

Request for Applications: Dispute Resolution Procedures

This summary document is intended to provide guidance to applicants on how the Department of Health will address disputes related to the DC Health competitive award process.

Timely Notification

Applicants should be provided with timely written notification that they were not selected as the award recipient based on one of the following rationale:

1. The applicant was determined to be ineligible for award consideration as a result of the eligibility criteria established in the Request for Applications (RFA),
2. The applicant was not selected for an award based on their ranking/scoring after an evaluation of their application against the scoring criteria contained within the RFA, or
3. The applicant was not selected for an award based on other grants management considerations.

Non-Compliance with submission requirements

Applications that are deemed to be non-compliant with the RFA's technical submission and formatting requirements will not be eligible for an award. Failure to receive an award for not complying with these requirements is not subject to this dispute resolution procedure.

Notification of Funding Decision

Applicants must be notified within fifteen calendar days after DC Health makes a funding decision. The notification must indicate, as appropriate, that the applicant was ineligible for award consideration based on a review of the eligibility criteria published in the RFA, was not selected for an award based on the ranking/scoring of the application or was not selected for other grants management reasons. An explanation must be included in the notification.

Notification of Debriefing Rights

An applicant has fifteen calendar days from the date the notification letter is mailed to request a more elaborate explanation/debriefing. An applicant must request a debriefing in order to be permitted to file a dispute resolution request. Debriefings may be provided orally or in writing at the discretion of the applicant organization. The program office will conduct oral debriefings at a mutually agreeable time and place as soon as practicable after receiving the debriefing request.

The program office must promptly notify the Office of Grants Management within the Office of the Director of all debriefing requests so that a Grants Competition Dispute Decision Official (GCDDO) can be designated.

The program debriefing should be limited to the following, as appropriate:

1. Identify the threshold eligibility criteria that the applicant failed to meet and fully explain how the applicant failed to meet this criterion.

2. Provide the applicant with the numerical scoring/ranking for the applicant application.
3. Provide the applicant with information on the strengths and weaknesses of its application under the evaluation criteria published in the RFA.
4. Provide responses to relevant questions regarding whether the evaluation and selection procedures contained in the announcement were followed and why the applicant was not selected for an award. However, the debriefing should not compare their application to other applications. Debriefings shall not disclose the names of the reviewers.
5. Discuss those grant management issues that precluded the applicant from receiving an award.
6. Inform the unsuccessful applicant that they have the right to file a written dispute with the (GCDDO). The program will provide the name and contact information of the pre-identified GCDDO. The written dispute request must be received within fifteen calendar days of the oral debriefing date or in the case of written debriefings fifteen calendar days from the date it was postmarked.

Dispute Validity

The written request for dispute resolution must include a detailed statement of the legal and/or factual basis for the dispute, the remedy that the applicant is seeking, information on how to communicate with the applicant or its representative and any documentation relevant to the dispute. Applicants may access records consistent with the Freedom of Information Act. (Cite FOIA reference/law/regulation)

1. Disputes will only be considered on the following grounds:
 - a. Eligibility
 - b. DC Health's failure to follow policies and procedures to the extent the integrity of the process has been compromised.
 - c. Factors used to set aside an applicant's score/rank.
2. Disputes will not be considered on the following grounds:
 - a. Failure to comply with technical and formatting requirements specified in the RFA
 - b. Late submissions
 - c. Scoring/ranking of applications by independent review panels.
3. The GCDDO must consult with the program office, and the Office of the Director to determine whether it is in the department's best interest to delay the award process pending resolution of the dispute.
4. The GCDDO will review all the information relevant to the dispute, and with concurrence of the Office of the Director, will issue a timely written decision regarding the dispute. The decision is final and not subject to further review.

For more information, please contact the DC Health Office of Grants Management at doh.grants@dc.gov or (202) 442-9237