

# **RULES FOR PARTICIPATION IN THE OKLAHOMA NONPROFIT RELIEF PROGRAM**

The Oklahoma Nonprofit Relief Program ("NPRP" or "the program") is designed to provide necessary relief to Oklahoma nonprofits that have been negatively impacted by the effects of COVID-19. The Legislature of the State of Oklahoma has designated up to twenty-five million dollars (\$25,000,000) of money received by the State of Oklahoma from the American Rescue Plan Act of 2021 (ARPA) to provide to nonprofits to assist in ensuring the survival and stability of these crucial organizations. The Oklahoma Legislature has found that these grants are necessary to respond to the effects of the emergency by providing economic support to nonprofits that have been harmed due to the effects of COVID-19.

## **RULES FOR PARTICIPATION:**

### **SECTION I: DEFINITIONS**

The following definitions shall apply throughout all of the documents associated with the NPRP:

- “Applicant(s)” shall refer to qualified nonprofits that meet the criteria of this program described throughout this document.
- "Nonprofit/nonprofits" shall include all legal forms of nonprofit entities limited to 501(c)(3) designated organizations physically located in Oklahoma. Applicants must supply their own independent financial statements showing a budget and a negative financial impact that is specific to that location, chapter, or affiliate.
- "Negative Financial Impact" shall be the net negative result of increased expenses and/or decreased revenue experienced by the applicant during the period of January 1, 2020 to March 31, 2022. This negative financial impact shall be documented by year over year (e.g. same quarter comparison in two consecutive years) decrease in revenue and/or increase in expenses.
- “Revenue” shall refer to revenue generated from the customary activities of the applicant such as fundraising events, solicited and unsolicited donations, and grants from both public and private sources. This shall include CARES grants as well as Paycheck Protection Program loans that were forgiven and converted to grants.

## **SECTION II: ELIGIBILITY REQUIREMENTS**

### **Part 1: Eligible Nonprofits:**

A nonprofit as defined in these rules that meets **all** of the following criteria may apply to receive funding from the NPRP. The nonprofit applicant must:

- Be located in Oklahoma
- Provide direct services to residents of Oklahoma
- Be in good standing with the Oklahoma Secretary of State (registered, or exempt as appropriate).
- Be in compliance with applicable Oklahoma and federal tax laws for tax years 2019, 2020, and 2021.
- Be nonpartisan.
- Have primary missions directly related to addressing and alleviating:
  - Food and shelter insecurity
  - Homelessness
  - Behavior health problems and substance abuse
  - Domestic Violence
  - Human trafficking
- Have suffered a negative financial impact of at least \$1,000 at some point, year over year, from the period of January 1, 2020 to March 31, 2022.
- Have a negative financial impact substantially caused by the impact of COVID-19.
- Be willing to enter into a written agreement with the Oklahoma Department of Commerce.
- If applicant is awarded NPRP funds, the applicant must register as a state vendor via Oklahoma Management and Enterprise Services (OMES). This step is not required until the applicant nonprofit has been given a tentative award notification from the Oklahoma Department of Commerce (ODOC).

**Part 2: Ineligible Nonprofits:**

A Nonprofit as defined in these rules that falls within one or more of the following categories are **ineligible** to participate in the NPRP:

- Publicly traded companies
- Nonprofits that do not meet the definition of "eligible nonprofits"
- Nonprofits that dedicate 50% or more of their time or resources to lobbying activities
- Nonprofits that exist for the purpose of advancing partisan political activities.

**SECTION III: THE AWARD**

**Part 1: Amount of award:**

- Applicants with annual revenues of seven hundred fifty thousand dollars (\$750,000) or less may be eligible for awards up to fifty thousand dollars (\$50,000).
- Applicants with annual revenues of greater than seven hundred fifty thousand dollars (\$750,000) may be eligible for awards up to seventy-five thousand dollars (\$75,000).

**Part 2: Distribution of Award Funds**

- If twenty-five million dollars (\$25,000,000) or less of eligible requests from eligible nonprofits are received during the application period, all eligible requests will be approved.
- If more than twenty-five million dollars (\$25,000,000) of eligible requests from eligible nonprofits are received during the application period, a review process will take place to determine the number and dollar amount of financial awards. The criteria for prioritizing applications for NPRP will include consideration of the criteria below, in priority order:
  - Total percentage of applicant's budget dedicated to the priority mission areas described in Section III below.
  - Amount of revenue lost, expressed as a percentage of an applicant's total budget for the period of time described.
  - Prioritization of applicants that previously applied to the Oklahoma Legislature's ARPA portal.

## **SECTION IV: USES OF FUNDS AND REPORTING REQUIREMENTS**

### **Part 1: Permissible Uses of Funds**

Awards received through this program are intended to replace funds previously lost, and therefore may be used for any operational purpose the nonprofit would have normally engaged in during the period of loss.

**FUNDS IMPERMISSIBLY USED SHALL BE REPAID BY THE NONPROFIT TO THE STATE WITHIN THIRTY (30) DAYS OF A WRITTEN REQUEST FOR REPAYMENT TRANSMITTED TO THE NONPROFIT BY THE STATE**

### **Part 2: Reporting Requirements**

Applicants that receive funds from the program are required to keep specific records of all expenses for which the funds were used, for a period of seven (7) years. Upon request, the nonprofit shall provide access to these records to the State of Oklahoma, its agencies, agents, directors, and/or any party that has contracted with the State for the exclusive purposes of evaluating or ensuring compliance with CARES act or NPRP program requirements.

At their own expense, the applicant shall prepare photocopies of all required documents and deliver said documents to the State or any of the aforementioned parties upon written request within a reasonable time of the request.

In the event that the applicant ceases operations of the nonprofit during this seven (7) year period, the applicant must provide photocopies of these records to the Executive Director of ODOC within thirty (30) days of ceasing operations.

Failure to abide by any reporting requirement shall require the applicant to repay NPRP funds to the State of Oklahoma within thirty (30) days of a written request for repayment.

## **SECTION V: THE APPLICATION; SUBMITTAL OF APPLICATION DOCUMENTS**

The following section describes the required documents as well as the flow of documents in the application process.

### **Part 1: Transmittal of Documents and Receipt**

Nonprofit applicants shall review all requirements in the authorizing legislation related to NPRP as well as the requirements listed in this document before applying for funds. Applicants must be able to submit documents via the required online portal and must be able to utilize the required login procedures as prescribed by the OKGrants online grant management system.

**Part 2: Required Documents to be Submitted by the Applicant Nonprofit to the OKGrants online portal**

Applicants shall submit an application packet consisting of the following documents and attestations in the OKGrants online portal:

- Screenshot from Oklahoma Secretary of State's website showing active status; or if exempt, a statement from the applicant citing the reason for exemption.
- PDF showing verification of 501(c)(3) status.
- Financial documents (e.g. 990; financial statements approved by the applicant's governing body) showing year over year negative impact of at least \$1,000.
- Budget documents showing annual revenue amount for the time period designated.
- Attestation that the applicant is in compliance with both federal and Oklahoma tax laws.
- Attestation that the applicant is nonpartisan.
- Attestation that the previously submitted percentage of budget dedicated to priority areas is accurate.
- A signed copy of this rules document (signature on last page).

An applicant shall only submit one application to the OKGrants online portal. Violation of this rule by submission of multiple applications to may cause the applicant to be denied participation in the program by ODOC.

Failure to complete the required online application and attach **all** of the required documents may cause the application not to be deemed received by ODOC.

## **SECTION VI: PROGRAM TIMELINES**

Timelines for the program are as follows:

- Applicants that wish to participate in the NPRP shall submit their application to ODOC at any time from now through December 15<sup>th</sup>, 2022 at 11:59 pm CST.
- Applicants that are tentatively awarded any NPRP money will be notified by approximately February 1<sup>st</sup>, 2023.
- Applicants awarded a tentative grant from the NPRP shall register as a state vendor with OMES by February 1<sup>st</sup>, 2023.
- Distribution of funds to begin on approximately February 1<sup>st</sup>, 2023.

## **SECTION VII: PROGRAM PROCESS AND PROCEDURES**

The following provides the general process that applicants shall follow concerning their participation in the program subject to the specific guidelines and timelines as otherwise included in these rules:

- First: An entity that meets the definition of a nonprofit as listed in these rules may apply to ODOC via the OKGrants online portal.
- Second: ODOC shall review the application of the nonprofit to ensure that the institution meets the qualifications and eligible criteria.
- Third: If the applicant is approved for funding, ODOC shall notify them via OKGrants of their tentative award, by pushing their application to “contract signatures required” status.
- Fourth: An applicant that is eligible for award shall register as a state vendor with OMES.
- Fifth: The applicant shall fully execute their award in OKGrants and submit a request for payment.
  - If the applicant nonprofit is deemed ineligible, ODOC shall transmit this determination via the OKGrants online portal to the nonprofit by pushing their application to “denied” status.
  - There is no appeals process for a nonprofit that has been deemed ineligible and thus denied funds and the decision of ODOC shall be final.

**SECTION VIII: SIGNATURE OF NONPROFIT REPRESENTATIVE**

**Part 1: Signature of Nonprofit Representative**

By my signature below, and on behalf of the applicant nonprofit, I hereby certify the following to be true and correct under penalty of perjury:

- I am an authorized representative for the applicant nonprofit.
- I have read and understand the rules contained in this document and agree to follow each of them.
- I acknowledge that failure to follow the rules contained in this document may cause the receipt of the application by ODOC to be delayed or may cause the application to be denied by ODOC.
- On behalf of myself and the applicant nonprofit, I hereby hold harmless the State of Oklahoma, ODOC, the agents, employees or officers of these groups against any liability, loss or damages arising out of either application to or participation in this program and waive any claims that the nonprofit or I may have against these persons or groups to the maximum extent allowable by law. By way of example, this specifically includes, but is not limited to, any loss, damages or injury arising from the failure of the NONPROFIT to timely transmit the application packet to ODOC and/or the failure of ODOC to receive, locate or timely process the application received by ODOC from the NONPROFIT.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Name of Nonprofit: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_