



DIVISION OF ELEMENTARY  
& SECONDARY EDUCATION

**ARKANSAS**

**FISCAL YEAR 2020**

**NSLP EQUIPMENT ASSISTANCE GRANT**

Authorized by the  
Consolidated Appropriations Act 2020

Funded through the  
United States Department of Agriculture (USDA)  
For Any Local Education Agency (LEA) Participating in the  
National School Lunch Program (NSLP)

Original application must be received at the  
Arkansas Department of Education,  
Division of Elementary and Secondary Education,  
Child Nutrition Unit (CNU)  
BY

**4:30 P.M., FRIDAY, October 2<sup>nd</sup>, 2020**

# INSTRUCTIONS

## GRANT DESCRIPTION

The Consolidated Appropriations Act 2020 authorized \$30M for the Food and Nutrition Service (FNS) to provide grants to State Agencies (SA) for providing equipment assistance to School Food Authorities (SFAs) participating in the National School Lunch Program (NSLP) and School Breakfast Program (SBP). Arkansas has received NSLP Grant funds in the amount of \$339,390. These funds will assist SFAs in purchasing equipment that is needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the School Breakfast Program. Funding is to be awarded based on a competitive grant process that is fair and equitable. Priority will be given to LEAs, who meet the application requirements, that have at least 50 percent of the students eligible for free or reduced price meals or Community Eligibility Provision (CEP) claiming percentage, however Local Education Agencies (LEA) with less than 50 percent can receive the grant based on other criteria. In addition, priority will be given to districts that have not received a previous NSLP Equipment Assistance Grant.

*The National School Lunch Equipment Assistance Grant is designed for a district to receive only one grant. A district is allowed to apply for multiple schools but a maximum of one school will be awarded unless excess funds are available once the initial award has been allocated.*

## EQUIPMENT DEFINITION

Equipment for the purpose of the NSLP Equipment Assistance Grant per Regulation 2 CFR Part 200.33 is “tangible personal property having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level as established by the non-Federal entity for financial statement purposes, or \$5,000.”

However, for the FY 2020 Equipment Assistance Grants, Congress has specified that the threshold for the purchase of equipment cannot be lower than \$1,000.

## ALLOWABLE EXPENSES

As with all Federal funds, the equipment purchased must be allowable. Allowable expenses are determined in accordance with cost principles of Federal Regulation 2 CFR 200. All expenditures should be adequately documented and should be determined in accordance with generally accepted accounting principles. The State Agency will also check for allowable equipment purchase requests by requiring equipment documents to be submitted along with the Grant Application.

- Appropriate utilities, (e.g. gas, water, electricity) within three feet of equipment and installation costs within three feet are reimbursable as part of grant award, with documentation.
- Equipment may be new, renovated or replacement and include installation costs within three feet of equipment.

## NON-ALLOWABLE EXPENSES

Reimbursement will not be provided for purchases of deep fat fryers, transport vehicles, and cafeteria tables and chairs. A few examples of costs that are not allowable in the NSLP, SBP, and Afterschool Snack Program (ASP) are:

- Equipment depreciation costs for non-expendable equipment items which become fully depreciated or non-expendable equipment in storage for future use.
- Capital expenditures for land or construction, facilities, other capital asset purchases (including passenger automobiles and other equipment).
- Any capital expenditure, which materially increases the value of capital assets, must be approved by CNU.
- Renovation of the school nutrition area would fall under the category of construction costs that must be charged to the LEA's general fund.
- Facility or land occupancy by contractual agreements (which are classified as rental/purchase or leased with an option to purchase).
- Cost associated with sales or service to adults, contract meals, other a la carte sales, and summer food service programs funded through the Arkansas Department of Human Services.

## **PROCUREMENT**

As with all Federal grant funds, procurement regulations 7CFR Part 210.21 and 2CFR Part 200.317-326 applies and equipment competitively procured using these grant funds must be necessary, reasonable, and allocable.

\*All federal, state and local procurement regulations **MUST BE FOLLOWED** with regard to open and free competitive procurements for the expenditure of federal grant funds.

## **BID PRODUCT OR CONTRACT SPECIFICATION DEVELOPMENT**

Vendor, broker, manufacturer, contractor, distributor, etc. of a product **cannot have input** into the development of product specifications or procurement specifications and/or advance review of the completed procurement documents. Such activities would compromise open and free competition [2 CFR 200.319(a)].

\*Equipment for which funds have already been obligated are not eligible for this grant. For example, bond money or equipment bid out and/or purchased prior to the grant award.

## **REIMBURSEMENT**

After the LEA applies for and receives a grant award for the quoted cost of the piece of equipment, the LEA will need to pay the full cost of the equipment and installation, if applicable. After installation, training, and equipment is deemed operational, the District must submit the Request for Reimbursement along with all required documentation before reimbursement from the State Agency will occur. If the invoice total is more than the original bid quote/grant award for that piece of equipment and installation, if applicable, the LEA will be required to pay the difference.

\*Only actual costs of approved equipment will be reimbursed, not to exceed the original bid amount/grant award.

## **FOCUS AREAS OF THE 2020 NSLP EQUIPMENT GRANT**

In order to make the most effective use of the grant funds, the grant application must address at least one or more of the following:

- *Food Safety*: Equipment that improves the safety of food served in the school nutrition programs.
- *Expand Participation*: Equipment that supports improved and/or expanded participation in a school nutrition program, including the School Breakfast Program.

- Opportunities to realize a meaningful impact on *nutrition and quality* of meals (e.g., replacing fryers with combination steamer-ovens). Equipment that improves the quality of school nutrition meals in ways that support the nutritional standards.
- Strategies for adopting lunchroom changes that provide more convenience and appeal to the student.
- *The availability of existing State and local funding for equipment purchases.* Districts that have a three-month operating balance are encouraged to use Child Nutrition funds to purchase needed equipment.
- *Age* of food service equipment or lack of appropriate equipment.

\*One piece of equipment may cover more than one focus area.

### **ELIGIBLE APPLICANTS**

To be eligible to receive the 2020 NSLP Equipment Assistance Grant the following must be met:

- ☐ Application must be for a school site that has a cafeteria.
- ☐ The total request of the equipment expenditure must be \$1,000 or greater.
- ☐ Less than a 25% excess of commodity PAL dollars not spent in school year 2019-20.
- ☐ Submitted applications must include all required attachments.

## GRANT SUBMISSION AWARD AND REPORT TIMELINE

(Subject to change based on USDA requirements and data requests)

1. Grant Application Deadline	<b>Friday, October 2, 2020</b> <b>4:30pm</b>
2. Grant Award Notification On or Before	<b>Friday, October 30, 2020</b>
3. Deadline for Obligation (commit to purchase) Submission*	<b>Friday, November 13, 2020</b>
4. First Quarterly Progress Report*	<b>Friday, January 15, 2021</b>
5. Second Quarterly Progress Report*	<b>Friday, March 12, 2021</b>
6. Deadline for Request for Reimbursement*	<b>Friday, March 12, 2021</b>
7. All Grant Funds Expended	<b>Friday, May 14, 2021</b>

\*Only reports required for the districts who receive a grant.

### NONDISCRIMINATION STATEMENT

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.) Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at **(202) 720-2600** (voice and TTY) or contact USDA through the Federal Relay Service at **(800) 877-8339**.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online, at <https://www.ascr.usda.gov/sites/default/files/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling **(866) 632-9992**, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by: **mail:** U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; or **fax:** (833) 256-1665 or (202) 690-7442; **email:** [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

*Grant recipients chosen for an award from this RFA must comply with the following regulations, principals, and assurances.*

### **GOVERNMENT-WIDE REGULATIONS**

- 2 CFR Part 25: “Universal Identifier and System for Award Management”
- 2 CFR Part 170: “Reporting Sub-award and Executive Compensation Information”
- 2 CFR Part 175: “Award Term for Trafficking in Persons”
- 2 CFR Part 180: “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)”
- 2 CFR Part 200: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”
- 2 CFR Part 400: USDA Implementing regulations” Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” 2 CFR Part 415: USDA “General Program Administrative Regulations”
- 2 CFR Part 416: USDA “General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments”
- 2 CFR Part 417: USDA “Nonprocurement Debarment and Suspension”
- 2 CFR Part 418 USDA “New Restrictions on Lobbying”
- 2 CFR Part 421: USDA “Requirements for Drug-Free Workplace (Financial Assistance)”
- 41 USC Section 22 “Interest of Member of Congress”
- Duncan Hunter National Defense Authorization Act of Fiscal Year 2009, Public Law 110-417
- Sections 738 and 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (Public Law 112-55) . “The Federal Funding Accountability and Transparency Act (FFATA), dated September 26, 2006”

### **COST PRINCIPALS**

- 2 CFR, Part 200: Subpart E, Cost Principles

### **USDA REGULATIONS**

- 7 CFR Part 15: “Nondiscrimination”
- Freedom of Information Act (FOIA). Public access to Federal Financial Assistance records shall not be limited, except when such records must be kept confidential and would have been excepted from disclosure pursuant to the “Freedom of Information” regulation (5 U.S.C. 552).

### **ASSURANCE OF CIVIL RIGHTS COMPLIANCE**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-et seq.), USDA regulations at 7 CFR Part 15, Nondiscrimination, and Department of Justice regulations at 28 CFR Part 42, Nondiscrimination; Equal Employment Opportunity: Policies And Procedures
- Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and USDA regulations at 7 CFR Part 15a, Education Programs or Activities Receiving or Benefiting from Federal Financial Assistance

- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 1681 et seq.) and USDA regulations at 7 CFR Part 15a, Education Programs or Activities Receiving or Benefiting from Federal Financial Assistance, and Department of Justice regulations at 28 CFR Part 41, Implementation of Executive Order 12250, Nondiscrimination on the Basis of Handicap In Federally Assisted Programs
- Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) The Grantee assures that it will immediately take any measures necessary to effectuate the requirements in these laws, regulations, and directives. The Grantee gives this assurance in consideration of and for the purpose of obtaining the funds provided under this agreement.
- The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability in employment (Title I), state & local government services (Title II), places of public accommodation and commercial facilities (Title III). (42 U.S.C. 12101-12213)