



Building Mental Health Care and Education Capacity Program

Application & Program Guidelines

State of Nebraska

Revised June 2022 | 1.0

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

TABLE OF CONTENTS

TABLE OF CONTENTS	2
OVERVIEW & CONTACT INFORMATION	3
1 INTRODUCTION	4
2 ELIGIBILITY	4
3 GRANT AND MATCHING AMOUNTS	5
4 APPLICATION REVIEW & APPROVAL PROCESS	5
5 GUIDELINES & AWARD MANAGEMENT	6

OVERVIEW & CONTACT INFORMATION

Dave Dearmont, Research Administrator
Nebraska Department of Economic Development
Research Division
245 Fallbrook Blvd, Suite 002
Lincoln, NE 68521
402-471-3777
dave.dearmont@nebraska.gov

GRANT SCHEDULE	
Application Due Date	TBD
Anticipated Award Date	TBD
Contract Term End	TBD

The Building Mental Health Care and Education Capacity Program is authorized and further described within *Nebraska Legislative Bill 1014, § 45 (Neb. Leg., 107th Leg. 2d Sess.)*.

Application Portal and Grants Management System

To administer the Building Mental Health Care and Education Capacity Program (BMHCEC), the Nebraska Department of Economic Development (DED) uses a grants management system (GMS), AmpliFund. The GMS User Guides, with instructions for accessing and using of the system to apply or implement a BMHCEC grant, and other resources are available on DED's website, <http://opportunity.nebraska.gov/amplifund/>.

For technical assistance using the GMS, contact the AmpliFund support team at support@amplifund.zendesk.com. For assistance on DED's business processes in the GMS, email the DED Research team at support@dednebraska.zendesk.com.

1 INTRODUCTION

The Nebraska Legislature passed, and Governor Pete Ricketts signed, Legislative Bill 1014 during the 2022 Legislative Session for an Act relating to appropriating funds allocated to the State of Nebraska from the Federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021. In Section 45 of LB1014, \$10,000,000 for Fiscal Year 2021-22 and \$30,000,000 for Fiscal Year 2022-23 was appropriated to the Nebraska Department of Economic Development (DED) to provide construction grants to build mental health care and education capacity.

Improving mental health care and education capacity is a foundation for a full societal recovery from the COVID-19 pandemic. The benefits of expanding mental health and education capacity include improved access to mental health and education services. This improved access to services will reduce utilization of hospital emergency rooms and crisis care; decrease police involvement and incarceration; foster a higher quality of life through better education, workforce, and life skills; and increase job retention.

DED will make an application available to nonprofit organizations for the purpose of applying for construction grants from the Build Mental Health Care and Education Capacity Program. The applications will be accepted at a date to be determined. Awards will be issued until funds are exhausted.

The Application & Program Guidelines, grant schedule and other documents, once available, will be found at the forthcoming BMHCEC webpage on DED's website, opportunity.nebraska.gov, or by contacting the BMHCEC Program Coordinator.

GMS User Guides, with instructions for accessing and using the system to apply for and implement a BMHCEC grant, and other resources are available on DED's AmpliFund Resource page, <https://opportunity.nebraska.gov/programs/amplifund/>.

2 ELIGIBILITY

The BMHCEC Program and any awards made thereunder are funded with federal funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund (CSFRF) pursuant to the American Rescue Plan Act of 2021 (ARPA). As such, all funds must be used in compliance with section 602(c) of the Social Security Act, 42 U.S.C. § 802(c), 31 C.F.R. Part 35, the U.S. Department of the Treasury regulations implementing that section, all relevant Treasury guidance, and the Coronavirus State Fiscal Recovery Fund Award Terms and Conditions.

2.1 Eligible Use

Pursuant to 42 U.S.C. § 802(c)(1) awards made by the BMHCEC Program will be made to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). The BMHCEC Program will provide capital construction grants, to build mental health care and education capacity, to nonprofit organizations that provide mental health service and education in Nebraska. This response is an enumerated eligible use under 31 C.F.R. Part 35 as indicated on page 15 of the Treasury guidance *Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule*. There it is indicated that when it comes to behavioral health care, such as mental health treatment, substance use treatment, and

other behavioral health services, Treasury recognizes the pandemic has broadly impacted Americans' behavioral health.

As such, the State can provide these services to the general public as a response. Included in the list of enumerated uses found in this guidance is "behavioral health facilities and equipment." Treasury further expounded on this enumerated eligible use in the Supplementary Information promulgated with 31 C.F.R. Part 35 where the agency indicated that "[e]xamples of capital expenditures related to behavioral health that Treasury recognizes as eligible include behavioral health facilities and equipment (e.g., inpatient or outpatient mental health or substance use treatment facilities, crisis centers, diversion centers), as long as they adhere to the standards detailed in the Capital Expenditures section."

2.2 Eligible Applicants

Eligible Applicants are nonprofit organizations that provide mental health services and education in Nebraska.

3 GRANT AND MATCHING AMOUNTS

Grants will be awarded for amounts up to \$10,000,000.00, until all funds appropriated are awarded. While there is no formal match requirement, preference will be given to applicants who demonstrate a cash match from privately raised funds to be matched with grants from the Build Mental Health Care and Education Capacity Program.

4 APPLICATION REVIEW & APPROVAL PROCESS

DED will develop, make available, and accept applications at a date to be determined through its GMS, AmpliFund. The application is expected to require, at minimum, the following information:

- **Applicant's Organizational Overview.** Preference will be given to applications that have a defined and clear organizational structure; organizational experience in federal grants; qualified and capable personnel with experience in federal grants or equivalent credentials or experience; or can otherwise demonstrate that they will be a reliable Awardee who will use all awarded funds in a manner consistent with the law and the requirements of this program.
- **Applicant's Work Plan.** Applicants will be given preference if their work plan responds to and meets the goals or objectives of the program funding, as well as evidence of the ability to meet expected outcomes.
- **Applicant's Budget.** Applicants are expected to tailor their budgets to the actual work costs. Total request for funding itself will not determine an award; rather, applicants will be awarded based on whether their budget accurately reflects costs of completing the work set forth in the work plan. Preference will also be given to applicants who demonstrate privately raised funds to be matched with grants from the Build Mental Health Care and Education Capacity Program.

4.1 Application Technical Assistance

Applications will be submitted electronically, through DED's GMS. It will automatically close at the time specified. Applications cannot be submitted after that point. Once submitted, the application cannot be edited. DED will receive automatic notification of the submissions.

The user guides referenced in **bold** can be found at DED's GMS help center: <https://opportunity.nebraska.gov/programs/amplifund/>.

4.1.1 Account Management

If you do not already have an applicant account, you will need to register for one (see **Registering for the Applicant Portal** user guide). You will need to add your staff as users to your organizational account (see **How to Add Users**). If you have hired an entity to apply on your behalf ("External User"), please follow the **External Users Guide** when setting up the account. It is best practice for the applicant organization to create an AmpliFund account, adding your External User as a user in your organization.

4.1.2 Application Sections

To successfully apply, you will need to complete all required fields and sections of the applications. Applications will have the following sections:

- Project Information
- Application Forms
- Budget
- Performance Plan

DED's GMS support site will provide program-specific user guides, general user guides, and help videos on applying as the application date approaches.

5 GUIDELINES & AWARD MANAGEMENT

5.1 Award Overview

Once DED approves an application for an award, DED will issue a letter indicating as such to the Awardee. Along with the letter will be an organization questionnaire that the Awardee must complete fully and return to DED. Upon receipt of the organization questionnaire, DED will prepare and deliver to the Awardee a BMHCEC Program Grant Award Agreement for review and signature. This process typically happens within 30-45 days of DED's receiving the fully completed organizational questionnaire.

Awardees must review, sign, and submit the BMHCEC Grant Award Agreement and meet any required special conditions items before issuance of the first disbursement. Award agreements are issued for a performance period that will extend from the agreement start date until December 31, 2026. All funds awarded must be obligated to eligible uses by July 1, 2024, and if so obligated, expended by the Awardee by December 31, 2026. Funds not obligated by July 1, 2024 will be returned to DED for transfer as required under LB1024. Obligated funds not expended by December 31, 2026 must be returned to DED for return to Treasury. For the purposes of the award, "obligation" means orders placed for property and services,

contracts and subawards made, and similar transactions that require payment. Further instructions or other requirements about the award agreement may be provided to Awardees along with the NOA or by other written communication or notice.

5.2 Account Setup

Following DED's issuance of the application approval letter, the Awardee will receive a GMS-generated email from the AmpliFund Administrator, no-reply@gotomygrants.com, indicating that the Awardee has an award and prompting you to log-in. There will be a link with instructions on how to log-in, based on whether or not your organization has an account. This email is sent to the Account Owner, which is typically the Primary Contact as identified within the Application. Awardees should check their spam or junk mail folder as email settings may direct this system-generated email there. If the Primary Contact's information is no longer valid, the links in the email are expired, or the email is not received within 30 days of letter of approval, the Awardee should contact the BMHCEC Coordinator.

5.2.1 Log-in

The application portal is distinct from the award management side of the GMS, i.e., the URL used to apply for your grant is different from the URL you will use for checking the status of and managing your grant.

To manage your grant, always go to: <https://ne.amplifund.com> using a supported browser: Google Chrome, Mozilla Firefox, or Microsoft Edge.

To set-up your grant, please follow **What to Do When you Receive a Grant** guide on DED's GMS help center: <https://opportunity.nebraska.gov/programs/amplifund/>.

5.2.2 Add Users to your Account

Once the Awardee's Primary Contact sets up their user account, the option to add other users to help manage the grant becomes available, as does the ability to be assigned or assign tasks to complete various steps of grant implementation (e.g., sign contract, submit completed ACH form, submit payment request, etc.). Please follow the **How to Add Users** guide on DED's GMS help center.

5.2.3 Identify Grant Manager

After adding users to your account, the Awardee needs to identify a Grant Manager. This person will receive notifications ("tasks") requiring action for implementation of the grant.

NOTE: The Grant Manager is the primary point of contact for all grant-related matters. All DED and GMS automated emails are directed to the Grant Manager.

5.3 Award Agreement and Award Disbursement Process

Following DED's letter of approval, DED issues an electronic copy of the BMHCEC Award Agreement via DocuSign. Unless otherwise directed, the agreement and any special conditions are available within the GMS, under Tools > Documents. The BMHCEC Award Agreement is entered into between DED and the Awardee. If the Awardee is an organization or other legal entity, an authorized representative of the Awardee must sign the contract.

The Awardee must review, sign, date, and return the agreement via DocuSign to accept BMHCEC awards. DED signs the contract after it is signed by the Awardee. Upon full execution of the agreement and the meeting of any required conditions specified in the contract, the Awardee must submit the First Payment Request.

5.3.1 First Payment Request and Disbursement Process Overview

Upon DED's approval of the First Payment Request, DED will disburse grant funds on a reimbursement basis up to the full amount of the grant. Funds are transferred electronically to the account designated on the State of Nebraska ACH Enrollment Form, which must be submitted with the signed contract.

At any time, following the execution of the agreement and the meeting of special conditions of the agreement, the Awardee may submit the payment requests. An email from the AmpliFund Administrator will give notice to the Grant Manager that DED has approved the request for processing of payment. Upon subsequent processing, the email address(s) listed on the Awardee's ACH form receives notice.

Awardees can find detailed instructions for how to submit payment requests in the user guides located on DED's GMS help center, <https://opportunity.nebraska.gov/programs/amplifund/>. Payment of the reimbursement is subject to Awardee's submission of compliance materials (e.g., paid invoices, cancelled checks, etc.) for review and approval by DED.

The timing of the final disbursement request depends on the Awardee's ability to document expenditure of funds as required in the agreement but should be submitted to DED on or before the end of the contract term.

5.4 Compliance & Reporting Requirements

Once the grant awards are made, Awardees will be subject to applicable state and federal statutes and regulations which govern the use of the award funds. The following is a general overview of compliance and reporting requirements. It should not be considered an exhaustive review of all compliance and reporting requirements. In all instances, Awardees should review the statutes and regulations and agreement terms and conditions applicable to Awardee's use of their award.

5.4.1 Uniform Administrative Requirements

The BMHCEC grant awards are generally subject to the requirements set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200 (the "Uniform Guidance"). Awardees should review the Uniform Guidance requirements applicable to Applicant's use of federal funds, and federally funded projects. Awardees should consider how and whether certain aspects of the Uniform Guidance apply. The following provides a general summary of compliance responsibilities under applicable federal statutes and regulations, including the Uniform Guidance, as described in 2020 OMB guidance. Note that the descriptions below are only general summaries, and all Awardees are advised to carefully review

the Uniform Guidance requirements, any additional regulatory and statutory requirements applicable to the program, and the terms and conditions of the BMHCEC Award Agreement.

Allowable Activities. Each Awardee should review program requirements, including Treasury's Final Rule (31 C.F.R. Part 35) and the Awardee's Award Terms and Conditions, to determine and record eligible uses of funds. Per 2 CFR 200.303, Awardees must develop and implement effective internal controls to ensure that funding decisions under the award constitute eligible uses of funds, and document determinations.

Allowable Costs/Cost Principles. As outlined in the Uniform Guidance at 2 CFR Part 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that an Awardee is responsible for the effective administration of Federal awards, application of sound management practices, and administration of Federal funds in a manner consistent with the program objectives and terms and conditions of the award. Awardees must implement robust internal controls and effective monitoring to ensure compliance with the Cost Principles, which are important for building trust and accountability.

Funds may be, but are not required to be, used along with other funding sources for a given project. Note that funds may not be used for a non-Federal cost share or match where prohibited by other Federal programs.

Treasury's Final Rule and guidance and the Uniform Guidance outline the types of costs that are allowable, including certain audit costs. For example, per 2 CFR 200.425, a reasonable proportionate share of the costs of audits required by the Single Audit Act Amendments of 1996 are allowable; however, costs for audits that were not performed, or not in accordance with 2 CFR Part 200, Subpart F are not allowable. Please see 2 CFR Part 200, Subpart E regarding the Cost Principles for more information.

Eligibility. Under this program, if applicable, Awardees are responsible for ensuring funds are used for eligible purposes. Generally, Awardees must develop and implement policies and procedures, and record retention, to determine and monitor implementation of criteria for determining the eligibility of beneficiaries and/or subrecipients. Awardees will need to maintain procedures for obtaining information evidencing a given beneficiary, subrecipient, or contractor's eligibility including a valid SAM.gov registration. Implementing risk-based due diligence for eligibility determinations is a best practice to augment Awardee's existing controls.

Equipment and Real Property Management. Any purchase of equipment or real property with BMHCEC funds must be consistent with the Uniform Guidance at 2 CFR Part 200, Subpart D. Equipment and real property acquired under this program must be used for the originally authorized purpose. Consistent with 2 CFR 200.311 and 2 CFR 200.313, any equipment or real property acquired using BMHCEC funds shall vest in the non-Federal entity. Any acquisition and maintenance of equipment or real property must also be in compliance with relevant laws and regulations.

Period of Performance. Generally, unless otherwise limited by this program, funds must be used for costs incurred by the Awardee during the period that begins March 3, 2021 and ends on

December 31, 2024. Award funds expended for the financial obligations incurred by December 31, 2024, must be expended by December 31, 2026.

Procurement, Suspension & Debarment. Awardees are responsible for ensuring that any procurement using award funds, or payments under procurement contracts using such funds are consistent with the procurement standards set forth in the Uniform Guidance at 2 CFR 200.317 through 2 CFR 200.327, as applicable. The Uniform Guidance establishes in 2 CFR 200.319 that all procurement transactions for property or services must be conducted in a manner providing full and open competition, consistent with standards outlined in 2 CFR 200.320, which allows for non-competitive procurements only in circumstances where at least one of the conditions below is true: the item is below the micro-purchase threshold; the item is only available from a single source; the public exigency or emergency will not permit a delay from publicizing a competitive solicitation; or after solicitation of a number of sources, competition is determined inadequate. Awardees must have and use documented procurement procedures that are consistent with the standards outlined in 2 CFR 200.317 through 2 CFR 200.320. The Uniform Guidance requires an infrastructure for competitive bidding and contractor oversight, including maintaining written standards of conduct and prohibitions on dealing with suspended or debarred parties. Awardees must ensure adherence to all applicable local, State, and federal procurement laws and regulations.

Program Income. Generally, program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards and principal and interest on loans made with Federal award funds. Program income does not include interest earned on advances of Federal funds, rebates, credits, discounts, or interest on rebates, credits, or discounts. Awardees of BMHCEC funds should calculate, document, and record the organization's program income. Additional controls that Awardees should implement include written policies that explicitly identify appropriate allocation methods, accounting standards and principles, compliance monitoring checks for program income calculations, and records. The Uniform Guidance outlines the requirements that pertain to program income at 2 CFR 200.307. Treasury intends to provide additional guidance regarding program income and the application of 2 CFR 200.307(e)(1), including with respect to lending programs.

SAM.gov Requirements. Awardees are required to have an active registration with the System for Award Management (SAM) (<https://www.sam.gov>).

Recordkeeping Requirements. Generally, Awardees must maintain records and financial documents for five years after all funds have been expended or returned. Treasury may request transfer of records of long-term value at the end of such period. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats. Awardees must agree to provide or make available such records to the State of Nebraska, Nebraska Department of Economic Development, and the U.S. Department of Treasury upon request, and to any authorized oversight body, including but not limited to the Government Accountability Office ("GAO"), Treasury's Office of Inspector General ("OIG"), and the Pandemic Relief Accountability Committee ("PRAC").

Single Audit Requirements. Generally, Awardees that expend more than \$750,000.00 in federal awards during their fiscal year will be subject to an audit under the Single Audit Act and its implementing regulation at 2 CFR Part 200, Subpart F regarding audit requirements. Awardees may also refer to the Office of Management and Budget (OMB) Compliance Supplements for audits of federal funds and related guidance and the Federal Audit Clearinghouse to see examples and single audit submissions.

Civil Rights Compliance. Awardees are required to meet legal requirements relating to nondiscrimination and nondiscriminatory use of the funds. Those requirements include ensuring that entities receiving Federal financial assistance from the Treasury do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: Title VI of the Civil Rights Act of 1964 (Title VI) Public Law 88-352, 42 U.S.C. 2000d-1 et seq., and Treasury's implementing regulations, 31 CFR part 22; Section 504 of the Rehabilitation Act of 1973 (Section 504), Public Law 93-112, as amended by Public Law 93-516, 29 U.S.C. 794; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq., and the Department's implementing regulations, 31 CFR part 28; Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101 et seq., and the Department implementing regulations at 31 CFR part 23.

Davis-Bacon Act. While the Davis-Bacon Act requirements (prevailing wage rates) do not apply to projects funded solely with award funds from the SLFRF program, except for certain SLFRF-funded construction projects undertaken by the District of Columbia, when undertaking capital expenditures, Treasury encourages awardees to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages awardees to prioritize in their procurements, employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws. Additional standards may be applicable based on state statutes and award agreement terms and conditions.

NEPA Applicability. The National Environmental Policy Act (NEPA) does not apply to Treasury's administration of the SLFRF program, although projects supported with SLFRF funds may still be subject to NEPA review if they are also funded by other federal financial assistance programs.

To carry out any compliance responsibilities DED will collect and review information from Awardees to ascertain their compliance with the applicable requirements before and after providing financial assistance. Treasury's implementing regulations, 31 CFR part 22, and the Department of Justice (DOJ) regulations, Coordination of Non-discrimination in Federally Assisted Programs, 28 CFR part 42, provide for the collection of data and information from Awardees (see 28 CFR 42.406). DED may request that Awardees submit data for post-award compliance reviews, including information such as a narrative describing their Title VI compliance status.

5.5 Reporting Requirements

All Awardees must complete financial, performance, and compliance reporting as required by their BMHCEC Award Agreement. Expenditures may be reported on a cash or accrual basis, as long as the methodology is disclosed and consistently applied. Reporting must be consistent with the definition of expenditures pursuant to 2 CFR 200.1. Awardees should appropriately maintain accounting records for compiling and reporting accurate, compliant financial data, in accordance with appropriate accounting standards and principles. In addition, where appropriate, Awardees must establish controls to ensure completion and timely submission of all mandatory financial, performance, and/or compliance reporting. Awardee shall provide a copy of the results of their annual single audit or a programs specific audit when applicable.

Awardees can find detailed instructions for how to submit reporting requirements in the user guides located on DED's GMS help center, <https://opportunity.nebraska.gov/programs/amplifund/>.