



## Emergency Food Assistance Program (EFAP) Subcontractor Biennial Meeting Handout (Must be Distributed to all Subcontractors)

The Washington State Department of Agriculture's (WSDA) Emergency Food Assistance Program (EFAP) is a state funded program that supports local emergency food providers with funding. The funding is flexible and may be used for the purchase of food, operational costs, nutrition training, equipment, and repairs. EFAP funding is unique in that it is locally driven. The power to decide how each county will spend their allocated budget is determined by the participating food pantries and county lead contractor.

Every biennium the current lead contractor for your county is required to hold a meeting (or multiple meetings) before the start of the biennium, (July 1, 2019 – June 30, 2021). The purpose of the meeting is to give food pantries an opportunity to vote and voice their opinion on how the funds would best serve their county, or multi-county region, for the next two year EFAP contract period.

### Attendance Required:

Attendance is mandatory for all food pantries and food banks that receive, or wish to receive, funding and/or services supported with EFAP funding. If the director cannot be present, they should appoint another person such as a board member or the next highest ranking staff or volunteer to attend.

In extreme cases, the contractor may excuse a food pantry from attending the meeting and still provide EFAP funding to that food pantry. A food pantry that has been excused from being present may submit an absentee ballot. The ballot should include all votes that took place at the meeting.

A food pantry that misses the discussions and presentations will not have an informed vote and may want to consider abstaining from the vote.

### Decisions & Voting:

All decisions are made with a two thirds vote of eligible food pantries and the contractor, as applicable. Only food pantries who will be entering into a subcontract with the contractor are allowed to vote. Contractors are limited to one vote even if they are also a food pantry.

Note: Should a food pantry not be present at the meeting, two thirds refers to all of the food pantries in a county receiving EFAP funds and food for the next biennium, not two thirds of those present at the meeting. All votes should be made, and reported separately in the meeting minutes.

## Meeting Topics:

The following topics must be covered during the meeting in the order they are listed:

### 1. New Food Pantries

If a new food pantry in your county or multi-county region is interested in receiving EFAP funding and/or services, the first order of business must be a vote on whether or not to include the new pantry in EFAP services. This will allow the organization to participate in any subsequent voting.

Prior to the meeting, the prospective agency must notify the lead contractor of their intent to participate in the program. The contractor must verify the following:

- The organization is currently registered as a nonprofit agency/corporation with the Secretary of State Office in Washington.
- The food pantry has been active for at least one year prior to the start of the contract.
- The organization is a public agency, a recognized tribe, or a 501(c)(3) nonprofit.
- If a nonprofit agency, they have had IRS 501(c)(3) nonprofit status for at least one year prior to the start of the contract.

If the food pantry meets the criteria listed above, they may be denied EFAP funding ONLY if the existing group of EFAP food pantries and contractor can substantiate that the new food pantry provides services that are duplicative to that of current EFAP supported pantries. New food pantries must be allowed to make their case for receiving EFAP prior to a vote.

Some non-duplication factors to consider are: distance from other food pantries, hours and days of operation, specific population served, and access to special dietary food.

### 2. Lead Contractor

If the current contractor or participating food pantry is contacted by an interested agency in your county or multi-county region that wants to serve as the lead contractor, they must tell that agency to notify WSDA of its interest in writing or by email two weeks prior to the meeting. Any agencies requesting to be the contractor must be allowed to present their case prior to the vote. The prospective agency must address the following:

- Plan for providing services to the food pantries
- How much EFAP funding they are requesting to provide services
- How they plan on spending their share of the EFAP funds

Only food pantries may vote to determine who will be the lead contractor unless the current/potential contractor is also a participating food pantry.

Each county can have only one contractor with the exception of King County, which may have up to three. An organization may be the contractor for more than one county, but each county must vote separately for the contractor.

If a contractor serves multiple counties, they can propose to pool all of the counties funds. Each county would need to have a two thirds vote from the food pantries involved. If agreed upon, all of the counties' funding would be combined into one single allocation and considered as a single allocation.

If a county's food pantries receive fewer funds by doing this, they can vote to remove their county's funds from the multi-county group with a two thirds vote. The other counties may continue to vote as a block.

WSDA encourages multi-county areas to consider pooling funds as a means to evenly disperse funding and resources among all of the service area's food pantries and to ease the administrative burden on the contractor.

A contractor has the right to take 10 percent of the county's EFAP allocation to cover its costs of administering the EFAP contract since administering the contract can be a time-consuming and challenging responsibility.

If the contractor performs two or more functions (ex: contractor and/or food bank services and/or direct client food pantry services) they have the right to claim 15 percent administrative costs. There are no limitations to operational funding levels.

### 3. Food Bank Distribution Center

If another agency in your county or multi-county region wants to serve as the food bank distribution center, they must notify the current contractor prior to the meeting. Both the contractor and the food pantries have the ability to vote on this topic.

Any agencies requesting to be the food bank distribution center must be allowed to present their case prior to the vote. Note: There can be more than one food bank distribution center per county.

The prospective agency must address the following:

- Plan for providing services to the food pantries
- How much EFAP funding they are requesting to provide services
- How they plan on spending their share of the EFAP funds
- How the food will be transported from the food bank to the food pantries
- An allocation formula for distributing food among the food pantries

Note: A food bank distribution center has the right to take up to 10 percent of the county's EFAP allocation for administrative purposes to cover its costs of being the county distribution center. WSDA strongly urges food pantries to consider providing the local food bank with operational funding as a means to receive substantially discounted or free food.

### 4. Funding Allocations

Both the contractor and the food pantries must decide how their county's EFAP funds should be spent. You may allocate funding for one or all of the following purposes in any combination or amount:

- To individual food pantries for administrative costs (10% of total allocation), operational costs, equipment purchases, food, special dietary needs food, and dues. You will need to determine the formula for allocating funds among the food pantries. This formula can change from biennium to biennium, depending on the needs of your county. EFAP policies state that the formula must be based on substantiated need indicated for each food pantry. Contractors report using service counts figures (new and/or returning clients), census tract poverty data,

pounds of food distributed, adjusted backpack figures, a subcontractor base, or a combination of measurements.

Note: While this must be at least a two thirds vote, we encourage contractors to try to reach a consensus.

- To the food bank(s) or contractor to provide food and support to the food pantries. Determine how many food bank(s) will be supporting the food pantries and the amount of funding to allocate to the food bank(s).
- Items or services that will benefit the entire group of food pantries that participate. These funds will be taken off the top before further allocating the EFAP funds. These costs may include:
  - The purchase of special dietary needs food
  - The payment of dues for the WA Food Coalition or any other anti-hunger agency (up to 1% of allocation)
  - Equipment purchases that will benefit the entire service area

Note: Once funds are allocated to any food pantry, that agency has the right to decide for itself how to spend its own funding within the EFAP guidelines, including up to 10 percent for administrative costs, along with operational costs, equipment purchases, special dietary needs food and dues. Lead contractor and food bank distribution centers may take up to 10 percent of available funds for administrative costs if they deem that necessary.

Examples of a few possible funding decisions:

*Example #1*

- 10% Contractor admin
- 1% for WA Food Coalition dues
- 35% Food bank
- 54% Food pantries

*Example #2*

- 10% Contractor admin
- 75% Food bank #1
- 10% Food bank #2
- 5% Special dietary needs food purchases

*Example #3*

- 10% Contractor admin
- 69% Food pantries
- 20% Shared equipment (refrigerated truck)
- 1% for WA Food Coalition dues

*Example #4*

- 10 % Contractor admin
- 46.4% Food pantries
- 40.9% Food bank
- 0.7% WA Food Coalition dues

## 5. Optional Decisions & Voting

This is your opportunity to discuss any other decisions that need to be made for your county. Addressing any concerns at the meeting can eliminate the need to vote throughout the year and allow for easier management of the EFAP contract for both the contractor and subcontractors.

Some examples of optional decisions include:

- Alternatives to in-person meetings that require a vote during the course of the biennium (electronic voting, conference call, web meetings etc.)
- An agreed upon spend out procedure. Example: 80 percent of funds must be spent by May billing.
- A plan for a subcontractor that cannot spend down their funds prior to the end of the state fiscal year. Example: Those funds could be redistributed to the nearest pantries, put into bulk buy, etc.
- A plan for reallocation if a subcontractor closes or leaves the program.
- An additional vote to confirm final allocation levels if EFAP actual funding varies considerably from estimated figures provided in County Allocations table (AGR PUB 609-459). Example: If budget levels are 20 percent greater or less than estimated meeting budget levels a re-vote could be required.

If you feel that the process outline above was not properly carried out at your meeting, steps were missing, or coercion was used, and you have been unable to resolve the issue locally, please contact your WSDA Food Assistance (FA) Regional Representative or the FA Program Manager.

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