

State Small Business Credit Initiative (SSBCI) Investing in America Small Business Opportunity Program (SSBCI Investing in America SBOP)

Assistance Listing Number: 21.034

Grants.gov Funding Opportunity Number: SSBCI-TA-2023-001

Notice of Funding Opportunity (NOFO) Release Date: October 25, 2023

Application Deadline: 60 calendar days from the date the SSBCI Investing in America SBOP application is available. Treasury will publish a separate notification when the program application is published that specifies the application deadline and will update this NOFO accordingly.

**Overview**

The U.S. Department of the Treasury (Treasury) is pleased to announce that it is seeking applications from eligible applicants for grant funding under the new SSBCI Investing in America SBOP that propose innovative and high-impact models for delivering technical assistance (TA) in the areas of legal, accounting, and financial advisory services to very small businesses (VSBs) and businesses owned and controlled by socially and economically disadvantaged individuals (SEDI-owned businesses).

The SSBCI Investing in America SBOP is related to and supports the SSBCI Capital Program and the allocation formula-based SSBCI TA Grant Program. The SSBCI Capital Program is a federal program administered by Treasury that provides funding to states, the District of Columbia, territories, and Tribal governments to expand access to capital for small businesses emerging from the pandemic, build ecosystems of opportunity and entrepreneurship, and create high-quality jobs. The formula SSBCI TA Grant Program is also a federal program administered by Treasury that funds the provision of TA services in the areas of legal, accounting, and financial advisory services to eligible small businesses applying for SSBCI funding and other government small business programs.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed under applicable law.

**Eligible Applicants**

Any state, territory, the District of Columbia, or Tribal government (each a “jurisdiction”) that has been approved as a participating jurisdiction in the SSBCI Capital Program is eligible to apply. Jurisdictions that are not yet approved as participating jurisdictions in the SSBCI Capital Program, but that have submitted complete and timely SSBCI Capital Program applications (or are part of a joint Tribal government application), are also eligible to apply; however, to receive

an SSBCI Investing in America SBOP award, a jurisdiction must be approved as a participating jurisdiction in the SSBCI Capital Program.

Groups of Tribal governments may apply jointly (i.e., in consortia). For additional requirements applicable to joint Tribal applications, please see TA Grant Program FAQ #3 “Can a Tribal-affiliated entity or non-Tribal entity apply for a TA grant, sign a TA Grant Agreement, and implement the grant on behalf of a group of Tribal governments” under Section III. Eligible Recipients, Beneficiaries, and TA Providers at <https://home.treasury.gov/system/files/136/SSBCI-FAQs.pdf>, which will apply to applications and grants under this NOFO.

States, territories, and the District of Columbia may not apply jointly, but an application from these applicants or from Tribal governments will receive more points if the TA program is designed to serve eligible small businesses on a regional basis as described in Section C.1 below and the “Project Reach” evaluation criterion in Section E.1 below.

### **Contact Information**

Applications must be submitted through Treasury’s forthcoming Portal, which will be available at <https://portal.treasury.gov/cares/s/ssbci-home-page>. For technical support with Treasury’s Portal, please e-mail [SSBCI\\_information@treasury.gov](mailto:SSBCI_information@treasury.gov).

### **Submission Information**

***SAM.gov Registration:*** To submit an application, all applicants must be registered in the System for Award Management (SAM) and provide a valid Unique Entity Identifier (UEI) in the application. Applicants may visit the [SAM.gov](https://sam.gov) website to complete SAM.gov registration and obtain a UEI. If an applicant has already registered on SAM.gov, please log on to SAM.gov and confirm that the applicant’s SAM.gov registration is active with current information and that a UEI has been assigned to the applicant. Please see the SAM.gov website at [SAM.gov | Duns – Sam UEI](https://sam.gov) for more information on UEIs. Please also see Section D.3 below for additional information on UEI requirements and SAM.gov.

***Application submission:*** Treasury will establish an online portal for eligible applicants to submit their SSBCI Investing in America SBOP applications. For more information about how to submit an application, see Section D below.

Additional guidance regarding the program will be available on Treasury’s website at [State Small Business Credit Initiative \(SSBCI\) | U.S. Department of the Treasury](https://www.treasury.gov/press-releases/Pages/2021/04/20210420-ssbci). The complete application package (this NOFO and the application template) will be available on Treasury’s website at [State Small Business Credit Initiative \(SSBCI\) | U.S. Department of the Treasury](https://www.treasury.gov/press-releases/Pages/2021/04/20210420-ssbci).

### **Authorizing Authority**

The statutory authority for the SSBCI Investing in America SBOP is section 3009(e)(1) of the Small Business Jobs Act of 2010 (SSBCI statute), as added by section 3301(d) of the American Rescue Plan Act of 2021 (ARPA) and codified at 12 U.S.C. § 5708(e)(1).

**Appropriation Authority**

This program is funded by section 3301(a)(2) of ARPA.

**Announcement Type**

Initial

**Table of Contents**

**A. PROGRAM DESCRIPTION** ..... 6

    1. Overview ..... 6

    2. Key Terms..... 6

    3. Objectives ..... 9

**B. FEDERAL AWARD INFORMATION**..... 11

    1. Anticipated Total Amount to be Awarded..... 11

    2. Anticipated Number and Amount of Awards ..... 11

    3. Anticipated Type and Duration of Awards..... 11

**C. ELIGIBILITY INFORMATION**..... 11

    1. Eligible Applicants..... 11

    2. Eligible Beneficiaries..... 12

    3. Eligible TA Providers ..... 13

    4. Eligible TA Services ..... 14

    5. Non-Federal Matching Funds ..... 15

    6. Other Eligibility Requirements ..... 16

**D. APPLICATION AND SUBMISSION INFORMATION**..... 17

    1. Address to Request Application Package ..... 17

    2. Method and Content of Application Submission..... 17

    3. Unique Entity Identifier and System for Award Management (SAM)..... 29

    4. Creating an ID.me Account for Treasury Portal Access..... 30

    5. Submission Dates and Times..... 30

    6. Funding Restrictions ..... 31

**E. APPLICATION REVIEW INFORMATION**..... 31

    1. Evaluation Criteria ..... 32

    2. Review and Selection Process ..... 35

    3. Due Diligence ..... 37

    4. Title VI of the Civil Rights Act Pre-Award Compliance Review ..... 37

    5. Awards in Excess of the Simplified Acquisition Threshold..... 38

**F. FEDERAL AWARD ADMINISTRATION INFORMATION** ..... 38

    1. Federal Award Notices ..... 38

    2. Administrative and National Policy Requirements..... 39

    3. Reporting..... 39

4. Conflict of Interest .....40

**G. FEDERAL AWARDING AGENCY CONTACT.....41**

## **A. PROGRAM DESCRIPTION**

### **1. Overview**

Treasury is pleased to announce that it is seeking applications from eligible applicants for grant funding under the new SSBCI Investing in America Small Business Opportunity Program (SSBCI Investing in America SBOP). Treasury intends to award \$75 million in federal grants through the program to eligible recipients to support programs that propose innovative and high-impact models for delivering technical assistance (TA) in the areas of legal, accounting, and financial advisory services to very small businesses (VSBs) and businesses owned and controlled by socially and economically disadvantaged individuals (SEDI-owned businesses).

Under the program, applications that can maximize impact by providing or securing a dedicated cash match to supplement or expand TA offerings will receive more points in the evaluation process.

In addition, an application will receive more points if the TA program is designed to serve eligible small businesses on a regional basis as described in Section C.1 below and the “Project Reach” evaluation criterion in Section E.1 below, and as illustrated in the non-exhaustive examples in Section A.3 below.

The SSBCI Investing in America SBOP is related to and supports the SSBCI Capital Program and the allocation formula-based SSBCI TA Grant Program. The SSBCI Capital Program supports credit and investment programs for eligible small businesses, and the formula SSBCI TA Grant Program funds the provision of TA services in the areas of legal, accounting, and financial advisory services to eligible small business beneficiaries applying for SSBCI funding and other government small business programs.

### **2. Key Terms**

Treasury uses certain key terms throughout this NOFO, including:

- Eligible beneficiaries are VSBs and SEDI-owned businesses (as defined in this section) that are applying for a jurisdiction’s SSBCI Capital Program or other federal or other jurisdiction small business program. See Section C.2 below for additional information.

References throughout this NOFO to businesses applying for SSBCI capital programs or other small business programs also include businesses that are preparing to apply for or have previously applied for such programs.

- A legal, accounting, or financial advisory firm (LAF firm) is a for-profit or nonprofit entity that meets at least one of the following criteria:
  1. A primary purpose of the entity or a central part of the entity’s mission is to provide legal, accounting, and/or financial advisory services,
  2. The entity regularly markets or publicizes itself as providing legal, accounting, and/or financial advisory services, or

3. At least 25% of the entity's revenues or staff are dedicated to providing legal, accounting, and/or financial advisory services.

*See also* FAQ # 2 “How does Treasury define a ‘legal, accounting, of financial advisory firm’ for purposes of the TA Grant Program?” under Section III. Eligible Recipients, Beneficiaries, and TA providers at <https://home.treasury.gov/system/files/136/SSBCI-FAQs.pdf>, which will apply to applications and grants under this NOFO.

- A SEDI-owned business is:
  1. A business enterprise that certifies that it is owned and controlled by individuals who have had their access to credit on reasonable terms diminished compared to others in comparable economic circumstances due to:
    - Membership of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society;
    - Gender;
    - Veteran status;
    - Limited English proficiency;
    - Disability
    - Long-term residence in an environment isolated from the mainstream of American society;
    - Membership of a federally or state-recognized Indian Tribe;
    - Long-term residence in a rural community;
    - Residence in a U.S. territory;
    - Residence in a community undergoing economic transitions (including communities impacted by the shift towards a net-zero economy or deindustrialization); or
    - Membership of an underserved community. (Underserved communities are populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the definition of equity. Equity is consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders, and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.)

2. A business enterprise that certifies that it is owned and controlled by individuals whose residences are in Community Development Financial Institution (CDFI) Investment Areas, as defined by 12 CFR § 1805.201 (b)(3)(ii).<sup>1</sup>
3. A business enterprise that certifies that it will build, open, or operate a location in a CDFI Investment area, as defined in 12 C.F.R § 1805(b)(3)(ii); or
4. A business enterprise that certifies that it is located in a CDFI Investment Area, as defined in 12 CFR § 1805.201(b)(3)(ii).

For purposes of SEDI-owned business category 4 above, an eligible recipient under the SSBCI Investing in America SBOP may reasonably identify businesses located in CDFI Investment Areas based on businesses' addresses from relevant TA applications or documentation without additional certification.

For purposes of the definition of "SEDI-owned business," a business is "owned and controlled" by applicable individuals:

- If the business is privately owned, if 51 percent or more is owned by such individuals;
  - If the business is publicly owned, if 51 percent or more of the stock is owned by such individuals; and
  - In the case of a mutual institution, such as a non-profit, if a majority of the board of directors, account holders, and the community which the institution serves is predominantly comprised of such individuals.
- TA providers provide TA services to eligible beneficiaries and must be either jurisdiction entities (e.g., state agencies or government corporations) or LAF firms as described in Section C.3 below.
  - TA services are legal, accounting, and financial advisory services provided to eligible beneficiaries as described in Section C.4 below.
  - A VSB is a business with fewer than 10 employees, and includes independent contractors and sole proprietors.

---

<sup>1</sup> For each calendar year, Treasury will use the list of CDFI Investment Areas identified by the CDFI Fund as of January 1 of that calendar year. If the CDFI Fund's list is updated during that calendar year, the new list will not be adopted for purposes of the SSBCI Investing in America SBOP until the next calendar year, in order to provide advance notice to jurisdictions. Treasury has provided a mapping tool for the borrower or investee to use to identify whether the relevant address is in a CDFI Investment Area, available at <https://home.treasury.gov/policy-issues/small-business-programs/state-small-business-credit-initiative-ssbci/2021-ssbci/cdfi-fund-investment-areas>.

The CDFI Fund evaluates Puerto Rico, but not other territories, in identifying CDFI Investment Areas. For purposes of the SSBCI, Treasury has also evaluated American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands and has determined that these territories in their entirety constitute CDFI Investment Areas, because each of these territories has a poverty rate of at least 20 percent. See 12 CFR § 1805.201(b)(3)(ii)(D)(1).



### 3. **Objectives**

Treasury seeks to advance the following objectives through the SSBCI Investing in America SBOP:

- Connect VSBs and SEDI-owned businesses with loans or investments supported by the SSBCI Capital Program or other federal or other jurisdiction small business programs.
- Assist VSBs and SEDI-owned businesses to secure financing so they can access, leverage, and scale into business opportunities arising from legislation such as ARPA, the Bipartisan Infrastructure Law (BIL), the Creating Helpful Incentives to Produce Semiconductors and Science Act (CHIPS and Science Act), or the Inflation Reduction Act (IRA).
- Incentivize innovation in the delivery of TA services through collaborations with other jurisdictions, SEDI-owned LAF firms, non-traditional TA providers, educational institutions, and community-serving organizations. For example:
  - An applicant may propose a partnership, which may occur through a subaward or contract, with Community Navigators or other intermediaries that work with networks of TA providers, to quickly identify for the applicant SEDI-owned businesses and VSBs in need of TA services.<sup>2</sup>
  - An applicant may show how an existing economic development cluster<sup>3</sup> might leverage the reach of their proposed TA project.
- Scale the impact of SSBCI Investing in America SBOP awards through matching funds, including from the private sector.

As noted above, one objective of the program is to support eligible businesses as they connect and scale into opportunities resulting from or aligned with investments under federal legislation. Examples of such opportunities are:

- Business opportunities related to BIL include high-speed internet expansion, road construction, airport modernization, power grid updates, and public transit expansion, all of which may include construction, engineering, installation, and manufacturing work.
- Business opportunities related to CHIPS include fabrication of semi-conductors, including the related supply chain logistics and needed service providers.
- Business opportunities related to the IRA include the development or installation of renewable energy technologies; building weatherization and energy efficiency services;

---

<sup>2</sup> For more information on Community Navigators, see the Small Business Administration’s website at [Community Navigators | U.S. Small Business Administration \(sba.gov\)](https://www.sba.gov/community-navigators).

<sup>3</sup> Please see Section D.2.b.iii.b under “Section 6: Proposed Solution” below for more information on how the term “economic development cluster” is defined for purposes of this program.

and manufacturing of batteries, solar, and wind parts and the development of technologies like carbon capture systems and electrolyzers to make hydrogen, all of which may include construction, engineering, manufacturing, supply chain, and logistics work.

The following non-exhaustive examples help illustrate some types of TA projects that may receive high scores under this NOFO. Note that these are examples only and are not intended to limit an applicant's program design. Experimentation and innovation are highly encouraged to maximize the impact of the TA services provided.

- Tribe A identifies emerging supply chain business activity related to the BIL and CHIPS and identifies TA needs to enable businesses owned by Tribal members to scale into those business activities. Tribe A will partner (by contract or subaward) with TA providers owned by Tribal members to deliver services and has partnered with municipalities to market and identify TA beneficiaries. Tribe A has secured private matching funds from corporations that seek Tribal contracting and supply chain partners.
- State B identifies supply chain and manufacturing opportunities related to the BIL, IRA, or CHIPS. The state's proposed project identifies TA services needed to enable VSBs or SEDI-owned businesses to connect to those opportunities, and describes a need-based assessment that demonstrates the service is essential to improving the businesses' chance of a successful SSBCI loan or investment decision. State B will partner (by subaward) with a local university and the state's Manufacturing Extension Partnership Program center to manage the program. The subrecipients will contract with LAF firms to provide TA services (with a clear plan to prioritize LAF firms that are SEDI-owned businesses as prioritization is described in "Section 4: Key Partners and Project Support" of the Program Design and Substance in Section D.2.b.iii below) and have partnered with municipalities and Historically Black Colleges and Universities (HBCUs) throughout the state to market and identify TA beneficiaries. State B has secured private matching funds from corporations that seek underserved contracting and supply chain partners.
- Tribe C, State D, and City E identify a region that is located within the geographic boundaries of all three jurisdictions, with great potential to leverage recent federal investments and where there is a need for TA services to help small businesses benefit from those investments. The three jurisdictions develop a clear plan to engage two TA providers with specific and extensive experience in assisting VSBs and SEDI-owned businesses to provide TA services throughout the multi-state region. Tribe C applies for the SSBCI Investing in America SBOP award (but State D and City E do not). Tribe C's application includes letters of support from the governor's offices of State D, as well as from the economic development office of City E, detailing how the state and the city will support and be involved in the effort, including by providing independent non-SSBCI matching capital funds to leverage the award.
- States F and G identify a distressed region with potential to leverage a growing economic development cluster. The states coordinate on a plan to support businesses in the region

with appropriate TA services to better leverage opportunities generated by the cluster. Both State F and State G submit separate, but complementary applications that clearly indicate the two applications are meant to be read in concert.

- State H identifies a region located within its borders with potential to connect eligible small businesses to opportunities created from federal investments. State H coordinates with Cities I and J to develop a plan with clear engagement from all three governments and that identifies TA providers with a track record of supporting eligible beneficiaries. State H submits an application that includes letter of support from the Mayors of Cities I and J detailing how the cities will support State I's application, including that Cities I and J will receive subawards from State H if State H receives an SSBCI Investing in America SBOP award.

## **B. FEDERAL AWARD INFORMATION**

### **1. Anticipated Total Amount to be Awarded**

Treasury anticipates \$75 million in grant funding may be awarded under this NOFO.

### **2. Anticipated Number and Amount of Awards**

Treasury anticipates that it will make between 8 and 15 awards under this NOFO, with individual awards ranging from \$5 million to \$10 million. Treasury anticipates that larger awards will have a regional focus that involves collaboration between jurisdictions. The ranges in this paragraph are provided only for your information and may prove useful for planning purposes. Actual amounts awarded may be higher or lower, including based on the availability of funds.

### **3. Anticipated Type and Duration of Awards**

Treasury anticipates awarding grants under this NOFO that will have a performance period of up to three consecutive years from the period of performance start date as specified in the award agreement. The length of the period of performance should be based on the assessed needs of the jurisdiction's eligible small businesses and must be clearly articulated in all budget documents.

## **C. ELIGIBILITY INFORMATION**

### **1. Eligible Applicants**

Any state, territory, the District of Columbia, or Tribal government (each a "jurisdiction") that has been approved as a participating jurisdiction in the SSBCI Capital Program is eligible to apply. Jurisdictions that are not yet approved as participating jurisdictions in the SSBCI Capital Program, but that have submitted complete and timely SSBCI Capital Program applications (or are part of a joint Tribal government application) are also eligible to apply; however, to receive an SSBCI Investing in America SBOP award, a jurisdiction must be approved as a participating jurisdiction in the SSBCI Capital Program.

In addition, the eligible applicant for a jurisdiction, which may be a specific department, agency, or political subdivision of the jurisdiction, will be required to submit a designation letter on

official letterhead signed by the governor of the state or mayor of the District of Columbia, or governing official of the territory or Tribal government. For more information, see “Applicant Letter of Designation” under Section D.2.b.i below.

Groups of Tribal governments may apply jointly (i.e., in consortia). For additional requirements applicable to joint Tribal applications, please see TA Grant Program FAQ #3 “Can a Tribal-affiliated entity or non-Tribal entity apply for a TA grant, sign a TA Grant Agreement, and implement the grant on behalf of a group of Tribal governments” under Section III. Eligible Recipients, Beneficiaries, and TA Providers at <https://home.treasury.gov/system/files/136/SSBCI-FAQs.pdf>, which will apply to applications and grants under this NOFO.

States, territories, and the District of Columbia may not apply jointly, but an application from these applicants or from Tribal governments will receive more points if the TA program is designed to serve eligible small businesses in multiple jurisdictions within the same region. Cities and other municipalities (within or outside of a state applicant) are not themselves eligible applicants but are considered jurisdictions for the limited purpose of awarding regional collaboration points to eligible applicants. This may be achieved in one of four ways:

- a. Only one collaborating jurisdiction submits an application, but includes letters of support from other jurisdictions detailing how the non-applying jurisdictions will support and be involved in the effort, including by providing independent non-federal matching funds to leverage the SSBCI Investing in America SBOP award.
- b. Only one collaborating jurisdiction submits an application, but commits to making a subaward to another jurisdiction (consistent with Section C.3 below) to support a regional program.
- c. Multiple Tribal governments submit a joint application.
- d. Multiple states, territories, or the District of Columbia submit separate applications, but coordinate on a common plan and clearly indicate that their applications should be considered in concert. Because joint applicants are not permitted for these jurisdictions, Treasury reviewers will read these separate applications in concert but score them separately. Additional points for regional collaboration will only be awarded if multiple coordinating jurisdictions are strong enough to be recommended for funding in accordance with the Senior Leadership Review described in Section E.2.c. If only one of the collaborating jurisdictions is slated to be recommended for funding, then no regional collaboration points will be awarded to any of the applicants and each application will be scored on its own merits.

## **2. Eligible Beneficiaries**

Eligible beneficiaries under this program are VSBs and SEDI-owned businesses that are applying for a jurisdiction’s SSBCI Capital Program or other federal or other jurisdiction small business program. See Section A.2, above for the definitions of “VSB” and “SEDI-owned business.”

Some businesses may qualify as both VSBs and SEDI-owned businesses. A recipient can consider these businesses as VSBs, SEDI-owned businesses, or both for all purposes for grants made under this NOFO.

### **3. Eligible TA Providers**

A recipient may (1) provide TA services itself under an SSBCI Investing in America SBOP award, (2) make a subaward for certain subrecipients to provide TA services under an award, (3) contract with third-party LAF firms to provide the TA services, or (4) make a subaward to a non-federal entity (as defined at 2 CFR § 200.1<sup>4</sup>) that is not an entity of the recipient (e.g., a state entity or other jurisdiction entity) or LAF firm, provided that:<sup>5</sup>

- A subrecipient must be either an entity of the recipient (e.g., a state agency or government corporation) or an LAF firm. *See also* FAQ # 1 “Can a state participating in the TA Grant Program make a subaward to a political subdivision of that state?” under Section III. Eligible Recipients, Beneficiaries, and TA providers at <https://home.treasury.gov/system/files/136/SSBCI-FAQs.pdf>, which will apply to applications and grants under this NOFO.
- A third-party contractor must be an LAF firm.
- In a subaward to a non-federal entity that is not an entity of the recipient or LAF firm, the subrecipient must act in an administrative role as a pass-through entity and must contract with or make subawards to jurisdiction entities or LAF firms that serve as TA providers that will provide the TA services.<sup>6</sup> This includes subawards to other jurisdictions.<sup>7</sup>

Using SAM.gov, recipients must verify prior to entering into a subaward or contract that the subrecipient or contractor is not suspended, debarred, or otherwise excluded from or ineligible

---

<sup>4</sup> The regulation at 2 CFR § 200.1 defines “non-federal entity” as a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.

<sup>5</sup> Note that examples of potential TA providers or subrecipients used throughout this NOFO, such as Community Navigators, are only eligible to the extent that the specific proposed entity meets the criteria described in this section.

<sup>6</sup> For example, a jurisdiction may make a subaward to a nonprofit entity that is not an LAF firm, which then makes a subaward to or contracts with LAF firms to provide TA services. The nonprofit entity will be responsible for the oversight of TA providers and reporting to the recipient.

<sup>7</sup> A subaward from a recipient jurisdiction to another jurisdiction or an entity of another jurisdiction is permissible if the subrecipient will act in an administrative role and will contract with or make subawards to LAF firms that serve as TA providers that will provide TA services (rather than providing TA services itself). Any subaward agreement must incorporate all the terms and conditions of the SSBCI Investing in America SBOP grant agreement and must include the information listed in 2 CFR § 200.332(a). A pass-through entity must require a subrecipient, including a lower-tier subrecipient, to comply with the terms and conditions of the SSBCI Investing in America SBOP grant agreement, including the applicable requirements of the Uniform Guidance (2 CFR Part 200). In accordance with 2 CFR § 200.332, pass-through entities must monitor subrecipients’ use of SSBCI Investing in America SBOP funds to ensure the subrecipients’ compliance with all SSBCI Investing in America SBOP award terms and conditions.

for participation in federal assistance programs or activities pursuant to 31 CFR § 19.300 and 2 CFR § 200.214.<sup>8</sup>

The regulation at 2 CFR § 200.331 provides guidance on determining when an entity is a subrecipient or a contractor. A recipient that makes a subaward to a subrecipient to carry out an SSBCI Investing in America SBOP award is also known as a pass-through entity.

A pass-through entity must execute a subaward agreement with the subrecipient, which is a legally binding written agreement that includes a budget consisting of separate line items reflecting the budget categories set forth in Section D.2.b.iv below or a fixed amount consistent with 2 CFR § 200.332. Any subaward agreement must incorporate all the terms and conditions of the SSBCI Investing in America SBOP grant agreement and must include the information listed in 2 CFR § 200.332(a).<sup>9</sup> A pass-through entity must require a subrecipient, including a lower-tier subrecipient, to comply with the terms and conditions of the grant agreement, including the applicable requirements of the Uniform Guidance (2 CFR Part 200).

In accordance with 2 CFR § 200.332, pass-through entities must monitor subrecipients' use of SSBCI Investing in America SBOP funds to ensure the subrecipients' compliance with all award terms and conditions.

#### **4. Eligible TA Services**

Funds provided under an SSBCI Investing in America SBOP award are for the provision of legal, accounting, and financial advisory services (i.e., TA services) intended to help VSBs and SEDI-owned businesses applying for SSBCI capital or for other federal or other jurisdiction programs that support small businesses. Such services include a wide variety of assistance throughout the business life cycle.

Eligible TA services provided to an eligible beneficiary under an SSBCI Investing in America SBOP award include the following and other services that are similar to the following.

##### ***Legal Services***

- Assisting with business formation or adopting corporate governance documents.
- Obtaining needed registrations, licenses, filings, and certifications.
- Advising on, or preparing documents for, the business to enter into contracts.
- Legal services related to the business obtaining capital from investors, such as the development of financial instruments, investment term sheets, purchase agreements, and shareholder rights agreements.

---

<sup>8</sup> The "Help" tab on SAM.gov provides users with instructions on a variety of topics, including how to search for entity exclusions. To access the instructions on searching for exclusions, visit <https://sam.gov/content/help> and scroll down to "Help for Non-Federal Users." Click on "Searching for Information in SAM.gov" and then click on "Looking for Exclusions." You may also ask the Federal Service Desk at [https://www.fsd.gov/gsafsd\\_sp](https://www.fsd.gov/gsafsd_sp).

<sup>9</sup> See also 2 CFR § 200.101(b)(2) (Applicability to different types of Federal awards), which describes the applicability of 2 CFR Part 200 to various types of federal awards, including their application to subrecipients, and 2 CFR §§ 200.331-333 (Subrecipient monitoring and management).

- Legal services related to a transfer of ownership interests in a business, in the case of employee stock ownership plans (ESOPs) qualifying under section 401 of the Internal Revenue Code, worker cooperatives, employee ownership trusts, or related vehicles, provided that the transaction results in broad-based employee ownership for employees in the business and the employee stock ownership plan or other employee-owned entity holds a majority interest (on a fully diluted basis) in the business.

### *Accounting Services*

- Preparing audits, financial statements, or business records.
- Digitizing financial records.
- Advisory services or training regarding accounting practices, recordkeeping, or accounting software.

### *Financial Advisory Services*

- Assisting with the establishment of banking relationships or other financial services.
- Assisting with applications for government small business programs, including preparing financial analyses.
- Identifying sources of credit, capital, grants, and other financing.
- Advising on factors that may impede access to financing for the business.
- Advising on financial management.
- Developing presentations to potential investors, financial models, and business plans.

The above list is not comprehensive of all eligible TA services that could assist an eligible small business beneficiary with applying for SSBCI capital or for another federal or other jurisdiction small business program. Applicants should consider services similar to those listed above that align with the needs of their eligible beneficiaries.

Eligible TA services can be provided through a variety of delivery methods, including through consulting, mentoring, coaching, and advising on an individual basis; developing small group peer-to-peer learning cohorts, which may meet on a periodic basis; and providing TA to larger classroom-style groups targeted towards eligible beneficiaries.

## **5. Non-Federal Matching Funds**

Non-federal matching funds (also referred to as cost sharing or third-party funds) are not required under the SSBCI Investing in America SBOP; however, applicants are encouraged to demonstrate an ability to leverage additional sources of funding in conjunction with the SSBCI Investing in America SBOP award to increase the impact of the award.<sup>10</sup> Examples of private

---

<sup>10</sup> Matching funds committed under an SSBCI Investing in America SBOP award will be considered “voluntary committed cost sharing,” which is defined at 2 CFR 200.1 as “cost sharing specifically pledged on a voluntary basis in the proposal’s budget on the part of the non-Federal entity and that then becomes a binding requirement of Federal award.” See also 2 CFR § 200.306.

matching fund sources could include commitments from businesses, non-profits, including philanthropic partners, and the jurisdiction’s own non-federal funds.

As further discussed under the “Budget and Timeline” evaluation criterion in Section E.1 below, applications that can demonstrate how the use of matching funds will be leveraged in conjunction with SSBCI Investing in America SBOP grant funds to make a significant impact in providing needed TA services to eligible small businesses will be prioritized in the application evaluation criteria. Any proposed matching funds must be:

- Cash;
- Included in the project budget; and
- Available at the time of award, committed to the project, and not encumbered in any way that would preclude their use for the applicant’s proposed project.<sup>11</sup>

In-kind contributions are prohibited as match under the SSBCI Investing in America SBOP.<sup>12</sup>

For more information about the documentation required to support matching funds, see Section D.2.b.ix.a below.

## **6. Other Eligibility Requirements**

Tribal Governments may apply jointly and may designate an “Agent for the Tribes” to act on behalf of the group of Tribal governments. For additional requirements applicable to joint Tribal applications, please see TA Grant Program FAQ #3 “Can a Tribal-affiliated entity or non-Tribal entity apply for a TA grant, sign a TA Grant Agreement, and implement the grant on behalf of a group of Tribal governments” under Section III. Eligible Recipients, Beneficiaries, and TA Providers, at <https://home.treasury.gov/system/files/136/SSBCI-FAQs.pdf>, which will apply to applications and grants under this NOFO.

States, territories, and the District of Columbia may not apply jointly, but can partner with one or more jurisdictions on projects of regional scope. In this case, one jurisdiction must submit the application and demonstrate a clear plan in the Program Design and Substance section of the application to provide TA services across jurisdiction lines or in a coordinated regional approach. In addition, the application may include letters of support from governing bodies of the relevant partnering jurisdictions. For example, a jurisdiction may propose making subawards to partnering jurisdictions to provide TA services on a regional basis. See Section E.1 below for more information about how applications will be evaluated.

---

<sup>11</sup> A recipient under the SSBCI Investing in America SBOP is not precluded from later adding matching funds to an approved award during the period of performance. While post-award matching funds will not be considered during the application review process, when a recipient receives additional matching funds during the period of performance to provide TA services, the recipient must submit a request to Treasury for prior approval to amend its approved grant budget to reflect the additional matching funds. See 2 CFR 200.308(c)(7).

<sup>12</sup> In-kind contributions are the value of non-cash contributions (*i.e.*, property or services) that (1) benefit a federally assisted project or program and (2) are contributed by non-Federal third parties, without charge, to a non-Federal entity under a Federal award. As such, in-kind contributions must not be reflected in the applicant’s proposed project budget as a matching share.



## **D. APPLICATION AND SUBMISSION INFORMATION**

### **1. Address to Request Application Package**

An applicant must submit a complete application to be considered for funding through Treasury’s forthcoming portal, instructions for which will be posted on Treasury’s website. This NOFO will be available on Grants.gov and Treasury’s website.

### **2. Method and Content of Application Submission**

An applicant must obtain, complete, and submit an application electronically through Treasury’s Portal at <https://portal.treasury.gov/cares/s/ssbci-home-page>. Treasury will not accept paper, facsimile, or e-mail transmissions of applications unless the means of alternate submission has been approved in writing by Treasury prior to the application deadline.

#### **a. Alternatives to Submission through Treasury’s Application Portal**

Treasury will only make exceptions to submission of applications through Treasury’s Portal to accommodate applicants’ accessibility requirements. Applicants needing to request such accommodation must contact Treasury at [ssbci\\_information@treasury.gov](mailto:ssbci_information@treasury.gov) (please reference “SSBCI Investing in America SBOP” in the email subject line). Regardless of submission method, all application materials must be submitted by the deadline.

#### **b. Content of Application**

All applicants for grants under this NOFO must provide certain information in their application and supporting documentation to be considered for funding under the SSBCI Investing in America SBOP. Treasury will establish an online portal for eligible applicants to submit their applications.

The table below provides a summary of the application elements, with additional detail on each element provided below. In addition, the application template will be posted on Treasury’s website.

<b>Application Documents</b>	
i.	Applicant Letter of Designation
ii.	Delegation of Authority and Joint Tribal Application Designation Documentation (if applicable)
iii.	Program Design and Substance
iv.	Budget Narrative (using the budget categories of Form SF-424A “Budget Information – Non-Construction Programs”)
v.	Negotiated Indirect Cost Rate Agreement/Cost Allocation Plan (if applicable)
vi.	Form SF-LLL “Disclosure of Lobbying Activities” (if applicable)
vii.	Assurances of Compliance with Civil Rights Requirements
viii.	SSBCI Investing in America SBOP Assurances and Certifications
ix.	Other Supporting Documentation (if applicable)

### **i. Applicant Letter of Designation**

The eligible applicant, which may be a specific department, agency, or political subdivision of the relevant jurisdiction, will be required to submit a designation letter on official letterhead signed by the governor of the state, or mayor of the District of Columbia, or governing official of the territory or Tribal government stating or evidencing that they have designated the eligible applicant to do the following on behalf of the jurisdiction:

- Submit the SSBCI Investing in America SBOP application;
- Sign the SSBCI Investing in America SBOP grant agreement on behalf of the eligible jurisdiction as the grant recipient, if approved;
- Receive and disburse SSBCI Investing in America SBOP funds, if approved; and
- Carry out the grant objectives on behalf of the eligible jurisdiction as the grant recipient, if approved.

This letter should include the title of the SSBCI Investing in America SBOP Authorized Official, who is the applicant official authorized to sign the application and grant agreement and make decisions on behalf of the eligible jurisdiction as the grant recipient under the program.

In some cases where the governor, mayor, or governing official of the jurisdiction designates an entity as the recipient that does not appear to be a traditional agency, department, or subdivision of the jurisdiction (e.g., a quasi-governmental entity or a small business development center connected with a state university), a jurisdiction official, such as an official within the governor's office or a department of the jurisdiction, may be required to sign the award agreement and agree that the jurisdiction will be responsible for the payment in full of any debt owed to the federal government in accordance with the terms of the award agreement and for performing all obligations of the designated recipient under the award agreement if the recipient for any reason does not do so in a timely manner.

The eligible applicant will also be required to input certain identifying information about the applicant and the SSBCI Investing in America SBOP Authorized Official in Treasury's Portal, including the applicant's name, UEI, and contact information, and contact information for the designated Authorized Official. Please see the forthcoming application template, which will be posted on Treasury's website for more information.

### **ii. Delegation of Authority and Joint Tribal Application Designation Documentation (if applicable)**

If the Authorized Official named in the application has delegated the authority to another official of the applicant jurisdiction to certify and electronically sign the application on behalf of the jurisdiction, documentation evidencing the delegation of authority must be submitted to Treasury on official letterhead. In addition, joint Tribal applications require additional information. The forthcoming application template (which will be posted on Treasury's website) will provide additional information on both of these requirements.

### **iii. Program Design and Substance**

#### **a. Format**

The description of Program Design and Substance should be a maximum of 15 total pages (12-point font, one-inch margins), including any exhibits or attachments. **Material beyond 15 pages will not be read or considered.**

#### **b. Content and Structure**

##### **Section 1: Executive Summary: up to one page**

Applicants must include a succinct overview of the proposed project and activities. The executive summary should include what the applicant plans to accomplish, a summary of the proposed activities and deliverables, and a brief description of the potential broader impact of the grant's successful completion.

##### **Section 2: Description of Project Service Area and Potential to Connect Eligible Beneficiaries to Opportunities**

Provide a description of the project's location and region, including the areas of impact and the targeted participants to be served. Applicants should include a description of the service area's existing resources and assets to support small businesses, which may include networks of existing TA providers and services or jurisdiction financial resources, and an explanation of the rationale for the service area's selection. Projects may cover a service area that is regional or multi-jurisdictional, which should be clearly outlined in this section.

In this section, applicants should describe the types of business opportunities the project is designed to help eligible beneficiaries access and leverage. Such opportunities might include those arising from ARPA, BIL, the CHIPS and Science Act, or the IRA or from an existing economic development cluster.<sup>13</sup> Applicants should also provide an assessment of the needs of eligible beneficiaries in the project service area in accessing and leveraging the identified opportunities and any limitations or gaps in coverage in providing TA services to eligible beneficiaries.

##### **Section 3: Proposed Solution**

Applicant must describe their proposed solution and how it aligns with the needs of the eligible beneficiaries and overcomes any limitations or gaps in coverage in providing TA services, as described in Section 2 of the Program Design and Substance above. The proposed solution should describe how the proposed project will help eligible beneficiaries access, leverage, and scale into identified opportunities. This section should also include an explanation of how the proposed project supports eligible small business beneficiaries applying for the SSBCI Capital Program, and other programs that support small businesses. Applicants should describe how the project is connected to relevant small business programs

---

<sup>13</sup> For purposes of the SSBCI Investing in America SBOP, an economic development cluster means a network of similar, synergistic, or complementary entities that support an industry sector and its various supply chains. *See also* the definition of "Regional Innovation Clusters or RICs" at 13 CFR 300.3. The applicant should clearly define the relevant local economic development cluster and how the proposed TA project supports the cluster.

and provide evidence that demonstrates how the applicant will leverage other existing programs and funding sources that currently assist VSBs and SEDI-owned businesses and describe how the project will launch new programming or scale existing programming aimed at reaching currently eligible beneficiaries that are currently underserved. Applicants should demonstrate clearly how the project will create added benefits for the project service area's VSB and SEDI program infrastructure and provide data to support claims.

Applicants should provide information and data that they have used to design their proposed project in a way that effectively addresses eligible beneficiaries' needs, particularly information and data on barriers to capital access and how the project will address those needs to connect beneficiaries to identified opportunities. Information and data may include information from organizations and businesses associated with eligible beneficiaries; historical records and research reports on the need for small business TA services in the project service area; and statistical data on local economic conditions such as unemployment or job-creation numbers.

#### **Section 4: Key Partners and Project Support**

Applicants should describe their current partner network, including public and private entities at the national, state, regional, and local level, that will be working on the project. Applicants should identify the TA providers they plan to work with under the SSBCI Investing in America SBOP or examples of TA providers that are representative of the network of providers they intend to work with. If target partners are not identified, applicants should describe their strategy for identification and outreach. Through the application evaluation criteria, Treasury will prioritize applicants that demonstrate how they improve on any self-identified limitations in their traditional networks to engage new and innovative partnerships, beyond the reach of their formula SSBCI TA Grant programs.

Applicants should describe partners' roles and responsibilities on the project and include information about any past collaboration efforts. Applicants should also describe concrete outreach plans to engage new partners that will support the project.

Applicants should describe their strategy to reach VSBs and SEDI-owned businesses, such as regular internal organization meetings to assess project implementation and planned outreach efforts (e.g., publicity, e-mail campaigns, neighborhood canvassing).

As part of Section 4, the applicant must address the statutory requirement relating to prioritization of SEDI-owned TA providers by describing efforts to prioritize SEDI-owned providers to work on the project. If an applicant chooses to contract with third parties to deliver TA services, the applicant must prioritize providers that are SEDI-owned businesses, consistent with any applicable federal, state, and local requirements. In its application, the applicant must explain how it will implement this requirement and prioritize such providers. For purposes of this requirement, prioritization may be satisfied by having (i) a partnership with one or more SEDI-owned TA providers, or (ii) procurement processes, outreach efforts, and a program design that enables SEDI-owned TA providers to be reached.

## **Section 5: Organizational Capacity and Experience**

Applicants should articulate the relevant prior experience of the applicant and any proposed TA providers and describe the ability of both to execute the project. If TA providers have not yet been selected, the application should include a description of the process for identifying future TA providers, such as applicants' procurement processes.<sup>14</sup> Applicants must discuss their capability to directly implement the TA project or to manage subrecipient or contractor implementation. Applicants must also discuss any subrecipient's or contractor's capability to implement the TA project or to manage the implementation of lower-tier subrecipients or contractors. Applicants must discuss the process, sources, and tools used in identifying and determining the capability of the TA providers.

## **Section 6: Performance Goals and Measures**

Applicants are required to describe the goals of their proposed project and the output, outcome, and impact-based performance measures and benchmarks they will use to achieve those goals. Applicants' goals must align with the overarching performance goals of the SSBCI Investing in America SBOP award to provide TA services to eligible beneficiaries, as described in the overview of this NOFO. Applicants' performance measures must align with Treasury's minimum performance measures set out below. If awarded, Treasury through performance reports will track the recipients' progress in implementing the performance measures outlined in their application to meet the performance goals of the award.

The following are Treasury's minimum performance measures, with which applicants' performance measures must align:

- Number of eligible beneficiaries that received TA services;
- 2017 North American Industry Classification System (NAICS) for each eligible beneficiary;
- Primary purpose of the TA service or TA services provided to each eligible beneficiary; and
- Identity of each TA provider.

---

<sup>14</sup> In accordance with 2 CFR § 200.317, recipients that are states, the District of Columbia, and territories must follow the same policies and procedures they use for procurements from their non-federal funds and comply with 2 CFR §§ 200.321, 200.322, 200.323, and 200.327. This means that these jurisdictions must use their own policies and procedures, subject to the SSBCI statutory requirement described in Section 4: Key Partners and Project Support of the Program Design and Substance section to prioritize SEDI-owned businesses as TA providers. Tribal governments must follow the procurement standards in 2 CFR §§ 200.318-200.327, which include the requirement that recipients and subrecipients must maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. See Section F.4 of this NOFO for further information about conflicts of interest. Notwithstanding the above, if awarded, all jurisdictions and their subrecipients must maintain a conflict-of-interest policy consistent with 2 CFR § 200.318(c) that is applicable to all activities funded under the SSBCI Investing in America SBOP award.

The following sample output, outcome, and impact-based measures are examples of the types of performance measures that applicants may include in a proposed project. These are examples only and applicants are not required to include all of these measures.

<b>Output measures</b>	Number of coaching/mentoring sessions delivered by the project
	Number of classroom-style events completed by the project
	Number of referrals of eligible beneficiaries to small business programs
<b>Outcome measures</b>	SSBCI capital applications submitted by eligible beneficiaries participating in the project
	Successful SSBCI capital applications for eligible beneficiaries participating in the project
	Average increase in the revenue of participating eligible beneficiaries
	Additional funding secured or leveraged through the project
<b>Impact-based measures</b>	Jobs created by eligible beneficiaries assisted by the project
	Total amount of debt or equity investments secured by eligible beneficiaries assisted by the project

See also Section F.3 below for more information about reporting required under a TA award.

#### **iv. Budget Narrative**

##### **a. Overview**

The applicant must provide a budget narrative using Treasury’s budget narrative template, which will be posted on Treasury’s website. The applicant must identify and explain how funds in each line item of the budget will be used to support the proposed SSBCI Investing in America SBOP project. The budget narrative must provide specific justification for all budget categories that apply, including eligible direct cost categories (i.e., personnel, fringe benefits, travel, equipment, supplies, contractual, and other), eligible indirect costs, and program income. The budget narrative must include an explanation of the necessity, allowability, reasonableness, and allocability of proposed costs. Eligible costs must be determined in accordance with 2 CFR Part 200 Subpart E and other program guidance, including Section D.2.b.iv of this NOFO. Each cost category should be treated consistently in like circumstances as direct or indirect costs, and applicants must not double-count any costs as both direct and indirect costs. The budget narrative should not repeat information provided in the Program Design and Substance section but should provide additional detail needed to understand the amounts allocated to each budget line item.

While matching funds are not required under the SSBCI Investing in America SBOP, any voluntary matching funds committed to the proposed project must be clearly identified in the

budget narrative. See Section D.2.b.ix.a below for required documentation applicable to matching funds.

If applicable, the applicant must clearly describe any proposed pre-award costs in the budget narrative.<sup>15</sup>

Recipients of an SSBCI Investing in America SBOP award must expend the award funds in accordance with the approved budget. Recipients are required to report deviations from the approved award budget and request prior written approval from Treasury in accordance with 2 CFR §§ 200.308 and 200.407. In accordance with 2 CFR § 200.308(f), transfers of funds by the recipient among direct cost categories are permitted for awards in which the federal share of the project is equal to or less than the simplified acquisition threshold, which is currently \$250,000. For awards in which the federal share of the project exceeds the simplified acquisition threshold, transfers of funds among direct cost categories must be approved in writing in accordance with 2 CFR § 200.308(f) by Treasury when the cumulative amount of such direct costs transfers exceeds 10 percent of the budget as last approved by Treasury.

The recipient (and any subrecipient implementing an award) must maintain a financial management system that meet the requirements of 2 CFR § 200.302, including records that document the expenditure of funds under an award.

#### **b. Allowable Costs by Budget Category**

A complete budget narrative must include the following categories, as applicable to the proposed project budget.

##### **Personnel**

This refers to salaries and wages paid to employees of the applicant who are directly involved in SSBCI Investing in America SBOP award implementation. The budget narrative must identify the personnel category type by full-time equivalent employees (FTEs),<sup>16</sup> including FTE equivalents for part-time employees, number of personnel proposed for each personnel category, and the estimated funding amounts. The budget narrative should identify positions by title and function, include a brief description of duties, and state the rate of compensation and the amount of time to be allocated for each position. This line item does not include personnel of subrecipients; those costs are included in the “Contractual” line item below. See also 2 CFR § 200.430 (Compensation – personal services).

##### **Fringe Benefits**

This refers to the allowances and services the applicant provides to its employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not

---

<sup>15</sup> See Section D.6 below for requirements applicable to any proposed pre-award costs.

<sup>16</sup> This is determined by adding (i) the number of full-time employees and (ii) the number of part-time and seasonal employees as a fraction of a full-time employee. For example, if a business has 100 employees working full-time (assuming a full-time week of 40 hours) and 50 employees working 20 hours per week, the total number of FTEs would be 125. For seasonal employees, the FTE count is based on a 2,080-hour year, so that an employee who works 520 hours per year counts as 0.25 FTE.

limited to, the costs of leave (vacation, family-related, sick, or military), employee insurance, pensions, and unemployment benefit plans. The budget narrative must provide a basis for the applicant's fringe benefit amount. See also 2 CFR § 200.431 (Compensation – fringe benefits).

### **Travel**

This refers to the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the applicant. Such costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the applicant's non-federally funded activities and in accordance with the recipient's written travel reimbursement policies. The budget narrative must provide an estimated number of trips, points of origin and destination, and purpose of travel. It should also show how each trip (or type of trip) is needed to achieve the goals and objectives of the applicant's proposed projects. This line item does not include a subrecipient's travel expenses; those costs are included in the "Contractual" line item. See also 2 CFR § 200.475 (Travel costs).

### **Equipment**

This refers to tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the applicant for financial statement purposes or the threshold provided in 2 CFR § 313(e)(1). The budget narrative must include an itemized listing of any proposed equipment to be purchased under the grant agreement. For each item to be purchased, provide an estimated unit cost, estimated useful life, basis for the estimated useful life, and justification for the purchase. Include a lease versus purchase analysis for each item of equipment. See the definition of "equipment" at 2 CFR § 200.1.

### **Supplies**

This refers to all tangible personal property other than equipment to be purchased under the grant agreement. For example, a computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the applicant for financial statement purposes or the threshold provided in 2 CFR § 314(a) regardless of the length of its useful life. The budget narrative must include a brief description of and justification for the supplies required to perform the work. These costs should be listed by major supply categories (e.g., office supplies, computer supplies), and include the estimated costs by category. See the definition of "supplies" at 2 CFR § 200.1.

### **Contractual**

This refers to purchases of property or services needed to carry out the project under the grant agreement. It is not specific to the legal instrument used, so this line item must include proposed subawards and contracts. The budget narrative should clearly identify the amount of funds the applicant intends to award via contract or subaward, as well as the purpose of amounts to be awarded via contract or subaward.



The applicant may provide the overall amount the applicant intends to award via contract or subaward. If known, the applicant may also identify each proposed contract and specify its purpose and estimated cost. Treasury expects the applicant to make reasonable efforts to carry out its project as proposed in the application, but Treasury recognizes that a plan regarding proposed TA providers may change over time. Post-award changes in the set of proposed TA providers are permitted subject to the restrictions on moving funds among direct cost categories described in Section D.2.b.iv.a above. See also the requirements for TA providers in Section C.3, and the requirements of the Uniform Guidance (2 CFR Part 200), including requirements applicable to subawards and procurements. Before disbursing funds to any proposed subrecipient, the recipient must identify the subrecipient and provide Treasury with an itemized subrecipient budget using the same line items as specified here, with appropriate justification in a budget narrative.

### **Other**

This refers to direct costs that do not fit any of the above categories, such as rent for buildings used to conduct award activities, utilities, or leased equipment, and costs for recipient personnel training. The budget narrative should list and describe other items by major type, provide a cost estimate or budget for each item, and describe the basis for the cost estimates or budget computations.

### **Indirect Costs**

In accordance with 2 CFR § 200.1, indirect costs are defined as those costs incurred for a common or joint purpose benefitting more than one cost objective (i.e., program, function, activity, award, organizational subdivision, contract, or work unit), and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Indirect costs must be supported by either a current federally approved Negotiated Indirect Cost Rate Agreement (NICRA) or, if the recipient does not have a current NICRA and receives less than \$35 million in direct federal funding per year in accordance with Section D.1.b of Appendix VII to 2 CFR Part 200, the applicant may elect to use the *de minimis* indirect cost rate, 10 percent of modified total direct costs (MTDC), as defined at 2 CFR § 200.414(f). Applicants electing to use the *de minimis* rate should specify in the budget narrative that the recipient does not have a current NICRA and is electing to take the 10 percent *de minimis* rate. See Section v below.

#### **c. Unallowable costs (expenses that will not be funded)**

The items listed in this section are generally considered unallowable and will rarely be approved by Treasury. Before including any of these items in your budget and application, please contact Treasury at [ssbci\\_information@treasury.gov](mailto:ssbci_information@treasury.gov) (please reference “SSBCI Investing in America SBOP” in the email subject line). The same unallowable costs identified across the different budget categories are also unallowable under subawards. Note that unallowable costs listed below are typically unallowable no matter which category they are placed under.

This is not an exhaustive unallowable costs list, and items not listed below will be reviewed on a case-by-case basis. Treasury reserves the right to deny funding for items not included on this unallowable cost list. See also Section D.6 “Funding Restrictions” below.

### **Unallowable Personnel Costs**

If your organization charges an indirect cost, those costs normally include the following positions, and therefore these positions should not be charged as personnel costs to avoid possible duplication:

- Administration (e.g., director or program head).
- Clerical (e.g., secretary or administrative assistant).
- Accounting (e.g., controller or bookkeeper).
- Procurement (e.g., purchasing director or stockroom clerk).
- Housekeeping and maintenance (e.g., custodial and janitorial, repairman, or grounds keeper). NOTE: These positions can be charged directly if the individual is working a significant amount of time on the project. This will be approved on a case-by-case basis, and your narrative should clearly articulate the need to charge these directly, if applicable.
- Salaries and benefits of personnel that do not work directly on the project.
- Salaries and benefits for contract or consultant personnel (such costs should be placed under the “Contractual” budget category).

### **Unallowable Fringe Benefits**

If an applicant’s indirect cost rate agreement includes fringe benefits, the applicant may not charge these costs directly to the project.

### **Unallowable Travel**

Typically, unallowable travel costs include, but are not limited to, the following:

- Bar charges/alcoholic beverages.
- Costs exceeding Federal Travel Regulations if no other organizational written policy is supplied that supersedes these established rates.
- Credit card fees.
- Entertainment, including amusement, diversion, social activities, and any associated costs (e.g., tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).
- Foreign travel.

### **Unallowable Supplies**

Typically, unallowable supply costs include, but are not limited to, the following:

- Conference or event swag, including T-shirts, bags, or mugs.
- Promotional items and memorabilia, including challenge coins, pins, models, gifts, and souvenirs.
- Shared items between projects. If supplies are to be used for concurrent projects, then this should be captured in your indirect charges or you should only charge the percentage

allocated to this project (for example, if a laptop is being purchased for a program assistant who works 40 percent of their time on the project, then only charge 40 percent of the laptop cost to the project).

### **Unallowable Contractual Costs**

Typically, unallowable costs under procurement contracts include, but are not limited to, the following:

- Compensation of federal employees. This category of unallowable costs includes salary payments, consulting fees, or other compensation to full-time federal employees.
- Building-based construction costs (i.e., any activity that disturbs the ground or modifies a structure).
- Costs required for the establishment or reorganization of a recipient, subrecipient, or contractor under an award.

### **Unallowable Other Costs**

Typically, unallowable other costs include, but are not limited to, the following:

- Advertising and public relations designed solely to promote the recipient.
- Costs for audits not required or performed in accordance with the Office of Management and Budget (OMB) Circular A-133 or 2 C.F.R. Part 200 Subpart F – Audit Requirement are unallowable. If the applicant organization did not meet the applicable expenditure threshold during the organization’s fiscal year, the cost of any audit performed may not be charged to the award.
- Membership fees to organizations whose primary activity is lobbying.

#### **v. Negotiated Indirect Cost Rate Agreement/Cost Allocation Plan (if applicable)**

If indirect costs are proposed in the budget, such costs must be supported by either a current federally approved Negotiated Indirect Cost Rate Agreement (NICRA) or, if the applicant does not have a current NICRA and receives less than \$35 million in direct federal funding per year in accordance with Section D.1.b of Appendix VII to 2 CFR Part 200, the eligible recipient may elect to use the *de minimis* indirect cost rate, 10 percent of modified total direct costs (MTDC), as defined at 2 CFR § 200.414(f).

#### **vi. Form SF-LLL “Disclosure of Lobbying Activities” (if applicable)**

Form SF-LLL is required for an applicant to disclose any lobbying activities pursuant to 31 U.S.C. § 13.52. If an applicant does not have any lobbying activities to disclose, Form SF-LLL is not required to be submitted with the application.

#### **vii. Assurances of Compliance with Civil Rights Requirements**

If approved, SSBCI Investing in America SBOP recipients must comply with legal requirements related to nondiscrimination and nondiscriminatory use of federal funds, where such laws are applicable to a recipient and any subrecipient or contractor operating program activities on the recipient’s behalf. To confirm that you will comply with these legal requirements if approved for

SSBCI Investing in America SBOP funding, all state, D.C., and territory applicants must download, review, and have the SSBCI Investing in America SBOP Authorized Official sign the assurances of compliance with civil rights requirements form (which will be made available in Treasury's forthcoming portal or on Treasury's website) and upload the signed form in Treasury's forthcoming application portal.

#### **viii. SSBCI Investing in America SBOP Assurances and Certifications**

All applicants must review, sign, and submit the SSBCI Investing in America SBOP Assurances and Certifications which will be included with the application. Please read these documents carefully, as a signature on each document is treated as a material representation of fact upon which reliance will be placed when Treasury makes an award determination regarding your application. If awarded, these Assurances and Certifications will become part of the grant agreement.

#### **ix. Other Supporting Documentation (if applicable)**

##### **a. Letter(s) of Matching Funds Commitment**

If an applicant includes proposed matching funds in the project budget, all such funds must be documented by a letter of commitment from each provider of the funds, as applicable, that clearly:

- States the amount; and
- States or evidences that the funds are available, committed, and unencumbered.

**Matching funds that do not have corresponding letters of commitment will not be considered in the application review process.** Applicants are not required to submit a corresponding letter if they do not propose matching funds.

Each letter of commitment must be signed by an authorized representative of the contributing organization and should include that organization's contact information, to enable Treasury to verify the terms included in the document. Each letter must:

- State the complete value of the cash matching funds.
- State or evidence that, at the time of award, the matching funds:
  - Are committed to the project;
  - Will be available as needed; and
  - Are not conditioned or encumbered in any way that would preclude their use consistent with the requirements of an SSBCI Investing in America SBOP award.

##### **b. Optional Programmatic Supporting Documentation**

While not required, applicants may provide documents that substantiate elements of their application and their ability to successfully execute the project. These documents may include:

- Letters from other jurisdictions, including municipalities, demonstrating a plan to coordinate on a regional approach (as consistent with Section C.1 above); and
- Letters of partnership support, which detail the specific roles and responsibilities of engaged project partners.

Though these documents are not required for a complete application, applicants that provide such documentation will be prioritized through the evaluation criteria. Applicants should not include information not directly related to their application under this NOFO; Treasury will not consider information that is unrelated to the application or repeats information required in other sections of this application.

### **c. Title VI of the Civil Rights Act of 1964 Narrative Form**

Any state, the District of Columbia, or territory that is recommended for funding under this NOFO will be required to undergo a Title VI of the Civil Rights Act pre-award compliance review before being funded and be required to complete a Title VI Narrative form that will be separately provided by Treasury. To expedite this review, applicants may, but are not required to submit a Title VI Narrative form with the SSBCI Investing in America SBOP application which will be posted on Treasury’s website. If any item listed in the Title VI Narrative form is not relevant to the project for which federal financial assistance is requested, the item should be marked as “not applicable.” Applicants may refer to [Treasury’s guidance on limited English proficient \(LEP\) persons](#) when preparing their application for providing language assistance to persons with limited English proficiency.

In lieu of a Title VI Narrative form, applicants may submit a Title VI compliance form recently prepared and submitted (within one calendar year) to another federal agency to expedite this pre-award compliance review. If any information required by Treasury in the Title VI Narrative form is not included in the other agency’s Title VI compliance form, the missing information should be submitted with the application on the Title VI Narrative form to expedite the pre-award compliance review.

See Section E.4 below for more information on the Title VI of the Civil Rights Act pre-award compliance review.

### **3. Unique Entity Identifier and System for Award Management (SAM)**

In accordance with the Federal Funding Accountability and Transparency Act of 2006, applicants are required to (i) be registered in SAM before submitting an application; (ii) provide a valid unique entity identifier (UEI) in the application (a valid UEI is also required for subrecipients); (iii) make certain certifications; and (iv) continue to maintain an active SAM registration with current information at all times during which they have an active federal award or an application or plan under consideration by a federal awarding agency. In addition, pass-through entities must ensure that any subrecipient is registered in SAM.gov before disbursing any award funds to that subrecipient.

Treasury may not make a federal award to an applicant until the applicant has complied with all applicable UEI and SAM.gov requirements, and if an applicant has not fully complied with the requirements by the time Treasury is ready to make an award, Treasury may determine that the applicant is not qualified to receive an award and use that determination as basis for making an award to another applicant. If awarded a grant, a recipient will be subject to reporting requirements outlined in award terms of the appendices of 2 CFR parts 25 and 170 that will be incorporated by reference into the grant agreement.

#### **4. Creating an ID.me Account for Treasury Portal Access**

An applicant must create an ID.me account to submit an application through Treasury’s Portal under the SSBCI Investing in America SBOP. ID.me is a certified commercial identity provider offering Identity Assurance Level (IAL) 2 and Authentication Assurance Level (AAL) 2 credentials. The requirements for credentials to access the Treasury Portal are defined by [NIST SP 800-63 v3](#) (Digital Identity Guidelines).

Follow the steps below to receive a verified username and password. The entire process should take 5-10 minutes.

To get started, visit [Treasury’s ID.me “Create Account” page](#).

<b>Step 1:</b> Enter your e-mail and select a password	We recommend using the e-mail address you will use in your SSBCI Investing in America SBOP application for the primary contact to be notified regarding the application.
<b>Step 2:</b> Set up two-factor authentication	We recommend using a cell phone with text messaging capability; however, other options are available.
<b>Step 3:</b> Verify your Identity	Submit a picture of a government-issued photo ID. (If needed, you can call to verify your identity instead.)

When finished, you will receive a confirmation e-mail allowing you to log in to the Treasury Portal with your new ID.me username and password.

If you have questions, detailed enrollment instructions can be found in the [ID.me Help Center](#).

#### **5. Submission Dates and Times**

The deadline for submitting an application to Treasury via the application portal is 60 calendar days from the date the SSBCI Investing in America SBOP application is available. Treasury will publish a separate notification when the application is published that specifies the application deadline and will update this NOFO accordingly. Applications will only be accepted electronically through Treasury’s Portal. **Treasury strongly recommends that applicants submit applications substantially before the application submission deadline.** Applications received after the application deadline will not be considered for funding.

Treasury will not accept any unsolicited changes, additions, revisions, or deletions to applications or supporting documents after the application submission deadline. Throughout the review and selection process, Treasury reserves the right to seek clarification from applicants whose applications are being reviewed and considered.

## **6. Funding Restrictions**

Eligible costs made in an award under this NOFO are costs of providing TA services to eligible beneficiaries.

In accordance with 2 CFR §§ 200.458 and 2 CFR 200.308(e)(1), Treasury will not allow reimbursement for costs incurred before an award is made (i.e., pre-award costs), unless a recipient demonstrates that the costs were incurred directly pursuant to the negotiation and in anticipation of the award, and that the costs were necessary for the efficient and timely performance of the scope of work. Pre-award costs are allowable only to the extent that they would have been allowable if incurred after the date of the award and only with Treasury's written approval. All costs incurred before Treasury makes the award are at the eligible recipient's risk. Any pre-award costs should be requested as part of an application under this NOFO. The application must clearly describe the proposed pre-award costs in the scope of work and budget justification, and provide a compelling justification as to why Treasury should approve them.

Treasury recognizes that in many circumstances, having adequate facilities is important to a successful award under this NOFO. As such, costs related to securing adequate space (e.g., rent, leases) and other non-construction capital costs are allowable costs under this program. Building-based construction project costs (i.e., any activity that disturbs the ground or modifies a structure) are not allowable costs.

## **E. APPLICATION REVIEW INFORMATION**

Throughout the application review and selection process, Treasury, at its sole discretion, may seek clarification, including but not limited to written clarifications and corrected or missing documents, from applicants whose applications are being reviewed and considered and require that applicants provide such clarifications or corrections to continue to be considered for an award under this NOFO. Treasury will provide applicants a reasonable amount of time to provide any additional documentation that Treasury requests. An applicant's failure to provide complete and accurate supporting documentation in a timely manner when requested by Treasury may result in removal of that application from consideration. Treasury may ask applicants to clarify application materials, objectives, and work plans, or modify budgets or other specifics as necessary to comply with federal requirements and the amount of available funding. Treasury, in its sole discretion, may continue the review process for applicants with issues that may be easily rectified or cured.

## 1. Evaluation Criteria

Applications submitted for a grant under this NOFO will be reviewed and scored competitively against the following criteria. Each criterion is given a weight, based on the points listed. Merit reviewers will respond to prompts for each criterion by indicating the extent to which they agree with the statement as it applies to the application, from “strongly disagree” (1 point) to “strongly agree” (5 points):<sup>17</sup>

1	2	3	4	5
Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree

### **Proposed Goals and Proposed Solutions (40 points total)**

This criterion considers whether the applicant’s proposed goals and solutions align with the assessed TA needs of small businesses in the project’s service area to connect them with capital. Treasury reviewers will consider the following factors to score this criterion:

- **To what extent do you agree that the application identifies specific TA opportunities to connect businesses to capital needed to participate in an existing economic development cluster or to participate in manufacturing, supply chain, or contracting opportunities, particularly including opportunities generated by recent federal legislation? (15 points)**
  - Consider whether the project service area is clearly defined, and whether the plan contains data that clearly tie the TA service needs of VSBs and SEDI-owned businesses to the TA services proposed.
  - Consider whether the plan is likely to prepare businesses to participate in an economic development cluster or to participate in manufacturing, supply chain or contracting opportunities, including opportunities generated by recent federal legislation, such as the Bipartisan Infrastructure Law and the CHIPS and Science Act.
  - Consider whether the plan has a clear approach for serving businesses applying for SSBCI capital programs or other identified jurisdiction programs that support small businesses.
  
- **To what extent do you agree that the application’s outreach strategy and partners credibly address the opportunities identified? (10 points)**
  - Consider whether the plan describes how its outreach strategies and/or anticipated partners have the ability to address the opportunities identified.

---

<sup>17</sup> To the extent that a given criterion is weighted more than five points, it will be appropriately scaled. For example, if a criterion is worth 10 points, and the and the Merit Reviewer’s response to the relevant criterion prompt is “Agree,” the application will receive 8 points for that criterion.



- Consider whether the plan includes a detailed strategy for reaching VSBs and SEDI-owned businesses in need of TA services.
- **To what extent do you agree that the application effectively provides TA for SEDI-owned businesses and VSBs and identifies how the proposed project will improve outcomes from prior efforts to increase such businesses' ability to secure financing and business opportunities. (10 points)**
  - Consider what types of new organizations will be engaged in providing TA that will produce improved outcomes for SEDI-owned businesses and why.
  - If organizations that have previously provided TA will provide TA under the plan, consider how the plan addresses how they will do so differently than in the past to improve results for SEDI-owned businesses.
- **To what extent do you agree that the application includes high-quality existing or proposed collaborations with project partners, which may include other jurisdictions, cities, or other political subdivisions, educational institutions, community-serving organizations, and industry stakeholders (e.g., companies, suppliers, and service providers)? (5 points)**
  - Consider formal relationships as subrecipients or TA providers, as permissible based on the type of entity, or informal collaborations where the applicant is informed by the experience of the other stakeholders.
  - Consider whether the plan includes partners that are likely to make the project successful and to meet the needs of the VSBs and SEDI-owned businesses in the project service area.
  - Consider whether the application includes a plan for engaging new partners, and/or include information about how existing partners will be engaged in the project.
  - Consider whether the application includes letters of support from proposed project partners.

### **Organizational Capacity (30 points total)**

This criterion considers whether the applicant and any proposed project partners have the organizational capacity to succeed in connecting VSBs and SEDI-owned businesses to small business programs. If project partners have not yet been identified, the application should include a plan, process, and/or criteria for selecting partners.

Consider the following factors to score this criterion:

- **To what extent do you agree that the applicant and TA providers have the capacity to execute the plan presented? (20 points)**
  - Consider previous experience of the applicant in overseeing compliant grant awards or other federal or state programs and of the TA providers in providing the services needed by VSBs and SEDI-owned businesses in the project service area.

- Examine any data that show previous relevant successful outcomes and outreach efforts to reach SEDI-owned businesses.
- Consider the depth and quality of plans for targeted outreach and project execution.
- Consider whether, if the application does not specify TA providers, the application specifies a plan, process, and criteria for selecting TA providers that have the capacity to execute the plan presented.

■ **To what extent do you agree that the TA providers have the capacity to provide services in a linguistically and culturally relevant manner? (10 points)**

- Consider the specific identified needs of SEDI-owned businesses in the project’s service area, and examine whether the TA providers selected, or the plan to select them, aligns with these needs.

**Budget and Timeline (25 points)**

This criterion considers all budget documents, including the proposed project budget using the line items of Form SF-424A and the budget narrative, as well as letters of support and leveraged matching funds commitments from project partners.

Consider the following factors to score this criterion:

■ **To what extent do you agree that the budget line items appear to be reasonable, allowable, and allocable to the proposed project? (5 points)**

- Consider the Program Design and Substance section of the application and whether the budget line items and narrative align with the costs identified in the proposed project.
- Examine the project’s timeline and its alignment with the budget and proposed project outcomes.

■ **To what extent do you agree that the budget narrative appears to be feasible and aligns with the activities described in the Program Design and Substance section of the application? (10 points)**

- Consider the descriptions provided in the budget narrative and whether the amounts are clearly valued.
- Consider whether the outcomes listed in the application align with the values listed in the budget narrative.

■ **To what extent do you agree that the application is supported by leveraged public or private matching fund commitments that will contribute to successful outcomes and project long-term sustainability? (10 points)**

- Consider the Program Design and Substance section of the application as well as any supporting documentation included to show commitment of matching funds to support the project.

- Consider whether leveraged matching funds are tied to the needs of eligible beneficiaries and is likely to contribute to the proposed project’s success.

**Project Reach (10 points)**

This criterion considers the defined project service area and identified project partners.

Consider the following to score this criterion:

■ **To what extent do you agree that the proposed project will result in a regional economic benefit beyond the reach of the applicant’s standard jurisdiction? (10 points)**

- Consider whether the applicant proposes a clear plan to collaborate with other jurisdictions<sup>18</sup> to develop a regional footprint and provide TA services across jurisdictional lines that is most aligned with beneficiary need. There are four permissible approaches for demonstrating regional collaboration, as described in Section C.1 above.<sup>19</sup>
- Consider whether the application contemplates a subaward to another jurisdiction and/or includes letters of partnership support that detail the specific roles and responsibilities of engaged project partners.

**2. Review and Selection Process**

Throughout the review and selection process, Treasury reserves the right to seek clarification from applicants whose applications are being reviewed. Treasury may ask applicants to clarify application materials, objectives, and scope of work, or modify budgets or other specifics necessary to comply with federal requirements and the amount of available funding.

**a. Review for Eligibility and Completeness**

Treasury will initially conduct an eligibility and technical completeness review of all applications received by the application submission deadline. Applications received from ineligible entities will not be considered further. Applications that do not contain all forms and required documentation may be deemed non-responsive and excluded from further consideration. Treasury expects all applicants to complete and include all required forms and documentation. However, Treasury, in its sole discretion, may determine that an omission is a technical deficiency if it can easily and quickly be rectified and therefore may continue its

---

<sup>18</sup> While applicants may propose collaborations of three or more jurisdictions, this criterion will be evaluated based on the strength of the proposed regional approach rather than solely based on the number of jurisdictions; a two-jurisdiction collaboration may receive full points if it is sufficiently strong under this criterion.

<sup>19</sup> Note that if this is a multiple application state/territory/D.C. partnership where no subawards are proposed, additional points for regional collaboration will only be awarded if multiple coordinating jurisdictions are strong enough to be recommended for funding in accordance with the Senior Leadership Review described in Section E.2.c. If only one of the collaborating jurisdictions is slated to be recommended for funding, then no regional collaboration points will be awarded to any of the applicants and each application will be scored on its own merits.

consideration of the application despite the deficiency, pending submission by the applicant of any missing materials or information.

**b. Merit Review**

Merit reviewers will evaluate applications against the evaluation criteria in Section E.1 of this NOFO. Each application will be reviewed by at least three merit reviewers. Merit reviewers may include but are not limited to Treasury personnel and other federal and non-federal subject matter experts. Treasury, in its sole discretion, may use a statistical technique to normalize, aggregate, and group merit reviewers' quantitative evaluations (i.e., scores).

**c. Senior Leadership Review**

The most highly ranked applications under this NOFO will be forwarded to senior-ranking federal employees, who will evaluate the application from merit review. During this process all advancing applications are evaluated based on merit review feedback, administrative compliance review, past performance, project scope, and budget. Senior leadership may also determine not to recommend a high-ranking application based on the results of the risk review described in 2 CFR § 200.206(b), including performance under other federal awards.

Senior leadership will also review the list of potential grant recipients to determine whether the pool of recipients collectively meets the following objectives:

- i. Whether potential recipients' proposed project service areas represent broad geographic coverage throughout the United States, including a diversity of service area types (urban, rural, territory, and Tribal service areas); and
- ii. Whether potential recipients represent a range of sizes (by jurisdiction population) and poverty rates.

If Treasury determines that the pool of highest ranked applicants does not sufficiently reflect the above objectives, senior leadership will skip one or more of the lowest ranked applications in the pool of potential grant recipients and replace them with the next highest scoring application(s). Treasury will repeat this process until the potential selection pool is appropriately balanced in reflecting the above objectives. If appropriate to accomplish the objectives listed, Treasury may also modify award amounts or determine initially to award only a portion of the total available amount of funding available under the SSBCI Investing in America SBOP and to make additional funding available under a separate application round at a later date.

Senior leadership will submit recommendations for funding to the Chief Program Officer.

**d. Chief Program Officer's selection**

Treasury anticipates that all final award decisions will be made by the Chief Program Officer of Treasury's Office of Recovery Programs or her delegate, as applicable.

### **3. Due Diligence**

If an application is preliminarily identified to receive grant funding under this NOFO, the applicant still may be required to complete certain due diligence requirements. Treasury may request that the applicant submit additional documents and information to allow Treasury to fully evaluate compliance with applicable rules and regulations. If the applicant provides the requested information and supporting documentation in a timely fashion and Treasury determines that the applicant and the applicant's proposal are fully compliant with applicable rules, regulations, and program requirements, including under Title VI of the Civil Rights Act of 1964 (see also Section E.4 below), its application may be considered for a final decision and award approval. Applicants that do not provide the additional information and supporting documentation in a timely fashion or that are deemed to be not in compliance with applicable rules, regulations, and program requirements will receive notification that their application was not successful.

### **4. Title VI of the Civil Rights Act Pre-Award Compliance Review**

Title VI of the Civil Rights Act prohibits discrimination on the grounds of race, color, or national origin in programs or activities receiving federal financial assistance. Treasury implements the requirements of Title VI of the Civil Rights Act through Treasury's implementing regulations at 31 CFR Part 22. Treasury conducts investigations of civil rights complaints filed against its recipients of financial assistance under any of its programs or activities and conducts pre- and post-award compliance reviews. Treasury financial assistance may be suspended, terminated, or refused in accordance with 31 CFR Part 22 for applicants who are not in compliance with Title VI of the Civil Rights Act.

Any state, the District of Columbia, or territory that is recommended for funding under this NOFO will be required to undergo a Title VI of the Civil Rights Act pre-award compliance review before being funded and be required to complete a Title VI Narrative form that will be separately provided by Treasury. To expedite this pre-award review, applicants may, but are not required to submit a Title VI Narrative form with the SSBCI Investing in America SBOP application, which will be posted on Treasury's website. If any item listed in the Title VI Narrative form is not relevant to the project for which federal financial assistance is requested, the item should be marked as "not applicable." Applicants may refer to [Treasury's LEP Guidance](#) when preparing their plan for providing language assistance to persons with limited English proficiency.

In lieu of a Title VI Narrative form, applicants may submit a Title VI compliance form recently prepared and submitted (within one calendar year) to another federal agency to expedite this pre-award compliance review. If any information required by Treasury in the Title VI Narrative form is not included in the other agency's Title VI compliance form, the missing information must be submitted with the application on the Title VI Narrative form to expedite the pre-award compliance review.

More information about the requirements of the Title VI of the Civil Rights Act is available through Treasury's [Office of Civil Rights and Equal Employment Opportunity](#).

## **5. Awards in Excess of the Simplified Acquisition Threshold**

Before making a federal award with a total amount of federal share greater than the simplified acquisition threshold (currently \$250,000 but periodically adjusted), Treasury is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (formerly FAPIIS). See 41 U.S.C. § 2313.

Each applicant, at its option, may review information in the designated integrity and performance systems available through SAM.gov and comment on any information about itself that a federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM.gov. Treasury will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a determination about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 CFR § 200.206.

## **F. FEDERAL AWARD ADMINISTRATION INFORMATION**

### **1. Federal Award Notices**

It is anticipated that awards will be announced in or after summer 2024. Award notification will be sent electronically via email. Any public announcements on awarded applicants will be posted on Treasury's website.

**All award decisions are final and not subject to appeal.**

If an application is selected for funding, Treasury will issue a grant agreement for the applicant's signature, which is the notice of award document that includes the award terms and conditions and special award conditions applicable to the award. Treasury intends to publish a standard template of the TA grant agreement on its website, but will provide each selected applicant's specific and tailored award letter and grant agreement to the applicant's Authorized Representative, such as through Treasury's Portal. In accordance with 2 CFR § 200.208, Treasury may impose specific award conditions on a recipient's award, including as a result of a pre-award risk assessment.

By executing the grant agreement within the specified time indicated in the notice of award, the applicant agrees to comply with all award terms and conditions. The applicant's Authorized Representative must review and accept the award agreement without modification within the specified timeframe indicated in the notice of award. If the applicant fails to execute and return the grant agreement within this timeframe, Treasury may irrevocably withdraw the grant without any additional notification to the applicant.

If an applicant is awarded funding, Treasury is not under any obligation to provide any additional future funding in connection with the award or to make any future awards. Amendment or renewal of an award to increase the grant funding or to extend the period of performance is at the discretion of Treasury.

Treasury will provide written notice to all applicants informing them whether their application was selected for funding. Treasury will retain unsuccessful applications in accordance with the applicable record retention schedule.

## **2. Administrative and National Policy Requirements**

SSBCI Investing in America SBOP recipients will be required to comply with the requirements of this NOFO, the SSBCI statute, as amended (codified at 12 U.S.C. § 5701 et seq.), and other relevant guidance, including frequently asked questions (FAQs) that Treasury may publish from time to time. Treasury anticipates publishing a separate SSBCI Investing in America SBOP Guidelines document that incorporates relevant provisions of this NOFO along with certain other relevant SSBCI guidance and that will be available on Treasury's website at <https://home.treasury.gov/policy-issues/small-business-programs/state-small-business-credit-initiative-ssbci>.

Because awards under this program are considered federal financial assistance, eligible recipients must also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), 2 CFR Part 200, unless otherwise specified in the Assistance Listing, this NOFO, or other relevant guidance.

## **3. Reporting**

### **a. Financial, Performance, and Impact Reports**

If awarded, Treasury anticipates that recipients will be required to submit progress performance reports annually and financial reports via Form SF-425 semi-annually, in accordance with 2 CFR §§ 200.328 and 200.329 and the terms and conditions of the grant. For progress performance reporting, recipients will be required to track and submit data on Treasury-specific data elements. Treasury anticipates publishing reporting guidance for the SSBCI Investing in America SBOP that is anticipated to be generally consistent with the reporting guidance for the formula-based TA Grant Program, which may be found on Treasury's website at [SSBCI-Technical-Assistance-Reporting-Guidance.pdf \(treasury.gov\)](#), with potential new or modified data elements specific to this program. Treasury will clearly specify all reporting requirements specific to the SSBCI Investing in America SBOP. All reports must be submitted in electronic format as specified in the terms and conditions of the award. Failure by a recipient to submit required reports to Treasury may be deemed a violation of program requirements and may be subject to remedies in accordance with the grant agreement.

As part of its administration of this program, Treasury may conduct program evaluations. If so, Treasury may share performance data with evaluators, including but not limited to Treasury staff and outside parties contracted by Treasury. Treasury may also, for research purposes linked to improving outcomes, choose to share data with other federal partners, including but not limited to statistical agencies. For reporting or external data sharing, Treasury will, subject to applicable laws and regulations, withhold information that appears to be personally identifiable information (PII) and other sensitive information such as sensitive commercial or financial information associated with an individual person or business.

Treasury anticipates that it will separately publish guidance setting out the reporting requirements for this program.

**b. Federal Funding Accountability and Transparency Act of 2006 Reporting**

The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for recipients of applicable federal grants to report information about first-tier subawards and executive compensation under federal assistance awards issued in FY 2011 or later. All such recipients are required to report in the Federal Subaward Reporting System (FSRS) available at [www.FSRS.gov](http://www.FSRS.gov) on all subawards they make that are \$30,000 or more. Please see 2 CFR Part 170, Appendix A- Award Term. Note that the award term that requires such reporting at 2 CFR Part 170, Appendix A will be incorporated by reference into the SSBCI Investing in America SBOP grant agreement.

**c. Requirements for Recipients with more than \$10 million in Federal-wide Funding**

As required by 2 CFR Part 200, Appendix XII, regarding Reporting of Matters Related to Recipient Integrity and Performance, a recipient with more than \$10 million in federal-wide funding must maintain the currency of information reported to [SAM.gov](http://SAM.gov) that is made available in the designated integrity and performance system (formerly FAPIIS) about civil, criminal, or administrative proceedings.

**4. Conflict of Interest**

If awarded, recipients and their subrecipients must maintain a conflict-of-interest policy consistent with 2 CFR § 200.318(c) that is applicable to all activities funded under the SSBCI Investing in America SBOP award. In accordance with 2 CFR§ 200.112, recipients and subrecipients must disclose in writing to Treasury (or the pass-through entity, in the case of a subrecipient) any potential conflict of interest affecting the awarded funds.

Recipients and subrecipients' conflict-of-interest policy must include safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of a personal or organizational conflict of interest or personal gain in the administration of an SSBCI Investing in America SBOP award.

A conflict of interest generally exists when an interested party participates in a matter that has a direct and predictable effect on the interested party's personal, organizational, or financial interests. A financial interest may include employment, stock ownership, a creditor or debtor relationship, or prospective employment with the entity selected, or to be selected, for a subaward or to be a TA provider. A conflict of interest also may exist where there is an appearance that an interested party's objectivity in performing his or her responsibilities under the project is impaired (i.e., an appearance of a conflict). An appearance of a conflict may result from an organizational conflict where, because of activities or relationships with other persons or entities, an interested party may appear to be biased in rendering assistance, services, or advice to a participant in the project or beneficiary of award funds. Interested parties should avoid any



action that might result in, or create the appearance of, using an official position for private gain; giving special treatment to any person; losing complete independence or objectivity; making an official decision outside official channels; or affecting negatively the confidence of the public in the integrity of the recipient or subrecipient, the U.S. government, or the SSBCI program. Additionally, a conflict of interest may result from actual or apparent non-financial gain to an interested party, such as a benefit to reputation or prestige in a professional field or market.

For purposes of grants made under this NOFO, an interested party includes, but is not necessarily limited to, any officer, employee, or director of a recipient, subrecipient, or contractor, including any other parties that advise on, approve, recommend, or otherwise participate in the business decisions of the recipient, subrecipient, or contractor, such as agents, advisors, consultants, attorneys, accountants, or shareholders. This also includes immediate family and other persons directly connected to the interested party by law or through a business arrangement. An interested party also includes anyone who meets the definition of “SSBCI insider” in Section VIII.f of the [SSBCI Capital Program Guidelines](#).

#### **G. FEDERAL AWARDING AGENCY CONTACT**

For questions concerning this NOFO, you may contact Treasury at [ssbci\\_information@treasury.gov](mailto:ssbci_information@treasury.gov) (please reference “SSBCI Investing in America SBOP” in the email subject line). Please note that because this is a competitive NOFO, Treasury may only provide advice of a technical nature. Questions related to the strategic aspects of project creation cannot be answered during the application stage, out of fairness to all applicants. Treasury anticipates addressing common questions via publication of FAQs on Treasury’s website at [State Small Business Credit Initiative \(SSBCI\) | U.S. Department of the Treasury](#).