



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

Date: September 10, 2021

To: Authorized Representatives of School Food Authorities (SFAs) Participating in the United States Department of Agriculture (USDA) National School Lunch Program (NSLP)

From: Tina Herzog
Assistant Director – Operations & Food Distribution, Indiana Department of Education

The School Nutrition Team is pleased to announce that Indiana has received \$617,901 from the USDA to award Fiscal Year 2021 (FY21) Equipment Assistance Grants. The maximum amount of the grant awarded to a SFA grant will be \$30,000 and limited to three pieces of equipment. This opportunity is provided by the Consolidated Appropriations Act, 2021, (Public Law 116-260), and is open to SFAs participating in the National School Lunch Programs (NSLP). Funds will be distributed through a competitive grant process. Applications will be accepted from Thursday, September 30, 2021 through Sunday, October 31, 2021.

Eligibility

Eligibility is open to any SFA eligible to receive a grant award. *(Public school districts, private schools, and Residential Child Care Institutions (RCCI) are eligible to apply if they participate in the NSLP).* Schools with the highest demonstrated needs based on free and reduced percentages and schools who have not previously received a Federal Equipment Grant will be given the highest priority.

Any school food authority (SFA) with a previously approved State agency agreement on file to operate the National School Lunch Program (per 7 CFR 210.9(b)), and that would otherwise be operating NSLP in SY 2020-2021, may continue to access NSLP Equipment Assistance Grants while utilizing the flexibilities granted under the current SFSP/SSO Nationwide Waiver. This is consistent with past circumstances in which SFSP was temporarily operated during an unanticipated school closure due to a hurricane, natural disaster, or wildfire. Similar to those situations, school program operators who may be currently operating SFSP in connection with the COVID-19 pandemic are doing so in line with temporary flexibilities offered by FNS.

Equipment

Equipment requests may include new equipment, renovation of equipment, replacement of equipment, and installation costs. Regulations at 2 CFR Part 200.33 define equipment as 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 established by the non-Federal entity for financial statement purposes, or \$5,000. ***For the FY 2021 Equipment Assistance Grants, the value of equipment needs to be greater than \$1,000 and the desired equipment must be needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the School Breakfast Program.***



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As with all Federal grant funds, procurement regulations at 7 CFR Part 210.21 and 2 CFR Part 200.317-326 applies, and equipment competitively procured using these grant funds must be necessary, reasonable, and allocable. For example, while using these grant funds to purchase a walk-in freezer for school food service, or a salad bar may be an allowable cost, building an extension to a cafeteria would not meet the intended purposes of this grant.

Funding

Each SFA may request up to three pieces of equipment.

- Equipment may be requested for more than one school within the same SFA
- A centralized kitchen which services multiple schools may request equipment. (*Centralized kitchens that service schools that have already received a previous USDA or American Recovery and Reinvestment Act (ARRA) equipment grant will have a lower priority*)
- A school may request to buy a piece of equipment in part with their own funding. If other funding is available, please include this information on the application.
- When acquiring replacement equipment, the SFA may use the equipment to be replaced as a trade-in, or sell the property and use the proceeds to offset the cost of the replacement property.
- Repair cost, including parts and labor for capital equipment is allowed under this grant.
- Installation cost(s) are allowed under this grant.
- SFAs will receive funds for approved equipment as a reimbursement using the “cash claim” request form accompanied by a copy of the paid invoice.

Selection Criteria

To make the most effective use of the NSLP Equipment Assistance Grant funds, applications should include the following key focus areas:

- Age of food service equipment or lack of appropriate items
- The availability of existing State and local funding for equipment purchases
- Strategies for adopting lunchroom changes that provide more convenience and appeal to student
- Opportunities to realize meaningful impacts on nutrition and quality of meals
- Lend itself to improving quality and nutritional content of school foodservice meals (*replacing fryers with combination steamer-ovens*)
- Assist in improving participation by meeting Smarter Lunchroom goals (*lunchroom changes that provide more convenience and appeal to the student population, highlighting healthier choices, redesigning menus that target healthier entrees, or expansion of the School Breakfast Program*)
- Improves the overall energy efficiency of the school foodservice operations
- Equipment that enables Indiana schools to use locally grown foods



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We will also conduct a review of Food Service Operating balances to ensure that districts selected do not have excess funds (*defined as over three months average operating expenses*) that could fund the new equipment purchases. In general, the equipment should promote the goals of encouraging the consumption of healthy meals, meeting the approved meal pattern requirements, safely storing and preparing food, and improving energy efficiency. Preference will be given to individual schools and corporations that have not previously received equipment grants. The maximum individual grant will be \$30,000. Applications will be accepted from Thursday, September 30, 2021 through Sunday, October 31, 2021., with the announcement of awards by March 2022.

Details will be announced in the school nutrition newsletter and on the School and Community Nutrition Division's website soon. Schools that have submitted grants in the past, but have not been awarded funds, should consider reapplying.

Procurement

Equipment purchase must follow all federal, state, and local procurement laws. Keep in mind, equipment requests may include new equipment, renovation of equipment, or replacement of equipment. Regulations at 2 CFR Part 200.33 define equipment as 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 established by the non-Federal entity for financial statement purposes, or \$5,000. ***For the FY 2021 the value of equipment needs to be greater than \$1,000, and the desired equipment must be needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the School Breakfast Program.***

As with all Federal grant funds, procurement regulations at 7 CFR Part 210.21 and 2 CFR Part 200.317-326 applies, and equipment competitively procured using these grant funds must be necessary, reasonable, and allocable. For example, while using these grant funds to purchase a walk-in freezer for school food service, or a salad bar may be an allowable cost, building an extension to a cafeteria would not meet the intended purposes of this grant.

Federal regulations require schools receiving Federal School Nutrition funds to follow certain rules for procurement. The regulations can be found in [2 CFR Part 200](#) (specifically 200.318 – 200.326). There are different requirements for large purchases (\$150,000 and over) and small purchases (under \$150,000) and the regulations must be followed for any purchases made using Child Nutrition funds. Any equipment purchase exceeding \$5,000 must be approved by the State prior to making the purchase. There are also requirements that school food service departments have a written procurement plan on file outlining Federal and any local requirements.

- Small Purchase: When using the small purchase procedure three bids are required.
- Micro-Purchase: Equipment purchased with a value less than \$10,000
- A specification is a list of features you are requesting in a piece of equipment. It is NOT a manufacturer's product sheet that lists all the options available.
- The recipient may only incur allowable costs during the period of performance. Item(s) purchased before the contract is fully executed is at the risk of the sponsor.



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- Bids are generally only valid for a specified length of time. *Part of the specification should ask that the bids be valid for six months or longer.*
- Federal regulations prohibit the selections of vendors based solely on the basis that they are local vendors. Refer to 2 C.F.R. Part 200.319 (7b)

Awards

If selected to receive an equipment grant, a Notification of Federal Grant Subaward via email to your school/district by **March 1, 2022**. A quote verifying the amount of the specific equipment requested will need to be submitted along with documentation that will be provided. We will then send a contract to your Superintendent for review and electronic signature (This process can take up to 60 days or longer). SFAs must complete their procurement and expenditure activities by the end of Federal FY 2023 (September 30, 2023).

Criteria for the Award of the Grants

Each application will be evaluated on the following criteria:

- Application is completed in its entirety
- Schools with the highest demonstrated need based on free and reduced percentages will be given the highest priority. Grants will be awarded first to schools in which at least 50 percent of the students are eligible free and reduced-price meals.
- Schools who have previously received a Federal Equipment Grant will only be considered after all other grant applications have been awarded.
- How the school plans to use the equipment will help meet the multiple funding goals above. *Applicants that demonstrate the equipment will help meet multiple funding goals will receive a higher score*
- Age of current food service equipment or current lack of appropriate equipment
- The ability of the school to purchase the equipment and submit the reimbursement request during the required timeframe
- Applicants that demonstrate they have obtained multiple bids for the equipment (instead of using the micro-purchase method) will receive a higher score, as this shows the applicant will obtain the best possible price for the item.

For More Information

Please refer to the <https://www.doe.in.gov/nutrition/nsfp-procurement-resources> and <https://www.doe.in.gov/nutrition/nsfp-procurement-resources> webpage for the most up-to-date information, including USDA guidance memos, School Nutrition Team Memorandums, resources to assist you in deciding which pieces of equipment to purchase, and assistance in writing the equipment specification.

Questions regarding this funding opportunity can be sent to: SCNFinance@doe.in.gov. Please enter: "Your sponsor number/Equipment Grant" in subject line.



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SFAs that are awarded an FY 2021 Equipment Assistance Grant must comply with the following regulations, principles, 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 (Non-Procurement)”
- 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 Right 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



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- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 1681 et seq.) and USDA regulations at 7CFR 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 and local government services (Title II), places of public accommodation and commercial facilities (Title III). (42 U.S.C. 12101-12213)

NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (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.

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To file a program complaint of discrimination, 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
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