

\$635.1 Billion in COVID Relief Funds

Breaking It All Down

Please mute your microphone

Purpose

To provide you with tools & resources helpful in navigating COVID relief funds

Desired Outcome

You are familiar with the tools we have assembled for you & are aware that Equalis Group's Master Agreements are a viable option for spending your federal funds

Agenda

1. Federal Funds Available
2. Eligible Uses of Funds
3. Deadlines
4. Uniform Guidance & EDGAR Requirements
5. Eligibility of Equalis Master Agreements
6. Supporting Documentation
7. Your Equalis Toolbox
8. Joining Equalis Group
9. Open Discussion/Q&A

Disclaimer

Please keep in mind that this information is provided as a service to Equalis Group members and supplier partners. It is designed only to give general information. This document is not intended to be a comprehensive summary of recent developments in the law, treat exhaustively the subjects covered, provide legal advice, or render a legal opinion. Equalis Group and its members are not attorneys and are not responsible for any legal advice. Equalis Group encourages local educational agencies, political subdivisions, units of local government, state agencies, and other public agencies to have appropriate legal counsel review the applicable federal legislation and associated guidance to determine their eligibility to utilize Equalis Group's competitively solicited contracts for expending SLFRF, ESSER, HEERF, or any other federal funds.

Federal Funds Available To SLED Market

Fund	Recipients	Available Dollars
SLFRF	State & Local Governments	\$350.0 billion
ESSER I, II & ARP ESSER	K-12 Schools	\$190.3 billion
HEERF I, II & III	Higher Ed	\$ 74.8 billion
Capital Projects Fund	States, Territories & Tribal Governments	\$ 10.0 billion
Emergency Connectivity Fund	Schools & Libraries	\$ 7.2 billion
Emergency Assistance to Non-Public Schools	Non-Public Schools	\$ 2.8 billion
TOTAL COVID Relief Funds:		\$635.1 billion

Specific Equalis Group Federal Funding Resource [here](#)

Eligible Uses Of Funds

The spending parameters for COVID relief funds are intentionally broad to provide you with significant flexibility in expending the funds you receive.

Fund	Categories/Examples of Allowable Expenditures	
SLFRF	<ul style="list-style-type: none">• Providing Government Services• Public Health & Negative Economic Impacts• Broadband Infrastructure• Water, Sewer & Infrastructure	
ESSER	<ul style="list-style-type: none">• MRO Supplies• Planning & Operations• Mental Health	<ul style="list-style-type: none">• Facilities• Learning Loss, Education & Training
HEERF	<ul style="list-style-type: none">• Coronavirus Detection & Prevention• Mental Health Services• Technology	<ul style="list-style-type: none">• Educational Support• Food• Minor Remodeling
CPF	<ul style="list-style-type: none">• Broadband Infrastructure Inequities	
ECF	<ul style="list-style-type: none">• Broadband Service & Connected Devices Inequities	
EANS	<ul style="list-style-type: none">• Services & Assistance To Address Educational Disruptions	

Specific Equalis Group Federal Funding Resource [here](#)

Deadlines Driving Spending

Fund	Deadline: Funds Must Be...
ESSER II	Obligated* by September 30, 2022
ARP ESSER	Obligated by September 30, 2023
SLFRF	Obligated by December 31, 2024 Spent by December 31, 2026
HEERF	Spent within one year from the date the U.S. Department of Education processed the most recent HEERF award to the recipient No-cost extensions of up to 12 months are available

* **“Obligated”** means you have committed the funds for a specific use, whether the funds will be expended immediately or in the future. Examples include signed contracts, purchase orders, requisitions, and credit lines established with vendors.

Specific Equalis Group Federal Funding Resource [here](#)

Uniform Guidance & EDGAR Requirements

- It is your responsibility to ensure you i) properly spend any federal funds you receive in accordance with applicable federal, state, and local requirements, and ii) maintain required documentation for audit purposes.
- [EDGAR](#) grant regulations apply to awards to education agencies (e.g., K-12 and higher ed).
- [Uniform Guidance](#) applies to all federal awards and includes:

Procurement Requirements*	Spending Requirements
<ul style="list-style-type: none">• Competitive solicitation• Cost/price analysis conducted• Federal Funds Certification (Appendix II) completed	<ul style="list-style-type: none">• Post Federal Award Requirements• Cost Principles• Audit Requirements

* The Uniform Guidance & EDGAR procurement requirements apply whether the recipient conducts your own procurement process or utilizes a contract awarded by another agency.

Specific Equalis Group Federal Funding Resource [here](#)

Eligibility of Equalis Group Master Agreements

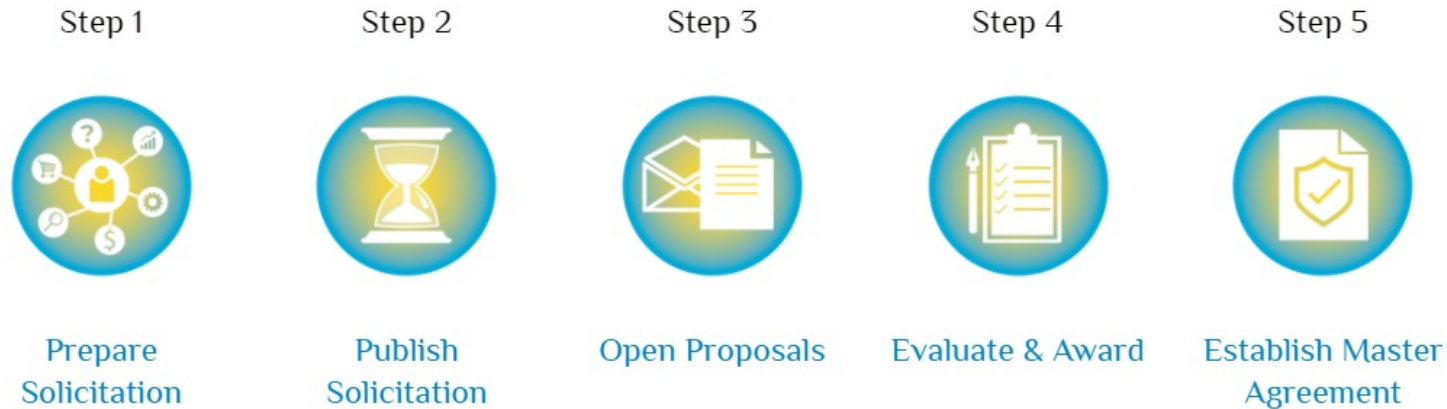
- The use of state and local intergovernmental agreements and inter-entity agreements (such as Equalis Group Master Agreements) for the expenditure of federal funds is **explicitly encouraged** for non-federal entities receiving federal awards in [2-CFR § 200.318\(e\)](#), which states:

*“To foster greater economy and efficiency, and in accordance with efforts to promote cost effective use of shared services across the Federal Government, **the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.** Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.”*

- Equalis Group Lead Agencies solicit Master Agreements in accordance with Uniform Guidance and EDGAR procurement requirements.

Specific Equalis Group Federal Funding Resource [here](#)

Equalis Group Approach to Compliance



- Equalis Group partners with Lead Agencies: Region 10 Educational Services Center (**Region 10 ESC**) & The Cooperative Council of Governments (**CCOG**)
- Lead Agency partners conduct rigorous and transparent competitive public sector procurement processes
- Winning suppliers, distributors, and manufacturers are selected based on both qualitative and financial criteria
- Equalis then establishes compliant already-procured Master Agreements with these winning vendors



Uniform Guidance Compliance Checklists

The checklist:

- Identifies applicable Uniform Guidance requirements relating explicitly to the procurement and establishment of each Equalis Group Master Agreement.
- Provides a summary of how the Lead Agency that procured and awarded that Master Agreement conformed with those procurement requirements.
- Cross-references supporting RFP and contract documents for your records.
- Serves as a guide for the procurement-related documentation you must maintain when spending federal funds through Equalis Group Master Agreements.

Checklists for individual Master Agreements are available by completing the request form [here](#).

Procurement & Contracting 2 C.F.R. Part 200/Uniform Guidance Conformity

Equalis Group Lead Agency: *The Cooperative Council of Governments*

Awarded Contractor: *BlueCrest*

Contract # *COG-2112B*

Published Documentation: [Contract Landing Page](#)

The checklist below identifies applicable Uniform Guidance requirements relating explicitly to the procurement and establishment of Equalis Group's publicly procured, competitively solicited contracts, provides a summary of how the Lead Agency that procured and awarded this contract conformed with those requirements, and references supporting source documents. These supporting documents are publicly available.

Uniform Guidance Procurement Requirement	2 C.F.R. Reference	Equalis Group Lead Agency Contract Conformity	
The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.	§ 200.318 (a)	Yes	CCOG is a regional council of governments and political subdivision formed under Ohio Revised Code § 167.01. CCOG's procurement procedures i) were developed in accordance with the procurement policies to which the State of Ohio's Department of Administrative Services is subject as defined in Ohio Administrative Code Rule 123:5-1-08, and ii) conform to the applicable procurement standards identified in 2 C.F.R. § 200.317 through § 200.327.
The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.	§ 200.318(c)(1)	Yes	CCOG's procurement policies include written standards of conduct covering conflicts of interest and governing the actions of any CCOG employees and agents engaged in the selection, award, and/or administration of contracts. No employee, officer, or agent may participate in the selection, award, and/or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.
Purchasing through intergovernmental agreements is encouraged for the procurement of common or shared goods and services under a Federal award.	§ 200.318 (e)	Yes	Equalis Group is a public sector purchasing cooperative. Non-federal entities join Equalis Group by completing the Master Intergovernmental Cooperative Purchasing Agreement, thereby entering into an intergovernmental agreement between the public agency and each Equalis Group lead public agency. More information about CCOG (the lead public agency that competitively solicited this contract) and Equalis Group is located in i) RFP Section 1.1 Overview , and ii) in the recitals of the Master Agreement.
Contracts must be awarded to responsible contractors possessing the ability to perform successfully under the terms and conditions of the procurement.	§ 200.318 (h)	Yes	1) The goal of this CCOG RFP process was to find a technically qualified and responsive contractor(s) to perform the work identified with in the scope in RFP Section 1.2 Purpose and Scope. 2) Attachment A: Proposal Requirements and Specifications (the "Technical Proposal") was designed to facilitate the Proposal Review Team's ("PRT") evaluation of the technical qualifications and capabilities for each bidder. 3) Under CCOG's RFP scoring process, if a bidder's Technical Proposal receives a score of less than 50% of the total possible Technical Proposal points available, the bidder is deemed unqualified and unresponsive. The bidder is disqualified from the RFP process and the bidder's pricing proposal (the "Cost Proposal") remains sealed and is not reviewed by the PRT. RFP Section 5.1 Scoring of Proposals details CCOG's proposal evaluation process. 4) The proposal score sheet utilized by the PRT for evaluating responses to this RFP is located in RFP Attachment F Proposal Score Sheet. The Bid Tabulation includes the scores for each bidder. 5) CCOG awarded contract(s) to Bidder(s) with the most advantageous proposal, with price and other factors considered.

Uniform Guidance Procurement Requirement	2 C.F.R. Reference	Equalis Group Lead Agency Contract Conformity	
The non-Federal entity must maintain records sufficient to detail the history of each procurement.	§ 200.318 (i)	Yes	CCOG retains complete records of each procurement. Solicitation and Master Agreement documentation is published online at the associated contract landing page. All documentation is available to the public. - Rationale for the Method of Procurement: CCOG's procurement policy is to utilize formal procurement method as defined in 2 C.F.R. § 200.320 because the anticipated spend of Equalis Group members purchasing through any CCOG solicited contract is likely to exceed the simplified acquisition thresholds referenced in 2 C.F.R. § 200.320. Further, CCOG's procurement policy is to utilize the request for proposal formal procurement method because cooperative contract awards made available to Equalis Group members cannot include a specific number of products or services that will be purchased and the selection of the successful bidder includes both technical evaluations and cost considerations, providing the necessary flexibility to ensure contractors meet the needs of all public agencies that intend to use the contract. - Selection of Contract Type: CCOG's procurement policy is to use fixed price type contract. Fixed price contracts enable Equalis Group members to purchase the exact quantity of products and services each member requires based on the individual needs of each agency purchasing through the contract. - Contractor Selection or Rejection: the criteria and methodology for scoring proposals and identifying the lowest responsive and responsible bidder is detailed in RFP Section V Criteria for Proposal Evaluation & Scoring . See the Bid Tabulation for the scoring of each proposal submitted in response to this RFP. - Basis for the Contract Price: RFP Section 2.3 Cost Proposal & Acceptable Pricing Formats defines CCOG's requirements to provide pricing in submitted proposals. Attachment B - Cost Proposal provides a pricing template that bidders can utilize in their proposal and additional required information. CCOG contracts include pricing that is fully auditable.
The non-federal entity awarding the contract must be responsible for the settlement of all contractual and administrative issues arising out of procuring the contract.	§ 200.318 (k)	Yes	CCOG is responsible for the settlement of all contractual and administrative issues arising out of procuring the contract. RFP Section VI RFP Protest Procedures details the process for any potential or actual bidder to protest the award of the contract, or any other matter relating to the process of soliciting proposals, including source evaluation, protests, disputes, and claims.
The procurement of contracts for the acquisition of property or services acquired under a Federal award must be conducted with full and open competition.	§ 200.319 (a)	Yes	CCOG is a political subdivision in the State of Ohio and follows open and competitive procurement requirements defined in the Ohio Revised Code. CCOG's competitive solicitation for this contract was an RFP published online and in newspapers of general circulation across the country. See the Proof of Publication , which includes affidavits verifying publication of the RFP in more than ten newspapers. All specifications and requirements placed in the RFP were developed in a reasonable manner that did not favor any specific respondent. There were no conflicts of interest, arbitrary actions, or any other unreasonable requirements in the RFP or within the evaluation of proposals submitted by bidders.
Formal procurement methods are required when the value of the procurement of property or services acquired under a Federal award exceed the simplified acquisition threshold. Solicitations must be awarded in accordance with the following requirements: - solicitation publicized - all evaluation factors and their relative importance identified - adequate number of qualified offerors solicited - written method for conducting technical evaluations and making selections - contract awarded to the responsible offeror whose proposal is most advantageous	§ 200.320 (b) (2)	Yes	- Publicized: the Proof of Publication contains affidavits attesting to the publication of notice of this RFP in more than 10 newspapers across the country. - Evaluation Factors: RFP Section 5.1 Scoring of the Proposals provide bidders with a list of the evaluation factors on which their proposals will be evaluated. - Adequate Number of Offerors Solicited: CCOG solicited responses from more than ten potential offerors. - Written Method for Conducting Evaluations: RFP Section 5.1 Scoring of Proposals details CCOG's proposal evaluation process. - Award to Most Advantageous Proposal: RFP Section 5.1 D Final Scoring defines how each bidder's Technical Proposal and Cost Proposal scores are added together to calculate the final score of each proposal. CCOG awarded contract(s) to Bidder(s) with the most advantageous proposal, with price and other factors considered.
The awarded contract must include provisions covering the following, as applicable: a) administrative, contractual, or legal remedies for contractor breach of contract b) termination for cause or convenience clause c) Equal Employment Opportunity clause d) Davis-Bacon Act compliance e) Contract Work Hours and Safety Standards Act compliance f) Rights to Inventions Made Under a Contract or Agreement compliance g) Clean Air Act and Federal Water Pollution Control Act compliance h) Debarment and Suspension compliance i) Byrd Anti-Lobbying Amendment compliance j) Solid Waste Disposal Act compliance k) Prohibition on certain telecommunications and video surveillance services or equipment l) Domestic preferences for procurements	§ 200.327 & Appendix II 2 C.F.R. § 200	Yes	CCOG's RFP required compliance with the following requirements. Bidders must affirmatively agree to each requirement in their proposals and the winning contractor's proposal is incorporated into the Master Agreement, thereby making the bidder's agreement to each requirement a part of the Master Agreement as required by Uniform Guidance 2 C.F.R. §200.327 & Appendix II 2 C.F.R. § 200. The following are section references to RFP Attachment C Required Bidder Information & Certifications : a) Administrative, contractual, or legal remedies for contractor breach of contract clause - Section 15.3.1 . b) Termination for cause or convenience clause - Section 15.3.2 . c) Equal Employment Opportunity clause - Section 15.3.3 . d) Davis-Bacon Act compliance - Section 15.3.4 . e) Contract Work Hours and Safety Standards Act compliance - Section 15.3.5 . f) Rights to Inventions Made Under a Contract or Agreement compliance - Section 15.3.6 . g) Clean Air Act and Federal Water Pollution Control Act compliance - Section 15.3.7 . h) Debarment and Suspension compliance - Section 15.3.8 . i) Byrd Anti-Lobbying Amendment compliance - Section 15.3.9 . j) Solid Waste Disposal Act compliance - Section 15.3.10 .

Supporting Documentation

Equalis Group Master Agreement landing pages (accessed [here](#)) typically include the following:

- Request for proposals (**RFP**)
- Proof of RFP publication
- Winning supplier RFP response
- Bid tabulation
- Award letter
- Fully executed Master Agreement

Your Equalis Federal Funds Toolbox

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Spending Your SLFRF, ESSER & HEERF Funds

Tip: This page is easily found in the main navigation

Expenditure Compliance Guides

The guides below provide members with a roadmap to navigate the procurement requirements of Uniform Guidance and EDGAR as well as relevant guidance issued by various federal agencies.

[SLFRF Guide](#)

[Read Me](#)

[Federal Funding Eligibility Page](#)

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Explore Equalis Group's full Contract Portfolio in Excel

[DOWNLOAD PORTFOLIO](#)

Category ▾ Reset

Tip: Quickly search for contract by supplier name

Supplier Name / Contract #	Products & Services Available	Lead Agency
22nd Century Technologies / R10-105A	Staffing Services	Region 10 ESC
Adorama / R10-1123A	Audio Visual Electronics, Computers + Tablets, Hardware + Peripherals, IT-Audio Visual Electronics, IT-Computers + Tablets, Access	Region 10 ESC
Advanced School Staffing / R10-105B	Staffing	Region 10 ESC
Alumni Classroom Furniture / EQ-052920-01A	School	Region 10 ESC
AMERESCO / COC-231A	Demolition management, energy consulting, energy management services, Energy Procurement, Energy Documentation, Alternative Green Solutions, Energy Documentation, Electric, Energy Documentation, Natural Gas	CCOG

[Contract Landing Page](#)

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Congress appropriated \$675,000,000,000 (\$675 billion) in COVID relief dollars – who got what?

– Eligible uses of SLFRF, ESSER & HEERF dollars

The guidelines regarding the types of products and services in which federal fund recipients can spend those dollars are vague, intentionally.

Congress wanted to provide recipients with a broad Relief Funds they receive. Equalis Group developed SLFRF, ESSER, and HEERF. The source text from various federal requirements and guidelines associated with the various intended to provide a clear path to navigating and understanding the various federal requirements.

Tip: Fund Eligibility Guides are in this dropdown menu

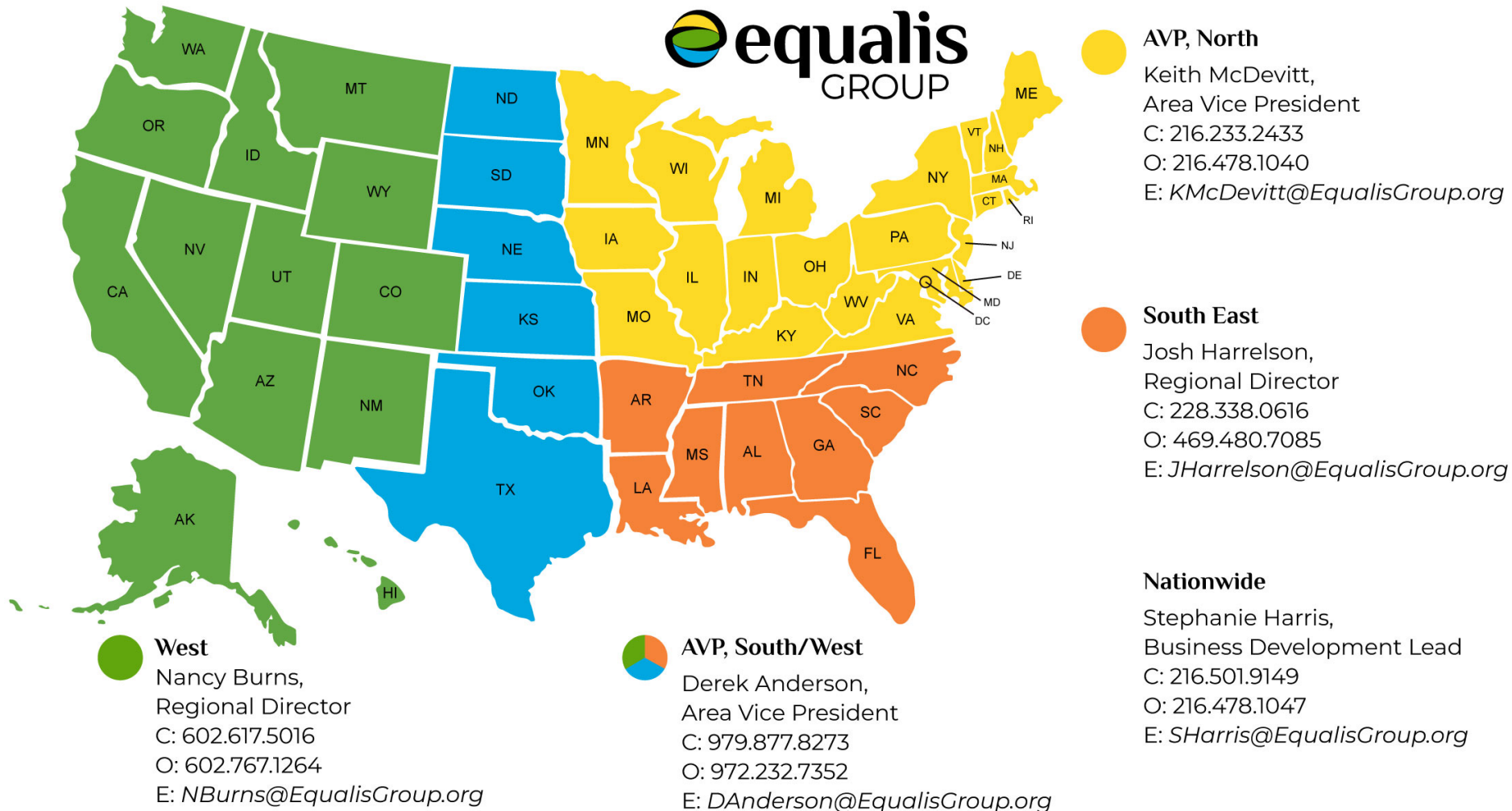
[SLFRF Recipients](#)

[ESSER Recipients](#)

[HEERF Recipients](#)

[Fund Eligibility Guides](#)

Equalis Group Sales Territory Map



Who Can Use Our Contracts?

- **Educational Institutions**

- K-12 Schools (public, charter, private & parochial)
- Colleges & Universities (public & private)
- Community Colleges & Technical Schools

- **Local Governments**

- Counties
- Municipalities (cities, townships & villages)
- Special Districts (park systems, libraries, transit authorities, water/sewer authorities, etc.)

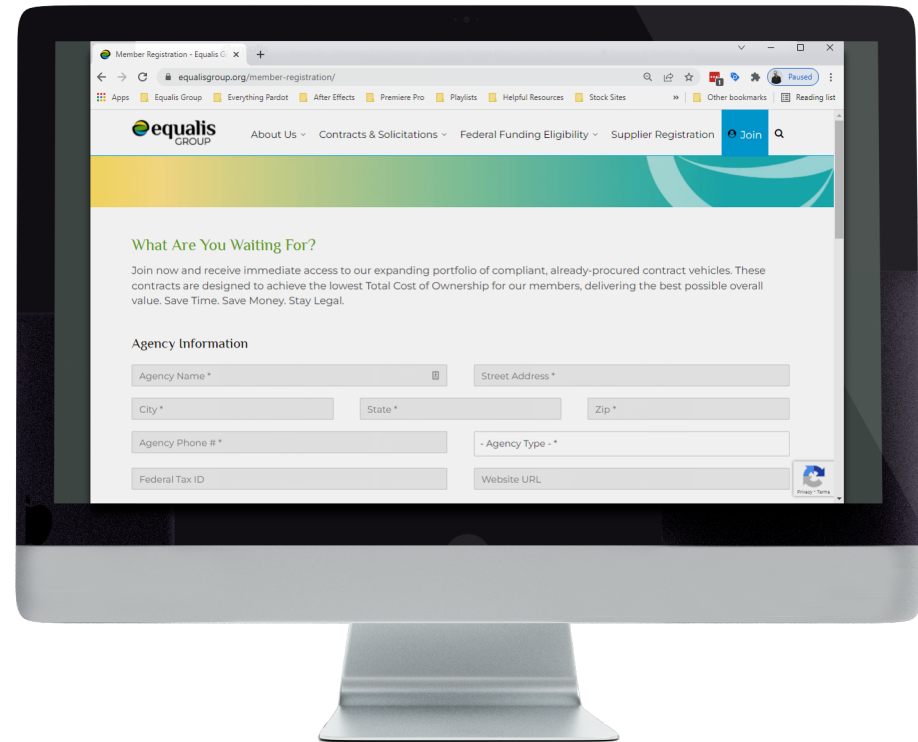
- **State Governments & State Agencies**

- ***Nonprofit Organizations***

- ***Private Sector Companies***

Joining Equalis is Easy

- There are no dues, costs, or obligations.
- Equalis Group's entire contract portfolio is immediately available as soon as you join.
- You will receive a membership ID number and welcome kit within 1-2 business days.




Sign up at EqualisGroup.org/Member-Registration



A Few Featured Suppliers



Upcoming Federal Funds Sessions



Date	Audience	Registration Link
March 8, 2022 @ 2:00pm EST	Prospective Members	Register
March 16, 2022 @ 11:30am EST	Members	Register
March 16, 2022 @ 2:00pm EST	Prospective Members	Register

Open Forum



www.EqualisGroup.org

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