



# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

Catherine Truitt, *Superintendent of Public Instruction*

www.dpi.nc.gov

**TO:** School Nutrition Administrators

**FROM:** Dr. Lynn Harvey, Senior Director  
Office of School Nutrition and District Operations

**DATE:** October 20, 2022

## **REQUEST FOR EQUIPMENT ASSISTANCE GRANT APPLICATIONS (Applications are due to the NCDPI by Thursday, January 12, 2023)**

The Fiscal Year (FY) 2022 Consolidated Appropriations Act (CAA), (Public Law 117-103) provides an appropriation of **\$1,936,716** to the North Carolina Department of Public Instruction for grants to eligible School Food Authorities (SFAs) participating in the National School Lunch Program (NSLP). As stipulated in the CAA, these funds must be used to purchase new equipment, equipment renovation, replacement of equipment and installation costs to serve healthier school meals, to increase student participation, with emphasis on serving more fruit and vegetables in school meals, including items purchased locally, improving food safety and other purposes that are consistent with the program's overall goals of providing nutritious, appealing affordable meals to students. These funds are time-limited **and must be fully expended by March 1, 2024**. *If an SFA is unable to expend the grant funds in their entirety before March 1, 2024, please do not apply for this round of grants as funds not expended by this time will revert to the USDA.*

### **Funding**

Grants will be awarded to SFAs using an Application process. Consistent with Federal requirements, selection criteria include the following areas:

- Schools with limited access to other resources to support the purchase of equipment; therefore SFAs with more than three months operating balance will be considered but may not be given priority by the selection committee;
- Schools with old equipment that no longer effectively nor efficiently serves the program and should be replaced; and
- Schools with equipment needs due to modified meal services, modified school calendars, alternate meal service preparation and set up and distribution.

**The Fiscal Year (FY) 2022 Consolidated Appropriations Act (CAA) does not require priority be given to schools where fifty percent or more of students are eligible for free or reduced-price meals or for schools with the highest Identified Student Percentage (ISP) participating in the Community Eligibility Provision (CEP).**

### **OFFICE OF SCHOOL NUTRITION**

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

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In addition, priority and additional points will be given to schools that have not received a previous Equipment Assistance Grant award under the FY 2019, FY 2020 and FY 2021 Consolidated Appropriations Acts and prior grant periods.

When considering the equipment needs of the various schools within the SFA, please remember 2 CFR Part 200.33 defines equipment as “*nonexpendable, tangible property with a useful life of more than one year and a per unit acquisition cost of \$5,000*”. **However, for the FY 2022 Equipment Assistance Grants, Congress has specified the threshold for the purchase of equipment cannot be lower than \$1,000. This threshold applies to FY 2022 equipment grant funds. No grants will be awarded for less than \$1,000.**

Funds from the NSLP Equipment Assistance Grant may be used to cover the actual cost of equipment, equipment renovation, replacement of equipment and installation costs; the SFA is expected to cover the sales tax and all costs associated with delivery, warranties, or any other costs. As with all Federal funds, equipment purchases made with NSLP Equipment Assistance Grant funds must be necessary, reasonable and allocable, and the equipment must be procured in accordance with 7 CFR 210.21 and 2 CFR Part 200.317-326. For example, use of the NSLP Equipment Assistance Grant funds to purchase a steamer for the School Nutrition Program would be a necessary, reasonable and allocable cost. However, renovation of a school nutrition area would fall under the category of construction costs and are therefore unallowable; renovation expenses must be borne by the Local Education Agency’s general fund.

Depending upon the SFA’s simplified acquisition threshold, competitive quotes or formal bids must be obtained from at least three prospective vendors. **For equipment that exceeds the district’s simplified acquisition threshold, a formal Invitation for Bid (IFB) or Request for Proposal (RFP) must be used to seek competition.** For purchases under the district’s simplified acquisition threshold, a written Request for Quotes (RFQ) will be acceptable. Please comply with the School Food Authority’s (SFA) board-approved School Nutrition Procurement Plan to determine whether a formal or informal procurement method is indicated. If an RFQ is indicated, equipment specifications must be clearly defined, and all required terms and conditions must be included in a written document. For any IFB, RFP or RFQ, please include a statement indicating the SFA has the right to reject any and all proposals, bids or quotes in the event the SFA is not awarded an Equipment Assistance Grant. The SFA must follow all federal, state and local procurement laws when purchasing equipment with these grant funds.

To support the distribution of EAG funds to as many eligible SFAs as possible, the applicant is encouraged to share the cost using the SFA’s School Nutrition funds for items valued at \$25,000 or more. The department reserves the right to negotiate with SFAs on cost in order to fully utilize all available funds.

## **How to Apply for NSLP Equipment Assistance Grant Funds**

Instructions for successfully preparing and submitting a grant application are described in this communication. Instructions for managing the grant funds at the local level and responding to Federal reporting requirements are also included.

This communication includes the:

- (1) SFA Application Summary and**
- (2) School Application**

**SFA Application Summary:** The purpose of the SFA Application Summary is to enable SFA officials to prioritize equipment assistance grant requests. Ideally, funds would be available for all applications; however, this is unlikely given the limited funding. Therefore, each SFA must prioritize its requests.

Where possible, priority for Equipment Assistance Grants will be given in the same order of preference as listed by the SFA on the SFA Application Summary; where this is not possible, the State agency reserves the right to award based on the availability of funds, and to negotiate with the SFA for cost sharing of equipment costs.

The SFA must provide the student enrollment and Average Daily Participation (ADP) for lunch as of October 30, 2022. A brief description of the equipment is required along with the age of the current equipment if the Equipment Assistance Grant will be used to replace old equipment. The SFA must indicate whether the grant funds may be fully expended by March 1, 2024 and whether equipment requested will have a useful life of one or more years; no grants will be awarded for equipment that does not meet these criteria. Finally, the SFA Application Summary must be signed by the School Nutrition Administrator and Superintendent.

**School Application:** A School Application must be completed for each piece of equipment for which grant funds are requested. If one school is in need of three (3) pieces of equipment, then three (3) School Applications must be completed. The School Application must include the total school enrollment, the percentage of students that qualify for free or reduced-price meals OR the current Identified Student Percentage (as of April 2022), if the school participates in the Community Eligibility Provision, and the average daily participation (for lunch) as of October 30, 2022. **This is for informational purposes only and will not be used as a part of the scoring criteria.**

Each School Application must include a brief description and specification for the equipment requested. Competitive formal proposals, bids or written quotes must be obtained for each piece of equipment included in the Application. The SFA must select the most responsive

and responsible bid or quote from all bids or quotes submitted. The amount of the most competitive proposal, bid or quote, as determined by the SFA, must be provided. A copy of the original solicitation and the proposal, bid or quote provided by the most responsive and responsible vendor must be attached with the School Application.

Equipment purchases using CAA funds must achieve one or more of the following goals:

1. Increase student participation;
2. Improves the quality of School Nutrition meals and access to healthy food choices while investing in kitchen infrastructure in accordance with the Biden-Harris National Strategy on Hunger, Nutrition and Health;
3. Increase the overall energy efficiency of the School Nutrition operation;
4. Allow for the adoption of innovative meal service strategies (i.e. changes in the meal service or dining environment that promote convenience and appeal to the student population, highlighting healthier choices, redesigning menus that target healthier entrées/options); and/or
5. Improve the safety of food served in the School Nutrition Programs.

For each piece of equipment requested, please complete the checklist. The justification must be based on all of the goals listed above. **Due to the decline in participation, we ask that you only consider pieces of equipment that will be a part of your overall plan to increase student participation. Furthermore, we discourage the request for dish machines given the increased usage of disposable products.** Please find below a list of suggested equipment that achieve the stated goals:

|                               |                              |
|-------------------------------|------------------------------|
| Reach-In Refrigerator/Freezer | Holding Cabinet              |
| Cold or Hot Serving Counter   | Serving Line                 |
| Steamer                       | Combi-Oven/Steamer           |
| Convection Oven               | Hot Food Table               |
| Mobile serving carts/kiosks   | Commercial Range             |
| Combination Steamer           | Pass-Through Cooler/Cabinets |
| Cooler or Freezer             | Generator                    |

### **Submitting the SFA Application Summary and School Application(s)**

In order to complete the application process, the SFA must submit two (2) copies each of the SFA Application Summary and School Application, each with **original signatures**.

**Applications must be received on or before 5:00 pm, Thursday, January 12, 2023 by the Office of School Nutrition at the address on the following page:**

Send by FedEx, UPS or Special Delivery to:

ATTENTION: EQUIPMENT ASSISTANCE GRANT APPLICATION PROGRAM  
North Carolina Department of Public Instruction  
Office of School Nutrition  
6324 Mail Service Center  
Raleigh, NC 27699-6324  
Phone: (984) 236-2909

**Important Note:** Please do not use the US Postal Service to deliver these applications since there is no assurance that the application will arrive in a timely manner.

We recommend applications be delivered to the Office of School Nutrition by traceable means in a manner that enables the SFA to receive written confirmation of delivery.

**Applications/Proposals that arrive after 5:00 PM on Thursday, January 12, 2023, will not be considered.**

### **Criteria for Application Selection**

To be selected for an Equipment Assistance Grant, the SFA must:

- Operate in compliance with the Regulations of the Federally-assisted School Nutrition Programs for which the SFA is approved and have no outstanding required corrective action.
- Submit the completed SFA Application Summary with schools and equipment prioritized;
- Submit one (1) School Application per piece of equipment, per school;
- Provide a detailed plan on how the SFA plans to increase student participation;
- Include a copy of the solicitation document and the competitive bid, proposal or written quote submitted by the most responsive and responsible Vendor with each School Application;
- Be able to spend the Equipment Assistance Grant funds in their entirety no later than **March 1, 2024**;
- Indicate the percentage of students that qualify for Free/Reduced Price meals OR the

- Current Identified Student Percentage for each school for which funds are requested. **This is for informational purposes only and will not be used as a part of the scoring criteria;**
- Indicate the Average Daily Participation (2021 – 2022) for lunch in each school for which an application is submitted;
- Justify the need for the equipment based on one or more of the equipment goals; the more detailed the justification, the greater the points awarded.
- Submit complete and accurate SFA Application Summary and School Applications by **January 12, 2023**. Please remember, for accuracy's sake, sales tax may not be included in the Vendor's Bid/Quote since this amount will not be part of the grant award.

### **Notification of and Management of Equipment Assistance Grant Funds**

A Selection Committee will review all Equipment Assistance Grant Applications and the applications will be scored based on the criteria listed in the previous section. Applications receiving the highest total scores will be ranked accordingly and the State Agency reserves the right to award the grant funds in the most equitable manner possible. All reasonable efforts will be made to distribute funds equitably based on district size and geographic location. The State Board of Education will tentatively approve the final grant awards during their monthly meeting.

SFAs will be notified of their grant award(s) and should be prepared to expend the grant funds, **in their entirety, by March 1, 2024**. A final report of expenditures will be due to the NCDPI at a date to be determined. If the entire amount of the grant is not expended, remaining funds must be returned to the NCDPI.

Equipment Assistance Grant funds cannot be co-mingled with other program funds and must be maintained separately from any other funds. The USDA has not provided final reporting requirements at this time. Reporting requirements will be issued simultaneously with the grant award. The Equipment Assistance Grant Proposal forms were created as word documents. Please type information in the attached forms and complete the checklist as provided in the directions; this will enable the Selection Committee to review the proposals more quickly than if they are hand-written. Completing the electronic forms will also allow the SFA to use additional space on the forms as needed.

Grant recipients chosen for an award must comply with the regulations, principals and assurances listed on the following pages. Should you have questions about the Equipment Assistance Grant Application requirements or process, please contact Jacquelyn McGowan

at [Jacquelyn.McGowan@dpi.nc.gov](mailto:Jacquelyn.McGowan@dpi.nc.gov). On behalf of the Office of School Nutrition, best wishes with this endeavor! We look forward to receiving your SFA's application.

## **Regulatory Requirements**

### **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 "Non-procurement Debarment & 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 Principles**

[2 CFR, Part 200: Subpart E](#): Cost Principles

### **USDA Regulations**

[7 CFR Part 15](#): "Nondiscrimination"

The 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 USC 1681 et seq.) and USDA Regulations at 7 CFR Part 15a, Education Programs or Activities Receiving or Benefitting 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 Benefitting 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

The Age Discrimination Act of 1975, 42 USC 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), The ADA “prohibits discrimination on the basis of disability in employment (Title I), state and local government services (Title II), and places of public accommodation and commercial facilities (Title III).” (42 USC 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 (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, 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.

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](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office, or write a letter addressed to USDA and provide the necessary requested information. 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](mailto:program.intake@usda.gov)

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c LEA Superintendents  
LEA Finance Directors

Enclosure: Equipment Assistant Grant Application Forms