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State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street – Room 100
Concord, New Hampshire 03301
(603) 271-3201 | Office@das.nh.gov

Charles M. Arlinghaus
Commissioner

Catherine A. Keane
Deputy Commissioner

Sheri L. Rockburn
Assistant Commissioner

April 21, 2023

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court
and
His Excellency, Governor Christopher T. Sununu,
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Administrative Services, Division of Procurement and Support Services, Surplus Distribution Section to accept and expend The Emergency Food Assistance Program (TEFAP) funds available from the United States Department of Agriculture (USDA) in the amount of $179,329, for funding of the warehousing and distribution of USDA commodity foods. Effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. **100% Federal Funds.**

Funds will be budgeted in accounting unit 01-14-14-141710-51310000 as follows:

Class-Account	Description	FY23 Current Adjusted Authorized	Requested Action	Revised FY23 Adjusted Authorized
000-404845	Federal Funds	$591,566	$179,329	$770,895
00S-000010	General Funds	$15,960	$0	$15,960
	Total Revenue	**$607,526**	**$179,329**	**$786,855**
029-500290	Intra-Agency Transfers	$63,840	$0	$63,840
041-500801	Audit Fund Set Aside	$1,000	$0	$1,000
072-500569	Federal Grants	$542,686	$179,329	$722,015
	Total Appropriation	**$607,526**	**$179,329**	**$786,855**

EXPLANATION

The Federal Government through the Department of Agriculture (USDA) provides funding annually to states through The Emergency Food Assistance Program (TEFAP) to provide food commodities to emergency feeding organizations such as food pantries, soup kitchens, and homeless shelters. The program is managed by the Department of Administrative Services,

Surplus Foods Section and the USDA food products are currently being warehoused and distributed by Community Action Program Belknap and Merrimack Counties, Inc.

The funds in class 072 Grants of Food – Federal funds are required in order to pay Community Action Program Belknap and Merrimack Counties, Inc. for distribution of USDA Commodity foods to eligible emergency feeding organizations throughout the State of New Hampshire.

In the event Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

For Charles M. Arlinghaus
Commissioner
Administrative Services

Department of Administrative Services
Federal Surplus Food Section
Temporary Emergency Food Assistance Program
Fiscal Situation FY2023

Account Number: 01-14-14-141710-51310000

Funding Information:

Federal Grant #	**Grant Amount**
20220P110344	$306,058
202323Y810544	$174,530
202323Y810544	$189,134
CCC Operational Funding	$101,173
Total Grant Funds:	**$770,895**
Less Total Budgeted:	$591,566
Requested/Available to Budget:	**$179,329**
REQUESTED ACTION:	$179,329
Total Grant Funds:	$770,895
Less SFY 2023 Expenses:	($261,445)
Less SFY 2023 Encumbrances:	($2,933)
Amount Available to Spend:	$506,517

REPORT 495

U.S. DEPARTMENT OF AGRICULTURE - FOOD AND NUTRITION SERVICE
GRANT AWARD DOCUMENT

FCI / 100

1. GRANTOR AGENCY: USDA - Food and Nutrition Service

2. APPROPRIATION: See below under Appropriation column

3. NH SURPLUS DISTRIBUTION S

DEPT OF ADMINISTRATIVE SERVICES

CONCORD NH 03301
VENDOR NO. S3393901 000

4. TITLE OF GRANT: TEFAP ADMIN BBB

5. APPORTIONMENT YEAR: 2022
GAD NUMBER: 4NH100104 AMENDMENT: 000

6. ESTIMATED ANNUAL GRANT AWARD:

7. GRANT PERIOD FROM: 10/01/2022
GRANT PERIOD TO: 09/30/2023

APPROPRIATION	FAIN	ACCOUNT ID	PCA TITLE	CFDA NO.	PREVIOUS LEVEL	INCREASE/DECREASE	CURRENT LEVEL
12X0115	224NH104P1103	202220P110344	- TEFAP ADMIN BBB (O)	10.568	$0.00	$306,058.00	$306,058.00
		Total:			$0.00	$306,058.00	$306,058.00

9. SPECIAL INSTRUCTIONS/COMMENTS

Please note that the Financial Official (FO) assigned by the above grantee organization is responsible for maintaining valid banking information for this grant. This includes certifying that correct routing and transit numbers(ABA/RTN) and bank account numbers have been entered into the ASAP.gov payment system. The Food and Nutrition Service and the United States Treasury are not responsible for a misdirected payment in the event that the FO entered the incorrect ABA/RTN or bank account number information.

Build Back Better supplemental TEFAP administrative funds.

10. AUTHORIZATION
ALLOWANCE HOLDER (DESIGNEE)

Food and Nutrition Service
Northeast Regional Office
10 Causeway Street, Room 501

Boston MA 02222
Telephone: 617-565-5300

SIGNATURE: - Electronically Signed by - LISA FITZGERALD

DATE: 11/24/2022

TELEPHONE NO: 617-565-6460

FORM FNS 495 CREATE ID F0026156

REPORT 495 — U.S. DEPARTMENT OF AGRICULTURE - FOOD AND NUTRITION SERVICE — PC1 / 100

GRANT AWARD DOCUMENT

1. GRANTOR AGENCY: USDA - Food and Nutrition Service

2. APPROPRIATION: See below under Appropriation column

3. NH SURPLUS DISTRIBUTION S

DEPT OF ADMINISTRATIVE SERVICES

CONCORD NH 03301

VENDOR NO. S3393901 000

4. TITLE OF GRANT: Commodity Assistance Program (2 Year)

5. APPORTIONMENT YEAR: 2023

GAD NUMBER: 4NH810808 AMENDMENT: 003

6. ESTIMATED ANNUAL GRANT AWARD:

7. GRANT PERIOD FROM: 10/01/2022

GRANT PERIOD TO: 09/30/2023

APPROPRIATION	FAIN	ACCOUNT ID	FCA TITLE	CFDA NO.	PREVIOUS LEVEL	INCREASE/DECREASE	CURRENT LEVEL
122/33507	224NH808Y8105	202323Y810544	- CAP TEFAP ADMIN (O)	10.568	$92,380.00	$82,150.00	$174,530.00
121/23507	224NH808Y8105	202222Y810544	- CAP TEFAP ADMIN (O)	10.568	$0.00	$0.00	$0.00
Total:					$92,380.00	$82,150.00	$174,530.00

9. SPECIAL INSTRUCTIONS/COMMENTS

Please note that the Financial Official (FO) assigned by the above grantee organization is responsible for maintaining valid banking information for this grant. This includes certifying that correct routing and transit numbers(ABA/RTN) and bank account numbers have been entered into the ASAP.gov payment system. The Food and Nutrition Service and the United States Treasury are not responsible for a misdirected payment in the event that the FO entered the incorrect ABA/RTN or bank account number information.

10. AUTHORIZATION

ALLOWANCE HOLDER (DESIGNEE)

Food and Nutrition Service
Northeast Regional Office
10 Causeway Street, Room 501

Boston MA 02222
Telephone: 617-565-5300

SIGNATURE: - Electronically Signed by - JOHN PEDICINI

DATE: 02/08/2023

TELEPHONE NO. 617-565-6435

FORM FNS 495 CREATE ID F0034707

Daley, Kathleen

From:	Davis Moore, Victoria - FNS <Victoria.DavisMoore@usda.gov>
Sent:	Wednesday, March 1, 2023 11:07 AM
To:	Belinda Sanderson; Belinda Wilson (Process); Cheryl Rogers; Conor Floyd; Correy Lettsome; Donna Taylor (TEFAP); Elise Soto; Frederick Sneesby; Gabrielle Viens; Lunetta, Gary; Gus Nelson; James Durda; Daley, Kathleen; kristina webber; Kristina Webber; Krueger, Mary; Lucinda Ward; Nicholas Barber; ogsdonatedfoods@ogs.ny.gov; Patrick Ward; rleshin@doe.mass.edu; Robyn LeTourneau; Susan Gwiazda; Tracy Allery; Trevor Daneker; Sargent, Valerie
Cc:	Collins, Colleen - FNS; Connolly, Patti - FNS; Allen, Nicola - FNS; Vingiello, Adrienne - FNS; Topp, Mary Ann - FNS; Rampulla, Alicia - FNS
Subject:	FD Memo #027-2023 TEFAP: FY 2023 Food to Admin Conversions Funding
Attachments:	FY23 TEFAP Food to Administrative Funds Conversion Requests.xlsx

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

FD Memo #027-2023

Subject: FY2023 TEFAP Food to Admin Conversions Funding

The FY 2023 TEFAP Food to Administrative Conversions will be available within 24hrs. See the attached spreadsheet for the State-by-State breakdown.

If you have any questions, please contact your State desk person.

Victoria Moore
Program Specialist
Community Nutrition Programs Branch
Food and Nutrition Service, Northeast Region
United States Department of Agriculture
857-317-5127
victoria.davismoore@usda.gov

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TEFAP CONVERSION REQUESTS

FY2023 Emergency Food Assistance Program
Commodity - Food - Entitlement

REGION/STATE	FY23 FOOD GRANTS (NOT INCLUDING PORTION OF FOOD GRANTS CONVERTIBLE TO ADMINISTRATIVE FUNDS)	PORTION OF FY23 FOOD GRANT CONVERTIBLE TO ADMINISTRATIVE FUNDS	TOTAL FOOD FUNDS THAT STATES REQUEST TO CONVERT TO ADMINISTRATIVE FUNDS
NORTHEAST			
Connecticut	$3,574,717	[illegible]	[illegible]
Maine	$1,298,731	[illegible]	[illegible]
Massachusetts	$6,843,196	$1,749,749	[illegible]
New Hampshire	$884,374	$224,364	[illegible]
New York	$23,837,863	$5,896,864	[illegible]
Rhode Island	$1,634,889	$363,646	[illegible]
Vermont	$484,414	[illegible]	[illegible]
Virgin Islands	[illegible]	[illegible]	[illegible]
TOTAL-NERO	[illegible]	[illegible]	[illegible]
MID-ATLANTIC			
Delaware	$1,841,311	[illegible]	[illegible]
District of Columbia	[illegible]	[illegible]	[illegible]
Maryland	[illegible]	[illegible]	[illegible]
New Jersey	[illegible]	[illegible]	[illegible]
Pennsylvania	$14,168,147	[illegible]	[illegible]
Puerto Rico	[illegible]	[illegible]	[illegible]
Virginia	[illegible]	[illegible]	[illegible]
West Virginia	[illegible]	[illegible]	[illegible]
TOTAL-MARO	[illegible]	[illegible]	[illegible]
SOUTHEAST			
Alabama	[illegible]	[illegible]	[illegible]
Florida	[illegible]	[illegible]	[illegible]
Georgia	[illegible]	[illegible]	[illegible]
Kentucky	[illegible]	[illegible]	[illegible]
Mississippi	[illegible]	[illegible]	[illegible]
North Carolina	[illegible]	[illegible]	[illegible]
South Carolina	[illegible]	[illegible]	[illegible]
Tennessee	[illegible]	[illegible]	[illegible]
TOTAL-SERO	[illegible]	[illegible]	[illegible]

USDA
United States Department of Agriculture

Food and Nutrition Service

1320 Braddock Place
Alexandria, VA 22314

DATE: February 03, 2023

SUBJECT: Conditions for Funds Available for the Storage and Distribution of Commodity Credit Corporation (CCC) USDA Foods

TO: Regional Directors
Special Nutrition Programs

State Directors
TEFAP State Agencies

Under the statutory authority of the Commodity Credit Corporation (CCC), the U.S. Department of Agriculture (USDA) is providing approximately $1.5 billion in additional support for emergency food programs to address supply chain challenges and elevated food costs. Of this total, $943 million will be distributed through The Emergency Food Assistance Program (TEFAP) in the form of additional food and administrative resources. These resources are being provided to State agencies in addition to TEFAP entitlement foods, bonus foods, and TEFAP administrative funds.

Section 5(c) of the CCC Charter Act allows CCC funds to be used for incidental costs related to the procurement of agricultural products. FNS recognizes that TEFAP eligible recipient agencies (ERAs) will incur additional operational expenses associated with the receipt, storage, and distribution of foods purchased with CCC funds. Therefore, approximately $189 million of the $943 million in TEFAP resources provided through CCC will be available to support TEFAP ERA operational expenses associated with the additional CCC USDA Foods purchases. States will receive the CCC operational funding and, in turn, must provide 100 percent of these funds to ERAs and cannot retain any funds for use at the State level. The allowable uses of this operational funding are detailed below.

The funding will be provided to State agencies via electronic transfer, using the Web Supply Chain Management System (WBSCM). These funds will not flow directly through FNS, however, FNS will be assisting AMS in the transfer of these funds through WBSCM. Funding will be released to State agencies upon FNS' receipt of the signed agreement provided in Attachment A. To receive payment, State agencies must be registered and active in SAM.gov and the Unique Entity ID number must be on file in WBSCM.

Attached to this memorandum is a summary chart (Attachment B) showing the initial offer of ERA operational funds available to each State agency for **phase one orders**, as funding will be provided in multiple phases. For phase one, a total of $10,396,274 million is available to State agencies that have ordered CCC USDA Foods. As noted above, to receive the phase one operational funds for disbursement to ERAs, State agencies must sign the attached agreement (Attachment A) and return it to their respective FNS Regional Program Office with the total amount they choose to accept no later than **February 16, 2023**. A State agency's acceptance of all or a part of these funds indicated by the signed agreement (Attachment A) will serve as acknowledgment of, and agreement with, the conditions outlined in this memorandum.

Disbursal of ERA Operational Funds:

At this time, we are providing funding to State agencies based on approximately $2,500 per truck of CCC USDA Foods ordered. The $2,500 per truck basis may change as purchases proceed. As noted above, State agencies are required to pass through 100 percent of these funds to ERAs within their State and cannot retain any funds for use at the State level. State agencies have the discretion to give these funds to ERAs either through cash advances or through reimbursement payments. Funding provided via cash advances must be reconciled based on the actual costs incurred.

State agencies will need to ensure the operational funds only go to ERAs receiving CCC USDA Foods and that those ERAs only use the funds for allowable expenses associated with CCC USDA Foods. State agencies can use a variety of methods to ensure the correct usage of these funds. Some examples include:

- Providing the funds to ERAs as a per-pound amount based on the amount of CCC USDA Foods received.
- Reimbursing ERAs based on invoices for allowable direct expenditures, such as a contract for additional storage space for CCC USDA Foods.
- Providing funds to ERAs based on anticipated costs, requiring ERAs to maintain records of all allowable administrative costs incurred, and ensuring that those costs equal or exceed the funds advanced to the ERA.

Alternate methods may also be allowable. State agencies are responsible for ensuring the funds are only used for allowable costs and that adequate documentation is available to support subsequent audit activity. All documentation must be kept for a period of 3 years after the final phase of CCC operational funds is provided or longer if related to an audit or investigation in progress. State agencies should also include a review of CCC USDA Foods ERA operational funds as part of any required ERA review within the next 3 years. This review may be conducted using the principles set forth in Policy Memorandum FD-126, *Review of Administrative Funds Provided to ERAs in TEFAP*.

Allowable Uses of ERA Operational Funds

ERA operational funds must be used for TEFAP ERA operational costs associated with the receipt, storage, and distribution of the CCC USDA Foods.

These funds are separate and distinct from regular TEFAP administrative funds. These funds may be used for the same types of expenses as regular TEFAP administrative funding but are limited to those operational expenses associated with CCC USDA Foods. Additionally, unlike TEFAP administrative funds, these funds may not be spent by the State agency on behalf of the ERA. The funds must be spent directly by the ERA.

State agencies and ERAs may refer to TEFAP regulations at 7 CFR 251.8(e) and section IX of Instruction 716-3 Rev. 1, TEFAP Administrative Costs, to determine what types of costs are allowable. The following list provides examples of allowable costs; however, this list is not meant to be exhaustive. Other costs may be deemed allowable if they are directly associated with the receipt, storage, and distribution of CCC USDA Foods. State agencies are encouraged to make the most efficient and effective use of these funds possible. To that end, State agencies

may restrict the use of these funds by disallowing one or more types of allowable expenses as stated in 7 CFR 251.8(e)(2).

Examples of Allowable Uses of ERA Operational Funds

- Fees charged by commercial warehouse operators and common carriers for storage and transportation of CCC USDA Foods.
- Acquisition cost of equipment used in the physical handling, storage, and transportation of CCC USDA Foods.
- Maintenance and repair of equipment described above.
- Salaries of temporary workers hired to assist with the handling, storage, transportation, or distribution of CCC USDA Foods.

Period of Performance associated with the ERA Operational Funds
USDA expects to provide these funds to State agencies in four phases prior to September 30, 2023. State agencies should obligate the funds by no later than December 31, 2023, and liquidate no later than March 31, 2024.

State-level Reporting, Recordkeeping, and Oversight of ERA Operational Funds
TEFAP State agencies are responsible for ensuring the funds are used for allowable expenses. Since these funds can only be used for costs associated with CCC USDA Foods, State agencies must ensure that all ERAs can differentiate between CCC USDA Foods and other TEFAP entitlement or bonus foods for reporting purposes.

State agencies will be required to report the total combined funds used at the end of all the CCC ordering phases. This reporting requirement is separate from regular TEFAP administrative funds reporting and State agencies will not use the FNS-667 form. USDA will provide State agencies with additional information about how to complete and submit reporting later in the year.

CCC ERA Operational Funds **will be reported** under the unique CFDA number 10.187, which is listed under the AMS assistance listings. These funds **should not be reported** under the TEFAP administrative funds CFDA number (10.568).

Federal Oversight of ERA Operational Funds
USDA will provide oversight to ensure that these funds are used appropriately. State agencies may be subject to a USDA review of the State agency's documentation, including a review of invoices.

Recovery of Unused ERA Operational Funds
State agencies will be responsible for returning any unspent funds to USDA. By February 6, 2024, State agencies must submit a summary report of the total funds used for the combined ordering phases to the USDA. State agencies must recover any unused funds that remain at the ERA level and return them to USDA via check or an electronic transfer. Further guidance on the process for returning funds will be forthcoming.

USDA appreciates the commitment of TEFAP State agencies to emergency feeding efforts and looks forward to continued partnership as additional funds are provided through the CCC.

DIANE KRIVISKI Digitally signed by DIANE KRIVISKI Date: 2023.02.01 17:49:41 -05'00'

Diane Kriviski
Associate Administrator
Supplemental Nutrition and Safety Programs
Food and Nutrition Service

JACK TUCKWILLER Digitally signed by JACK TUCKWILLER Date: 2023.02.03 12:37:05 -05'00'

David Tuckwiller
Deputy Administrator
Commodity Procurement
Agricultural Marketing Service

Attachments

Attachment B

TEFAP Commodity Credit Corporation
Operational Funding
Phase 1

REGION/STATE		Phase 1 Amount
NORTHEAST		
Connecticut	41	$102,500
Maine	33	$83,125
Massachusetts	63	$158,047
New Hampshire	13	$33,672
New York	257	$643,595
Rhode Island	14	$33,750
Vermont	4	$8,750
Virgin Islands	2	$3,750
MID-ATLANTIC		
Delaware	16	$40,991
District of Columbia	13	$32,340
Maryland	44	$109,664
New Jersey	113	$282,295
Pennsylvania	207	$517,695
Puerto Rico	68	$170,000
Virginia	76	$189,015
West Virginia	31	$77,031
SOUTHEAST		
Alabama	62	$154,844
Florida	251	$627,887
Georgia	123	$307,152
Kentucky	66	$164,791
Mississippi	46	$115,625
North Carolina	126	$314,703
South Carolina	64	$159,609
Tennessee	86	$214,297