

REHABILITATION SERVICES ADMINISTRATION  
Randolph-Sheppard Financial Relief and Restoration Payments (FRRP) Appropriation  
ASSURANCES and USE of FRRP FUNDS

Name of State licensing agency (SLA): Opportunities for Ohioans with Disabilities  
DUNS: 044392731

**A. Assurances**

The State licensing agency (SLA), responsible for administering the Randolph-Sheppard Act program in the State, assures it will (check if yes):

- X (1) cooperate with the Secretary in applying the requirements of the Randolph-Sheppard Act in a uniform manner when administering the FRRP, pursuant to 34 C.F.R. § 395.3(a)(11)(i), and will comply with all applicable Federal statutory and regulatory requirements for Federal recipients, as well as the terms and conditions of the grant award;
- X (2) use all funds received under the FRRP in accordance with the terms of the Consolidated Appropriations Act of 2021, PL 116-260, Division H, Title III, section 318, specifically for the purposes of:
  - offsetting losses of blind vendors that occurred during calendar year 2020, to the extent that such losses were not otherwise compensated; and
  - other purposes authorized under 34 C.F.R. § 395.9 for set-aside funds, but only to the extent any funds remain available after offsetting losses that were incurred by blind vendors during calendar year 2020.
- X (3) actively participate with the State Elected Committee of Blind Vendors in developing for RSA approval how it will use the FRRP funds, consistent with the information required by Part B of this document, pursuant to 34 C.F.R. §§ 395.3(a)(2), 395.3(a)(6), 395.3(a)(11)(iii), 395.4(a), and 395.14, and Technical Assistance Circular RSA-TAC-21-01. The SLA understands that this information in Part B is required since receipt and use of the FRRP funds represent a change in the SLA's procedures covering the operation of vending facilities in accordance with Federal laws and its sources of funds for the administration of the program;
- X (4) expend all FRRP funds, including for administrative purposes, in a manner that is allowable, reasonable, and allocable as required by 2 C.F.R. §§ 200.403 through 200.405;
- X (5) not use Vocational Rehabilitation (VR) program funds, either Federal or non-Federal, to cover the administration of the FRRP funds unless such costs are also allowable under the VR program in accordance with section 103(b)(1) of the Rehabilitation Act of 1973 (Rehabilitation Act) and 34 C.F.R. § 361.49(a)(5) (*i.e.*, "financial relief and restoration payments to offset losses of blind vendors that occurred during calendar year 2020" are not allowable expenses under the VR program), and allocable to that program in

accordance with the Federal cost principles at 2 C.F.R. §§ 200.403 through 200.405. In the unusual event an activity under the FRRP funds is also authorized under the VR program and the SLA wants to use VR program funds, either Federal or non-Federal, to pay the administrative costs, the SLA assures it will allocate those costs proportionately across all benefitting programs in accordance with 2 C.F.R. §§ 200.403 through 200.405;

- X\_ (6) not use expenditures paid with these FRRP funds to meet the non-Federal share of the VR program, because these are Federal – not non-Federal – funds; and
- X\_ (7) satisfy all applicable requirements under the Randolph-Sheppard Vending Facility Program, including those set forth at 34 C.F.R. § 395.3(a)(11) (viii) and (ix), as well as those of 2 C.F.R. part 200, including those governing internal controls (§ 200.302), financial management (§ 200.303), financial reporting (§ 200.328), performance reporting and monitoring (§ 200.329), and grant closeout (§ 200.344).

## **B. Use of FRRP Funds**

1. Explain briefly how the SLA will distribute the FRRP funds to blind vendors to offset losses incurred during the 2020 calendar year (*e.g.*, proportional to losses incurred, based on losses due to vendor’s spoiled or expired stock, etc.).

**The SLA will distribute the money based on the net profit loss incurred by each operator. Each net profit loss is a percentage of the total program loss and based on that percentage, the amount of the FRRP is determined.**

**The Committee of Blind Vendors in Ohio put together a work group to create a plan to present to the full committee for discussion. The work group requested that the SLA provide the net profit losses and gross profit losses for each operator minus the \$1000 fair minimum return stipend that was given by the SLA in the summer of 2020. Two spreadsheets were generated by the SLA that gave detailed net profit and gross profit losses for each month of 2019 and 2020 for each operator. The work group proposed two plans, one was to give everyone half of their losses and the other was to give everyone a percentage of the total program loss. The SLA provided documentation of each plan and the work group decided the percentage of total losses was the best option. They presented this plan to the full committee and it was voted on and passed unanimously at the April 16, 2021 meeting. The formula for the percentage of loss plan is the total of each operator’s net loss divided by total program net loss then multiplied by the total amount of FRRP appropriations. The spreadsheet is attached.**

2. Does the SLA anticipate using any of the FRRP funds to cover administrative costs?  
 Yes  No
3. If yes, what percentage of the FRRP funds do you anticipate expending on administrative costs? \_\_\_\_\_ percent
4. How will the SLA ensure blind vendor losses were not previously compensated (*e.g.*, attestation, financial reports, inventory reports, documentation of losses due to spoilage, etc.)? **The SLA will create an attestation for each blind vendor to sign confirming**

**their net profit loss in 2020 and that they were not “otherwise compensated” for their loss. The net profit losses were taken from the 2019 and 2020 monthly**

**operating reports submitted to the SLA. The attestation includes language that indicates that PPP, unemployment, SBA loans, and SSDI will not be counted as “otherwise compensated” due to these items are not reported in the monthly operating reports that the program receives, or the items received must be repaid by the operator. The attestation has been attached.**

5. Does the SLA anticipate having any FRRP funds remaining after distributing funds to the blind vendors to cover losses incurred in calendar year 2020? \_\_\_ Yes  X  No
6. If yes, please identify for which authorized set aside purposes under 34 C.F.R. § 395.9 the SLA anticipates using the funds (check all that apply):
- |   |   |
|---|---|
| <input type="checkbox"/> purchase of equipment    | <input type="checkbox"/> fair minimum return to vendors   |
| <input type="checkbox"/> maintenance of equipment | <input type="checkbox"/> establishment and maintenance of |
| <input type="checkbox"/> management services      | <input type="checkbox"/> retirement or pension funds*     |
| <input type="checkbox"/> paid sick leave*         | <input type="checkbox"/> health insurance contributions*  |
| <input type="checkbox"/> paid vacation time*      |   |

\*Use of funds for these purposes would also require a majority vote of the blind vendors licensed by the SLA in accordance with 34 C.F.R. § 395.9(b)(5).

7. Explain briefly how the SLA actively participated with the State’s Elected Committee of Blind Vendors to develop the Use of FRRP funds under Part B of this document and the result of their active participation (*e.g.*, was there consensus on the use of the funds). Documentation, such as meeting minutes when the use of FRRP funds was discussed, must be available upon request.

**The Elected Committee of Blind Vendors in Ohio decided to appoint a work group consisting of 3 committee members, 2 nonmembers who are also operators, and 1 SLA staff to brainstorm, research, and construct a plan to present to the full committee at the April 16, 2021 meeting. The committee’s appointed work group met 3 times via phone conference and came to a consensus on a plan. The plan was brought to the full committee and a motion was made to adopt the plan, discussion was had, and the motion passed unanimously. The SLA supports this plan and request.**

8. Please identify the date by which the SLA anticipates obligating all FRRP funds, making sure all funds will be obligated by September 30, 2022.

**The SLA ensures the funds will be obligated by the due date of September 30, 2022. The SLA will attempt to distribute the funds as soon as the funds are distributed to the SLA so the funds can be passed on to each operator.**

### **C. Certification**

As a duly authorized representative of the applicant, I hereby certify that the applicant will

comply with the Assurances in Part A. I also attest that the information provided in Part B regarding the Use of FRRP Funds is true and accurate.

Printed name and title of authorized representative: Kevin Miller, Director

Signature: 

Date: April 21, 2021

Paperwork Burden Statement: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1820-0698. Public reporting burden for this collection of information is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. The Department is requiring States to respond to this collection to obtain or retain benefit pursuant to 34 C.F.R. §§ 395.3, 395.4(a), and 395.14, and consistent with the requirement of 2 C.F.R. § 200.207. If you have any comments concerning the accuracy of the time estimate, suggestions for improving this information collection, or if you have comments or concerns regarding your individual form, application, or survey, please contact Jesse Hartle, U.S. Department of Education, 550 12<sup>th</sup> Street, SW, Washington, DC 20202-5176, [Jesse.Hartle@ed.gov](mailto:Jesse.Hartle@ed.gov), directly. Note: Please do not return the completed form to this address.

This form should be emailed to: [randolph-sheppardvfprestationfunds@ed.gov](mailto:randolph-sheppardvfprestationfunds@ed.gov).