may submit up to three (3) applications in the first year of the biennium, between July 1, 2023 and June 30, 2024. The second year of the biennium, between July 1, 2024 and June 30, 2025, there shall be no limit to the number of applications an Applicant may submit.

There are rolling application periods based on the Closing Dates in the following table. Any application received after 3 PM on the Closing Dates below will be considered for the next round.

All times are listed in Pacific Time. All dates listed are subject to change.

|  |  |  |
| --- | --- | --- |
| Event | Date | Time |
| RFA open (Applications will be accepted) | May 20, 2024 | |
| Questions/ requests for clarification submission | June 7, 2024  July 9, 2024  August 8, 2024  September 7, 2024  October 8, 2024  November 8, 2024  December 7, 2024  January 8, 2025  February 7, 2025 12:00 PM PST  March 7, 2025  April 8, 2025  May 8, 2025  June 9, 2025 | |
| Answers to questions/ requests for clarification issued (approximate) | Unanswered request for clarification will roll over to the month following | |
| Closing Dates (Applications due) | June 14, 2024  July 15, 2024  August 15, 2024  September 16, 2024  October 15, 2024 3:00 PM PST  November 15, 2024  December 16, 2024  January 14, 2025  February 14, 2025  March 14, 2025  April 15, 2025  May 15, 2025  June 16, 2025 | |
| Issuance of award (approximate) | 30 days from applicable Closing Date | |

* 1. 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.

1. AUTHORITY, OVERVIEW, AND SCOPE
   1. AUTHORITY

Agency is issuing this RFA pursuant to its authority under ORS 336.431(4).

* 1. OVERVIEW AND SCOPE OF WORK

The purpose of the Competitive Farm to CNP Grant for Reimbursement of Oregon Foods is to encourage and sustain successful efforts to purchase or promote food that are: (1) produced in the State of Oregon; (2) more than minimally processed in the State of Oregon; or (3) both produced and processed in the State of Oregon. Through this Grant program, eligible entities will be reimbursed for food purchases that meet the required criteria.

An Applicant may submit an application at any time within the biennium according to the requirements and schedule in Section 1.2 however, the Applicant must have a zero balance of their Farm to CNP Non-Competitive ReimbursementGrant Funds.

The amount of Grant Funds available per Applicant per round of competition will not exceed the Maximum Award Amount provided in Table 1 below. The actual amount of Grant Funds an Applicant will receive a combination of a Base Award Amount, which is contingent on the amount of its Farm-to-CNP Non-Competitive Grant award, and optional additional award based on a Preference Point calculation. Applicants may use Table 1 to estimate the total award they may receive based on these factors. Additionally, Applicants may request an amount less than the Maximum Award Amount listed below.

**Table 1**

|  |  |  |  |
| --- | --- | --- | --- |
| Original Non-Competitive Grant Award Amount | Competitive Reimbursement Grant Award | | |
| Base Award Amount | OPTIONAL: Additional Amount Awarded via Preference Point Calculation | Maximum Award Amount |
| Tier A: $3,500 - $9,999 | $2,500.00 | $7,500.00 | $10,000.00 |
| Tier B: $10,000 - $49,999 | $12,500.00 | $37,500.00 | $50,000.00 |
| Tier C: $50,000 - $99,999 | $25,000.00 | $75,000.00 | $100,000.00 |
| Tier D: $100,000 - $250,000 | $37,500.00 | $112,500.00 | $150,000.00 |

Detailed information on the Oregon Farm to CNP Program and information on additional resources can be found on Agency’s website:https://www.oregon.gov/ode/students-and-family/childnutrition/F2S/Pages/ORf2sGrant.aspx.

* 1. PREFERENCE POINTS

An Applicant that successfully describes and indicates to Agency’s satisfaction how it meets the preference points criteria described in Section 4.3 will be awarded additional funds based on the number of Preference Points awarded up to the maximum amount allowable in accordance with Table 2.

Table 2

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Tier | A | B | C | D |
| Base | $2,500.00 | $12,500.00 | $25,000.00 | $37,500.00 |
| Preference Points and Maximum Additional Funds | 5 | $1,334.84 | $6,674.19 | $13,348.39 | $15,573.12 |
| 10 | $1,779.79 | $8,898.93 | $17,797.85 | $20,764.16 |
| 15 | $2,373.05 | $11,865.23 | $23,730.47 | $27,685.55 |
| 20 | $3,164.06 | $15,820.31 | $31,640.63 | $36,914.06 |
| 25 | $4,218.75 | $21,093.75 | $42,187.50 | $49,218.75 |
| 30 | $5,625.00 | $28,125.00 | $56,250.00 | $65,625.00 |
| 35 | $7,500.00 | $37,500.00 | $75,000.00 | $112,500.00 |
|  | Max Award | $10,000.00 | $50,000.00 | $100,000.00 | $150,000.00 |

For example, if an Applicant received a non-competitive Grant in the amount of $6,500.00 (Tier A) and it was awarded 20 Preference Points, the maximum amount it will receive is a new Grant in the amount of $5,664.06.

[Base Award Amount ($2,500.00) + additional amount awarded via Preference Point Calculation ($3,164.06) = $5,664.06 Award Amount]

* 1. 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.

“Affected Applicant” means an Applicant who would be eligible for a Grant in the event their protest was successful, and who is protesting because Agency failed to conduct an evaluation of Applications in accordance with the criteria or process described in this RFA.

“Applicant” means an entity who submits an Application in response to this RFA.

“Application” means a written response to this RFA.

“Closing Date” means the date and time specified in this RFA as the deadline for submitting Applications.

“CNP” means Child Nutrition Program.

“Evaluation Committee” means the group of people who will evaluate and score Applications submitted in response to this RFA.

“State” means the state of Oregon.

* 1. OVERVIEW
     1. Child Nutrition Program/Farm to CNP

The Competitive Reimbursement Grant is part of the Farm to CNP Program and is intended to provide eligible Farm to CNP grantees with additional funding above their original Farm to CNP award amount. These funds are derived from a reallocation process in which the Oregon Department of Education (ODE) redistributes unspent Farm to CNP award dollars from grantees that have determined they are unable to exhaust their original awards. The intention of the Farm to CNP Reimbursement Grant is to empower grantees to increase their purchasing capacity of food that is grown, produced, and processed in Oregon, as well as benefit the local economy, job market and environment by recycling State dollars back into communities within Oregon.

Agency further encourages grantees to seek out products that they may not have had the resources to purchase before, and to cultivate new relationships with Oregon-based producers and processors.

* + 1. BACKGROUND

The Farm to CNP Competitive Reimbursement Grant awards funds to grantees after their initial allotment of Non-Competitive Reimbursement Grant funds are exhausted. To qualify, the Applicant must have already been awarded an initial Non-Competitive Reimbursement Grant and have a zero balance of initial Non-Competitive Reimbursement Grant funds.

* + 1. GOALS

The main goal of the Farm to CNP Competitive Reimbursement Grant is to encourage and sustain innovative and successful efforts to purchase or promote food produced or processed in Oregon and increase the capacity of Oregon's school districts and other Farm to CNP stakeholders to incorporate Oregon foods into school meals.

1. PROCESS AND REQUIREMENTS
   1. GRANT PROCESS
      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/competitive%20reimbursement.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.

* + 1. 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.
  1. APPLICATION REQUIREMENTS
     1. MINIMUM APPLICANT AND SUBMISSION REQUIREMENTS

Applicant must complete and submit the application form provided in Attachment A. To be considered for evaluation, Applicant must be an eligible entity as detailed in Section 1.2.

* + - 1. Authorized Representative  
         A representative authorized to bind the Applicant (“Authorized Representative”) must sign the Applicant Information and Certification Sheet (Attachment A). Failure of the Authorized Representative to sign may subject the Application to rejection by Agency.
      2. Application Submission and Content Requirements

Applications (located within Attachment A) must address each of the items listed in this section and all other requirements set forth in this RFA. An Application that merely offers to complete activities or to work with preferred individuals as stated in this RFA will be considered non-responsive to this RFA and will not be considered further.

All fields of the Application Part 1 are mandatory. Applicant may also complete Application Part 2 to be considered for the additional Grant Funds based on the Optional Preference Point calculation.

The following list of attachments must be submitted with the Application in MS Word format, as detailed below:

* Applicant Information and Self-Certification Sheet (Attachment A).

Only complete Applications submitted will be evaluated and scored. Failure of the Authorized Representative to sign the Application may subject the Application to rejection by the Agency.

* + - 1. Modification or Withdrawal of Applications

Any Applicant who wishes to make modifications to an Application already received by Agency must submit its modification in the manner indicated in the Application Submission section.

If an Applicant wishes to withdraw a submitted Application, it must do so prior to the Closing Date per rolling application period. The Applicant must submit a written notice signed by an Authorized Representative of its intent to withdraw its Application. The notice must include the RFA name and be submitted to the SPC.

* + - 1. Application Due

Applications and all required submittal items must be received by the SPC. All Application modifications or withdrawals must be received by the SPC prior to 3 PM on the applicable Closing Date indicated in the Section 1.3 Schedule.

* + - 1. 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, including but not limited to, the requirement that Applicant’s Authorized Representative must sign the Application.
* 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 makes inappropriate contact with the SPC.
* Applicant attempts to inappropriately influence a member of the Evaluation Committee.
* 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.

1. EVALUATION
   1. RESPONSIVENESS DETERMINATION

Applications received prior to the applicable Closing Date 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.

* 1. EVALUATION COMMITTEE

Applications will be independently evaluated by members of an Evaluation Committee. Evaluation Committee members may change and Agency may have additional or fewer evaluators for each round of competition. Evaluators will assign a score for each evaluation criterion listed below in this section up to the maximum points available in the Point and Score Calculation 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.

* 1. PRIORITY AREAS AND PREFERENCE POINTS

Preference Points will be awarded based on Priority Areas chosen. Applicant may choose no more than TWO Priority Areas.

The following statewide Priority Areas that will be reviewed and scored are as follows:

**Priority Area 1: Purchase from New & Diverse Producers.** Agency seeks to support the continued expansion of purchasing relationships with food producers. This preference area focuses on establishing new buying relationships and expanding the number of local food producers Applicant purchases from. Additionally, Agency recognizes that historic inequities have led to some food producers and processors with less access to capital and market opportunities. Agency seeks to increase the number and diversity of new producers participating in Farm to CNP. **Preference points will be awarded in this priority area for Applicants who demonstrate commitment to a plan that includes purchasing from Oregon producers or processors that identify as: beginning farmers or rancher, as defined as operated a farm or ranch for 10 years or less; and/or minority-owned businesses, woman-owned businesses, businesses owned by a service-disabled veteran, or emerging small businesses as described in ORS 200.005.** “New” producers refer to a new vendor to the Applicant’s program.

**Priority Area 2: School Food Culture.** Agency seeks to support Applicants in offering foods that reflect global food cultures, including those of students and local communities. **Preference points will be awarded to Applicants who demonstrate menu development and promotion through engaging youth and their families in age-appropriate and culturally flexible ways.**

**Priority Area 3: Healthy Food Production Practices**. Agency seeks to support food production that is regenerative and sustainable for the environment and supports wellness and respect for workers. **Preference points will be awarded to Applicants who demonstrate purchases from food businesses with sustainable growing certifications such as Organic or SalmonSafe; /or who demonstrate certified worker safety and fair labor practices.**

**Priority Area 4: Expand Local Product Diversity**. Agency seeks to support all categories and varieties of food through the Farm to CNP program. **Preference points will be awarded for expanding purchases of products that have historically low school sales and are infrequently represented on Farm to CNP Grant reimbursement claims. This list of foods as of November 2023 includes unprocessed products (produce and whole grains), beef, pork, eggs, seafood, and legumes.**

**Priority Area 5: “Hyper-Local” Direct Purchases.** Agency recognizes that more funding stays in the Oregon economy when purchases are made directly with producers as opposed to broadline distributors who move profits out of State. **Preference points will be awarded to Applicants that demonstrate a commitment to purchasing directly from producers, local markets or food hubs in Oregon within 100 miles of the Applicant.**

* 1. PREFERENCE POINT CALCULATIONS

Points available are based on the criteria specified in the table below.

|  |  |
| --- | --- |
| **PREFENCE POINTS** | **POINTS POSSIBLE** |
| **Item 1: Tell us your plan to meet the goals of the priority area(s) you selected.**   * How well does the Applicant describe their plan? * How well does the plan align with the identified priority area(s) selected? | 5 |
| **Item 2: Tell us about which producers you will be purchasing food from and how that fits the stated goals of the priority areas you selected.**   * How well does the Applicant describe which producers they will be purchasing food from and how does that fit the stated goals of the priorities they selected? | 5 |
| **Item 3: Tell us about your menu plans as they relate to your priority area(s) and how youth and adults were engaged in making menu decisions.**   * How well does the Applicant describe how youth and/or adults were engaged in age-appropriate and culturally relevant ways? | 5 |
| **Item 4: Tell us about your purchasing methods.**   * How well does the Applicant describe their purchasing methods? * Are the purchasing methods conducive to Farm to CNP success - i.e. forward contracting, direct purchases, and relationships building with food producers? | 5 |
| **Item 5:** **Tell us about the local products you plan to purchase.**   * How well does the Applicant describe the local food products they plan to purchase? * How well does the plan align with the identified priority area(s) selected? | 5 |
| **Item 6: How you will promote local farmers, fishers, ranchers, hunters, gatherers, and/or food processors?**   * How well does the Applicant describe how they will promote the food producers and/or food processors who supply the local foods? | 5 |
| **Item 7: Matching funds preference points.**   * 1-5% (1 point) * 6-10% (2 points) * 11-15% (3 points) * 16-25% (4 points) * 26-30% (5 points) | 5 |
| **TOTAL POINTS POSSIBLE** | 35 |

* 1. FUNDING AMOUNT

Agency reserves the right to award Preference Funds in an amount that differs from amount requested based on total funding available for the Grants.

* 1. NEXT STEP DETERMINATION

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

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 Notices of Intent to Award to the selected Responsive Applicants; or (2) elect to conduct an additional round of competition; or (3) cancel the solicitation.

1. AWARD AND NEGOTIATION
   1. AWARD NOTIFICATION PROCESS
      1. Award Consideration

Subject to the Grant Funds available, and to the receipt of quality Applications of sufficient quantity, Agency will award Grants to Applicant(s) based upon the scoring methodology and process described in Section 4.

Agency may choose to award less than the full amount of all available Grant Funds.

Applicants awarded Grant Funds must:

* + - Deposit the Grant Funds they receive in an account that is separate from their nonprofit food service account, if they have one, or assign those funds a separate account.
    - Produce progress reports that include achievement toward performance measurements including, but not limited to an Interim Report and a Final Report.

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.

* + 1. Notice of Award

Agency will notify all Applicants in writing that Agency will award a Grant to the selected Applicant subject to successful negotiation of any negotiable provisions.

* 1. SUCCESSFUL APPLICANT SUBMISSION REQUIREMENTS
     1. Business Registry

If selected for award, Applicant must be duly authorized by the State to transact business in Oregon before executing the Grant Agreement. 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>.

* + 1. Insurance

Prior to execution of a Grant Agreement, 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 or any contract resulting from this RFA. 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.

* + 1. Taxpayer Identification Number

Apparent successful Applicants must provide their Taxpayer Identification Number (TIN) and backup withholding status on a completed [W-9 form](http://www.irs.gov/pub/irs-pdf/fw9.pdf). Agency will not disburse any Grant Funds until Agency has a properly completed W-9.

* 1. GRANT AGREEMENT NEGOTIATION

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 B), 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 Agreement; 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 that the parties have not reached mutually agreeable terms within 5 calendar days, Agency may terminate negotiations.

1. ADDITIONAL INFORMATION
   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.

* 1. 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).

* 1. 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.

* 1. 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.

1. LIST OF ATTACHMENTS

ATTACHMENT A: APPLICATION AND SELF-CERTIFICATION (Part 1 and 2)

ATTACHMENT B: SAMPLE GRANT AGREEMENT

ATTACHMENT C: APPLICANT PRODUCER LIST (OPTIONAL)