UTAH DEPARTMENT OF
**WORKFORCE
SERVICES**
**HOUSING & COMMUNITY
DEVELOPMENT**
STATE COMMUNITY SERVICES OFFICE

EMERGENCY FOOD ASSISTANCE PROGRAM

Policies & Procedures

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Introduction:

The Emergency Food Assistance (EFA) Program supports emergency food agencies, including nonprofits and associations of government, with the costs of providing emergency food services including operations, transportation, supplies, equipment, capacity building, technical assistance, advocacy, and staffing. The program is funded by 2 state funds: Emergency Food Network (EFN) and Qualified Emergency Food Agency Fund (QEFAF). The program is administered by the State Community Services Office (SCSO).

Emergency Food Network (EFN):

The Emergency Food Network (EFN) is a grant program for non-profit 501(c)(3) agencies and local government programs including emergency food pantries, food banks, prepared meal sites, and others whose primary mission is to meet the emergency food needs of low-income Utahns. EFN funds are distributed statewide through the State of Utah, Department of Workforce Services (DWS), Housing and Community Development Division (HCD), State Community Services Office (SCSO) to eligible entities. EFN funds may be used by eligible entities for costs of providing emergency food services including operations, transportation, supplies, equipment capacity building, technical assistance, advocacy, and staffing.

In order to be considered eligible for this grant, an organization shall meet the following requirements:

- Applicant must be a 501(c)(3) nonprofit organization or local government program operating an emergency food program. Eligible organizations include:
  - emergency food pantries,
  - food banks,
  - prepared meal sites,
  - and other organizations whose primary mission is to meet the emergency food needs of low-income Utahns.

Qualified Emergency Food Agency (QEFAF) Fund:

The Qualified Emergency Food Agency Fund (QEFAF) is also a state-funded competitive grant available to qualified emergency food agencies in Utah. QEFAF funds are distributed statewide through the State of Utah, DWS, HCD, SCSO to eligible entities. The application to be a qualified emergency food agency is included within the grant application (defined in State Administrative Rule R990-101-1). Eligible activities under the QEFAF grant include activities related to: warehousing food and food ingredients, distributing food and food ingredients to other agencies and organizations providing food and food ingredients to low-income persons, and providing food and food ingredients directly to low-income persons.

In order to be considered eligible for this grant, an organization shall meet the following requirements:

- Applicant must be a 501(c)(3) nonprofit organization, association of governments, or municipality currently operating a food pantry.
- Applicant must have a current charitable solicitations permit, if not exempt.
- Applicant must operate programs with the primary purpose of:
  - Warehousing food or food ingredients;
  - Distributing food or food ingredients to other agencies and organizations providing food or food ingredients to low income persons;
  - or Providing food or food ingredients directly to low-income persons.
- Applicant must collect and maintain required records of tax-deductible donations.

Applying for Funds:

Public Notice:

A Request for Grant Applications (RFGA) is advertised statewide through local media and through direct email notice to prior year grantees. Information regarding application for funding is provided in public notice forums including the Department of Workforce Services Grant Opportunities Page: https://jobs.utah.gov/department/rfg/index.html

All applications received by the deadline and in the format indicated in the published RFGA will be reviewed and scored by a panel composed of State employees and community members who hold pertinent experience in the social services sector. Available funds are awarded based on score. Notices of conditional award are emailed within 30 days of application review.

The EFA program follows HCD policy and procedure regarding public notice.

Application and Scoring:

RFGAs for the EFA Program are published annually outlining application questions, deadlines, eligibility requirements, and scoring rubrics. Application and scoring guidelines include but are not limited to:

- Each organization may only submit **one** application for the Emergency Food Assistance grant, regardless of the number of projects proposed or sites supported by the funding.

- Application asks may not exceed $150,000.

- The amount of the grant will be awarded based on the program application, evaluation criteria and funding availability. Funding sources are assigned by SCSO once eligibility is determined.

- Grant applications that receive 50% or less of total possible points may not be considered for funding.

- Returning applicants will be evaluated on prior year grant performance. Applicants that receive 50% or less of total possible admin points may not be considered for funding.

- Returning applicants will be evaluated on prior year monitoring results. Applicants that have unresolved or ongoing findings and/or weaknesses may be disqualified from consideration for award.

- Funding is distributed on a cost reimbursement basis.

Required Documentation:

Applicants are required to submit the following documentation with their EFA Application in order to be considered eligible for funding:

- A 501(c)(3) designation documentation (if not an association of government or municipality)
- Current charitable solicitations permit (if not an association of government or municipality)
- Registration as an entity with office of Lt. Governor
- Most recent audit, financial review, or 990
- List of Board of Trustees
- Proof of Liability Insurance (if a non-government entity)
    - DWS Grant Terms and Conditions requires non-government entities to maintain general liability coverage of a minimum of $1,000,000 per occurrence, and $3,000,000 in aggregate (which can include umbrella coverage). During the grant term, DWS must be named as an additional insured for general liability, however if the organization's insurance does not currently include this, it can be updated after an award is made.

Allowable Costs:

Capacity Building:

EFA funds may be used for capacity building activities. Examples of capacity building projects include:

- Purchase of Commercial Freezer/Refrigerator
- Storage Bins
- Pallet Racking
- Shelving
- Purchase of Fork Lift*** (with restrictions and approval only)**
- Delivery Truck*** (with restrictions and approval only)**

required approval based upon pantry need and reasonable cost

for trucks, collaboration of food delivery services of various pantries within designated county is expected

Meal Service:

Grantees may use EFA funding to purchase food and provide prepared meals.

Other/Food/Operations:

Examples of allowable operational costs include:

- Utility Operation Costs
- Emergency Food Facility General Repairs
- Vehicle Minor Maintenance Repair Costs
- Emergency food facility staff salary

Transportation:

Examples of allowable transportation costs include:

- To assist with the cost of transporting various food items statewide
- Cost to transport food to other emergency food facilities or to collect food from grocery rescue programs
- Cost to transport food via Mobile Outreach programs

EFA Program Policies and Procedures:

Program Eligibility Determination:

Direct services funded by either QEFAF or EFN are designated for low-income Utahns. **While low-income is not defined by statute or rule, it must be defined by Grantees. Additionally, Grantees must define how eligibility is determined.** The grantee's definition and method of determination are included in the grantee's scope of work. Grantee will be held to this defined process during monitoring.

Eligibility Determination During Period of Declared State of Emergency:

During a period of declared state of emergency in Utah, grantees may use self-declaration of income as a method of determining program eligibility, even if their scope of work is more restrictive. Grantees should retain a signed and dated self-declaration of income from the client. During a declared state of emergency, clients may be unable to access income documentation.

Reporting:

Reporting requirements for awarded entities are as follows:

- Grantees must submit Quarterly Reports detailing progress made on spenddown and Scope of Work outcome goals. Deadlines are outlined in the Grantee's Scope of Work.
- Grantees must submit a Final Outcome Report for project activities based on their contract Scope of Work within 15 days from the contract's expiration, detailing total outcomes achieved within the contract period (July 1-June 30). Specific contract reporting requirements are detailed in the scope of work.
- Other reports may be requested by SCSO on an ad hoc basis and timely submission is expected.

Requests for Reimbursement:

Requests for Reimbursement for the EFA Program are submitted via Webgrants. Expectations for requests for reimbursement (claims) are as follows:

- Requests for reimbursement must be submitted monthly.
- At minimum, all claims submitted for reimbursement are expected to include a general ledger detail reflecting all incurred expenses. Additional documentation may be requested for any claim.
- Claims must be limited to activities and costs allowed by the funding source and by the organization's scope of work and budget. For examples of allowable costs and project please see "Definitions of Emergency Food Services".
- Additional considerations for claims:
    - Costs incurred during appropriate and reported time frame

- o Include description of product/service
- o Include evidence of payment
  - ▪ Invoices, quotes, and estimates are not evidence of payment
- o Sales tax is NOT allowed for non-profits
- o Copies must be legible
- o Date of Purchase
- o No accruals
- o Include notes as needed (there is a place for this in WebGrants)
- For equipment or other purchases, construction, or other projects requiring hiring a vendor, SCSO defaults to each organization's internal procurement policies & procedures so long as it is **at least as restrictive** as the DWS procurement policies & procedures. Procurement policies include but are not limited to:
  - o When the individual procurement item cost is more than $1,000 the organization must obtain <u>at least 3</u> competitive quotes.
  - o Grantee shall not use Grant funds to make any payments to related parties without the prior written consent of DWS. Grantee is obligated to notify DWS of any contemplated related party payment prior to making a purchase. Payments made by Grantee to related parties without prior written consent may be disallowed and may result in an overpayment assessment.
    - ▪ Grantee is defined as all owners, partners, directors, and officers of the organization or others with authority to establish policies and make decisions for the organization.

Contract Amendments:

Contract amendments require approval from SCSO prior to initiating the amendment process. Requests to revise the contract period, budget, and/or Scope of Work shall be submitted to SCSO in writing and shall include:

- Detailed information addressing the need for the proposed change
- Description of the impact that the change will have on services to low-income community members
- Updated budget sheets and budget narrative, if applicable
- Updated performance targets and/or Scope of Work outcomes, if applicable
- Other information as requested by SCSO

Contract amendments that are proposed within two months of contract expiration <u>will not be considered</u> by SCSO. Exceptions may be granted by SCSO on a case by case basis.

SCSO will respond in writing to contract amendment requests within twenty days of receipt of the request.

Budget Adjustments:

Budget adjustment requests require approval from SCSO and DWS Finance. Budget adjustments are limited to moving funds between budget lines and to adding narrative to budget lines. The movement of funds may include moving to a newly created budget line. Budget adjustments **DO NOT** involve the addition or reduction of funds.

Budget adjustment requests need to be made to SCSO as soon as Grantee is aware of a need for one. These requests shall be submitted in writing to SCSO and include:

- Detailed information addressing the need for the proposed change
- Description of how the change will help the organization facilitate spenddown
- Detailed description of each line item that needs to be changed including
  - amounts of reduction and/or addition of funds to a line item
  - removal and/or creation of a new line item
  - updated line item narrative(s)
- Updated budget narrative (template provided by SCSO)
- Other information as requested by SCSO

Monitoring:

Program Monitoring Requirements and Process:

Grantees will be monitored at least once a year by an on-site visit or remote/desktop review for programmatic and fiscal compliance. Notification of visit will be provided at least twenty days in advance of the scheduled monitoring review.

Each awarded grantee is subject to ongoing contract monitoring for the entirety of the grant period of performance. Monitoring may include, but is not limited to, site visits, technical assistance, desk reviews, expenditure document review, or monitoring by a third party.

Following annual monitoring visits, each organization will receive a preliminary monitoring report with the monitoring results and if needed, action plan goals to stay in compliance with contract requirements. Organizations will have an opportunity to respond to the results. Monitoring will continue throughout the remainder of the contract period. Final monitoring reports will be issued toward the end of the contract period. The final monitoring report will include any findings or weaknesses identified during the on-site visit as well as any findings or weaknesses identified during the ongoing review of the contract.

Monitoring Preparation

A monitoring review notification letter and questionnaire will be emailed to the grantee. The grantee will return the questionnaire 1 week (no earlier than 3 weeks) in advance of the monitoring visit, per SCSO instruction. Additional documentation may be requested at that time.

For desktop reviews as well as desktop preparation for on-site visits, relevant documents for compliance with the terms of the contract including permits, proof of insurance, and eligibility determination will be reviewed. SCSO may request documentation it does not already have. Review will include the following:

- Executed EFA contract agreement and Scope of Work
- Submitted Requests for Reimbursements including attached fiscal back up documentation, timeliness, accuracy, and spenddown progress
- Progress on Scope of Work outcomes including review of measurement tools and data tracking tools
- Submitted Quarterly Reports
- Client files (or other eligibility determination documentation)
- Donation Logs
- Proof of 501(c)(3) status (if applicable)
- Charitable Solicitation permit (if applicable)
- Proof of registration with Office of Lt. Governor as a nonprofit
- Records pertaining to previous monitoring reviews (if applicable)

Contract Findings & Weaknesses

Organizations will be issued grant management contract findings and/or weaknesses for issues of non-compliance. Grant management includes but is not limited to:

- Timeliness and Accuracy of Reporting
- Timeliness and Accuracy of Requests for Reimbursement
- Eligibility Documentation
- Data Tracking
- Timely communication with SCSO regarding contract or budget challenges and changes in organizational staff. Grantees must notify SCSO of any changes in agency leadership and finance leadership as well as in EFA program management **within 30 days of the change**.

Recurring issues with timeliness, accuracy, or other areas of non-compliance may result in findings and/or weaknesses, and will adversely affect admin scores on future applications. Recurring weaknesses across funding cycles may result in contract findings.

Failure to address and resolve monitoring weaknesses and findings may result in reduction of award and/or termination of contract.

Corrective Action:

When findings and/or weaknesses are identified during a monitoring review, SCSO requires that a corrective action plan be outlined and executed by Grantees in order to stay in compliance with contract requirements and maintain EFA funding. SCSO will send a preliminary monitoring report identifying each contract finding and/or weakness. Grantees will have 10 days to respond to SCSO with a plan for correction for each identified finding and/or weakness. Grantees that 1) do not respond with an acceptable corrective action plan to resolve the identified findings and/or weaknesses; 2) do not follow through on the corrective action plan; 3) refuse to take corrective action may have funding reduced, have their contract terminated, and/or jeopardize future funding through SCSO.

Compliance:

Once compliance is determined, the Organization will receive from SCSO confirmation of compliance and closure of the finding(s). If compliance is not met, the process will be repeated for determining proper corrective action. If compliance continues to not be met, SCSO may move to termination of funding.

Grievances and Fraud:

Grievance Procedure:

Grantee shall establish and implement a system through which beneficiaries of the services provided may present grievances about the operation of the program as it pertains to and affects said beneficiary. The Grantee shall advise applicants of their right to present grievances concerning denial or exclusion from or operation of the program. The Grantee will advise applicants in writing of their rights and the procedures to appeal. The Grantee will accommodate limited English proficiency and visually disabled applicants in advising applicants of their rights and the procedures of appeal.

Fraud, Waste, and Abuse:

Fraud occurs when an EFA applicant, vendor, grantee, sub-recipient, or employee knowingly and willfully misuses or withholds information, or provides false information to provide eligibility-based assistance, distribute funds, or claim grant reimbursement:

- If there is evidence that fraud has been committed by a vendor, grantee, or employee, appropriate measures will be taken under the direction of SCSO or DWS Internal Audit team.

Procedures for Fraud, Waste, and Abuse:

The monitoring review process ensures that each organization has internal controls that would protect EFA funds from waste, fraud, and abuse. During the monitoring reviews, SCSO staff will ensure that organizations are compliant with the rules. If fraud is discovered, SCSO may move to terminate the contract.