



COMMISSIONER SID MILLER

**TEXAS DEPARTMENT OF AGRICULTURE
2021 SPECIALTY CROP BLOCK GRANT PROGRAM
REQUEST FOR GRANT APPLICATION
COMPETITIVE GRANT APPLICATION**

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Please read all materials before preparing and submitting the application. Failure to follow the instructions and requirements described in this Request for Grant Application (RFGA) may result in the disqualification of the application.

**NOTICE REGARDING THE INCLUSION OF CONFIDENTIAL, PROPRIETARY,
TRADE SECRET, OR PRIVILEGED INFORMATION IN AN APPLICATION**

Please take notice of the following:

If it is necessary for Applicant to include proprietary or otherwise confidential information in its application or other submitted information, Applicant must clearly mark and label all confidential, proprietary, trade secret or privileged material in 14 point bold font or higher on each page as it appears, and identify the specific exception to disclosure in the Texas Public Information Act (PIA) for each specific piece of confidential, proprietary, trade secret or privileged information. Additionally, all confidential, proprietary, trade secret or privileged information must be segregated in a separate and discrete section of the application, which must be able to be conveniently separated and detached from the other sections of the application. Failure to properly label, identify, and segregate any confidential, proprietary, trade secret or other privileged information in the application may result in all such information or material being disclosed as public information. Merely making a blanket claim that the entire application is protected from disclosure because it contains any amount of confidential, proprietary, trade secret or privileged information is not acceptable, and shall make the entire application subject to release under the PIA. In order to initiate the process of seeking an Attorney General opinion on the release of confidential, proprietary, trade secret or privileged information, the specific provisions of the application that are considered by Applicant to be confidential, proprietary, trade secret or privileged and confidential must be clearly labeled and segregated as described above. Any information which is not clearly identified as confidential, proprietary, trade secret or privileged shall be deemed to be subject to disclosure pursuant to the PIA.

STATEMENT OF PURPOSE

Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note), as [amended under Section 10010 of the Agricultural Act of 2014 \(Public Law 113-79\)](#), and as further amended by [Section 10107 of the Agricultural Improvement Act of 2018 \(Public Law 115-334\)](#), collectively referred to herein as the “Farm Bill”, authorizes the U.S. Department of Agriculture to make grants to be used by state departments of agriculture solely to enhance the competitiveness of specialty crops under the Specialty Crop Block Grant Program (SCBGP). The SCBGP is implemented under 7 CFR Part 1291.

The purpose of the SCBGP is to increase consumption of specialty crops and improve the competitiveness of specialty crop producers. Specialty crops are defined as fruits, vegetables, tree nuts, dried fruits, horticulture and nursery crops (including floriculture). Refer to the following website for a list of common specialty crops: [‘What is a Specialty Crop?’](#).

The Texas Department of Agriculture (TDA) is authorized by [§12.002](#) and [§12.007](#) of the Texas Agriculture Code to encourage the proper development and promotion of agriculture, to investigate the pests and diseases of crops grown in this state, and to supervise the protection of fruit trees, shrubs, and plants as provided by law.

In accordance with the aforementioned State and Federal statutes, and for 2021 SCBGP funding consideration, TDA will prepare and submit, for approval by the U.S. Secretary of Agriculture, a State Plan to carry out the purpose of the SCBGP.

REQUEST FOR GRANT APPLICATION (RFGA)

TDA is accepting grant applications to consider for the 2021 State Plan to the United States Department of Agriculture-Agricultural Marketing Service (USDA-AMS) for projects to enhance the competitiveness of specialty crops, including:

- Leveraging efforts to market and promote specialty crops;
- Assisting producers with research and development relevant to specialty crops;
- Expanding availability and access to specialty crops;
- Addressing local, regional, and national challenges confronting specialty crop producers; and
- For such other purposes determined to be appropriate by the Secretary of Agriculture, in consultation with specialty crop stakeholders and relevant State departments of agriculture

SCBGP funds will be made available to Texas from the USDA 2021 fiscal year budget. Although USDA-AMS has not officially released SCBGP funds to the states, TDA anticipates approximately \$1.6 million will be available for Texas projects. This figure is subject to change upon the formal Notice of Funding posted by USDA-AMS.

To be considered for funding, applicants must: be an eligible entity, meet the requirements as set forth in this RFGA, and provide a complete grant application by the stated deadline.

PROJECTED TIMELINE OF EVENTS

Application Availability	December 2020
Application Deadline	February 11, 2021
Preliminary Selection	Late April 2021
Selected Projects submitted to USDA	May 2021
Award Announcements	October 2021
Start Date of Project	December 1, 2021
End Date of Project	September 30, 2023

ELIGIBILITY

Responses will be accepted from Texas state agencies, universities, institutions, and producer, industry, or community-based organizations involved with or that promote specialty crops.

- Grant applications must demonstrate that they will enhance the competitiveness of a Texas specialty crop industry.
- Grant funds may only be used for activities benefiting specialty crops.
- Grant funds must benefit more than one individual, institution or organization.
- Grant funds will not be awarded for projects that solely benefit a particular commercial product or provide a profit to a single organization, institution or individual.

FUNDING AREAS AND PRIORITIES

TDA encourages applicants to develop projects to solely enhance the competitiveness of specialty crops pertaining to the following five (5) key focus areas affecting the specialty crop industry: Food Safety, Nutrition, Plant Health, Value-Added and Industry Development, and Marketing. Applicants are responsible for selecting the key focus area that best fits their project.

Research projects in all focus areas should be applied research and results should be available to producers, processors and/or consumers within one (1) to two (2) years of the grant term date. Projects with a large research component will be evaluated on their ability to document and transfer results to the industry.

TDA may choose to use a portion of the funds for projects conducted internally, including, but not limited to, outreach activities, nutrition, regulatory or marketing. Internal projects will also be evaluated in the competitive process.

A. Food Safety

TDA will consider projects that assist production of specialty crop agricultural operations in continuing to supply the safest food in the world.

Project examples include, but are not limited to:

- Assisting entities in the specialty crop distribution chain in developing “Good Agricultural Practices,” “Good Handling Practices,” or “Good Manufacturing Practices”
- Researching new methods to improve food safety
- Marketing or outreach to specialty crop producers/distributors regarding new or upcoming food safety requirements

B. Nutrition

TDA will consider projects that improve access to and consumption of specialty crops. Ensuring access to healthy foods in underserved low-income areas of Texas and increasing Texans’ access to and consumption of fruits, vegetables and tree nuts is a key strategy to improve human health.

All projects must increase the competitiveness of specialty crops and clearly demonstrate a benefit to the specialty crop industry. TDA will consider projects that integrate human health and nutrition into applications that show a direct impact on specialty crops.

- Food Security

Project examples include, but are not limited to:

- Increasing participation in under-utilized federal nutrition assistance programs
- Developing innovative projects that support local and regional food systems
- Improving access to affordable, nutritious and culturally appropriate food in ways that foster self-reliance, enhance dignity and assure environmental sustainability

- Healthy Eating

Project examples include, but are not limited to:

- Increasing consumption of specialty crops among all populations
- Developing farm-to-fork networks that include schools, worksites, retail, and restaurant outlets to connect local agriculture with nearby communities
- Promoting and/or demonstrating the health benefits of Texas specialty crops

C. Plant Health

TDA will consider applications that address pests and diseases that affect the production of Texas’ specialty crops. This includes research related to the probability and impact of invasive pest, disease and weed threats to specialty crops and research to develop tools to detect, eradicate and control pests and disease. Results should be available to producers, processors or consumers within one to two years of the grant term date.

TDA will also consider projects that enhance the conservation or improve the quality of agricultural land, water, habitat and biodiversity, as well as applications that address specialty crops’ contribution to adaptation and/or mitigation of climate change.

- Plant Health and Pest Challenges

Project examples include, but are not limited to:

- Enhancing the speed and reliability of detection
- Developing new tools for eradication
- Developing plants resistant to pests and disease
- Evaluating organic and sustainable practices

- Environmental Concerns and Conservation

Project examples include, but are not limited to:

- Evaluating water use efficiency in regards to current drought conditions and for climate change adaptation
- Assisting growers to adapt to climate change by conducting research and demonstrating the implementation of strategies where technologies are already available - especially water use efficiency and invasive pest detection, control and management
- Accelerating implementation of Best Management Practices (BMP) for water conservation and efficiency, including development of a BMP manual for specific specialty crops

D. Value Added and Industry Development

TDA will consider projects that add to the value of specialty crops, or develop new ideas, tools or information that increase the benefit to the industry.

Project examples include, but are not limited to:

- Providing support for development of value added processing facilities
- Strengthening specialty crop agricultural career technical education through establishment of certification programs for critical job training
- Improvement of distribution methods both domestically and internationally
- Evaluating industry feasibility or development of a new industry
- Conducting market research of consumer preference
- Researching a new tool to improve marketability
- Developing new and improved specialty crop variety/use, technology advancements and growing season extensions in an effort to diversify and strengthen specialty crop production

E. Marketing

TDA will consider projects that improve consumers' knowledge and understanding of specialty crops through education and outreach. Additionally, TDA will consider projects that increase or develop long-term sales, consumption and competitiveness of specialty crop products, including international marketing and trade activities.

- Agriculture Education/Outreach

Project examples include, but are not limited to:

- Promoting Texas specialty crops and strengthening the connection between specialty crops and agriculture

- Extending science-based information to specialty crop growers and other key stakeholders
 - Educating consumers about Texas' specialty crops and agriculture
 - Reconnecting communities with specialty crop production
 - Educating the public about the identity and threat of invasive species to Texas specialty crops
 - Promoting/marketing specialty crop certification and/or education program opportunities that further enhance critical job skills
- Market Enhancement and Promotion
Project examples include, but are not limited to:
 - Conducting statewide promotion and awareness activities of specialty crops
 - Targeting specialty crop marketing concepts on the unique characteristics of local and regional areas such as culture, geography, history, and types of agricultural production
 - Developing cooperative marketing and promotions such as cross-menu promotions of specialty crops
 - Marketing agritourism as it relates to specialty crop
 - Creating innovative consumer/trade promotions in foreign markets

FUNDING PARAMETERS, AWARD INFORMATION AND NOTIFICATION

- State, local or Indian tribal governments, non-profit organizations, colleges and universities will be subject to 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.
- Applicants may be awarded funding at varying levels depending on the nature of the project.
- Applications must demonstrate strong justification for the requested budget, as well as the potential for providing significant demonstrable benefits to Texas specialty crops.
- Where more than one (1) application on an eligible research topic is acceptable for funding, TDA may request cooperation between applicants or revision/adjustment to an application in order to avoid duplication and to realize the maximum benefit to the state.
- TDA reserves the right to accept or reject any or all applications submitted. TDA is under no legal or other obligation to execute a grant on the basis of a response submitted to this RFGA. TDA shall not pay for any costs incurred by any entity in responding to this RFGA.
- Public announcements and written notifications will be made to all applicants and their affiliated agencies, organizations, or institutions. Favorable decisions will indicate the amount of award, duration of the grant, and any special conditions associated with the project.

TERM OF FUNDING OR DURATION OF PROJECTS

Selected projects will be funded for work that must be completed between December 1, 2021 and September 30, 2023.

APPLICATION REQUIREMENTS

To be considered for funding a complete grant application package must be received by the stated deadline. A complete grant application package includes: 1) Signed Grant Application Form; 2) Project Profile; and 3) Accounting System and Financial Capability Questionnaire. To ensure a fair and equitable competition, the format required for the Project Profile is single-spaced, 12-point font with 1-inch margins, and no more than 18 pages long (excluding any supporting documentation – i.e. letters of support, publications, supporting data, etc.).

Grant Application Package—Interested applicants must provide all of the following information:

1. **Grant Application Form** – Includes basic project and contact information. Must be signed. The form is found → [here](#). The Project Profile, Accounting System and Financial Capability Questionnaire and any additional supporting data are uploaded through the Grant Application Form.
2. **Project Profile** - Must address the following information:
 - a. Primary Applicant
 - b. Partner Organization(s)—list name(s) of organization(s) assisting on the project
 - c. Project Title
 - d. Duration of Project
 - e. Project Summary
 - f. Project Purpose
 - g. External Project Support
 - h. Work Plan
 - i. Expected Measurable Outcomes
 - j. Budget Narrative/Justification
3. **Accounting System and Financial Capability Questionnaire** – Must be signed.
 - a. Copy or hyperlink to applicant’s written accounting policies and procedures.
 - b. Copy or hyperlink to applicant’s written internal controls for Federal awards.
 - c. Copy or hyperlink to applicant’s most recent financial audit conducted. See below for options.
 - Single Audit, if applicable
 - All non-federal entities that expend \$750,000 or more of federal awards in a year are required to obtain an annual audit in accordance with [2 CFR Part 200](#)-Uniform Administrative Requirements, Cost Principles and Audit Requirements for federal Awards. Additional information can be found on the [Office of Management and Budget \(OMB\) Policy Statements web page](#);

- The Single Audit also must be submitted to any pass-through entity, if applicable; and
- Copies of the audit report must be made available to the public, which can be accomplished by posting a link to the report from the entity’s website;
- Audited Financial Statements; or
- IRS Form 990.

EVALUATION AND SELECTION INFORMATION

The entire application package, comprised of the Application, Project Profile (using required template format), and all additional attachments, will be evaluated on its comprehensiveness, completeness, and overall quality. An administrative review will be conducted by TDA to determine whether the applicant was adequately responsive to the requirements of this RFGA. TDA will take into consideration the status of any open project’s progress, timely expenditure of funding on previous projects/utilization rate, performance report compliance and risk assessment score. For applicants that do not have previous SCBG awards, TDA will ensure the prior considerations do not cause a disadvantage to the application submitted.

Based on the application requirements set forth above, a review team including internal and external experts and/or stakeholders will competitively review all applications, by key focus area, to evaluate each project’s ability to enhance the competitiveness of specialty crops. Evaluations will consider:

- Project Summary/Details/Need
- Potential Impact
- Expected Measurable Outcomes/Anticipated Project results

Projects that are selected to be included in TDA’s State Plan must show a direct benefit to specialty crops. Applications will be scored using the criteria set forth in the Application Evaluation Sheet. Additionally, TDA will review projects from each key focus area and ensure diversity among Texas specialty crop industries.

Preference may be given to projects showing specialty crop industry support and/or collaboration.

RISK ASSESSMENT & MONITORING

In accordance with [2 CFR §200.331\(b\)](#), TDA will evaluate each awarded applicant’s risk of noncompliance with Federal statutes, regulations, and terms and conditions of the grant award for the purposes of determining the appropriate monitoring.

To evaluate this risk and determine the appropriate level of monitoring, the applicant must complete and submit the Accounting System & Financial Capability Questionnaire as part of the grant application package by the deadline stated in this RFGA. Responses from this questionnaire will be inserted into a program risk assessment tool.

The risk assessment is based on a score and goes from 1 to 100 points and takes into consideration the following information:

- Accounting System and Financial Capability Questionnaire
- Recent history of performance with TDA grant programs (any open grants and grants closed within the last five years)
- Alignment of the pending application with the statutory authority of the grant program as well as program regulations and policies
- Audits, reviews, and/or reported findings, if applicable

CONTACT INFORMATION AND SUBMITTAL INSTRUCTIONS

LATE APPLICATIONS WILL NOT BE ACCEPTED.

Applicants must submit one complete, signed grant application package; the Grant Application Form, Project Profile, and Accounting System and Financial Capability Questionnaire must be **received by TDA before close of business (5:00 p.m. CT) on Thursday, February 11, 2021.** Applications may not be supplemented after the submission deadline. It is the applicant's responsibility to ensure the timely delivery of all required materials.

For questions regarding submission of the application and/or TDA requirements, please contact TDA's Grants Office at (512) 463-6695, or by email at Grants@TexasAgriculture.gov.

Online Submission

Completed applications must be **received by TDA before close of business (5:00 p.m. CT) on Thursday, February 11, 2021.** The online system will date stamp the submission for receipt documentation purposes. Click the following link to access and submit the online Application Form: [Application Form](#)

Instructions:

- 1) Complete online application form. The online application includes a section for applicant contact information (organization, primary contact, secondary contact, and authorized official) and a section for General Project Information (New/Continuation project, Key Focus Area, Type of Specialty Crop, and Target Audience).
- 2) Sign the online form in the signature block provided.
- 3) Attach the Project Profile, Accounting System and Financial Capability Questionnaire and any supporting documents.
- 4) Submit completed/signed application.

An automated receipt email will be sent from the online system indicating the application has been received. TDA program staff will also send a separate email as soon as administratively possible with an application ID number.

GRANTEE RESPONSIBILITIES AND ACCOUNTABILITY

Awarded applicants (Grantees) will be responsible for the conduct of the project supported by the SCBGP and for the results described in the application. Each Grantee shall monitor the day-to-day performance of the grant project to assure adherence to statutes, regulations, and grant terms and conditions. The Grantee must carry out the activities described in the approved scope of work.

The Grantee will be accountable for documenting the use of grant funds and must ensure funds are used solely for authorized purposes. The Grantee must ensure:

- Funds are used only for activities covered by the approved project.
- Funds are not used in violation of the restrictions and prohibitions of the grant agreement or applicable law.
- All budget and performance reports are completed in a timely manner.

Each Grantee must ensure they have an adequate accounting system in place and good internal controls to ensure expenditures and reimbursements are properly reported to TDA. Complete records relating to the project, including accounting records, financial records, progress reports and other documentation, must be maintained for three (3) years after the conclusion of the project or longer if required by TDA.

REPORTING REQUIREMENTS

Grantees will be required to submit periodic performance reports. Reporting timelines are incorporated into the grant agreement. As part of TDA's ongoing monitoring of grant funds, Grantees must demonstrate programmatic and financial progress toward achieving project goals. Failure to comply with reporting requirements may result in withholding requests for reimbursement and/or termination of the award.

Performance Reports must be in a narrative format prescribed by TDA and detail the accomplishments of the project objectives for that period.

An Annual Performance Report is due each year of performance on the State Plan to USDA. Grantees will provide an annual report in a narrative format prescribed by TDA, documenting the accomplishments of their project for that period.

The Final Performance Report is due thirty (30) days after project completion, or termination of the Grant Agreement, whichever occurs first. This report must be in a narrative format prescribed by TDA. Similar to the annual performance reports, the final performance reports will be provided to USDA documenting Texas' progress on the 2020 State Plan.

The following schedule is a sample of the reporting terms:

GRANTEE REPORTING REQUIREMENTS		
Specialty Crop Block Grant Program		
Contract Term: 12/1/2021 - 9/30/2023		
	<u>Due Date</u>	<u>Reporting Period</u>
Performance Report 1	3/10/2022	12/1/2021 - 2/28/2022
Performance Report 2	6/10/2022	3/1/2022 - 5/31/2022
Performance Report 3	9/10/2022	6/1/2022 - 8/31/2022
Annual Performance Report	11/1/2022	12/1/2021 - 9/30/2022
Performance Report 4	1/10/2023	10/1/2022 - 12/31/2022
Performance Report 5	4/10/2023	1/1/2022 - 3/31/2023
Performance Report 6	7/10/2023	4/1/2022 - 6/30/2023
Final Performance Report	11/1/2023	12/1/2021 - 9/30/2023

BUDGET DEVELOPMENT INFORMATION

- A. Payment.** *Grant funds will be paid on a cost reimbursement basis.* Grantees will be required to submit payment requests at least quarterly, but no more frequently than monthly, in order to show significant financial and programmatic progress. Payment requests must include sufficient documentation that details each expense. Acceptable documentation may include, but is not limited to, invoices, receipts, or detailed information regarding personnel costs, as determined by TDA, in its sole discretion. No in-kind donations or matching funds are required. *Payment requests shall only be submitted by the Grantee to TDA for reimbursement after the Grantee purchases the approved budget item.*
- B. Payment Schedule.** In order to be eligible for reimbursement of a payment request, all reporting requirements must be current. Grant funds shall be paid according to the following schedule:
- a. Up to 90% of the total grant award may be disbursed provided the work for which payment is requested has been completed and proper documentation to substantiate the request has been submitted.
 - b. The remaining 10% will only be disbursed once all reporting requirements have been met, including, but not limited to, the Equipment – Acquisition and Disposition of Property Form (if applicable) and the Final Performance Report.
- C. Eligible Expenses.** Generally, expenses that are necessary and reasonable for proper and efficient performance and administration of the project are eligible. Grant funds may not be used to supplant normal business costs but instead must be used to cover the costs incurred for the approved proposed activities.
1. Personnel costs – both salary and benefits directly related to project implementation;

2. Contracts – agreements made with a third-party to perform a portion of the project;
3. Travel – mileage reimbursement, transportation and lodging;
4. Capital Expenditures – Equipment that has a useful life of more than one year and a cost of more than \$5,000. CAPITAL EXPENDITURES MUST BE SUBMITTED FOR APPROVAL TO TDA PRIOR TO EXPENDITURE/PURCHASE. Failure to secure written approval from TDA will result in disallowance of the cost;
5. Supplies and direct operating expenses – items that cost less than \$5,000 per unit with a useful life of less than one year, office supplies, postage, telecommunications, printing, etc. that are directly related to the project activities;
6. Controlled assets are defined as certain items valued \$500.00 - \$4,999.99 which must also be inventoried, [Controlled Property Listing](#); and
7. Direct operating expenses (other) – any expenses that do not fall into the other categories directly related to the proposed activities.

D. Ineligible Expenses. Certain expenses may be prohibited by state or federal law or determined to be ineligible by program guidelines. Some common ineligible expenses include but are not limited to the following:

1. Indirect Costs are limited to 8 percent of the total Federal funds provided under the award. If TDA does not take the full 8 percent of indirect costs, individual sub-applicants may claim the remaining portion of these costs at the discretion of TDA. At the time of the publication of this RFGA, TDA will be taking the full 8 percent for indirect costs. Indirect costs will be deemed as an ineligible expense in both the grantee and subcontractor budgets;
2. Alcoholic beverages;
3. Entertainment;
4. Tips
5. Contributions, charitable or political;
6. Expenses falling outside of the contract period;
7. Expenses for items not listed in the project budget or that fail to meet the intent of the program;
8. Expenses that are not adequately documented;
9. Meal reimbursements related to travel, meetings, conferences or other events;
10. Advertising and Public Relations costs designed solely to promote the image of an organization, general logo, or general brand rather than eligible specialty crops are unallowable;
11. Coupon/incentive redemptions or price discounts. Costs associated with printing, distribution, or promotion of coupons/tokens or price discounts (i.e., a print advertisement that contains a clip-out coupon) are allowable only if they solely promote the specialty crop rather than promote or benefit a program or single organization; and
12. Costs associated with the use of trade shows, meeting rooms, displays, demonstrations, exhibits, and the rental of space are allowable only if they solely promote the specialty crop. Cost sharing to promote both specialty crops and non-specialty crops is not allowable for these types of expenses.

Please reference Allowable and Non-allowable Costs Contained in [2 CFR Part 200 Subpart E - Cost Principles](#) for additional guidance.

GENERAL INFORMATION

1. Grant Awards.
 - a. The announcement of grant awards will be made by the date outlined in this RFGA or as soon thereafter as practical. Selected applicants will receive a Notice of Grant Award (NOGA) letter and the Grant Agreement from TDA. The NOGA is not legally binding and a grant agreement must be fully executed.
 - b. All grant awards are subject to the availability of appropriations and available funding, as well as necessary authorizations by the Texas Legislature.
 - c. TDA reserves the right to fund multiple projects partially or fully. TDA reserves the right to negotiate individual elements of any application and to reject any and all applications. Where more than one application is awarded and is acceptable for funding, TDA may request cooperation between grantees or revisions/adjustments to an application in order to avoid duplication and to realize the maximum benefit to the state.
2. Applications.
 - a. TDA reserves the discretion and right to reject all applications and is not liable for costs incurred by the applicant in the development, submission, or review of the application; all costs incurred by the applicant prior to the effective date of a grant award agreement, if any, shall be the sole responsibility of the applicant.
 - b. TDA reserves the discretion and right to alter, amend, or clarify any provisions, terms, or conditions of this program or any grant awarded as a result thereof, or to terminate this program at any time prior to the execution of an agreement, if TDA deems any such action to be in the best interests of TDA and of the State of Texas. The decision of TDA will be deemed administratively final in this regard.
3. Public Information.
 - a. All applications submitted under this RFGA and for this program are subject to release as public information unless the application or specific parts of any such application can be shown to be exempt from the Texas Public Information Act, Chapter 552 of the Government Code.
 - b. The applicant is responsible for clearly designating any portion of the application that contains proprietary information and must state the reason(s) the information is designated as such. Failure to mark any information as proprietary or confidential will result in the release of information on the assumption that the applicant has deemed that it is non-proprietary. In the event that a public information request for the application is received, TDA shall review the information deemed proprietary, provide notice to the applicant, and submit a request for opinion to the Office of the Attorney General for determination in accord with the Public Information Act, Chapter 552 of the Texas Government Code. TDA shall take no position on the issue and it is the applicant's responsibility

to file a brief supporting the request for opinion to withhold the proprietary or confidential information. Applicants are advised to consult with their legal counsel regarding disclosure issues and to take appropriate precautions to safeguard trade secrets or any other proprietary information.

4. Conflict of Interest. All applicants are required to disclose any existing or potential conflicts of interest relative to the application submitted for consideration or funding under this grant program. Failure to disclose any such conflicts of interest, whether actual or potential, may result in the applicant's disqualification from consideration for a grant award or, if after award, the immediate termination by TDA of any grant agreement.

5. Additional Information

- a. Assistance available in English and Spanish. Please call (512) 463-7448 for help.
- b. In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
- c. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.
- d. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: 1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; 2) fax: (202) 690-7442; or 3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

6. Reporting Fraud in State Government

TDA is committed to promoting a culture of integrity within the agency. As part of the agency's commitment, TDA has instituted a Fraud, Waste, and Abuse Prevention Program to provide its employees with the necessary guidance and

support to prevent, detect, and eliminate fraud, waste, and abuse within the agency. TDA's Fraud, Waste, and Abuse Prevention Program complies with Executive Order RP-36 of July 12, 2004.

Reports of suspected fraud or illegal activities involving state resources may be made by:

- contacting the Texas State Auditor's Office Hotline (SAO) by calling (800) TX-AUDIT (892-8348);
- visiting the Texas State Auditor's Office Website at <https://sao.fraud.texas.gov/>;
- contacting the Texas Department of Agriculture (TDA) by calling the TDA Fraud Hotline at (512) 475-3423 or (866) 5-FRAUD-4 (866) 537-2834; or
- sending a written complaint to:
 - by mail: Texas Department of Agriculture
1700 N. Congress Avenue
Austin, TX 78701
 - by email: fraud@texasagriculture.gov.

GENERAL COMPLIANCE INFORMATION

1. Grantee (an applicant who receives a grant under this program) must comply with TDA's reporting requirements and financial procedures outlined in the grant agreement. Any delegation by the grantee to a subcontractor of any duties and responsibilities imposed by the grant award must be approved in advance by TDA and shall not relieve the grantee of its responsibilities to TDA for their performance.
2. All grantees must remain in full compliance with state and federal laws and regulations. Non-compliance may result in the immediate termination of the grant award and/or ineligibility for reimbursement of expenses.
3. All grantees must keep a separate bookkeeping account with a complete record of all expenditures relating to the project. Records shall be maintained for three (3) years after the completion of the project or as otherwise agreed upon with TDA. TDA, USDA-AMS and the Texas State Auditor's Office (SAO) reserve the right to examine all books, documents, records, and accounts relating to the project at any time throughout the duration of the agreement and for three years immediately following completion of the project. If any litigation, claim, negotiation, audit or other action is initiated prior to the expiration of the retention period, then the records must be retained until authorized by TDA. TDA and the SAO shall have access to the physical locations related to project activities.
4. If the grantee has a financial audit performed during the time the grantee is receiving funds from TDA, upon request, TDA shall have access to information about the audit, including the audit transmittal letter, management letter, and any schedules in which the grantee's funds are included.

5. Grantees must comply with Texas Government Code, Chapter 783, Uniform Grant and Contract Management, the Uniform Grant Management Standards (UGMS).
6. Additional terms, conditions, and grant award requirements may be included in the TDA final grant agreement. All grant awards under this RFGA, if any, shall be subject to grant agreement and execution of a final TDA grant agreement containing all terms and conditions in addition to the foregoing requirements.